Canada. Laws, Statutes, etc.

CANADA
HOUSE OF COMMONS

22nd Parliament, 2nd Session
1955

BILLS (First Reading)

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256. Department of Defence Production Act amdt. Mr. St. Laurent
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259. Railway Act amdt. Mr. Marler
260. Radio Act amdt. Mr. Marler
261. National Parks Act amdt. Mr. Lesage
262. Toronto harbour commissioners. Mr. Marler
*263. Foreign aircraft third party damage. Mr. Marler
278. Veterans Benefit Act amdt. Mr. Lapointe
279. Great lakes fisheries convention. Mr. Lesage
*282. Territorial Lands Act amdt. Mr. Lesage
284. Supply (interim). Mr. Harris
285. Winnipeg and St. Boniface Harbour Commissioners. Mr. Knowles

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

303. Interest Act amdt. Mr. Argue
304. Small Loans Act amdt. Mr. Argue
305. Supply (further supplementary estimates). Mr. Harris
*306. Precious Metals Marking Act amdt. Mr. Howe (Port Arthur)
328. Unemployment Insurance (increased benefits) Act amdt. Mr. Gregg
350. Blind Persons Act amdt. Mr. Martin
351. Canadian National Railways (consolidation of legislation). Mr. Marler
352. Meat inspection. Mr. Gardiner
379. Senate and House of Commons Act amdt. Mr. Knowles

*381. Prisons and Reformatories Act amdt. Mr. Garson
410. Customs Act amdt. Mr. McCann
411. Canada agricultural products standards. Mr. Gardiner
*412. Alberta-British Columbia boundary. Mr. Lesage
413. Supply (interim). Mr. Harris
415. Canada Elections (chief electoral officer, increase in salary) Act amdt. Mr. Pickersgill
417. Income Tax Act amdt. Mr. Harris
418. Excise Tax Act amdt. Mr. Harris
449. Transport Act (agreed charges) amdt. Mr. Marler
450. Canadian National Railways (refunding obligations, etc.). Mr. Harris
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482. Yukon Quartz Mining. Mr. Lesage
504. Criminal Code (race meetings) amdt. Mr. Gardiner
505. Judges Act amdt. Mr. Garson
506. Customs Tariff Act amdt. Mr. Harris
507. Income Tax Act, Railway Act, Tariff Board Act (salaries) amdt. Mr. Harris
508. St. Lawrence Seaway Authority Act amdt. Mr. Marler
509. Supply (interim). Mr. Harris
510. Supply (main). Mr. Harris

* Those bills are missing.

May be found under Senate Bills.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to Provide equal pay for equal work for Women.

First reading, January 10, 1955.

Mrs. Fairclough.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

94058

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to Provide equal pay for equal work for Women.

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

Short title.

1. This Act may be cited as the *Women's Equal Pay Act, 1955.*

Application.

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

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

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

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

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

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

(f) radio broadcasting stations;

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

(h) the civil service of Canada;

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

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

Definitions.

"Minister".

"Deputy Minister".

"Trade union". "Union".

"Employers' organization".

"Employment agency".

"Person".

3. In this Act,

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

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

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

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

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

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

Unfair wage practice.

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

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

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

Difference of rate of pay.

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

Conciliation officer to inquire into complaint.

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

Complaint to be in writing.

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

Duty of conciliation officer.

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

Report.

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

Commission.

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

Powers of Commission.

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

Duties of Commission.

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

Majority recommendations prevail.

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

Deputy Minister may ask for clarification, etc.

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

Minister's order.

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

Offence and penalty.

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

Penalties to Receiver General.

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

Consent to prosecution.

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

Rights saved.

(4) Nothing in this Act shall affect written contracts of employment and collective bargaining agreements that were made before the 1st day of May, 1955, but if any such contract or agreement is in force on the 1st day of May, 1955, this Act shall apply thereto on and after that day.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Construction, Operation and Maintenance of International River Improvements.

First reading, January 10, 1955.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99743

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Construction, Operation and Maintenance of International River Improvements.

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 *International Rivers Act.*

Interpretation.

Definitions. "International river."

"International river improvement."

2. In this Act,

(a) "international river" means water flowing from any place in Canada to any place outside Canada; and

(b) "international river improvement" means a dam, obstruction, canal, reservoir or other work the purpose or effect of which is

(i) to increase, decrease or alter the natural flow of an international river, and

(ii) to interfere with, alter or affect the actual or potential use of the international river outside Canada.

Regulations.

Regulations respecting river improvements.

3. The Governor in Council may, for the purpose of developing and utilizing the water resources of Canada in the national interest, make regulations

(a) respecting the construction, operation and maintenance of international river improvements;

(b) respecting the issue, cancellation and suspension of licences for the construction, operation and maintenance of international river improvements;

(c) prescribing fees for licences issued under this Act; and

(d) excepting any international river improvements from the operation of this Act.

Licences.

Licences required.

4. No person shall construct, operate or maintain an international river improvement unless he holds a valid licence therefor issued under this Act.

Penalties.

Offences.

5. Every person who violates this Act or any regulation is guilty of an offence and is liable

(a) on conviction on indictment to a fine of five thousand dollars or to imprisonment for a term of five years, or to both fine and imprisonment; or

(b) on summary conviction, to a fine of five hundred dollars or to imprisonment for a term of six months, or to both fine and imprisonment.

Forfeiture.

6. The Governor in Council may order that any international river improvement or part thereof constructed, operated or maintained in violation of this Act or the regulations be forfeited to Her Majesty in right of Canada, and any thing so forfeited may be removed, destroyed or otherwise disposed of as the Governor in Council directs; and the costs of and incidental to such removal, destruction or disposition, less any sum that may be realized from the sale or other disposition thereof, are recoverable by Her Majesty in right of Canada from the owner as a debt due to the Crown.

General.

Exception.

7. This Act does not apply in respect of an international river improvement constructed under the authority of an Act of the Parliament of Canada.

Application to Crown.

8. Her Majesty in right of Canada or a province is bound by this Act.

Declaration.

9. All international river improvements heretofore or hereafter constructed, and not excepted from the operation of this Act, are hereby declared to be works for the general advantage of Canada.

Savings.

10. For a period of one year after the day on which this Act comes into force, sections 4, 5 and 6 do not apply in respect of international river improvements existing on that day.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to regulate the Exportation of Power and Fluids and the Importation of Gas.

First reading, January 10, 1955.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

50026

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to regulate the Exportation of Power and Fluids and the Importation of Gas.

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 *Exportation of Power and Fluids and Importation of Gas Act.*

Interpretation.

Definitions. "Export."

2. In this Act,

(a) "export" means

(i) with reference to power, to send from Canada by a line of wire or other conductor, and

(ii) with reference to fluids, to send from Canada through pipe lines or other like contrivances;

"Fluids."

(b) "fluids" means gas, oil, water or any other fluids, whether liquid or gaseous, that originate or are produced or recovered in Canada;

"Gas."

(c) "gas" means methane, ethane, ethylenes, propanes, propylenes, butanes, butalenes and any mixture of these gases, whether in gaseous or liquid state and either before or after they have been subjected to treatment or processing by absorption, purification, scrubbing or otherwise;

"Import."

(d) "import", with reference to gas, means to bring gas into Canada through pipe lines or other like contrivances;

"Oil."

(e) "oil" means any liquid hydrocarbon other than a hydrocarbon included in paragraph *(c)*; and

"Power."

(f) "power" means electrical power or energy that is produced in Canada.

Explanatory Notes.

The purpose of this Bill is to revise and consolidate the *Electricity and Fluid Exportation Act*. The principal changes are as follows:

(a) licensing requirements are extended to the importation of natural gas and similar gases;

(b) the power to impose export duties has been removed with respect to exports of gas, oil and other fluids and is restricted to exports of electric power; and

(c) former unrestricted authority to revoke licences is now exercisable where, after receiving notice of his breach of the terms or conditions of his licence, a licensee refuses or neglects to comply with such terms or conditions.

A reference to a section, subsection or paragraph is to the provision in the present *Electricity and Fluid Exportation Act* that corresponds with the provision that appears in the text of the Bill.

1. Section 1.

2. Section 2.

(a) Paragraph *(a)*.

(b) Paragraph *(b)*.

(c) New.

(d) New.

(e) New.

(f) Paragraph *(c)*.

Licences.

Licences.

3. (1) Subject to the regulations and to such terms and conditions as the Governor in Council may approve with respect to each licence, licences may be granted for

(a) the exportation of power and fluids;

(b) the importation of gas; and

(c) the construction or placing of any line of wire or other conductor for the exportation of power.

Licence may require that export be limited to surplus.

(2) A licence to export power or fluids may provide that the quantity of power or fluid to be exported shall be limited to the surplus remaining after due allowance has been made for distribution to customers for use in Canada during the period of the licence.

Revocation.

(3) A licence granted under this section may be revoked if the Governor in Council is satisfied that

(a) the licensee has refused or neglected to comply with any of the terms or conditions of the licence,

(b) notice of such refusal or neglect has been sent to the licensee, and

(c) the licensee has, after receiving such notice, refused or neglected to comply with any such term or condition.

Export Duties.

Export duties.

4. The Governor in Council may make regulations imposing export duties, not exceeding ten dollars per horse power per annum, upon power exported from Canada and respecting the manner in which such duties shall be calculated and paid.

Regulations.

Regulations.

5. 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 respecting

(a) the information to be furnished by applicants for licences and the procedure to be followed in applying for licences and in granting licences;

(b) the duration of licences, the quantities that may be exported or imported under licences and any other terms or conditions to which licences may be subject;

(c) units of measurement and measuring instruments or devices to be used in connection with the exportation of power or fluids or the importation of gas;

(d) the inspection of any instruments, devices, plant, equipment, books, records or accounts or any other thing used for or in connection with the exportation of power or fluids or the importation of gas; and

3. (1) Sections 6 (1) and 8.

(2) Section 7 (1).

(3) Sections 6 (2) and 7 (2).

4. Section 4.

5. Section 3.

(e) reports or other information to be supplied by persons to whom licences have been granted and any other matter associated with their use.

PROHIBITIONS AND PENALTIES.

Unlawful exportation or importation.

6. (1) No person shall export any power or fluids or import any gas except under the authority of and in accordance with a licence granted under this Act.

Separate offence for each day.

(2) Every person who violates subsection (1) is guilty of a separate offence for each day on which such violation takes place.

Unlawful construction of power lines.

(3) No person shall construct or place any line of wire or other conductor for the exportation of power except under the authority of and in accordance with a licence granted under this Act.

Offence and penalty.

7. Every person who violates any of the provisions of this Act or the regulations is guilty of an offence and is liable

(a) on conviction on indictment to a fine of five thousand dollars; or

(b) on summary conviction to a fine of five hundred dollars.

Forfeiture.

8. The Governor in Council may order that any line of wire or other conductor that was constructed or placed in violation of this Act or the regulations be forfeited to Her Majesty in right of Canada, and any thing so forfeited may be removed, destroyed or otherwise disposed of as the Governor in Council directs; and the costs of and incidental to such removal, destruction or disposition, less any sum that may be realized from the sale or other disposition thereof, are recoverable by Her Majesty in right of Canada from the owner as a debt due to the Crown.

Venue.

9. Any proceedings in respect of an offence under this Act may be instituted, tried or determined at the place in Canada where the offence was committed or at the place in Canada where the person charged with the offence is, resides or has an office or place of business at the time of the institution of the proceedings.

REPEAL.

Repeal.

10. The *Electricity and Fluid Exportation Act,* chapter 93 of the Revised Statutes of Canada, 1952, is repealed.

EFFECTIVE DATE.

Coming into force.

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

6. (1) Section 5 (1).

(2) Part of section 9.

(3) Section 5 (2).

7. Part of sections 9 and 10.

8. Part of section 10.

9. New.

10. New.

11. New.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Prairie Farm Rehabilitation Act.

First reading, January 11, 1955.

The MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99127

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Prairie Farm Rehabilitation Act.

R.S., c. 214.

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

1. Subsection (2) of section 9 of the *Prairie Farm Rehabilitation Act*, chapter 214 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Limitation.

"(2) No single project or scheme under this section involving an expenditure in excess of fifteen thousand dollars in any fiscal year shall be undertaken without the consent of the Treasury Board."

Repeal.

2. Sections 10 and 11 of the said Act are repealed.

Explanatory Notes.

1. Subsection (2) of section 9 reads as follows:

"(2) No single project or scheme under this section involving an expenditure in excess of *ten* thousand dollars in any fiscal year shall be undertaken without the consent of the Governor in Council."

The purpose of the change is to make the Act consistent with the existing Ministerial authority to enter into contracts for sums up to $15,000, as contained in the *Financial Administration Act* and Regulations.

2. Section 10 reads as follows:

"**10.** The Minister may, for the purposes of this Act, and with the approval of the Governor in Council, purchase, lease, or otherwise acquire, or sell, lease or otherwise dispose of, any lands or premises that may be required for or included in any project or scheme, upon such terms or conditions as he may deem desirable."

The repeal of this section will mean that all P.F.R.A. land transactions will be dealt with in the same manner as are the land transactions involving government departments under existing legislation.

Section 11 reads as follows:

"**11.** (1) The Minister may, for the purposes of this Act, purchase or rent whatever machinery or equipment may be required in connection with the development, construction or operation of any project or scheme, but the purchase of any single unit of machinery or equipment of a value greater than five thousand dollars requires the approval of the Governor in Council.

(2) Notwithstanding the provisions of any other Act or law, the Minister may sell any single unit of such machinery or equipment upon such terms as he may deem advisable and the proceeds thereof shall be paid to the Receiver General, but the sale of any such unit, if its initial cost exceeded five hundred dollars, requires the approval of the Governor in Council."

The repeal of this section will make the purchase of machinery and equipment subject to the provisions of the *Financial Administration Act* and Regulations thereunder; and the disposal of any that is surplus, subject to the *Surplus Crown Assets Act.*

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend the Unemployment Insurance Act.

First reading, January 11, 1955.

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.M., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

98696

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend the Unemployment Insurance Act.

R.S. cc. 273, 337; 1952-53, c. 51.

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

Repeal.

1. (1) Subsection (1) of section 93 of the *Unemployment Insurance Act*, chapter 273 of the Revised Statutes of Canada, 1952, is repealed.

R.S., c. 337, s.14.

(2) Subsection (3) of section 93 of the said Act is amended by repealing the table of rates of supplementary benefit set out therein and substituting the following therefor:

"Average Insured Person Daily Contribution	Rates of Supplementary Benefit			
	Person without a Dependant		Person with a Dependant	
	Daily	Weekly	Daily	Weekly
(1)	(2)	(3)	(4)	(5)
Cents				
3	$0.70	$4.20	$0.80	$4.80
4	1.00	6.00	1.25	7.50
5	1.45	8.70	2.00	12.00
6	1.80	10.80	2.50	15.00
7	2.15	12.90	3.00	18.00
8	2.50	15.00	3.50	21.00
9	2.85	17.10	4.00	24.00"

Repeal.

(3) Subsection (4) of section 93 of the said Act is repealed.

Coming into force.

(4) If this Act is assented to on a day other than a Monday, this section shall be deemed to have come into force on the Monday immediately preceding the day on which this Act was assented to.

Explanatory Notes.

The purpose of this Bill is to raise the rates of supplementary benefit to the present rates of regular benefit and to provide a minimum of sixty days' supplementary benefit to those who qualify.

1. (1) Subsection (1) of section 93 reads as follows:—

"**93.** (1) Subject to the provisions of this section, the rates of supplementary benefit shall be eighty per cent of the benefit rates authorized by section 33."

This section will no longer be necessary as the new rates are to be set out in subsection (3).

(2) Subsection (3) of section 93 reads as follows:—

"(3) Where the average daily contributions computed in accordance with this section is the amount in column (1) below, the rates of supplementary benefit shall be the appropriate amounts set out in columns (2) to (5) inclusive below:

Average Insured Person Daily Contribution	Rates of Supplementary Benefit			
	Person without a Dependant		Person with a Dependant	
	Daily	Weekly	Daily	Weekly
(1)	(2)	(3)	(4)	(5)
Cents				
3	$0.55	$3.30	$0.65	$3.90
4	0.80	4.80	1.00	6.00
5	1.10	6.60	1.35	8.10
6	1.35	8.10	1.70	10.20
7	1.65	9.90	2.10	12.60
8	1.90	11.40	2.45	14.70
9	2.15	12.90	2.80	16.80"

This amendment will replace the present rates, with the regular benefit Table in section 33 of the Act.

(3) Subsection (4) of section 93 reads as follows:—

"(4) In respect of a person in class 1, one cent shall be added to the average daily contribution used in calculating the rate of benefit for a benefit year established prior to the coming into force of subsection (3)."

This subsection has no further application and should be repealed.

(4) This subsection will enable the Commission to pay benefits at the new rates commencing with the complete calendar week in which the new rates come into force.

R.S., 1952, c. 337, s. 15.

2. (1) That portion of subsection (1) of section 94 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Duration of supplementary benefit.

"**94.** (1) Notwithstanding section 32, supplementary benefit may be paid, for one period of entitlement only, in respect of the period from the 1st day of January to the 15th day of April next following in any year (herein referred to as "supplementary benefit period") and no other period, for sixty days or the number of days calculated as follows, whichever is the greater, namely:"

Coming into force.

(2) This section shall be deemed to have come into force on the 1st day of January, 1955.

2. (1) Subsection (1) of section 94 reads as follows:

"**94.** (1) Notwithstanding section 32, supplementary benefit may be paid for one period of entitlement only in respect of the period from the 1st day of January to the 15th day of April next following in any year (herein referred to as "supplementary benefit period") and for no other period, for the number of days calculated as follows:

(a) for a person in Class 1, the same number of days to which he was entitled to benefit by virtue of his most recent benefit year established under section 38;

(b) for a person in Class 2, one-fifth of the number of days for which contributions have been paid in respect of him subsequent to the 31st day of March immediately preceding the day on which he makes a claim for supplementary benefit;

(c) for a person in Class 3, one-fifth of the number of days for which he was employed in lumbering and logging and in any insurable employment, during the period of twelve months specified for that Class in section 92, but no supplementary benefit shall be paid in respect of any person in Class 3 in respect of any period after the 31st day of March, 1951; and

(d) for a person in Class 4, one-fifth of the number of days for which he was employed in the employment that was made insurable and in other insurable employment, subsequent to the 31st day of March immediately preceding the day on which he makes a claim for supplementary benefit."

At present a person in Class 2 who has the minimum number of qualifying contributions, 90, is only entitled to 16 days' benefit. The amendment will raise the minimum entitlement to 60 days or 10 weeks and will not affect those who can qualify for more.

(2) This provision is to allow every recipient, in the supplementary benefit period of 1955, to benefit from the minimum duration of sixty days. Persons who were entitled to less than sixty days and have exhausted their entitlement will receive the difference between the number of days already obtained and the sixty day minimum guarantee.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

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

First reading, January 17, 1955.

Mr. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

50901

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

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

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

1. Section 6 of the *Industrial Relations and Disputes Investigation Act*, chapter 152 of the Revised Statutes of Canada, 1952, is amended by adding thereto the following subsection:

Deduction of union dues.

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

Explanatory Note.

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

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Food and Drugs Act.
(Misbranding.)

First reading, January 24, 1955.

MR. FULTON.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

51298

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Food and Drugs Act.
(Misbranding.)

R. S., c. 123.

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

1. Section 8 of the *Food and Drugs Act*, chapter 123 of the Revised Statutes of Canada, 1952, is amended by deleting the word "or" at the end of paragraph *(h)* thereof and by adding thereto the word "or" and the following paragraph immediately following paragraph *(i)*:

Misbranding.

"*(j)* being meat sold or offered for sale wrapped in cellophane or other wrapping such wrapping bears any stripes, printing or other marks of any red or reddish-tinged colour."

Explanatory Note.

The *Food and Drugs Act* creates the offence of misbranding food or drugs. Section 8 of the Act contains a number of definitions of circumstances or conduct which shall be deemed to be misbranding. It is proposed by this Bill to add a further paragraph making it an offence to sell meat in a wrapping which bears any red or reddish-tinged stripes, marking or printing, since it is considered that such marking, etc., on the package tends to mislead the public.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act respecting Flags of Canada.

First reading, February 3, 1955.

MR. HOLLINGWORTH.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

51014

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act respecting Flags of Canada.

WHEREAS Canada is a sovereign nation, among the members of the Commonwealth of Nations, with them united by a common allegiance to the Crown;

AND WHEREAS it is desirable that Canada should possess a distinctive national flag;

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

Short title.

1. This Act may be cited as the *National Flag of Canada Act.*

Duty to prepare a design.

2. It shall be the duty of the Secretary of State for Canada to prepare a design for a suitable distinctive national flag for Canada and to submit the same for the approval of the Governor in Council.

Report to Parliament.

3. The Secretary of State for Canada shall, within thirty days of the opening of the next session of Parliament, report thereto the approved design of the said flag.

Approval and issuance of Royal Proclamation.

4. Notwithstanding any royal prerogatives and anything contained in any Act of the Parliament of the United Kingdom such design for a national flag, after it has been approved by a joint resolution of the Senate and House of Commons, shall be submitted for approval to Her Majesty the Queen and for the issuance of a Royal Proclamation under the Great Seal of Canada respecting such ensign, armorial flags and banners as Her Majesty shall be pleased to appoint.

Explanatory Note.

As it is desirable that Canada should possess a distinctive national flag, this Bill suggests a procedure for accomplishing that purpose.

22.

Second Session, Twenty-Second Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Canada Grain Act.
(Distribution of Box Cars.)

First reading, February 4, 1955.

Mr. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52568

2nd Session, 22nd Parliament, 3 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Canada Grain Act.
(Distribution of Box Cars.)

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

1. The *Canada Grain Act*, chapter 25 of the Revised Statutes of Canada, 1952, as amended by chapter 308 of the Revised Statutes of Canada, 1952, is amended by inserting therein, immediately after section 72 thereof, the following sections:

Producer may enter and assign his acreage.

"**72A.** Any producer, as defined in section 15 of the *Canadian Wheat Board Act*, chapter 44 of the Revised Statutes of Canada, 1952, may, before the 1st day of October in any year, enter in the car order book his acreage seeded to grain as shown in his Permit Book pursuant to sections 18 and 19 of the said Act, and may assign that acreage among the elevator companies at his marketing point.

Railway agent to apportion railway cars.

"**72B.** If, at any time, no unfilled application for a car appears in the car order book at a marketing point, the railway agent shall then apportion railway cars among the elevator companies in the proportion that the acreage has been divided among the elevator companies."

Explanatory Notes.

The purpose of this Act is to remove discrimination in the allocation of box cars by providing in a new section of the Car Order Book a rule for the fair allocation of box cars among elevator companies at a marketing point where the Car Order Book, as presently constituted, is not in effect. By allocating their seeded acreage among the elevator companies at a marketing point, producers themselves will determine the distribution of box cars at that point.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 124.

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

First reading, February 15, 1955.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52419

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 124.

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

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

Short title.

1. This Act may be cited as the *Canada-Ireland Income Tax Agreement Act, 1955.*

Agreement approved.

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

Inconsistent laws.

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

Orders and regulations.

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

Commencement and duration.

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

SCHEDULE.

AGREEMENT

BETWEEN THE

GOVERNMENT OF CANADA

AND THE

GOVERNMENT OF IRELAND

FOR THE AVOIDANCE OF

DOUBLE TAXATION

AND THE PREVENTION OF FISCAL EVASION

WITH RESPECT TO

TAXES ON INCOME

AGREEMENT

BETWEEN THE

GOVERNMENT OF CANADA

AND THE

GOVERNMENT OF IRELAND

FOR THE AVOIDANCE OF

DOUBLE TAXATION

AND THE PREVENTION OF FISCAL EVASION

WITH RESPECT TO

TAXES ON INCOME

The Government of Canada and the Government of Ireland,

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

Have appointed for that purpose as their Plenipotentiaries:

The Government of Canada:

Walter E. Harris, Minister of Finance in the Government of Canada,

The Government of Ireland:

Sean Murphy, Ambassador Extraordinary and Plenipotentiary of Ireland at Ottawa;

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

ARTICLE I.

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

(a) In Canada:

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

(b) In Ireland:

The income tax (including surtax) and the corporation profits tax (hereinafter referred to as "Irish tax").

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

Article II.

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

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

(b) The term "tax" means Irish tax or Canadian tax, as the context requires.

(c) The term "Person" includes any body of persons, corporate or not corporate.

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

(e) The terms "resident of Ireland" and "resident of Canada" means respectively any person who is resident in Ireland for the purposes of Irish tax and not resident in Canada for the purposes of Canadian tax and any person who is resident in Canada for the purposes of Canadian tax and not resident in Ireland for the purposes of Irish tax; a company shall be regarded as resident in Ireland if its business is managed and controlled in Ireland and as resident in Canada if its business is managed and controlled in Canada. Provided that nothing in this paragraph shall affect any provisions of the law of Ireland regarding the imposition of corporation profits tax in the case of a company incorporated in Ireland.

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

(g) The terms "Irish enterprise" and "Canadian enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of Ireland and an industrial or commercial enterprise or undertaking carried on by a resident of Canada; and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean an Irish enterprise or a Canadian enterprise, as the context requires.

(h) The term "permanent establishment" when used with respect to an enterprise of one of the territories, means a branch or other fixed place of business, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of the enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connection—

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

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

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

2. The term "industrial or commercial profits", as used in the present Agreement, does not include income in the form of dividends, interest, rents or royalties, management charges, or remuneration for labour or personal services.

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

Article III.

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

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

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

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

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

Article IV.

Where

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

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

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

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

Article V.

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

Article VI.

1. The rate of Canadian tax on income (other than income from carrying on business in Canada or from performing duties in Canada) derived from sources within Canada by a resident of Ireland shall not exceed 15%.

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

3. Income (other than income from carrying on business in Ireland or from performing duties in Ireland) derived from sources within Ireland by an individual who is a resident of Canada shall be exempt from Irish surtax.

ARTICLE VII.

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

ARTICLE VIII.

1. Remuneration (other than pensions) paid by one of the Contracting Governments to any individual for services rendered to that Government in the discharge of governmental functions shall be exempt from tax in the territory of the other Contracting Government if the individual is not ordinarily resident in that territory or is ordinarily resident in that territory solely for the purpose of rendering those services.

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

ARTICLE IX.

1. A resident of Ireland shall be exempt from Canadian tax upon compensation for personal (including professional) services performed during the taxation year within Canada if he is present therein for a period or periods not exceeding a total of 183 days during the taxation year and either of the following conditions is met:

(a) His compensation is received for such personal services performed as an officer or employee of a resident of Ireland, or

(b) His compensation received for such personal services does not exceed $5,000.

2. The provisions of paragraph 1 of this Article shall apply, *mutatis mutandis*, to a resident of Canada with respect to compensation for such personal services performed in Ireland.

ARTICLE X.

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

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

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

ARTICLE XI.

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

ARTICLE XII.

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

ARTICLE XIII.

1. As far as may be in accordance with the provisions of the law of Canada regarding the deduction from tax payable in Canada of tax paid in a territory outside Canada, Irish tax payable in respect of income from sources within Ireland shall be deducted from any Canadian tax payable in respect of that income. For this purpose the recipient of a dividend paid by a corporation which is a resident of Ireland shall be deemed to have paid the Irish income tax appropriate to such dividend if such recipient elects to include in his gross income for the purposes of Canadian tax the amount of such Irish income tax. For the purposes only of this Article, income derived from sources in the United Kingdom by an individual who is resident in Ireland shall be deemed to be income from sources in Ireland if such income is not subject to United Kingdom income tax.

2. Subject to such provisions (which shall not affect the general principle hereof) as may be enacted in Ireland, Canadian tax payable in respect of income from sources within Canada shall be allowed as a credit against any Irish tax payable in respect of that income. Where such income is an ordinary dividend paid by a Canadian corporation, such credit shall take into account (in addition to any Canadian income tax deducted from or imposed on such dividend) the Canadian income tax imposed on such corporation in respect of its profits, and

where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, such tax on profits shall likewise be taken into account in so far as the dividend exceeds such fixed rate.

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

ARTICLE XIV.

1. The taxation authorities of the Contracting Governments shall upon request exchange such information (being information available under the respective taxation laws of the Contracting Governments) as is necessary for carrying out the provisions of the present Agreement or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Agreement. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of the present Agreement. No information shall be exchanged which would disclose any trade secret or trade process.

2. The taxation authorities of the Contracting Governments may consult together as may be necessary for the purpose of carrying out the provisions of the present Agreement and, in particular, the provisions of Articles III and IV.

3. As used in this Article, the term "taxation authorities" means, in the case of Canada, the Minister of National Revenue or his authorised representative;

in the case of Ireland, the Revenue Commissioners or their authorised representative.

ARTICLE XV.

1. The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Dublin as soon as possible.

2. Upon exchange of ratifications, the present Agreement shall have effect—

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

(b) (i) in respect of Irish income tax, for the year of assessment beginning on the 6th day of April in the calendar year in which the exchange of instruments of ratification takes place and subsequent years;

(ii) in respect of Irish surtax, for the year of assessment beginning on the 6th day of April immediately preceding the calendar year in which the exchange of instruments of ratification takes place, and subsequent years; and

(iii) in respect of Irish corporation profits tax, for any chargeable accounting period beginning on or after the 1st day of April in the calendar year in which the exchange of instruments of ratification takes place, and for the unexpired portion of any chargeable accounting period current at that date.

ARTICLE XVI.

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

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

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

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

(iii) in respect of Irish corporation profits tax, for any chargeable accounting period beginning on or after the 1st day of April in the calendar year next following that in which such notice is given and for the unexpired portion of any chargeable accounting period current at that date.

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

DONE at Ottawa, in duplicate, this 28th day of October, nineteen hundred and fifty-four.

FOR CANADA:
W. E. HARRIS.

FOR IRELAND:
SEAN MURPHY.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 125.

An Act to implement an Agreement between Canada and Ireland for the avoidance of Double Taxation with respect to Succession Duty.

First reading, February 15, 1955.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52423

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA

BILL 125.

An Act to implement an Agreement between Canada and Ireland for the avoidance of Double Taxation with respect to Succession Duty.

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

Short title.

1. This Act may be cited as the *Canada-Ireland Succession Duty Agreement Act, 1955.*

Agreement approved.

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

Inconsistent laws.

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

Orders and regulations.

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

Commencement and duration.

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

SCHEDULE

AGREEMENT

BETWEEN THE

GOVERNMENT OF CANADA

AND THE

GOVERNMENT OF IRELAND

FOR THE AVOIDANCE OF

DOUBLE TAXATION

AND THE PREVENTION OF FISCAL EVASION

WITH RESPECT TO

DUTIES ON THE ESTATES OF DECEASED PERSONS.

AGREEMENT

BETWEEN THE

GOVERNMENT OF CANADA

AND THE

GOVERNMENT OF IRELAND

FOR THE AVOIDANCE OF

DOUBLE TAXATION

AND THE PREVENTION OF FISCAL EVASION

WITH RESPECT TO

DUTIES ON THE ESTATES OF DECEASED PERSONS.

The Government of Canada and the Government of Ireland,

Desiring to conclude an Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to duties on the estates of deceased persons,

Have appointed for that purpose as their Plenipotentiaries:

The Government of Canada:

Walter E. Harris, Minister of Finance in the Government of Canada,

The Government of Ireland:

Sean Murphy, Ambassador Extraordinary and Plenipotentiary of Ireland at Ottawa;

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

Article I.

1. The duties which are the subject of the present Agreement are:

(a) In Ireland:

The estate duty imposed by Ireland,

and

(b) In Canada:

The succession duty imposed by Canada.

2. The present Agreement shall also apply to any other duties of a substantially similar character imposed by either Contracting Government subsequent to the date of signature of this Agreement.

Article II.

1. In this Agreement, unless the context otherwise requires

(a) The term "territory" when used in relation to one or the other Contracting Government means Ireland or Canada, as the context requires.

(b) The term "duty" means the estate duty imposed by Ireland or the succession duty imposed by Canada, as the context requires.

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

Article III.

Where a person dies domiciled in any part of the territory of one Contracting Government, the situs of any rights or interests, legal or equitable, in or over any of the following classes of property which for the purposes of duty form or are deemed to form part of the estate of such person or pass or are deemed to pass on his death, shall, for the purposes of the imposition of duty and for the purposes of the credit to be allowed under Article V, be determined exclusively in accordance with the following rules, but in cases not within such rules the situs of such rights or interests shall be determined for these purposes in accordance with the laws in force in the territory of the other Contracting Government:

(a) Immovable property (otherwise than by way of security) shall be deemed to be situated at the place where such property is located;

(b) Tangible movable property (otherwise than by way of security, and other than such property for which specific provision is hereinafter made), bank or currency notes, other forms of currency recognised as legal tender in the place of issue, negotiable bills of exchange and negotiable promissory notes, shall be deemed to be situated at the place where such property, notes, currency or documents are located at the time of death, or, if *in transitu*, at the place of destination;

(c) Simple contract debts, excluding the forms of indebtedness for which specific provision is made herein, shall be deemed to be situated at the place where the debtor was resident at the time of death;

(d) Bonds, mortgages, debentures, debenture stock and debts secured by a document under seal, other than the forms of indebtedness for which specific provision is made herein, shall be deemed to be situated at the place where the document by which they are evidenced is located at the time of death or, if inscribed or registered, to be situated at the place of inscription or registration;

(e) Bank accounts shall be deemed to be situated at the branch at which the account was kept;

(f) Securities issued by any government, municipality or public authority, shall be deemed, if in bearer form, to be situated at the place where they are located at the time of death and, if inscribed or registered, to be situated at the place of inscription or registration;

(g) Shares or capital stock in a company (including any such shares or stock held by a nominee whether the beneficial ownership is evidenced by scrip certificates or otherwise, but excluding any such shares or stock in bearer form) shall be deemed to be situated at the place where such company was incorporated. If, however, any such company was incorporated under the laws of Great Britain or under the laws of Northern Ireland, and if the shares or stock of such company when registered on a branch register of such company kept in Ireland are deemed under the laws of Great Britain or of Northern Ireland and of Ireland to be assets situated in Ireland, such shares or stock shall be deemed to be assets situated in Ireland.

Shares or capital stock in a company in bearer form shall be deemed to be situated at the place where the documents of title thereto are located at the time of death; provided that any such shares or stock in a company incorporated under the laws of either Contracting Government shall be deemed to be also situated at the place where such company was incorporated;

(h) Moneys payable under a policy of assurance or insurance, whether under seal or not, shall be deemed to be situated at the place where the policy provided that the moneys shall be payable or, in the absence of any such provision, at the head office of the company;

(i) Shares in a partnership shall be deemed to be situated at the place where the business is principally carried on;

(j) Ships and aircraft and shares thereof shall be deemed to be situated at the place of registration of the ship or aircraft;

(k) Goodwill as a trade, business or professional asset shall be deemed to be situated at the place where the trade, business or profession to which it pertains is carried on;

(l) Patents, trademarks and designs shall be deemed to be situated at the place where they are registered;

(m) Copyright, franchises, and rights or licences to use any copyrighted material, patent, trademark or design shall be deemed to be situated at the place where the rights arising therefrom are exercisable;

(n) Rights or causes of action *ex delicto* surviving for the benefit of an estate of a deceased person shall be deemed to be situated at the place where such rights or causes of action arose;

(o) Judgment debts shall be deemed to be situated at the place where the judgment is recorded;

Provided that if, apart from this Article, duty would be imposed by one Contracting Government on any property which is situated in its territory and passes under a disposition not governed by its law, this Article shall not apply to such property unless, by reason of its application or otherwise, duty is imposed or would but for some specific exemption be imposed thereon by the other Contracting Government.

ARTICLE IV.

1. In determining the amount on which duty is to be computed, permitted deductions shall be allowed in accordance with the law in force in the territory in which the duty is imposed.

2. Where duty is imposed by one Contracting Government on the death of a person who was not domiciled at the time of his death in any part of the territory of that Contracting Government but was domiciled in some part of the territory of the other Contracting Government, no account shall be taken, in determining the amount or rate of the duty so imposed, of property situated outside the former territory; provided that this paragraph shall not apply as respects duty imposed by Ireland in the case of property passing under a disposition governed by the law of Ireland.

ARTICLE V.

1. Where one Contracting Government imposes duty by reason of a deceased person being domiciled in some part of its territory at the time of his death, that Contracting Government shall allow against so much of its duty (as otherwise computed) as is attributable to property situated in the territory of the other Contracting Government a credit (not exceeding the amount of the duty so attributable) equal to so much of the duty imposed in the territory of the other Contracting Government as is attributable to such property; but this paragraph shall not apply as respects any such property as is mentioned in paragraph (3) of this Article.

2. Where Ireland imposes duty on property passing under a disposition governed by its law, that Contracting Government shall allow a credit similar to that provided by the preceding paragraph of this Article.

3. Where each Contracting Government imposes duty on any property which is deemed under Article III to be situated

(a) outside the territories of both Contracting Governments, or

(b) in both territories,

each Contracting Government shall allow against so much of its duty (as otherwise computed) as is attributable to such property a credit which bears the same proportion to the amount of its duty so attributable or to the amount of the other Contracting Government's duty attributable to the same property, whichever is the less, as the former amount bears to the sum of the two amounts.

4. For the purposes of this Article, the amount of the duty of a Contracting Government attributable to any property shall be ascertained after taking into account any credit, allowance or relief, or any remission or reduction of duty, otherwise than in respect of duty payable in the territory of the other Contracting Government.

Article VI.

1. Any claim for a credit or for a refund of duty founded on the provisions of this Agreement shall be made within six years from the date of the death of the deceased person in respect of whose estate the claim is made, or, in the case of a reversionary interest, where payment of duty is deferred until the date on which the interest falls into possession, within six years from that date.

2. Any such refund shall be made without payment of interest on the amount so refunded.

Article VII.

1. The taxation authorities of the Contracting Governments shall upon request exchange such information (being information available under the respective taxation laws of the Contracting Governments) as is necessary for carrying out the provisions of the present Agreement or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the duties which are the subject of this Agreement. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the duties which are the subject of this Agreement. No information shall be exchanged which would disclose any trade secret or trade process.

2. As used in this Article, the term "taxation authorities" means, in the case of Ireland, the Revenue Commissioners or their authorized representative, and in the case of Canada, the Minister of National Revenue or his authorized representative.

Article VIII.

1. The present Agreement shall be ratified, and the instruments of ratification shall be exchanged at Dublin as soon as possible.

2. The present Agreement shall come into force on the date of exchange of ratifications, and shall be effective only as to

(a) the estates of persons dying on or after such date,
and

(b) the estate of any person dying before such date and after the last day of the calendar year immediately preceding such date, whose personal representative elects in writing that the provisions of the present Agreement shall be applied to such estate.

ARTICLE IX.

1. The present Agreement shall remain in force for not less than three years after the date of its coming into force.

2. If not less than six months before the expiration of such period of three years neither of the Contracting Governments shall have given to the other Contracting Government written notice of its intention to terminate the present Agreement, the Agreement shall remain in force after such period of three years until either of the Contracting Governments shall have given written notice of such intention, in which event the present Agreement shall not be effective as to the estates of persons dying on or after the date (not being earlier than the sixtieth day after the date of such notice) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice.

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

DONE at Ottawa, in duplicate, this 28th day of October, nineteen hundred and fifty-four.

FOR CANADA:
W. E. HARRIS.

FOR IRELAND:
SEAN MURPHY.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 126.

An Act to amend the Canada Elections Act.
(Age of Voters.)

First reading, February 17, 1955.

Mr. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53475

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 126.

An Act to amend the Canada Elections Act.
(Age of Voters.)

R.S., c. 23.

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

1. (1) Paragraph *(a)* of subsection (1) of section 14 of the *Canada Elections Act*, chapter 23 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Qualification of electors.

"*(a)* is of the full age of eighteen years or will attain such age on or before polling day at such election;"

Subsection repealed.

(2) Subsection (3) of section 14 of the said Act is repealed.

Form amended.

2. Form No. 15 of Schedule One to the said Act is amended by substituting the words "of the full age of eighteen years" for the words "of the full age of twenty-one years" where these words are found in the "Grounds of disqualification" under the said Form.

Form amended.

3. Form No. 18 of Schedule One to the said Act is amended by substituting the words, "of the full age of eighteen years" for the words, "of the full age of twenty-one years" where these words are found in the "application" and in the "alternative application" under the said Form.

Schedule Three amended.

4. (1) Schedule Three to the said Act is amended by substituting the words, "the full age of eighteen years" for the words, "the full age of twenty-one years" in the second line of subparagraph (1) of paragraph 20 and for the words "the full age of twenty-one years (except in the

Explanatory Notes.

The purpose of this Bill is to provide that the age of voters under the *Canada Elections Act* be eighteen years in lieu of twenty-one as at present.

1. (2) This subsection which allowed members of the naval, military or air forces of Canada to vote at an election although they had not attained the full age of twenty-one years is not necessary if the voting age is made eighteen in lieu of twenty-one.

4. (2) This subparagraph is not necessary if the voting age is made eighteen in lieu of twenty-one. (See note above to subsection (2) of section 1.)

case referred to in subparagraph (2) of paragraph 20)" in the ninth, tenth and eleventh lines of subparagraph (1) of paragraph 33 of *The Canadian Defence Service Voting Regulations* in the said Schedule.

Subparagraph repealed.

(2) Subparagraph (2) of paragraph 20 of the said Schedule is repealed.

Form amended.

5. (1) Form No. 7 of Schedule Three to the said Act is amended by striking out item *5 thereof and substituting the following therefor:

"**5.** That I have attained the full age of eighteen years."

Idem.

(2) Form No. 7 is further amended by deleting, at the end thereof the following lines "*Strike out this line if it is not applicable pursuant to paragraph 20(2) of *The Canadian Forces Voting Regulations.*"

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 163.

An Act to amend the Income Tax Act.

First reading, February 21, 1955.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53435

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 163.

An Act to amend the Income Tax Act.

R.S., c. 148.

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

1. Subsection (2) of section 91 of the *Income Tax Act*, chapter 148 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:—

Hearing may be in camera.

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

Proviso.

2. Section 133 of the said Act is repealed and the following substituted therefor:

Communication of information.

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

Proviso.

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

Explanatory Notes.

The purpose of this bill is to remove in part the restrictions as to secrecy contained in the *Income Tax Act*, but it removes those restrictions, to the extent provided in this bill, only with respect to corporations. No change is made in the strict secrecy provided in the Act with respect to personal income tax returns.

1. Section 1 makes no change in the provision for appeals by individuals to the Income Tax Appeal Board to be heard in camera, if such is desired. It provides, however, that appeals to the Board by corporations must in all cases be heard in public.

2. Section 2 makes a change in section 133 of the *Income Tax Act*, which as it now stands can have the effect of preventing a Minister of the Crown from giving to the Senate or House of Commons such information as it might be perfectly legitimate to ask for and obtain. No change is made with respect to information obtained from personal income tax returns. Such information must still be kept secret. On the other hand, this amendment would make it possible for a Minister to make public any information respecting corporations obtained under the provisions of the *Income Tax Act*.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 164.

An Act to amend the War Veterans Allowance Act, 1952.

First reading, February 22, 1955.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52636

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 164.

An Act to amend the War Veterans Allowance Act, 1952.

R.S., c. 340.

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

Definitions.

1. (1) Subparagraph (i) of paragraph *(g)* of section 2 of the *War Veterans Allowance Act, 1952*, chapter 340 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"Orphan."

"(i) a child who is bereft by death of his parents, or"

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

"Parent."

"*(gg)* "parent" includes an adoptive or foster parent or a step-parent;"

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

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

Employable veterans.

"**4.** (1) Subject to this Act, any person who, being a male veteran who has attained the age of sixty years or a female veteran or widow who has attained the age of fifty-five years, resides in Canada and

(a) is unable to maintain himself or herself by following his or her former ordinary occupation,

(b) is capable of taking light or intermittent employment, and

(c) is unemployed,

may, on application and as an alternative to any allowance for which such person may be eligible under section 3, be paid an allowance with respect to any period during which those conditions prevail, at the lesser of the following rates, namely,

Explanatory Notes.

The principal purposes of the amendments are to provide for an increase in the present monthly allowance and for the raising of the limits of the permissible income, and to extend certain benefits of the Act to certain additional classes of persons.

1. Subparagraph (i) of paragraph *(g)* of section 2 of the Act now reads as follows:

"(i) a child who is bereft by death of both father and mother, or".

The purpose of the amendments proposed in subclauses (1) and (2) of this clause is to make it clear that the expression "orphan" includes a foster-child whose foster-parents have died, even though one or both of his real parents may still be living.

Subclause (3) repeals paragraph *(i)* of section 2 of the said Act which reads as follows:

"*(i)* "war" means the South African War, World War I or World War II;".

In view of the definition of "veteran" contained in section 30 of the Act it is considered that this definition is superfluous.

2. Subsection (1) of section 4 of the Act now reads as follows:

"**4.** (1) Subject to this Act, from and after the 1st day of August, 1952, any veteran who resides in Canada, has attained the age of sixty years and who satisfies the following conditions, namely,

(a) he is unable to maintain himself by following his former ordinary occupation,

(b) he is capable of taking light or intermittent employment, and

(c) he is unemployed

may, on application and as an alternative to any allowance for which he may be eligible under section 3, be paid an allowance with respect to any period during which those conditions prevail, at the lesser of the following rates, namely,

(d) the monthly rate specified for the veteran in Column II of Schedule B, or

(e) the monthly rate that will produce the total monthly income, including allowances, specified for such veteran in Column III of Schedule B."

The purpose of the amendment is to enable female veterans and widows who have attained the age of 55 years to take advantage of the benefits of section 4 of the Act.

(*d*) the monthly rate specified for the veteran or widow in Column II of Schedule B, or

(*e*) the monthly rate that will produce the total monthly income, including allowance, specified for the veteran or widow in Column III of Schedule B."

3. Section 5 of the said Act is repealed and the following substituted therefor:

Surviving spouse.

"**5.** (1) On the death of a veteran who, at the time of his death or at any time within the last twelve months of his life, was a recipient of an allowance under section 3 or 4, the District Authority may, in its discretion, and within six months from the date of such death, award to his surviving spouse an allowance not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(*a*) one hundred and eight dollars a month, or

(*b*) the monthly rate that will produce a total income, including allowance, to the surviving spouse of one thousand four hundred and forty dollars a year.

Dependant.

(2) On the death of a spouse or child in respect of whom a veteran was, at the time of such death, receiving an allowance under section 3, the District Authority may, in its discretion, award to such veteran an allowance not exceeding in the aggregate twelve times the lesser of the rates specified in paragraphs (*a*) and (*b*) of subsection (1).

Idem.

(3) On the death of a spouse or child in respect of whom a veteran was, at the time of such death, a recipient of an allowance under section 4, the District Authority may, in its discretion, award to such veteran an allowance not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(*a*) one hundred and eight dollars a month, or

(*b*) the monthly rate that will produce a total income, including allowance, to the veteran of one hundred and twenty dollars a month.

Limitation on allowance payable.

(4) Notwithstanding anything in this Act, no allowance under this section is payable on the death of a veteran or of a spouse or child of a veteran in respect of any period more than twelve months after the date of such death, and no other allowance is payable under this Act to a person to whom any allowance under this section has been awarded, during any period in respect of which the allowance so awarded is payable to that person.

Applications pending at time of death.

(5) Where, at any time after the coming into force of this section, a veteran dies and, at the time of his death,

(*a*) the veteran was eligible for an allowance under section 3 or 4, and

3. Section 5 of the Act now reads as follows:

"**5.** (1) On the death of a veteran who, either at the time of his death or at any time within the last twelve months of his life, was a recipient of an allowance, a District Authority may, at its discretion and within six months from the date of death, award to his surviving spouse, in lieu of any allowance for a period of twelve months otherwise payable to such spouse under this Act, an amount not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(a) ninety dollars per month, or

(b) the monthly rate that will produce a total income, including allowance, to the surviving spouse of twelve hundred dollars per year.

(2) On the death of a wife or child in respect of whom a recipient was receiving an allowance at the date of such death the District Authority may, at its discretion, award to the recipient a sum not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(a) ninety dollars per month, or

(b) the monthly rate that will produce a total income, including allowance, to the recipient of twelve hundred dollars per year."

The principal change in subsection (1) is to increase the maximum allowance that may be awarded to the surviving spouse of a veteran under the circumstances specified in that subsection.

The principal change in subsection (2) is to increase the maximum allowance that may be awarded to a veteran under the circumstances specified in that subsection, and to extend to a female veteran, on the death of her husband or child, the benefits therein provided for.

Subsection (3) is new. The provisions contained therein are similar to those contained in the new subsection (2) and deal with the case of a veteran who was a recipient of allowance under section 4 at the time of the death of the spouse or child of such veteran.

Subsection (4) is new in form. See, however, present subsections (1) and (2) of section 5.

Subsection (5) is new, and deals with cases in which application for an allowance has been made by a veteran who dies while his application is still pending.

(b) an application for such allowance made by him and received by the District Authority was pending,

the veteran shall, if the District Authority so directs, be deemed, for the purposes of subsection (1), to have been a recipient of that allowance at the time of his death."

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

Application for allowance.

"**7.** No allowance is payable under section 3 or 4 unless an application therefor has been made in accordance with this Act and the regulations and the allowance has been awarded."

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

Recent marriage.

"**11.** Notwithstanding anything in this Act, no allowance under section 3 or 4 shall be paid to a widow of a veteran and no allowance under section 5 shall be awarded to the surviving spouse of a veteran if such veteran dies within one year from the date of his or her marriage, unless, in the opinion of the Board, such veteran was at the time of that marriage in such a condition of health as would justify him or her in having an expectation of life of at least one year."

6. (1) Subsection (6) of section 25 of the said Act is repealed and the following substituted therefor:

Salaries.

"(6) The Chairman shall be paid a salary at the rate of eleven thousand dollars a year and each of the other members, including temporary members, shall be paid a salary at the rate of nine thousand five hundred dollars a year."

(2) All that portion of subsection (9) of section 25 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

Pension.

"(9) The Governor in Council, upon the retirement of any member of the Board who is not entitled to any benefit under the *Public Service Superannuation Act* and who has served on the Board"

(3) Subparagraph (ii) of paragraph *(b)* of subsection (9) of section 25 of the said Act is repealed and the following substituted therefor:

"(ii) is physically or mentally incapacitated,"

4. Section 7 of the Act now reads as follows:

"**7.** No allowance is payable under this Act unless an application therefor has been made in accordance with this Act and the regulations and the allowance has been awarded."

Section 7 as it now reads requires that an application be made in each case of an allowance under the Act. The purpose of clause 4 is to dispense with this requirement in the case of an allowance awarded under section 5.

5. Section 11 of the Act now reads as follows:

"**11.** Notwithstanding anything in this Act, no allowance shall be paid to a widow of a veteran who died within one year from the date of his marriage unless the veteran was at the time of his marriage, in the opinion of the Board, in such a condition of health as would justify him having a reasonable expectation of life for at least one year."

The new section 11 is consequential upon the changes proposed in section 5 of the Act.

6. (1) Subsection (6) of section 25 of the Act now reads as follows:

"(6) The Chairman shall be paid a salary of ten thousand dollars per annum and each of the other members, including temporary members, shall be paid at the rate of eight thousand five hundred dollars per annum."

(2) and (3) Subsection (9) of section 25 now reads as follows:

"(9) The Governor in Council, upon the retirement of any member of the Board who has served upon the Board

(a) at least twenty years, or

(b) at least ten years, and

(i) has reached the age of sixty-five years, or

(ii) is physically or mentally incapacitated and is not entitled to superannuation under the *Civil Service Superannuation Act.*

may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member and on his death to his widow a pension for her life not exceeding one-sixth of such salary."

The purpose of subclauses (2) and (3) is to make it clear that the requirement respecting superannuation presently contained in subparagraph (ii) of paragraph *(b)* of subsection (9) is of general application as indicated in subclause (2). The amendment does not involve any change in the substance of the present law.

7. (1) Subsection (7) of section 30 of the said Act is repealed and the following substituted therefor:

Canadian Forces veteran.

"(7) A Canadian Forces veteran is a person who,

(a) as a member of the forces referred to in section 15 of the *National Defence Act*, left Canada or the United States of America, including Alaska, at any time prior to the 27th day of July, 1953, to participate in military operations undertaken by the United Nations to restore peace in the Republic of Korea, or

(b) is in receipt of a pension under the *Pension Act*, having become eligible for such pension by virtue of section 5 of *The Veterans Benefit Act, 1951*, or by virtue of section 5 of the *Veterans Benefit Act, 1954*."

(2) All that portion of paragraph *(c)* of subsection (10) of section 30 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

"*(c)* World War II shall be deemed to have commenced on the 1st day of September, 1939, and to have terminated"

(3) All that portion of paragraph *(b)* of subsection 11 of section 30 of the said Act following subparagraph (ii) thereof is repealed and the following substituted therefor:

"shall be deemed to be married to that woman, and upon the death of the veteran at any time while so deemed to be married, such woman shall be deemed to be his widow."

Limitation on amount payable as allowance and pension.

(4) Section 30 of the said Act is further amended by adding thereto the following subsection:

"(12) Where, in respect of the death of any veteran either before or after the coming into force of this subsection,

(a) an allowance under this Act is payable to the widow of such veteran, and

(b) a pension under section 36 of the *Pension Act* is payable to one or more persons described in that section,

the total amount that may be paid by way of allowance and pension as specified in paragraphs *(a)* and *(b)* at any time under this Act and the *Pension Act* shall not exceed the greater of the following rates, namely,

(c) the monthly rate that will produce an annual amount equal to the maximum total annual income (income including allowance) specified for the widow of such veteran in Column III of Schedule A to this Act, or

(d) the monthly rate that will produce the amount per annum specified for a widow in Schedule B to the *Pension Act;*

which total amount shall be apportioned between the persons to whom any such allowance or pension is payable, in such shares as are fixed by the Board and the Canadian Pension Commission, having regard to the circumstances of each such person and of any children involved."

7. (1) Subsection (7) of section 30 now reads as follows:

"(7) A Canadian Forces veteran is any former member of the Canadian Forces who was on service in a theatre of operations as defined pursuant to section 2 of *The Veterans Benefit Act, 1951*."

The definition of "service in a theatre of operations" originally provided for in section 2 of *The Veterans Benefit Act, 1951* and made statutory in paragraph *(c)* of section 2 of the *Veterans Benefit Act, 1954* is now embodied in the new subsection (7). Paragraph *(b)* of the new subsection (7) provides for the inclusion of an additional class of persons, namely those who were enrolled for the purpose of serving in the special force and were awarded a pension by virtue of section 5 of *The Veterans Benefit Act, 1951* or section 5 of the *Veterans Benefit Act, 1954*.

(2) Paragraph *(c)* of subsection (10) of section 30 now reads as follows:

"(c) World War II shall be deemed to have commenced in September, 1939, and to have terminated

(i) in respect of service in connection with operations in the European and Mediterranean theatres of war, on the 8th day of May, 1945, and

(ii) in respect of service in connection with operations in the Pacific theatre of war, on the 15th day of August, 1945."

Although Canada was not formally at war until the 10th of September, 1939, enlistments for active service took place several days prior to that date and it is proposed to regard the whole of September, 1939, as being included in the war period.

(3) Paragraph *(b)* of subsection (11) of section 30 now reads as follows:

"*(b)* a veteran who

(i) is residing with a woman with whom he is prohibited from celebrating a marriage by reason of a previous marriage either of such woman or of himself with another person, and

(ii) shows to the satisfaction of the District Authority that he has, for seven years or more, continuously maintained and publicly represented such woman as his wife,

shall be deemed to be married to that woman."

The amendment makes it clear that for the purposes of this Act the surviving woman shall be deemed to be the widow of the deceased veteran.

(4) The amendment contained in subsection (12) is designed to ensure that where there is a widow within the meaning of this Act and also one or more women who have been either divorced, legally separated or separated by agreement from the deceased veteran and in receipt of pension under section 36 of the Pension Act, the total of public moneys that may be paid to all such persons in respect of the deceased cannot be more than the war veterans allowance or the pension that is payable with respect to the deceased veteran, whichever is the greater, and whatever that amount may be, it shall be apportioned between the persons concerned in shares to be fixed by the War Veterans Allowance Board and the Canadian Pension Commission.

8. Schedules A and B to the said Act are repealed and the following substituted therefor:

SCHEDULE A

TABLE OF ALLOWANCES

I. Class of Recipient	II. Monthly Rate	III. Maximum total annual income (income including allowances)
1. *(a)* Unmarried veteran without child or not residing with child..... *(b)* Widow without child or not residing with child..... *(c)* Widower without child or not residing with child..... *(d)* Married veteran not residing with spouse, and without child or not residing with child	$ 60	$840
2. Married veteran residing with spouse.....	$108	$1,440 total for veteran and spouse
3. *(a)* Unmarried veteran residing with child... *(b)* Widow residing with child..... *(c)* Widower residing with child..... *(d)* Married veteran not residing with spouse and residing with child.....	$108	$1,440
4. Married veteran residing with spouse who is blind within meaning of the *Blind Persons Act*.	$108	$1,560 total for veteran and spouse
5. One orphan.....	$ 40	$720
6. Two orphans of one veteran.....	$70 total for the two orphans	$1,200 total for the two orphans
7. Three or more orphans of one veteran.....	$85 total for the three or more orphans	$1,440 total for the three or more orphans

8. Schedules A and B contain the new monthly rates and the new maximum total annual income or maximum total monthly income.

Present Schedule A reads as follows:

"SCHEDULE A

TABLE OF ALLOWANCES

I. Class of Recipient	II. Monthly Rate	III. Maximum total annual income (income plus allowance)
1. *(a)* Unmarried veteran without child *(b)* Widow without child or not residing with child *(c)* Widower without child or not residing with child *(d)* Married veteran not residing with spouse, and without child or not residing with child	$50	$720
2. Married veteran residing with spouse	$90	$1,200 total for veteran and spouse
3. *(a)* Widow residing with child *(b)* Widower residing with child *(c)* Married veteran deserted by spouse and residing with child *(d)* Divorced veteran residing with child	$90	$1,200
4. Married veteran residing with spouse who is blind within meaning of *The Blind Persons Act*	$90	$1,320 total for veteran and spouse
5. One orphan	$40	$600
6. Two orphans of one veteran	$70 total for the two orphans	$1,000 total for the two orphans
7. Three or more orphans of one veteran	$85 total for the three or more orphans	$1,200 total for the three or more orphans"

SCHEDULE B

TABLE OF ALLOWANCES

I. Class of Recipient	II. Monthly Rate	III. Maximum total monthly income (income including allowance)
1. *(a)* Unmarried veteran without child or not residing with child..... *(b)* Widow without child or not residing with child..... *(c)* Widower without child or not residing with child..... *(d)* Married veteran not residing with spouse, and without child or not residing with child	$ 60	$ 70
2. Married veteran residing with spouse.....	$108	$120 total for veteran and spouse
3. *(a)* Unmarried veteran residing with child... *(b)* Widow residing with child..... *(c)* Widower residing with child..... *(d)* Married veteran not residing with spouse and residing with child.....	$108	$120
4. Married veteran residing with spouse who is blind within meaning of the *Blind Persons Act*.	$108	$130 total for veteran and spouse

Coming into force.

9. This Act shall come into force on the first day of the month next following the day on which this Act is assented to.

Present Schedule B reads as follows:

"SCHEDULE B

I. Class of Recipient	II. Monthly Rate	III. Maximum total monthly income (income plus allowance)
1. Unmarried veteran	$50	$60
2. Married veteran	$90	$100 total for veteran and spouse"

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 179.

An Act to amend the Northwest Territories Act.

First reading, February 24, 1955.

The Minister of Northern Affairs
and National Resources.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99598

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA

BILL 179.

An Act to amend the Northwest Territories Act.

R.S., c. 331; 1953-54, c. 8, ss. 7-13.

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 12 of the *Northwest Territories Act*, chapter 331 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Sessional indemnity to elected members.

"**12.** (1) Each elected member of the Council may be paid an amount not exceeding one hundred dollars for each day he is in attendance at a session of the Council, but the total amount payable under this subsection to a member in any one calendar year shall not exceed two thousand dollars."

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

Territorial expenditures.

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

1953-4, c. 8 s. 13.

3. Section 48 of the said Act is repealed and the following substituted therefor:

Coming into force.

"**48.** This Act shall come into force on the 1st day of April, 1955."

EXPLANATORY NOTES.

The purposes of this Bill are:

1. To increase the sessional indemnity of elected members of the Northwest Territories Council.

2. To clarify subsection (3) of section 19.

1. Subsection (1) of section 12 of the *Northwest Territories Act* reads as follows:

> "**12.** (1) Each elected member of the Council may be paid an amount not exceeding *fifty* dollars for each day he is in attendance at a session of the Council, but the total amount payable under this subsection to a member in any one calendar year shall not exceed *one* thousand dollars."

The intent of the Bill is to increase the daily indemnity from fifty dollars to one hundred dollars. The total amount payable in a year is to be limited to two thousand dollars. This will bring the amount of the indemnity into line with the amount that members of the Yukon Council have been entitled to receive thus far.

2. Subsection (3) of section 19 of the said Act reads:

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

The only change is the deletion of the words "territorial revenues" and the substitution therefor of the word "money". The purpose of this amendment is to make certain that the Commissioner in Council may expend money received from all sources, including grants under the tax rental agreements. As the section now stands it might be interpreted to limit the powers of the Commissioner in Council to the expenditure of funds raised from territorial sources only.

3. The new *Northwest Territories Act* was proclaimed to come into force on the 1st day of April, 1955. Because of the changes in the provisions of the Act relating to the administration of justice it is considered desirable that the commencement date be set out in the statutes.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Yukon Act.

First reading, February 24, 1955.

THE MINISTER OF NORTHERN AFFAIRS AND NATIONAL RESOURCES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99594

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA

BILL 180.

An Act to amend the Yukon Act.

1952-53, c. 53.

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

1. (1) Paragraph *(a)* of subsection (1) of section 15 of the *Yukon Act*, chapter 53 of the statutes of 1952-1953, is repealed and the following substituted therefor:

"*(a)* an amount not exceeding one hundred dollars for each day he is in attendance at a session of the Council, but the total amount payable under this paragraph to a member in any one calendar year shall not exceed two thousand dollars;"

(2) Paragraph *(c)* of subsection (1) of the said section 15 is repealed and the following substituted therefor:

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

(3) Section 15 of the said Act is further amended by adding thereto the following subsections:

When member deemed in attendance for purpose of ascertaining indemnity.

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

When member deemed in attendance for purpose of ascertaining living allowance.

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

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

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

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

2. Subsection (1) of section 54 of the said Act is repealed and the following substituted therefor:

Coming into force.

"**54.** (1) This Act shall come into force on the 1st day of April, 1955."

Explanatory Notes.

The purposes of this Bill are:

1. To increase the indemnity members of the Yukon Council would receive under the new *Yukon Act* which comes into force on April 1, 1955.

2. To increase the living allowances to be paid to members while in attendance at a session of the Council.

3. To provide that under certain conditions a member shall be deemed to be in attendance at a session.

1. (1) Under the *Yukon Act* that is in effect until March 31, 1955, members of the Yukon Council were entitled to receive up to one thousand dollars for each session of the Council. As there are normally two sessions per year, this meant an annual indemnity of two thousand dollars might be paid. Paragraph *(a)* of subsection (1) of section 15 of the new *Yukon Act* which comes into effect on April 1st, 1955, reads as follows:

> "*(a)* an amount not exceeding *fifty* dollars for each day he is in attendance at a session of the Council, but the total amount payable under this paragraph to a member in any one calendar year shall not exceed *one* thousand dollars;"

The purpose of the amendment is to increase the daily indemnity to one hundred dollars. The yearly limit is being raised to two thousand dollars, thus restoring the position to substantially what it was under the old *Yukon Act.*

(2) Paragraph *(c)* of subsection (1) of section 15 presently reads:

> "*(c)* an allowance for living expenses, not exceeding *fifteen* dollars for each day *in which the Council is in session.*"

The purpose of this paragraph is to increase the living allowance of members to twenty-five dollars a day.

(3) Subsections (3) and (4) are new and are similar to the provisions in the *Northwest Territories Act.*

2. The new *Yukon Act* was proclaimed to come into force on the 1st day of April, 1955. Because of the changes in the provisions of the Act relating to the administration of justice it is considered desirable that the commencement date be set out in the statutes.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 181.

An Act to amend the National Harbours Board Act.

First reading, February 25, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

51406

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 181.

An Act to amend the National Harbours Board Act.

R.S., c. 187; 1953-54, c. 60.

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

1. (1) Subsection (1) of section 3 of the *National Harbours Board Act*, chapter 187 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Board constituted.

"**3.** (1) There shall be, under the direction of the Minister, a Board to be known as the "National Harbours Board" consisting of four members, namely, a Chairman, a Vice-Chairman and two other members, who shall be appointed by the Governor in Council to hold office during good behaviour for ten years."

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

Quorum.

"(6) Three members constitute a quorum."

(3) Subsections (8), (9) and (10) of section 3 of the said Act are repealed and the following substituted therefor:

Majority to govern.

"(8) In all proceedings of the Board the decision of a majority of the members present is the decision of the Board, and in the event of a tie the presiding member has a casting vote.

Vacancy.

"(9) A vacancy on the Board does not impair the right of the remaining members to act."

Explanatory Notes.

The purpose of this Bill is to increase the membership of the National Harbours Board from three to four.

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

"**3.** (1) There shall be, under the direction of the Minister, a Board to be known as the "National Harbours Board" consisting of *three* members namely, a Chairman, a Vice-Chairman and *a third member*, who shall be appointed by the Governor in Council to hold office during good behaviour for ten years."

(2) Subsection (6) of section 3 reads as follows:

"(6) *Two* members constitute a quorum."

(3) Subsections (8), (9) and (10) of section 3 read as follows:

"(8) In all proceedings of the Board the votes of the majority of the members shall govern.

"(9) In any meetings of the Board, where only two of the members are present, all questions upon which an agreement cannot be reached shall be referred for decision to a full meeting of the Board.

"(10) In case of a vacancy on the Board, the presiding member may, notwithstanding the provisions of subsection (9), cast an additional vote."

The proposed amendments are consequential.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act to amend the Historic Sites and Monuments Act.

First reading, February 25, 1955.

The Minister of Northern Affairs and National Resources.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99172

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act to amend the Historic Sites and Monuments Act.

1952-53, c. 39.

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

1. Paragraph (*b*) of section 2 of the *Historic Sites and Monuments Act*, chapter 39 of the statutes of 1952-53, is repealed and the following substituted therefor:

"Historic place".

"*(b)* 'historic place' means a site, building or other place of national historic interest or significance, and includes buildings or structures that are of national interest by reason of age or architectural design; and"

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

Board established.

"**4.** (1) A Board to be called the Historic Sites and Monuments Board of Canada is hereby established, consisting of fourteen members as follows:

(a) the Dominion Archivist,

(b) an officer of the Department of Northern Affairs and National Resources designated by the Minister, and

(c) two representatives for each of the provinces of Ontario and Quebec and one representative for each of the other eight provinces of Canada, to be appointed by the Governor in Council."

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

Explanatory Notes.

The principal purposes of the Bill are:

(a) To amplify the definition of "historic place".
(b) To change slightly the representation on the Board.
(c) To provide for changes in the method and amount of payment to members appointed by the Governor in Council, of living and travelling expenses and to provide for the payment of stenographic allowances.

1. Paragraph (*b*) of section 2 of the Act presently reads:

"*(b)* 'historic place' means a site, building or other place of national historic interest or significance; and"

There was some doubt as to whether the definition in the present Act was sufficiently broad to permit the marking or acquisition of buildings which were of national historic interest because of their age or type of architecture. The proposed amendment would clarify this power.

2. Subsection (1) of section 4 reads:

"**4.** (1) A Board to be called the Historic Sites and Monuments Board of Canada is hereby established, consisting of twelve members as follows:
(a) the Dominion Archivist,
(b) the Chief Curator of the National Museum of Canada, and
(c) one representative for each of the ten provinces of Canada, to be appointed by the Governor in Council."

The present Act provides for one representative from each province to be appointed by the Governor in Council. Because of the large volume of work arising from the Provinces of Ontario and Quebec, it is considered necessary to have two representatives from each of these provinces on the Board. It is also considered that the appointment of the member from the Department of Northern Affairs and National Resources should be at the discretion of the Minister.

3. Section 6 presently reads:

"**6.** (1) Each member of the Board appointed by the Governor in Council may be paid, for each meeting of the Board that he attends, a fee to be fixed by the Governor in Council.

(2) Members of the Board are entitled to be paid their actual travelling and living expenses necessarily incurred in connection with the business of the Board."

Living and travelling expenses of appointed members.

"**6.** (1) Each member of the Board appointed by the Governor in Council may be paid

(a) twenty dollars a day for each day he is necessarily absent from his ordinary place of residence for the purpose of attending at meetings or to other business of the Board, and

(b) his actual travelling expenses necessarily incurred in connection with the business of the Board.

Living and travelling expenses of other members.

(2) Members of the Board other than those appointed by the Governor in Council are entitled to be paid their actual living and travelling expenses necessarily incurred in connection with the business of the Board.

Clerical and stenographic assistance.

(3) There may be paid for clerical and stenographic assistance

(a) the sum of seventy-five dollars per annum to the Chairman of the Board, and

(b) the sum of thirty dollars per annum to the other members of the Board appointed by the Governor in Council."

The present Act provides for a fee to be paid the members appointed by the Governor in Council and for the payment of their actual travelling and living expenses. These members considered that their services were of an honorary nature and did not wish to receive a fee. The payment of actual living expenses entailed the preparation of detailed accounts by the members, and they considered that a daily allowance for living expenses would simplify their work and be no more costly. It is considered that those views are reasonable and the proposed amendment would provide for the payment to members appointed by the Governor in Council of,—

(1) $20 a day when absent from their ordinary place of business on duty for the Board. This would replace the payment of the fee and actual living expenses;
(2) actual travelling expenses;
(3) $75 a year to the Chairman and $30 a year to other members to cover the cost of stenographic and clerical assistance.

Members who are not appointed by the Governor in Council will continue to receive actual living and travelling expenses only.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to amend the Members of Parliament Retiring Allowances Act.

First reading, February 25, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

98357

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to amend the Members of Parliament Retiring Allowances Act.

R.S. c. 329, 1953-54, c. 16.

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

1. Paragraph *(a)* of subsection (2) of section 7 of the *Members of Parliament Retiring Allowances Act*, chapter 329 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"*(a)* he previously contributed or elected to contribute under this Act in respect of that session and a withdrawal allowance in respect of that session became payable to him under section 12, or"

2. (1) Paragraph *(c)* of subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

"*(c)* in respect of the portion of that contribution included in a withdrawal allowance paid to him under this Act, interest on the aggregate of

(i) that portion of the contribution, and

(ii) the interest on that portion of the contribution that was included in the withdrawal allowance,

at the rate of four per cent per annum, compounded annually, from the date of payment of the withdrawal allowance to the day on which he makes his election."

(2) Subsection (5) of section 8 of the said Act is repealed and the following substituted therefor:

Termination of liability.

"(5) Where the person described in section 12, 13 or 14 has not paid in full the amount payable by him under subsection (1) of this section, the unpaid amount need not be paid; but the interest payable under subsection (2) of this section shall be paid and may be deducted from any withdrawal allowance payable to or in respect of such person."

Explanatory Notes.

The purpose of this bill is to provide

(a) that a withdrawal allowance payable under the Act will include any interest that has been paid on contributions under subsection (1) of section 8 of the Act, and

(b) to make it clear that in all cases where a withdrawal allowance becomes payable under the Act, any amount owing under the Act, except interest owing under subsection (2) of section 8, is, in effect, written off.

1. Subsection (2) of section 7 at present reads as follows:

"(2) Where, after the coming into force of this Act, a member ceases to be a member and subsequently again becomes a member, he may elect to contribute under this Act in respect of a previous session only if

(a) he previously contributed or elected to contribute under this Act in respect of that session and a withdrawal allowance equal to the amount of the contributions that he paid in respect of that session became payable to him under sestion 12, or

(b) he was eligible to make an election in respect of that session but did not so elect and the time for making the election had not expired when he ceased to be a member."

2. (1) Paragraph *(c)* of subsection (1) of section 8 at present reads as follows:

"**8.** (1) Where a member elects, pursuant to section 7, to contribute in respect of a previous session, he shall pay into the Consolidated Revenue Fund, in a lump sum or otherwise, at the option of the member,

(a) .....

(b) .....

(c) in respect of the portion of that contribution equal to an amount that the member has previously paid as a contribution in respect of that session and that has been taken into account in the payment to him of a withdrawal allowance under this Act, interest on that portion at the rate of four per cent per annum, compounded annually, from the date of payment to the day on which he makes his election."

(2) Subsection (5) of section 8 at present reads as follows:

"(5) Where a withdrawal allowance becomes payable to or in respect of a person under this Act and the person has not paid in full the amount payable by him under subsection (1), the unpaid amount need not be paid; but interest payable under sub-section (2) shall be paid and may be deducted from the withdrawal allowance."

3. Sections 12, 13 and 14 of the said Act are repealed and the following substituted therefor:

Withdrawal allowance.

"**12.** There shall be paid to a person who has ceased to be a member but has not contributed or elected to contribute under this Act in respect of sessions in more than two Parliaments, a withdrawal allowance, in a lump sum, equal to the aggregate of

(a) the total amount of the contributions that he has paid under this Act, and

(b) the interest on those contributions paid under sub-section (1) of section 8.

Withdrawal allowance where Member expelled.

13. There shall be paid to a member who is expelled from the House of Commons a withdrawal allowance, in a lump sum, equal to the aggregate of

(a) the total amount of the contributions that he has paid under this Act, and

(b) the interest on those contributions paid under sub-section (1) of section 8.

Withdrawal allowance in case of death.

14. There shall be paid to the legal representative of a member who has died, or of a person who has ceased to be a member and has died, a withdrawal allowance, in a lump sum, equal to the aggregate of

(a) the total amount of the contributions that he has paid under this Act, and

(b) the interest on those contributions paid under sub-section (1) of section 8,

minus the total of the amounts of allowance under section 11 that have been paid or have become payable to him prior to his death."

Coming into force.

4. This Act shall be deemed to have come into force on the 20th day of November, 1952.

3. Sections 12, 13 and 14 at present read as follows:

"**12.** Where a person, at the time he ceases to be a member, has not contributed or elected to contribute under this Act in respect of sessions in more than two Parliaments, there shall be paid to him, in a lump sum, a withdrawal allowance equal to the total amount of the contributions that he has paid under this Act.

13. Where a member is expelled from the House of Commons there shall be paid to him, in a lump sum, a withdrawal allowance equal to the total amount of the contributions that he has paid under this Act.

14. Where a member or a person who has ceased to be a member dies, there shall be paid to his legal representatives, in a lump sum, a withdrawal allowance equal to the remainder after subtracting

(a) the total of any amounts of allowance that have been paid or have become payable to him under this Act prior to his death,

from

(b) the total amount of the contributions that have been paid by him under this Act."

4. This is the date on which the original Act came into force.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to amend the Financial Administration Act.

First reading, February 25, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

97280

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to amend the Financial Administration Act.

R.S., c. 116.

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

1. Subsection (2) of section 65 of the *Financial Administration Act*, chapter 116 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Salary.

"(2) The Auditor General shall out of the Consolidated Revenue Fund be paid a salary of twenty thousand dollars per annum."

Coming into force.

2. This Act shall be deemed to have come into force on the 1st day of July, 1954.

Explanatory Notes.

1. The present subsection reads as follows:

"65. (2) The Auditor General shall out of the Consolidated Revenue Fund be paid a salary of fifteen thousand dollars per annum."

The purpose of this bill is to increase the salary of the Auditor General with effect from July 1, 1954.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 185.

An Act to amend the Canada Elections Act.
(Ballot Papers.)

First Reading, February 28, 1955.

Mr. Thomas.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53766

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 185.

An Act to amend the Canada Elections Act.
(Ballot Papers.)

R.S., c. 23.

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 28 of the *Canada Elections Act*, chapter 23 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

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, occupations, political affiliations or interests 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.

Written direction of leaders.

The name of the political party or interest represented by a candidate shall be shown in the manner required by the written direction, if any, of the recognized leader of such party, which shall be filed with the Returning Officer before five o'clock in the afternoon of nomination day:

Proviso.

Provided that where the recognized leader of the political party or interest represented by a candidate does not file a written direction the name of that party shall be shown in the manner in which it appears on the nomination paper of the candidate."

Explanatory Note.

The purpose of this Bill is to provide for the appearance of the political affiliations or interests of the candidates on the ballot papers.

1. The changes in subsection (1) of section 28 consist in the insertion therein of the words "political affiliations or interests", underlined on the opposite page and in the addition thereto of the new paragraph indicated by a vertical line.

Form amended.

2. The *"Front"* of Form No. 35 is repealed and the following substituted therefor:

"FORM No. 35.

FORM OF BALLOT PAPER. (Sec. 28.)

Front

BROWN, WILLIAM R.,
636 POWER ST., OTTAWA,
Barrister.
(POLITICAL AFFILIATION.)

HAMON, FRANK ARTHUR,
R.R. No. 3, WESTBORO,
FARMER.
(POLITICAL AFFILIATION.)

O'NEIL, JOSEPH,
EASTVIEW,
GENTLEMAN.
(POLITICAL AFFILIATION.)

SMITH, JOHN THOMAS,
239 BANK ST., OTTAWA,
MERCHANT
(POLITICAL AFFILIATION.)"

2. The words "(Political affiliation)" are added to Form No. 35. This amendment is consequential.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 186.

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

First reading, February 28, 1955.

MR. DIEFENBAKER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53770

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 186.

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

1953-54, c. 51.

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

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

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

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

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

(b) an offence punishable on summary conviction.

Explanatory Note.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act respecting the New Westminster Harbour Commissioners.

First reading, February 28, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

98627

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act respecting the New Westminster Harbour Commissioners.

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 *New Westminster Harbour Commissioners Loan Act, 1955.*

Loans to Corporation.

2. The Minister of Finance, upon applications made to him by the New Westminster Harbour Commissioners (hereinafter called the "Corporation"), may, with the approval of the Governor in Council, make loans to the Corporation out of the Consolidated Revenue Fund of amounts not exceeding in the aggregate two hundred thousand dollars as may be required by the Corporation for the construction of a causeway and trestle-bridge to provide access to Annacis Island within the limits of the harbour of New Westminster.

Debentures.

3. The Corporation shall, upon a loan being made to the Corporation under this Act, issue and deposit with the Minister of Finance debentures of the Corporation equal in par value to the amount of the loan so made, and the debentures shall be of such amounts and repayable on such terms and shall bear such rates of interest as the Governor in Council determines.

Repayment of loans.

4. The principal and interest of the sums loaned to the Corporation under this Act shall be repayable by the Corporation out of all its tolls, rates, penalties and other sources of revenue, and shall rank as a first charge thereon, subject to the repayment of debentures issued by the Corporation prior to the commencement of this Act.

Explanatory Notes.

The purpose of this Bill is to authorize the Minister of Finance to make total loans of $200,000.00 to the New Westminster Harbour Commissioners in connection with the construction by the Commissioners of a causeway and a trestle-bridge to provide access to Annacis Island, within the limits of New Westminster Harbour, the owners of which Island are undertaking an industrial development at an approximate cost of $4,000,000.00.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to amend the Government Employees Compensation Act.

First reading, February 28, 1955.

The Minister of Labour.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

97510

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to amend the Government Employees Compensation Act.

R.S., cc. 134, 323.

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

1. (1) Paragraphs *(b)*, *(c)*, *(d)*, *(e)* and *(f)* of subsection (1) of section 2 of the *Government Employees Compensation Act*, chapter 134 of the Revised Statutes of Canada, 1952, are repealed and the following substituted therefor:

"Compensation."

"*(b)* "compensation" includes medical and hospital expenses and any other benefits, expenses or allowances that are authorized by the law of the province where the employee is usually employed respecting compensation to workmen and the dependants of deceased workmen;

"Employee."

(c) "employee" means

(i) any person in the service of Her Majesty who is paid a direct wage or salary by or on behalf of Her Majesty, and

(ii) any member, officer or employee of any department, company, corporation, commission, board or agency established to perform a function or duty on behalf of the Government of Canada who is declared by the Minister with the approval of the Governor in Council to be an employee for the purposes of this Act;

"Her Majesty."

(d) "Her Majesty" means Her Majesty in right of Canada;

Explanatory Notes.

The purpose of the Bill is to amend the *Government Employees Compensation Act* which was first enacted in 1918. The proposed amendments include provision for coverage to persons in the service of Her Majesty who are not paid a direct wage or salary but who are otherwise employees, and for coverage to persons locally engaged outside of Canada and provision that compensation under the Act be determined in accordance with the law of the province where the employee is usually employed rather than as at present in accordance with the law of the province where the accident occurred. The Bill also provides for additional benefits where an employee dies as the result of an accident while absent on duty from his usual place of employment, for certain changes in the subrogation provisions of the Act and for authority to promote and encourage accident prevention activities.

1. (1) The present paragraphs *(b)*, *(c)*, *(d)*, *(e)* and *(f)* of subsection (1) of section 2 of the Act read as follows:

"2. (1) In this Act,

.....

(b) "compensation" includes medical and hospital expenses and any other benefits, expenses or allowances that are authorized by the *Workmen's Compensation Act* of the province in which the accident occurred or the industrial disease was contracted;

(c) "employee" means any person in the service of Her Majesty who is paid a direct wage or salary by or on behalf of Her Majesty, and includes any member, officer or employee of any company, corporation, commission, board or agency established to perform a function or duty on behalf of the Government of Canada who is declared by order of the Governor in Council to be an employee subject to the provisions of this Act;

(d) "industrial disease" means any disease in respect of which compensation is payable under the *Workmen's Compensation Act* of the province in which such disease was contracted;

"Industrial disease."

(e) "industrial disease" means any disease in respect of which compensation is payable under the law of the province where the employee is usually employed respecting compensation to workmen and the dependants of deceased workmen; and

"Minister."

(f) "Minister" means the Minister of Labour."

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

Application.

"(3) This Act applies to an accident occurring or a disease contracted within or outside Canada."

2. Sections 3 to 6 of the said Act are repealed and the following substituted therefor:

Compensation and persons eligible.

"**3.** (1) Subject to this Act,

(a) an employee who

(i) is caused personal injury by an accident arising out of and in the course of his employment, or

(ii) is disabled by reason of an industrial disease due to the nature of his employment, and

(b) the dependants of an employee whose death results from such accident or industrial disease,

are, notwithstanding the nature or class of such employment, entitled to receive compensation at the same rate and under the same conditions as are provided under the law of the province where the employee is usually employed respecting compensation for a workman, or a dependant of a deceased workman, employed by a person other than Her Majesty who is usually employed in that province and

(c) is caused personal injury in that province by an accident arising out of and in the course of his employment, or

(d) is disabled in that province by reason of an industrial disease due to the nature of his employment,

and such compensation shall be determined by the same board, officers or authority as that established by the law of that province for determining compensation for workmen and dependants of deceased workmen employed by persons other than Her Majesty or by such other board, officers or authority, or by such court as the Governor in Council may direct.

Government railway employees.

(2) The benefits of this Act apply to an employee of the Government railways who is caused personal injury by accident arising out of and in the course of his employment or is disabled by reason of an industrial disease due to the nature of his employment, and the dependants of such an employee whose death results from such an accident or industrial disease, to such extent only as the law of the

(e) "Minister" means the Minister of Labour; and
(f) "province" includes the Yukon Territory and the Northwest Territories."

The amendment to paragraph *(b)* is to bring the definition of compensation in conformity with the new section 3 (1) of the Act.

The amendment to paragraph *(c)* makes provision for the inclusion of persons who are not paid a direct wage or salary but who are otherwise employees of Her Majesty.

The new paragraph *(e)* is to bring the definition of industrial disease in conformity with the new section 3 (1) of the Act.

(2) The new subsection (3) of section 2 is for drafting convenience.

2. The present section 3 of the Act reads as follows:

"**3.** (1) An employee who is caused personal injury by accident arising out of and in the course of his employment or is disabled by reason of an industrial disease due to the nature of his employment, and the dependants of an employee whose death results from such an accident or industrial disease, are, notwithstanding the nature or class of such employment, entitled to receive compensation at the same rate as is provided for an employee, or a dependant of a deceased employee, of a person other than Her Majesty, under the law of the province in which the accident occurred or industrial disease was contracted for determining compensation in cases of employees other than of Her Majesty, and the right to and the amount of such compensation shall be determined subject to the above provisions under such law, and in the same manner and by the same board, officers or authority as that established by such law for determining compensation in cases of employees other than of Her Majesty, or by such other board, officers, or authority, or by such court as the Governor in Council shall from time to time direct.

(2) The benefits of this Act apply to an employee of the Government railways who is caused personal injury by accident arising out of and in the course of his employment or is disabled by reason of an industrial disease due to the nature of his employment, and the dependants of such an employee whose death results from such an accident or industrial disease, to such extent only as the *Workmen's Compensation Act* of the province in which the accident occurred or industrial disease was contracted would apply to a person in the employ of a railway company or the dependants of such person under like circumstances.

province where such an employee is usually employed respecting compensation to workmen and the dependants of deceased workmen would apply to a person in the employ of a railway company or the dependants of such a person under like circumstances.

Payable to persons determined by awarding authority.

(3) Any compensation awarded to an employee or the dependants of a deceased employee by any board, officer or authority, or by any court, under the authority of this Act, shall be paid to such employee or dependants or to such person as the board, officer or authority or the court may direct, and the said board, officer, authority and court have the same jurisdiction to award costs as in cases between private parties is conferred by the law of the province where the employee is usually employed.

Costs.

Compensation, costs, general administration expenses, etc., payable out of Consolidated Revenue Fund.

(4) Out of the Consolidated Revenue Fund there may be paid

(a) any compensation or costs awarded under this Act,

(b) to the board, officers, authority or court authorized by the law of any province or under this Act to determine compensation cases such amount as an accountable advance in respect of compensation or costs that may be awarded under this Act as, in the opinion of the Treasury Board, is expedient,

(c) in any province where the general expenses of maintaining such board, officers, authority or court are paid by the province or by contributions from employers, or by both, such portion of such contributions as, in the opinion of the Treasury Board, is fair and reasonable,

(d) in any province where such board, officers or authority makes expenditures to aid in getting injured workmen back to work or removing any handicap resulting from their injuries, such portion of such expenditures as, in the opinion of the Treasury Board, is fair and reasonable, and

(e) to such board, officers, authority or court such amount as an accountable advance in respect of any expenses or expenditures that may be paid under paragraphs *(c)* and *(d)* as, in the opinion of the Treasury Board, is expedient.

Yukon Territory and Northwest Territories.

"**4.** Where an employee is usually employed in the Yukon Territory or the Northwest Territories, he shall for the purposes of this Act be deemed to be usually employed in the province of Alberta.

Person employed outside Canada.

"**5.** Where an employee, other than a person locally engaged outside Canada, is usually employed outside Canada, he shall for the purposes of this Act be deemed to be usually employed in the province of Ontario.

(3) Any compensation awarded to any employee or the dependants of any deceased employee by any board, officer or authority, or by any court, under the authority of this Act, shall be paid to such employee or dependants or to such person as the board, officer or authority or the court may direct, and the said board, officer, authority and court have the same jurisdiction to award costs as in cases between private parties is conferred by the law of the province where the accident occurred or industrial disease was contracted.

(4) Any compensation or costs awarded under this Act may be paid by the Minister of Finance out of any unappropriated moneys in the Consolidated Revenue Fund of Canada, or the Minister of Finance may from time to time take such amount of money as may be authorized by the Governor in Council from the Consolidated Revenue Fund and deposit such money with the board, officers, authority or court authorized by the law of any province or under this Act to determine compensation cases, from which deposits such board, officers, authority or court may pay any compensation and costs awarded under this Act.

(5) In any province where the general administration expenses of maintaining such board, officers, authority or court are paid by the province or by contributions from employers, or by both, the Minister of Finance may out of any unappropriated moneys in the Consolidated Revenue Fund of Canada

(a) pay such portion of such expenses as is fair and reasonable and is authorized by the Governor in Council, and

(b) make an accountable advance to any such board in respect of the expenses that may be paid by the Minister of Finance under paragraph *(a)*."

The effect of the amendments to subsections (1), (2) and (3) of section 3 is to provide that the law of the province where the employee is usually employed will determine the compensation rather than as at present the law of the province where the accident occurred.

Subsections (4) and (5) of section 3 of the present Act have been combined as subsection (4) in the Bill. The new subsection provides that disbursements authorized thereunder shall be made with the approval of the Treasury Board.

The present sections 4, 5 and 6 of the Act read as follows:

"4. Where an employee ordinarily resident in the Yukon Territory or the Northwest Territories is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed in the Yukon Territory or the Northwest Territories, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the Province of Alberta.

"5. Where an employee ordinarily resident in a province, other than the Yukon Territory or the Northwest Territories, is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed in the Yukon Territory or the Northwest Territories, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the province in which the employee was ordinarily resident.

Contributions to Workmen's Compensation fund in respect of employee locally engaged outside Canada.

"**6.** (1) Where an employee locally engaged outside Canada is usually employed in a place where under the law respecting compensation to workmen and the dependants of deceased workmen payments are made to a fund out of which compensation is paid to workmen and to the dependants of deceased workmen, there may, with the approval of the Treasury Board, be paid out of the Consolidated Revenue Fund such payments to that fund in respect of such an employee as may be deemed necessary by the Minister.

Compensation to employee or dependants locally engaged outside Canada where not otherwise entitled to compensation.

(2) The Minister may, with the approval of the Treasury Board, award compensation in such amount and in such manner as he deems fit to

(a) an employee locally engaged outside Canada who

(i) is caused personal injury by an accident arising out of and in the course of his employment, or

(ii) is disabled by reason of any disease that is due to the nature of his employment and peculiar to or characteristic of the particular process, trade or occupation in which he was employed at the time the disease was contracted, and

(b) the dependants of such an employee whose death results from such accident or disease,

and who are not otherwise entitled to compensation under any law respecting compensation to workmen and the dependants of deceased workmen."

3. (1) Subsections (1) and (2) of section 8 of the said Act are repealed and the following substituted therefor:

Claim against person other than Her Majesty.

"**8.** (1) Where an accident happens to an employee in the course of his employment under such circumstances as entitle him or his dependants to an action against some person other than Her Majesty, the employee or his dependants, if entitled to compensation under this Act, may claim compensation under this Act or may claim against such other person.

Where less recovered than entitlement difference to be paid as compensation.

(2) Where a claim is made against a person other than Her Majesty and less is recovered and collected, either upon a settlement approved by the Minister or under a judgment of a court of competent jurisdiction, than the amount of compensation to which the employee or his dependants are entitled under this Act, the difference between the amount so recovered and collected and the amount of such compensation shall be paid as compensation to the employee or dependants."

(2) Section 8 of the said Act is further amended by adding thereto, immediately after subsection (3) thereof, the following subsections:

"6. Where an employee, other than a person engaged locally outside of Canada, is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed outside of Canada, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the province in which the employee was ordinarily resident immediately prior to his entering upon such employment."

The amendment to section 4 is necessary to bring this provision in conformity with the new section 3 (1) of the Act.

The present section 5 is no longer required, as the place where the employee is usually employed will determine the compensation rather than the place where the accident occurred.

The new section 5 provides for uniformity in the application of the Act to employees assigned to employment outside of Canada.

The new section 6 provides for coverage of employees locally engaged outside of Canada who were not previously covered under the Act.

3. (1) The present section 8 of the Act reads as follows:

"8. (1) Where an accident happens to an employee in the course of his employment under such circumstances as entitle him or his dependants to an action against some person other than Her Majesty the employee or his dependants if entitled to compensation under this Act may claim compensation or may bring such action.

(2) If an action is brought and less is recovered and collected than the amount of the compensation to which the employee or his dependants are entitled under this Act the difference between the amount recovered and collected and the amount of such compensation shall be payable as compensation to such employee or his dependants.

Where more recovered by Her Majesty than entitlement portion of excess payable to employee.

"(3a) Where an action is brought under subsection (3) and the amount recovered and collected exceeds the amount of compensation to which the employee or his dependants are entitled under this Act, there may be paid out of the Consolidated Revenue Fund to the employee or his dependants such portion of the excess as the Minister with the approval of the Treasury Board deems necessary, but if after such payment has been made the employee becomes entitled to an additional amount of compensation in respect of the same accident the sum paid under this subsection may be deducted from such additional compensation.

Parent, etc., may elect for infant dependant.

(3b) The parent, tutor or guardian of an infant dependant may make an election under this section for such dependant."

4. The said Act is further amended by adding thereto the following sections:

Death of employee at place other than that of employment.

"**12.** Where death results to an employee from an accident arising out of and in the course of his employment at a place other than the place where he is usually employed and the reasonable additional expenses incurred because the death of the employee occurred at such other place exceed the amount of compensation to which his dependants are entitled for such expenses under this Act, there may be paid out of the Consolidated Revenue Fund such sum as the Minister with the approval of the Treasury Board deems necessary to pay any portion of such excess.

Accident prevention activities and safety programmes.

"**13.** The Minister may promote and encourage accident prevention activities and safety programmes among persons employed in the public service of Canada."

(3) If the employee or his dependants elect to claim compensation under this Act Her Majesty shall be subrogated to the rights of the employee or his dependants and may maintain an action in his or their names or in the name of Her Majesty against the person against whom the action lies and any sum recovered shall be paid into the Consolidated Revenue Fund of Canada.

(4) Notice of the election shall be given within three months after the happening of the accident, or in case it results in death, within three months after the death, or within such longer period either before or after the expiration of such three months as may be allowed by the board, officers or authority having power to determine the right to and the amount of the compensation under this Act.

(5) No employee or dependant of such employee shall have a claim against Her Majesty or any officer, servant or agent of Her Majesty, except for compensation under this Act, in any case where an accident happens to such employee in the course of his employment under such circumstances as entitle him or his dependants to compensation under this Act."

The amendments to subsections (1) and (2) of section 8 eliminate the necessity of the employee who claims against a third party obtaining a judgment against such third party before claiming for the difference between the amount recovered from a third party and the compensation payable under the Act.

(2) The additional subsection (3a) provides authority for payment to an employee of amounts in excess of the compensation recovered by the Crown where an action is brought by the Crown under the rights of the employee that are subrogated to the Crown.

The additional subsection (3b) clarifies the position of infant dependants with respect to elections to claim compensation under the Act.

4. Section 12 is new and provides for the payment of supplementary expenses in cases where the death of an employee entitled to compensation under the Act occurs at a place other than the place where he is usually employed.

Section 13 is new and makes provision for the promotion and encouragement of accident prevention activities and safety programmes.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act to amend the Public Service Superannuation Act.

First reading, February 28, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

50021

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act to amend the Public Service Superannuation Act.

1952-53, c. 47.

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

"Temporary employee."

1. Paragraph *(n)* of section 2 of the *Public Service Superannuation Act*, chapter 47 of the statutes of 1952-53, is repealed and the following substituted therefor:

"*(n)* "temporary employee" means

(i) an employee who is engaged for a term of twelve months or less, or

Persons required to contribute.

(ii) a part-time employee;"

2. (1) Paragraphs *(c)* and *(d)* of subsection (1) of section 4 of the said Act are repealed and the following substituted therefor:

"*(c)* a temporary employee, unless, in the case of an employee who is engaged for a term of twelve months or less, he has been employed in the Public Service substantially without interruption for a period of more than twelve months,

(d) an employee in receipt of a salary computed at an annual rate of less than nine hundred dollars, except any such employee who was a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act and has been employed in the Public Service substantially without interruption since that time,"

(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, unless designated by the Governor in Council, individually or as a member of a class,"

Explanatory Notes.

1. Paragraph *(n)* of section 2 of the Act presently reads as follows:

"2. In this Act,

.....

(n) "temporary employee" means
(i) an employee who is engaged for a term of twelve months or less,
(ii) a part-time employee, or
(iii) a sessional employee;

....."

The purpose of this amendment is to permit the Governor in Council to designate sessional employees as persons who are required to contribute to the Superannuation Account. (See subsection (2) of clause 2 of this Bill).

2. (1) Paragraphs *(c)* and *(d)* of subsection (1) of section 4 of the Act presently read as follows:

"4. (1) Every person employed in the Public Service, other than

.....

(c) a temporary employee, unless, in the case of an employee who is engaged for a term of twelve months or less, he has been employed in the Public Service substantially without interruption for a period of more than twelve months from the time when he was first so engaged,

(d) an employee in receipt of a salary computed at an annual rate of less than nine hundred dollars,

.....

is required to contribute to the Superannuation Account by reservation from salary or otherwise,

....."

The amendment to paragraph *(c)* of subsection (1) of section 4 of the Act has the effect of permitting a contributor to continue to contribute to the Superannuation Account even though his status, after he has been employed in the Public Service for some time, may be changed to that of a "temporary employee" within the meaning of the Act.

The purpose of the amendment to paragraph *(d)* of subsection (1) of section 4 of the Act is to permit the continuation as contributors of those employees who ceased to be contributors to the Superannuation Account on January 1, 1954 (when the *Public Service Superannuation Act* was proclaimed in force) merely because they were in receipt of a salary computed at an annual rate of less than nine hundred dollars. By subsection (3) of this clause of the Bill this amendment will be retroactive to January 1, 1954.

(2) Paragraph *(f)* of subsection (1) of section 4 of the Act presently reads as follows:

"4. (1) Every person employed in the Public Service, other than

.....

(f) a prevailing rate or seasonal employee, unless designated by the Governor in Council, individually or as a member of a class,

is required to contribute to the Superannuation Account, by reservation from salary or otherwise,

....."

Coming into force.

(3) Paragraph *(d)* of subsection (1) of section 4 of the said Act as enacted by subsection (1) of this section shall be deemed to have come into force on the 1st day of January, 1954.

Pensionable service.

3. 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 (2) of section 25,"

Amount to be paid.

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

"*(i)* in respect of any period specified in clause (E) of subparagraph (iii) of the said paragraph *(b)*, an amount equal to the amount of the return of contributions or other lump sum payment received by him in respect thereof, together with simple interest at four per cent per annum from the time when the payment was made until the time of making the election, or, in the event of the payment so made 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 making the election, of the annuity or annual allowance upon which the said payment was based; and"

Right to amend or revoke election.

5. Subsection (4) of section 7 of the said Act is repealed and the following substituted therefor:

"(4) An election under this Act may be amended by the elector, within the time prescribed by this Act for the making of the election, by increasing the period or periods of service for which he elects to pay, and is otherwise irrevocable except under such circumstances and upon such terms and conditions, including payment by the elector to Her Majesty of such amount in respect of any benefit accruing to that elector during the subsistence of the election, as a consequence of his having so elected, as the Governor in Council by regulation prescribes."

The purpose of this amendment is to enable to Governor in Council to designate sessional employees as persons who may contribute to the Superannuation Account in the same way as prevailing rate or seasonal employees.

3. Clause (C) of subparagraph (iii) of paragraph *(b)* of subsection (1) of section 5 of the Act presently reads as follows:

"**5.** (1) Subject to this Act, the following service may be counted by a contributor as pensionable service for the purposes of this Act, namely,

.....

(b) elective service, comprising,

.....

(iii) with reference to any contributor,

(C) any period of service that may be counted by him as pensionable service pursuant to subsection (2) of section 25,

,,

....."

The purpose of this amendment is to permit certain contributors to count as pensionable service under the Act any period of service as an unestablished Newfoundland civil servant that could have been counted under the *Newfoundland Act.* (See clause 10 of this Bill).

4. Paragraph *(i)* of subsection (1) of section 6 of the Act presently reads as follows:

"**6.** (1) Subject to section 7, a contributor who is entitled under this Act to count as pensionable service any period of elective service specified in paragraph *(b)* of subsection (1) of section 5 is required to pay, in respect thereof, as follows:

.....

(i) in respect of any period specified in clause (E) of subparagraph (iii) of the said paragraph *(b)*, an amount equal to the amount of the return of contributions or other lump sum payment received by him in respect thereof, together with simple interest at four per cent per annum from the time when the payment was received until the time of making the election, or, in the event of the payment so received 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 making the election, of the annuity or annual allowance upon which the said payment was based; and

,,

....."

5. Subsection (4) of section 7 of the Act presently reads as follows:

"**7.** (4) An election under this Act is irrevocable except that it may be amended by the elector, within the time prescribed by this Act for the making of the election, by increasing the period or periods of service for which he elects to pay."

Woman deemed to be widow.

6. (1) Subsection (4) of section 12 of the said Act is amended by striking out all that portion of the said subsection following paragraph *(b)* thereof and substituting therefor the following:

"shall, if the Treasury Board so directs, be deemed to be the widow of that contributor and to have become married to him at such time as she commenced being so represented as his wife, and for the purpose of this Act a woman to whom this subsection would apply, but for her marriage to a contributor after such time as she commenced being so represented as the wife of that contributor, shall, if the Treasury Board so directs, be deemed to have become married to that contributor at the time when, in fact, she commenced being so represented."

Application.

(2) Section 12 of the said Act is further amended by adding thereto the following subsection:

Idem.

"(7) Notwithstanding subsection (6), subsection (5) does not apply in respect of any contributor whose death occurred prior to the 1st day of January, 1953; but nothing in this subsection shall be held to prejudice any right or claim acquired prior to the coming into force of this subsection to any payment under this Act to which the recipient thereof would not have been entitled if this subsection had come into force on the 1st day of January, 1954."

7. (1) Subsections (1) and (2) of section 13 of the said Act are repealed and the following substituted therefor:

Marriage after retirement.

"**13.** (1) Notwithstanding anything in this Act, the widow of a person is not entitled to any annual allowance under this Act if that person married after having become entitled under this Act to an annuity or an annual allowance, unless, subsequently to his marriage, he became or continued to be a contributor under this Act.

Child born, etc. after retirement.

(2) Notwithstanding anything in this Act, except as provided in the regulations a child who is born to or adopted by a contributor or who becomes the stepchild of a contributor after that contributor ceases to be employed in the Public Service is not entitled to an allowance under this Act."

Coming into force.

(2) Subsection (1) of section 13 of the said Act as enacted by this section shall be deemed to have come into force on the 1st day of January, 1954.

6. (1) Subsection (4) of section 12 of the Act presently reads as follows:

"**12.** (4) For the purposes of this Act, a woman who

(a) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than seven years immediately prior to the death of a contributor with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of the contributor or of herself to another person, been maintained and publicly represented by that contributor as his wife, or

(b) establishes to the satisfaction of the Treasury Board that she had, for a number of years immediately prior to the death of a contributor with whom she had been residing, been maintained and publicly represented by that contributor as his wife, and that at the time of the death of that contributor neither she nor the contributor was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that contributor."

Under the Act as it presently stands, where a contributor and a woman are living together in a common law relationship, the woman would be deprived of any benefit under the Act merely because she and the contributor go through a marriage ceremony after the contributor becomes entitled to an annuity or annual allowance. The purpose of this amendment is to permit payment of widow's benefits to a woman who would have been eligible for those benefits if she had not gone through a marriage ceremony with the contributor.

(2) Subsections (5) and (6) of section 12 of the Act presently read as follows:

"**12.** (5) If, upon the death of a contributor, it appears to the Treasury Board that the widow of the contributor had, for a number of years immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the Treasury Board so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased the contributor.

(6) Subsections (4) and (5) do not apply in respect of any contributor whose death occurred prior to the coming into force of this Act."

Some cases arose in the calendar year 1953 to which subsection (5) of section 12 of the Act would have applied but for the fact that the contributor died before January 1, 1954. These cases were not dealt with before January 1, 1954, under the *Civil Service Superannuation Act* and it was not possible to deal with them under subsection (5) of section 12 of the *Public Service Superannuation Act*. This amendment will permit such cases to be processed.

7. Subsections (1) and (2) of section 13 of the Act presently read as follows:

"**13.** (1) Notwithstanding anything in this Act, the widow and children of a person are not entitled to any annual allowance under this Act if that person married after having become entitled under this Act to an annuity or an annual allowance, unless, subsequently to his marriage, he became or continued to be a contributor under this Act.

(2) Notwithstanding anything in this Act, except as provided in the regulations a child born to a contributor after that contributor ceases to be employed in the Public Service is not entitled to an allowance under this Act."

The amendments to section 13 of the Act have the effect of permitting certain children of a contributor to obtain benefits under the Act even if the contributor married after having become entitled to a benefit under the Act.

Persons re-employed.

8. (1) Section 16 of the said Act is amended by striking out the word "and" at the end of paragraph *(a)* thereof, by inserting the word "and" at the end of paragraph *(b)* thereof, and by adding thereto the following paragraph:

"*(c)* if that person is re-employed in the Public Service and becomes, or would have become, but for the provisions of subsection (2) of section 4, a contributor under this Act, and the period of service upon which his said annuity, annual allowance or adjusted annual allowance was based included any period specified in clause (C) or (D) of subparagraph (iii) of paragraph *(a)* of subsection (1) of section 5, he may, within one year from the time when he so became or would have become a contributor under this Act, elect to retain that annuity, annual allowance or adjusted annual allowance, in which case, from and after the date of such election, he shall be deemed, for the purposes of this section, not to have become a contributor under this Act in respect of his service since becoming so re-employed, but if, upon ceasing to be so re-employed, he exercises his option under this Act in favour of a return of contributions or is not entitled to any benefit under this Act in respect of his service since becoming so re-employed except a return of contributions, the amount so returned shall not include any amount paid into the Superannuation Account to his credit at any time prior to the time when he became so re-employed."

Coming into force.

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

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

Medical examination requirements.

"**18.** (1) Subject to subsection (3) but notwithstanding anything else in this Act, any election made by a person who becomes a contributor under this Act on or after its coming into force,

(a) not having been a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act, and

(b) not having been employed in the Public Service substantially without interruption for a period of five years immediately prior to the making of the election,

is void, insofar as it is an election to pay for any period of service prior to becoming a contributor (except any such period immediately prior to becoming a contributor during which he was employed in the Public Service), unless the person by whom the election is made has been medically examined, as prescribed in the regulations."

8. This paragraph is new and makes it possible for an annuitant whose benefit is based partly on service for which no contribution was required to retain that same benefit after he is re-employed and ceases again to be so employed.

9. (1) Subsection (1) of section 18 of the Act presently reads as follows:

"**18.** (1) Subject to subsection (3) but notwithstanding anything else in this Act, a person who becomes a contributor under this Act on or after its coming into force,

(a) not having been a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act, and

(b) not having been employed in the Public Service substantially without interruption for a period of five years immediately prior to becoming a contributor under this Act,

is not entitled under this Act to elect to pay for any period of service prior to becoming a contributor (except any such period immediately prior to becoming a contributor during which he was employed in the Public Service), unless he has been medically examined, as prescribed in the regulations."

(2) Subsection (3) of section 18 of the said Act is repealed and the following substituted therefor:

Prohibited elections.

"(3) Notwithstanding anything in this Act, any election, insofar as it is an election to pay for any period of service described in clause (F) of subparagraph (iii) of paragraph *(b)* of subsection (1) of section 5, is void unless the person by whom the election is made has passed a medical examination, as prescribed in the regulations, within such time immediately before or after the making of the election as is prescribed in the regulations."

10. Section 21 of the said Act is amended by adding thereto the following subsections:

Election by unestablished Newfoundland civil servant.

"(8) A contributor who, having been an unestablished civil servant, as defined in the *Newfoundland Act*, in a service of the Government of Newfoundland that was taken over by Canada pursuant to the Terms of Union of Newfoundland with Canada, became an employee of the Government of Canada pursuant to an offer of employment made in accordance with the said Terms of Union is entitled to count as pensionable service, for the purposes of subsection (1) of section 5, any period of service as an unestablished civil servant that might have been counted by him under paragraph *(b)* of subsection (3) of section 29 of the *Newfoundland Act* had he been an established civil servant immediately prior to the taking over by Canada of such service, if he elects, within one year from the coming into force of this subsection, to pay for that service, in which case the amount required by this Act to be paid by him for that service is an amount equal to twice the amount that he would have been required to pay 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 becoming employed in the Public Service, together with interest, as defined in subsection (2) of section 6.

Salary deemed to have been received.

(9) For the purposes of this Act, the salary deemed to have been received by a contributor to whom subsection (8) applies, during any period of service described in that subsection, is a salary at the initial rate authorized to be paid to him upon becoming employed in the Public Service."

(2) Subsection (3) of section 18 of the Act presently reads as follows:

"**18.** (3) Notwithstanding anything in this Act, a contributor is not entitled to elect to pay for any period of service described in clause (F) of subparagraph (iii) of paragraph *(b)* of subsection (1) of section 5, unless he has passed a medical examination, as prescribed in the regulations, not more than thirty days prior to the time of making the election."

10. These subsections are new and permit a person who was an unestablished Newfoundland civil servant to count his service as such a civil servant, in certain circumstances, as pensionable service under the Act. (See clause 3 of this Bill).

Service countable.

11. (1) Paragraph *(a)* of subsection (2) of section 25 of the said Act is amended by striking out the word "and" following subparagraph (ii) thereof and substituting therefor the following:

"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"

(2) Section 25 of the said Act is further amended by adding thereto, immediately after subsection (3) thereof, the following subsection:

Surrender of benefit under R.C.M.P. Act, etc.

"(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."

(3) Section 25 of the said Act is further amended by adding thereto the following subsection:

Surrender of benefit under this Act.

"(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."

Regulations.

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

"*(d)* prescribing, notwithstanding subsection (1) of section 4, the rates at which, the manner in which, and the circumstances under which persons who are required to contribute to the Superannuation Account in accordance with subsection (1) of section 4 but who are or have been, either before or after the coming into force of this paragraph, absent from the Public Service on leave of absence without pay shall contribute to the Superannuation Account in respect of that absence;"

11. (1) Subsection (2) of section 25 of the Act presently reads as follows:

"**25.** (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, less any amount paid to him under that Act at any time prior to the making 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."

The purpose of this amendment is to require payment of interest where there has been an interval between service in the forces or the Royal Canadian Mounted Police on the one hand and the Public Service on the other hand.

(2) This subsection is new.

(3) This subsection is new and permits a contributor to obtain a deferred annuity under the *Public Service Superannuation Act* in respect of service that he cannot count under the *Royal Canadian Mounted Police Act*.

12. (1) Paragraph *(d)* of subsection (1) of section 30 of the Act presently reads as follows:

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

.....

(d) prescribing, notwithstanding subsection (1) of section 4, the rates at which, the manner in which, and the circumstances under which persons who are required to contribute to the Superannuation Account in accordance with subsection (1) of section 4 but who are absent from the Public Service on leave of absence without pay shall contribute to the Superannuation Account in respect of that absence;

....."

The purpose of this amendment is to permit the Governor in Council to prescribe by regulation how a contributor may count as pensionable service any period of service during which he was absent from the Public Service on leave of absence without pay.

(2) Subsection (1) of section 30 of the said Act is further amended by adding thereto, immediately after paragraph *(g)* thereof, the following paragraph:

"*(ga)* prescribing the circumstances under which and the terms and conditions upon which an election under this Act may be revoked by any elector, either wholly or in part, and prescribing the methods by which and the bases upon which the amount of any payment contemplated by subsection (4) of section 7 is to be computed;"

13. Section 35 of the said Act is amended by adding thereto the following subsections:

Extension of time fixed for making elections in certain cases.

"(9) The Governor in Council may make regulations providing for the extension, under such circumstances and upon such terms and conditions as are specified in those regulations, but in no case for a period of more than one year, of the time fixed by this Act for the making of any election under this Act, and providing that any such election made within that time as extended shall be deemed, for the purposes of this Act, to have been made within the time fixed by this Act for the making of that election, whether or not the person by whom it was made was, at the time of its making, employed in the Public Service, and for the purposes of this section any election made after the time fixed by this Act for the making of that election but prior to the effective date of those regulations shall, under such circumstances and upon such terms and conditions as are specified in those regulations, be deemed to have been made within the time as extended for the making of that election.

Expiration of authority to extend time.

"(10) The authority conferred under subsection (9) to make regulations providing for the extension of the time fixed by this Act for the making of any election expires on the 31st day of December, 1957."

(2) This paragraph is new and permits the Governor in Council to prescribe cases in which elections made under the Act may be revoked. (See clause 5 of this Bill).

13. These subsections are new and permit the Governor in Council to extend, for periods of one year, the times fixed by the Act for the making of any election under the Act.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Emergency Gold Mining Assistance Act.

First reading, February 28, 1955.

THE MINISTER OF MINES AND TECHNICAL SURVEYS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

50905

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Emergency Gold Mining Assistance Act.

R.S., cc. 95, 318; 1952-53, c. 32; 1953-54, c. 26.

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

1. The *Emergency Gold Mining Assistance Act*, chapter 95 of the Revised Statutes of Canada, 1952, is amended by adding thereto, immediately after section 4 thereof, the following section:

Application of Act to 1955 and 1956.

"**4A.** This Act applies in respect of gold produced from a mine and sold in any of the calendar years 1955 and 1956, subject to the following modifications

(a) the expression "designated year" includes the calendar years 1955 and 1956;

(b) the sum that may be paid in respect of the gold produced from a mine and sold in a designated year is

(i) in the case of a mine in which the first year of production commenced prior to the designated year, an amount equal to the product of the rate of assistance for the mine for that designated year multiplied by two-thirds of the number of ounces of gold produced from the mine and sold in that designated year, and

(ii) in the case of a mine in which the first year of production commenced during the designated year, an amount equal to the product of the rate of assistance for the mine for that designated year multiplied by two-thirds of the number of ounces of gold produced from the mine and sold in that designated year after the commencement of the first year of production;

Explanatory Notes.

The purpose of this Bill is to extend the *Emergency Gold Mining Assistance Act* to apply to the years 1955 and 1956.

(c) where the first year of production had not, on or before the 30th day of June, 1951, been established by or pursuant to paragraph *(e)* of subsection (1) of section 2, the expression "first year of production" means the period of twelve months immediately following the day on which the mine came into production for the purposes of subsections (5) and (6) of section 83 of the *Income Tax Act*, or, in the case of a mine to which that section did not or does not apply, the day the Minister determines would have been the day on which the mine came into production for the purposes of that section if it had applied to it; and

(d) the expression "rate of assistance" for a mine for any period means the amount that is two-thirds of the amount by which the average cost of production of gold from the mine during the period exceeds twenty-six dollars and fifty cents, but not in any event exceeding twelve dollars and thirty-three cents."

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend the British North America Acts, 1867 to 1952, with respect to the Tenure of Place in the Senate.

First reading, March 2, 1955.

Mr. FOLLWELL.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

50785

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend the British North America Acts, 1867 to 1952, with respect to the Tenure of Place in the Senate.

Preamble.

WHEREAS section twenty-nine of *The British North America Act, 1867*, provides at present that a senator shall, subject to the provisions of the Act, hold his place in the Senate for life; AND WHEREAS it seems preferable that there should be an age limit to the tenure of place in the Senate; THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Section 29 of *The British North America Act, 1867*, chapter three of the Statutes of the United Kingdom of Great Britain and Ireland, 1867, is repealed and the following substituted therefor:

Tenure of place in Senate.

"**29.** A Senator shall, subject to the provisions of this Act, hold his place in the Senate till he has reached the age of seventy-five years."

Limitation.

(2) This section shall not apply to a person who has been summoned to the Senate before the coming into force of this Act.

Short title and citation.

2. This Act may be cited as the *British North America Act, 1955*, and the *British North America Acts, 1867 to 1952*, and this Act may be cited together as the *British North America Acts, 1867 to 1955*.

Explanatory Note.

The purpose of this bill, as explained in the preamble, is to provide that there should be an age limit, namely seventy-five years, to the tenure of place in the Senate.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Representation Act.

First reading, March 3, 1955.

MR. MCWILLIAM.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

54232

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Representation Act.

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

Northumberland-Miramichi.

1. Paragraph 4 of that Part of the Schedule to the *Representation Act*, chapter 334 of the Revised Statutes of Canada, 1952, dealing with the description of the electoral districts in the Province of New Brunswick, which describes the Electoral District of Northumberland, is amended by substituting for the word: "NORTHUMBERLAND", the words: "NORTHUMBERLAND-MIRAMICHI" at the beginning of the said description.

Explanatory Note.

The purpose of the present Bill is to avoid the confusion which exists from the fact that there is at present an electoral district of Northumberland in the province of Ontario as well as in the province of New Brunswick. "Miramichi" is a fine old historical name and should be joined to that of "Northumberland" (in New Brunswick) to correct the anomalous situation above mentioned.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 245.

An Act to amend the Canada Grain Act.

First reading, March 11, 1955.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99469

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 245.

An Act to amend the Canada Grain Act.

R.S., cc. 25, 308.

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

R.S., c. 308.

1. Section 4 of the *Canada Grain Act*, chapter 25 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Salaries.

"**4.** The chief commissioner shall be paid an annual salary of fifteen thousand dollars and each of the commissioners an annual salary of thirteen thousand five hundred dollars."

R.S., c. 308.

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

Assistant Commissioners.

"**5.** (1) The Governor in Council may appoint four assistant grain commissioners to hold office during pleasure each of whom shall be paid such salary as may be fixed by the Governor in Council.

Headquarters.

(2) One of the assistant grain commissioners shall have his headquarters and office in the Province of Alberta, two in the Province of Saskatchewan and one in the Province of Manitoba."

3. Subsection (2) of section 139 of the said Act is repealed and the following substituted therefor:

Excess to belong to The Canadian Wheat Board.

"(2) Where upon any such weigh-over it appears that the handling of grain in a public terminal elevator has resulted in the transfer of any grain from a lower to a higher grade, the excess in any grade shall be the property of The Canadian Wheat Board and such excess or the proceeds thereof shall, subject as hereinafter provided, be disposed of by that Board as the Governor in Council directs."

Explanatory Notes.

1. This section will increase the annual salaries of the chief and other two commissioners of the Board of Grain Commissioners for Canada.

Section 4 now reads:

"4. The chief commissioner shall be paid an annual salary of *fourteen* thousand dollars and each of the commissioners an annual salary of *twelve* thousand dollars."

2. This section will provide for the appointment of four rather than three assistant grain commissioners.

Subsections (1) and (2) of section 5 now read:

"5. (1) The Governor in Council may appoint *three* assistant grain commissioners to hold office during pleasure each of whom shall be paid such salary as may be fixed by the Governor in Council.

(2) One of the assistant grain commissioners shall have his headquarters and office in the Province of Alberta, *one* in the Province of Saskatchewan and one in the Province of Manitoba."

3. Section 139 of the Act deals with weigh-overs in terminal elevators and now provides that any excess found shall, respecting certain classes of elevators and after due allowance for deficiencies in other grades, become the property of Her Majesty to be disposed of as the Board of Grain Commissioners for Canada may direct.

The purpose of this section is to transfer the property in any excess to the Canadian Wheat Board to be disposed of by it as the Governor in Council directs.

Subsection (2) of section 139 now reads:

"(2) Where upon any such weigh-over it appears that the handling of grain in a public terminal elevator has resulted in the transfer of any grain from a lower to a higher grade the excess in any grade shall be the property of *Her Majesty* and shall, subject as hereinafter provided, be disposed of as *the Board* may direct."

4. Subsection (2) of section 140 of the said Act is repealed and the following substituted therefor:

Overage to belong to The Canadian Wheat Board.

"(2) Where upon any such weigh-over it appears that the handling of grain in an eastern elevator has resulted in an overage in any grade or kind of grain, the overage shall be the property of The Canadian Wheat Board and such overage or the proceeds thereof shall, subject as hereinafter provided, be disposed of by that Board as the Governor in Council directs."

Schedules amended.

5. Schedule One to the said Act is amended as follows:

(a) the words "Any variety of Amber Durum" under the heading "Variety" for the grade No. 3 Canada Western Amber Durum in the table for Amber Durum Wheat therein are repealed and the words "Mindum or any variety equal to Mindum" are substituted therefor; and

(b) the heading "Soybeans" therein and the grade requirements thereunder are repealed and the heading and grade requirements set forth in the Schedule to this Act are substituted therefor.

Idem.

6. Schedule Two to the said Act is amended as follows:

(a) the words "Any variety of Amber Durum Wheat" under the heading "Variety" for the grade No. 3 Canada Eastern Amber Durum in the table for Amber Durum Wheat therein are repealed and the words "Mindum or any variety equal to Mindum" are substituted therefor; and

(b) the heading "Soybeans" therein and the grade requirements thereunder are repealed and the heading and grade requirements set forth in the Schedule to this Act are substituted therefor.

Coming into force.

7. Sections 5 and 6 shall come into force on the 1st day of August, 1955.

4. The purpose of this section, which refers to overages in eastern elevators, is the same as that described for section 3 with reference to excesses in terminal elevators.

Subsection (2) of section 140 now reads:

> "(2) Where upon any such weigh-over it appears that the handling of grain in an eastern elevator has resulted in an overage in any grade or kind of grain, the overage shall be the property of *Her Majesty* and shall, subject as hereinafter provided, be disposed of as *the Board* may direct."

5. and **6.** These sections amend the statutory grades of Western Grain and of Eastern Grain with respect to the grade No. 3 Amber Durum Wheat and all grades of Soybeans and were recommended by the Committees on Western and Eastern Grain Standards.

The varieties now prescribed for No. 3 grade Amber Durum Wheat permit any variety to enter the grade and may include varieties, such as Pellisier and Golden Ball, that are found to be inferior in macaroni-making quality. The principal use of this grade is in the manufacture of macaroni and it is desirable to segregate inferior varieties from the grade to provide wheat of adequate quality for that purpose.

In the case of Soybeans, it is desirable to have more specific and accurate definitions of grades to assist in marketing Canadian soybeans.

The present table for Soybeans in both Schedules One and Two is the same and now reads:

SCHEDULE.

SOYBEANS.

Grade requirements for Yellow, Green, Brown, Black and Mixed Soybeans.

Grade Name	Minimum weight per measured bushel in pounds	Standard of Quality	Maximum Limits of:					
			Splits	Other colours or bi-coloured (See Note)	Heat-damaged and/or mouldy kernels of soybeans and of other grains	Total damaged kernels	Foreign material other than dockage	
							Foreign material other than grain	Total foreign material including other grains
No. 1 Canada Soybeans.....	58	Cool, of natural odour, well screened, of good natural colour.	10%	2%	Free	2%	About 0·1%	1%
No. 2 Canada Soybeans.....	56	Cool, of natural odour, slightly stained.	15%	3%	Practically free	3%	About 0·3%	2%
No. 3 Canada Soybeans.....	54	Cool, of natural odour, may be stained but not badly ground-damaged.	20%	5%	About 1%	5%	About 0·5%	3%
No. 4 Canada Soybeans.....	51	Cool, may be badly stained or ground-damaged, may be slightly immature and frosted.	30%	10%	About 3%	8%	About 2%	5%
No. 5 Canada Soybeans.....	48	Cool, may be badly stained or ground-damaged, immature and frosted.	49%	15%	About 5%	15%	About 3%	8%
Sample Canada Soybeans.....	Shall be soybeans which do not meet the requirements of any of the grades from No. 1 to No. 5 inclusive, or which are musty, sour or heating or hot, or which have any commercially objectionable foreign odour, or which are otherwise of distinctly low quality.							

NOTE: The maximum limits here given for "other colours" shall not apply to the grading of mixed soybeans.

SOYBEANS.

Grade requirements for Yellow, Green, Brown, Black and Mixed Soybeans.

Grade Name	Minimum weight per measured bushel in pounds	Standard of Quality	Maximum Limits of			
			Splits	Damaged kernels, soybeans and other grains	Foreign material other than dockage	Other colours or bi-coloured (See Note)
No. 1 Canada Soybeans	58	Cool, of natural odour, well screened, of good natural colour.	10%	2%	1%	2%
No. 2 Canada Soybeans	56	Cool, of natural odour, slightly stained	15%	3%	2%	3%
No. 3 Canada Soybeans	54	Cool, of natural odour, may be stained	20%	5%	3%	5%
No. 4 Canada Soybeans	51	Cool, may be badly stained, may be slightly frosted and immature.	30%	8%	5%	10%
Sample Canada Soybeans	Shall be soybeans which do not meet with the requirements of any of the grades from No. 1 to No. 4 inclusive, or which contain stones and/or cinders, or which are musty, sour, heated or heating, or which have any commercially objectionable foreign odour, or which are otherwise of distinctly low quality.					

NOTE:—The maximum limits here given for "Other colours" shall not apply to the grading of Mixed Soybeans.

256.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 256.

An Act to amend the Defence Production Act.

First reading, March 14, 1955.

THE PRIME MINISTER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99035

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 256.

An Act to amend the Defence Production Act.

R.S., c. 62.

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

1. Subsection (2) of section 3 of the *Defence Production Act*, chapter 62 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Minister's salary.

"(2) The salary of the Minister, unless he is in receipt of a salary as the Minister of another department of the Government of Canada, shall be fifteen thousand dollars per annum."

Repeal.

2. Section 41 of the said Act is repealed.

Explanatory Notes.

The purpose of this Bill is to increase the salary of the Minister of Defence Production from ten thousand dollars per annum to fifteen thousand and to repeal section 41 of the Act which provided for the expiry of the Act on July 31st, 1956.

1. The only change is the substitution of the word "fifteen" underlined on the opposite page for the word "ten".

2. Section 41 of the Act at present reads as follows:

"**41.** This Act, except subsection (6) of section 4, shall expire on the 31st day of July, 1956."

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 257.

An Act respecting the Canadian Forces.

First reading, March 14, 1955.

THE MINISTER OF
NATIONAL DEFENCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

98389

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 257.

An Act respecting the Canadian Forces.

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

Short title.

1. This Act may be cited as the *Canadian Forces Act, 1955*.

PART I.

National Defence Act.

R.S., cc. 184, 310; 1952-53, cc. 6, 24; 1953-54, cc. 13, 21.

2. Section 31 of the *National Defence Act*, chapter 184 of the Revised Statutes of Canada, 1952, is amended by adding thereto the following subsection:

Re-instatement.

"(4) Subject to regulations made by the Governor in Council, where an officer or man has been released from the Canadian Forces or transferred from one component to another by reason of a sentence of dismissal or a finding of guilty by a service tribunal or any court, and the sentence or finding ceases to have force and effect as a result of a decision of a competent authority, the release or transfer may, with the consent of the officer or man concerned, be cancelled, and he shall thereupon, except as provided in those regulations, be deemed for the purpose of this Act or any other Act, not to have been so released or transferred."

3. Paragraph *(i)* of subsection (1) of section 56 of the said Act is repealed and the following substituted therefor:

"*(i)* a person, not otherwise subject to the Code of Service Discipline, who, in respect of any service offence committed or alleged to have been committed by him, is in civil custody or in service custody; and"

Explanatory Notes.

1. In title and form this Bill is similar to Canadian Forces Acts passed each year from 1950 to 1954.

2. This clause would make it possible to reinstate, without a break in service, officers and men who have been released as a result of a sentence of dismissal or a finding of guilty by a service tribunal or any court, and the sentence of dismissal or finding of guilty ceases to have force and effect as a result of a decision of an appellate court or other competent authority.

3. This clause would make subject to the Code of Service Discipline from the time of their arrest persons who have been released from the forces and who are taken into custody as the result of a charge in respect of a service offence committed while in the forces. Paragraph *(i)* of subsection (1) of section 56 of the Act now reads:

"**56.** The following persons, and no others, are subject to the Code of Service Discipline:

.....

(i) a service convict, service prisoner or service detainee, not otherwise subject to the Code of Service Discipline, who is committed to undergo his punishment in a service prison or detention barrack, as the case may be; and".

4. Section 60 of the said Act is amended by adding thereto the following subsection:

Exclusion of time.

"(3) In calculating the period of limitation referred to in subsection (1), there shall not be included

(a) time during which a person was a prisoner of war,

(b) any period of absence in respect of which a person has been found guilty by any service tribunal of desertion or absence without leave, and

(c) any time during which a person was serving a sentence of incarceration imposed by any court other than a service tribunal."

5. Subsection (1) of section 126 of the said Act is repealed and the following substituted therefor:

Natural imbecility or mental disease.

"**126.** (1) No person shall be convicted of a service offence by reason of an act done or omitted by him when labouring under natural imbecility, or disease of the mind, to such an extent as to render him incapable of appreciating the nature and quality of the act or omission, or of knowing that such an act or omission was wrong."

6. Subsection (2) of section 132 of the said Act is repealed and the following substituted therefor:

Petition in respect of delay of trial.

"(2) Every person held in custody in the circumstances mentioned in subsection (1) is, after he has been so held for a total of twenty-eight days without a summary trial having been held or a court martial having been ordered to assemble, entitled to direct to the Minister, or to such authority as the Minister may prescribe or appoint for that purpose, a petition to be freed from custody or for a disposition of the case, and in any event that person shall be so freed when he has been so held for a total of ninety days from the time of his arrest unless the Minister otherwise directs or unless a summary trial has been held or a court martial has been ordered to assemble."

7. (1) Subsection (1) of section 162 of the said Act is repealed and the following substituted therefor:

Majority vote.

"**162.** (1) Subject to subsection (3) of section 121 and subsection (4) of this section, the finding and the sentence of a court martial and the decision in respect of any other matter or question arising after the commencement of the trial shall be determined by the vote of a majority of the members."

(2) Section 162 of the said Act is further amended by adding thereto the following subsection:

Questions of law.

"(4) Where a judge advocate has been appointed to officiate at a court martial, he may, in such circumstances

4. Subsection (1) of section 60 provides that in respect of most service offences no person is liable to be tried by a service tribunal unless his trial begins before the expiration of a period of three years from the day upon which the service offence was alleged to have been committed. This clause would ensure that time while a prisoner of war, a period of desertion or absence without leave or time while serving a sentence of incarceration imposed by a civil court would not be included in such period of three years.

5. This clause would bring the definition of "insanity" in the Act into line with the definition contained in section 16 of the new Criminal Code by substituting "or" for "and" in the penultimate line thereof.

6. This clause would provide that periods of custody mentioned in subsection (2) of section 132 of the Act need not be continuous. This would avoid the possibility of an accused being released and rearrested immediately in respect of the same charge, thus not giving effect to the intention of the section. The clause would also provide for an accused being detained in custody for more than 90 days where necessary in order to complete pre-trial investigation.

7. Subject to regulations made by the Governor in Council, this clause would enable the judge advocate at courts martial to decide questions of law rather than, as at present, merely to advise the court thereon.

and subject to such conditions and procedures as are prescribed in regulations made by the Governor in Council, determine questions of law arising before or after the commencement of the trial."

8. Subsection (1) of section 172 of the said Act is repealed and the following substituted therefor:

Authority.

"**172.** (1) The Minister, and such other authorities as he may prescribe or appoint for that purpose, may

(a) substitute a new finding for any finding of guilty, made by a service tribunal, that is illegal or cannot be supported by the evidence, if the new finding could validly have been made by the service tribunal on the charge and if it appears that the service tribunal was satisfied of the facts establishing the offence specified or involved in the new finding;

(b) substitute for the finding of guilty made by a service tribunal a new finding of guilty of some other offence if

(i) the tribunal could on the charge have found the offender guilty under section 120 of that other offence, or

(ii) the tribunal could have found the offender guilty of that other offence on any alternative charge that was laid,

and it appears that the facts proved him guilty of that other offence."

9. (1) The said Act is further amended by adding thereto, immediately after section 172 thereof, the following heading and section:

"NEW TRIAL.

New trial.

172A. (1) Where a service tribunal has found a person guilty of an offence and the Judge Advocate General certifies that in his opinion a new trial is advisable by reason of an irregularity in law in the proceedings before the service tribunal, the Minister may set aside the finding of guilty and direct a new trial, in which case that person shall be tried again for that offence as if no previous trial had been held.

Punishment.

(2) Where at a new trial held pursuant to this section or section 199 a person is found guilty

(a) the new punishment shall not be higher in the scale of punishments than the punishment imposed by the service tribunal in the first instance;

8. This clause would permit the Minister and such other authorities as he may appoint to rectify a legal error in the finding of a service tribunal, but does not permit any increase in the punishment imposed by the service tribunal.

9. Subsclause (1) would permit the Minister to order a new trial and also to dispense with a new trial ordered by the Court Martial Appeal Board. This latter power is necessary as it is often not possible to hold a new trial due to inability to procure the attendance of the necessary witnesses or for other reasons. In the event of a finding of guilty at a new trial ordered under this section or by a chief of staff as a result of a petition pursuant to section 199 of the Act on the grounds of new evidence, the clause would limit the service tribunal to imposing a punishment not greater than that imposed in the first instance.

Subclause (2) will make it clear that when the Minister orders a new trial, the accused cannot plead his previous conviction as a defence at the new trial.

Subclause (3) would repeal subsection (4) of section 199 of the Act, as the powers of punishment of the court martial at the new trial would be subject to the limitations set out in subclause (1). Subsection (4) of section 199 of the Act now reads:

> "(4) When a new trial is held pursuant to subsection (3) and the petitioner is found guilty the sentence passed at the original trial shall be restored and has force and effect as if the new trial had not been ordered."

(b) if the new punishment includes a term of incarceration, there shall be deducted from that term any time during which the offender had been incarcerated following the pronouncement of the previous sentence; and

(c) if the new punishment is in the same paragraph in the scale of punishments as the punishment imposed by the service tribunal in the first instance, the new punishment shall not be in excess of the previous punishment.

Minister may dispense.

(3) The Minister may dispense with any new trial directed under this section or under section 191."

(2) Subsection (2) of section 57 of the said Act is repealed and the following substituted therefor:

Exception.

"(2) Nothing in subsection (1) affects the validity of a new trial ordered or directed under section 172A, 191 or 199."

Repeal.

(3) Subsection (4) of section 199 of the said Act is repealed.

10. (1) Subsection (7) of section 177 of the said Act is repealed and the following substituted therefor:

Automatic remission of punishments not exceeding 30 days' detention.

"(7) A punishment, except a punishment referred to in subsection (10), that has been suspended shall be deemed to be wholly remitted on the expiration of a period, commencing on the day the suspension was ordered, equal to the term of the punishment less any time during which the offender has been incarcerated following pronouncement of the sentence, unless the punishment has been put into execution prior to the expiration of that period."

(2) Section 177 of the said Act is further amended by adding thereto the following subsection:

"(10) A punishment of detention not exceeding thirty days that has been suspended shall be deemed to be wholly remitted upon the expiration of one year commencing on the day the suspension was ordered, unless the punishment has been put into execution prior to the expiration of that period."

11. Section 190 of the said Act is amended by adding thereto the following subsection:

Exercise of Chairman's powers by other members.

"(9) The Chairman of the Court Martial Appeal Board may authorize any other member of the Board to exercise any of the powers or functions of the Chairman under this section."

10. Subclause (1) of this clause would make it clear that the automatic remission which a serviceman earns under the section when a punishment is suspended applies if his punishment, having been suspended, is put into execution and then suspended again. Subsection (7) of section 177 now reads:

> "**177.** (7) A punishment that has been suspended shall be deemed to be wholly remitted on the expiration of the period specified as the term of that punishment, unless the punishment has been put into execution prior to the expiration of that period."

In respect of sentences of detention not exceeding thirty days, subclause (2) of this clause would make an exception to the general rule that a period of detention when suspended can no longer be put into execution after the period has expired. Such punishments could be put into execution at any time up to one year from the day the suspension was ordered. This would give service authorities power somewhat parallel to that of the civil authorities to suspend imposition of sentence.

11. This clause would enable the Chairman of the Court Martial Appeal Board to delegate his powers and functions to any other member of the Board.

12. Subsection (1) of section 191 of the said Act is repealed and the following substituted therefor:

Powers.

"**191.** (1) Upon the hearing of an appeal respecting the legality of a finding of guilty on any charge, the Court Martial Appeal Board, if it allows the appeal, shall set aside the finding and

(a) direct a finding of not guilty to be recorded in respect of that charge, or

(b) direct a new trial on that charge, in which case the appellant shall be tried again as if no trial on that charge had been held."

13. Section 213 of the said Act is repealed and the following substituted therefor:

Execution against officers and men.

"**213.** No judgment or order given or made against an officer or man by any court in Canada shall be enforced by the levying of execution on any arms, ammunition, equipment, instruments or clothing used by him for military purposes."

14. The said Act is further amended by adding thereto, immediately after section 217A thereof, the following section and heading:

"JURISDICTION OF CIVIL COURTS.

Offences committed outside Canada.

217B. Where an offence under this Act is committed outside Canada, any civil court in Canada that would have jurisdiction to try the offender for that offence if it had been committed within the territorial jurisdiction of that court may try the offender for that offence."

12. This clause would make it clear that when the Court Martial Appeal Board allows an appeal and directs a new trial the finding of guilty must be set aside.

13. Section 213 of the Act gives a wide exemption to members of the forces in respect of normal liability imposed by any process, execution or order of any court of law. This clause would limit the exemption of officers and men to the levying of execution on their property used for military purposes. Section 213 now reads:

"**213.** (1) An officer or man of the reserve forces on active service or an officer or man of the regular forces or active service forces is not liable to be taken out of Her Majesty's service by any process, execution or order of any court of law or otherwise, or to be compelled to appear in person before any court of law, except in respect of

(a) a charge of or conviction for an offence punishable under the Criminal Code, or any other law of Canada or of a province of Canada, or an offence punishable according to the law of that part of Her Majesty's dominions in which the offence was committed, or

(b) a judgment for a debt, damages or sum of money when the amount involved, exclusive of any costs, exceeds two hundred dollars.

(2) All proceedings and documents in or incidental to a process, execution or order in contravention of this section are void; and where a complaint is made by an officer or man or by his commanding officer that such officer or man has been dealt with in contravention of this section by any process, execution or order issued out of any court, the officer or man or his commanding officer may complain to that court or to any court superior to it and the court or a judge thereof shall examine into the complaint and shall, if necessary, discharge the officer or man without fee, and may award reasonable costs to him which may be recovered as if such costs had been awarded in his favour in an action or other proceeding in such court.

(3) Any person having a cause of action against an officer or man of the reserve forces on active service or an officer or man of the regular forces or active service forces may, notwithstanding anything in this section, after due notice in writing of his intention to commence action has been personally served upon the officer or man, or left at his usual place of abode, commence action and proceed to judgment, and may proceed to execution except as against the person, pay, allowances, or personal equipment of such officer or man."

14. This clause would enable Canadian civil courts to try a civilian who accompanies the forces abroad for criminal offences committed by him while abroad, thus obviating the necessity for the trial of such a civilian by court martial.

PART II.

Defence Services Pension Act.

R.S., cc. 63, 310; 1952-53, c. 24; 1953-54, c. 13.

15. The *Defence Services Pension Act*, chapter 63 of the Revised Statutes of Canada, 1952, is amended by adding thereto, immediately after section 31 thereof, the following section:

Woman deemed to be widow.

"**31A.** (1) For the purposes of this Act, a woman who

(a) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than seven years immediately prior to the death of an officer or former officer with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of that officer or of herself to another person, been maintained and publicly represented by that officer as his wife, or

(b) establishes to the satisfaction of the Treasury Board that she had, for a number of years immediately prior to the death of an officer or former officer with whom she had been residing, been maintained and publicly represented by that officer as his wife, and that at the time of the death of that officer neither she nor the officer was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that officer and to have become married to him at such time as she commenced being so represented as his wife, and for the purposes of this Act a woman to whom this subsection would apply, but for her marriage to an officer or former officer after such time as she commenced being so represented as the wife of that officer, shall, if the Treasury Board so directs, be deemed to have become married to that officer at the time when, in fact, she commenced being so represented.

Widow deemed to have predeceased officer.

(2) If, upon the death of an officer or former officer, it appears to the Treasury Board that the widow of that officer had, for a number of years immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the officer was ordinarily resident, and if the Treasury Board so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased that officer.

Application.

(3) This section does not apply in respect of any officer or former officer whose death occurred prior to the coming into force of this section."

15. This clause would make applicable to Parts I to III of the *Defence Services Pension Act* substantially the same provisions as those presently contained in subsections (4) and (5) of section 12 of the *Public Service Superannuation Act.*

Application of para. *(a)* of ss. (1) of s. 44B of Act.

16. Paragraph *(a)* of subsection (1) of section 44B of the said Act is applicable in respect of any person therein described whether or not that person was employed in the public service of Canada or was a member of the naval, army or air forces of Canada upon the coming into force of that paragraph, and any regulations made pursuant to that paragraph shall, if the Governor in Council so directs, be deemed to have become effective on such date, subsequent to the 30th day of June, 1950, as the Governor in Council determines.

Offence.

17. The said Act is further amended by adding thereto, immediately after section 44B thereof, the following section:

"**44C.** Any person who knowingly makes any statement or gives any information that is false in any material particular for the purpose of obtaining, either for himself or for any other person, any payment under any of Parts I to III is guilty of an indictable offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars, or to both such fine and imprisonment."

Election where contributor failed to elect within time prescribed.

18. (1) Section 48 of the said Act is amended by adding thereto, immediately after subsection (2) thereof, the following subsection:

"(2a) A contributor may, at any time before he ceases to be a member of the forces, elect under this Part to contribute in respect of the whole or any part of any service for which he might have elected under this Part to contribute, but for which he failed so to elect within the time prescribed therefor, in which case, notwithstanding anything in this section, the amount required by this Part to be contributed by him in respect of that service is an amount as determined in accordance with the regulations, not less than the amount that he would have been required to contribute in respect of that service had he elected, immediately prior to the expiration of the time prescribed for the making of the election, to contribute in respect thereof."

(2) Section 48 of the said Act is further amended by adding thereto the following subsections:

Manner of making elections.

"(5) Every election made by a contributor under this Part shall be made by him while a member of the forces and shall be evidenced in writing, in the form prescribed by the Minister, and witnessed, and the original thereof shall be forwarded to a person designated by the Minister for the purpose, by registered mail or in such other manner as the Minister directs, within the time prescribed by this Part 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 a member of the forces, within one month from the time of making the election.

16. Paragraph *(a)* of subsection (1) of section 44B has been ruled to be applicable only to pensioners under Parts I to III of the Act who are appointed to the public service or re-enrolled in the naval, army or air forces of Canada on or subsequent to the 4th day of March 1954, the date the section came into force. This clause would empower the Governor in Council to extend the benefits of that paragraph to pensioners appointed or re-enrolled subsequent to the 30th day of June 1950. Pensioners re-enrolled as a result of the organization of the Canadian Special Forces in July and August 1950 for duty with United Nation Forces in Korea would be included. Paragraph *(a)* of subsection (1) of section 44B of the Act reads as follows:

> "44B. (1) The Governor in Council may make regulations
> *(a)* prescribing the extent to which and the manner in which any person in receipt of a pension under any of Parts I to III who, after his retirement from the forces, is appointed to a position in the public service of Canada or is appointed to or enlists in the naval, army or air forces of Canada, may count that additional service for the purpose of computing his pension under such Part; and".

17. This clause would obviate the necessity for pensioners or their widows making annual statutory declarations in respect of continuing entitlement to payment of pensions under Parts I to III of the Act. The required information could be given in a witnessed statement not under oath, thus saving expense and inconvenience to the pensioner or widow which is occasioned by the present administrative requirement that the information be given under oath.

18. Subsection (1) of section 48 of the Act requires that an election by a contributor to count prior non-contributory service be made within one year of becoming a contributor. This clause, which incorporates provisions similar to those contained in the *Public Service Superannuation Act*, would permit a contributor who fails to elect within the one year period, to elect at any time before he ceases to be a member of the forces, subject to passing a medical examination prescribed by the Governor in Council. The amount of the contributions required will be as determined by the Governor in Council, but will in no case be less than the amount the contributor would have had to contribute had he elected immediately prior to the expiration of the one year period. Further, the clause would require that an election for prior service be evidenced in writing and witnessed and in a form prescribed by the Minister, thereby improving the administration of the Act.

Medical examination.

(6) Notwithstanding anything in this section, an election under subsection (2a) is void unless the contributor by whom the election is made has passed a medical examination, as prescribed in the regulations, within such time immediately before or after the making of that election as is prescribed in the regulations."

19. Paragraphs *(e)* and *(f)* of section 49 of the said Act are repealed and the following substituted therefor:

Contributor other than officer retiring with between 20 and 25 years' service.

"*(e)* who is not an officer and has served in the forces for twenty years but less than twenty-five years and who is retired at his own request from the forces at the end of a period of engagement or re-engagement otherwise than by reason of misconduct, but in any such case the pension shall be reduced by five per cent for each complete year by which his period of service in the forces is less than twenty-five years;

Contributor retired with between 10 and 20 years' service having reached maximum age.

(f) who is not entitled to pension under paragraph *(d)* but who has served in the forces for ten years but less than twenty years and is retired for the reason mentioned in subparagraph (i) of paragraph *(b)*, but in any such case the pension shall be reduced by one per cent for each complete year by which the number of years of his service in the forces is less than twenty years;"

20. Subsection (4) of section 51 of the said Act is repealed and the following substituted therefor:

Gratuity to dependent children or estate of contributor with ten years' service.

"(4) Where a contributor who has served in the forces for ten years or more dies and the aggregate amount paid to the contributor and to his widow and children by way of pension or gratuity does not exceed the total amount of his contributions without interest and no other moneys are payable under this Part by reason of the death of the contributor, a gratuity in an amount equal to the difference between the total amount of his contributions without interest and the aggregate amount of the pensions and gratuities paid to the contributor, his widow and children, shall be paid

(a) to the dependent children of the contributor, or

(b) in the absence of any such dependent children, to the estate of the contributor or, if the amount of the gratuity is less than five hundred dollars, as authorized by the Treasury Board."

21. Section 56 of the said Act is amended by adding thereto the following subsection:

Surrender of benefit under Parts I to III, etc.

"(5) Notwithstanding anything in this Act, the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act*, upon the transfer to the Permanent Services

19. This clause makes it clear that the word "service" where it last appears in paragraphs *(e)* and *(f)* of section 49 of the Act refers only to service in the regular forces.

20. This clause, which is similar to section 14 of the *Public Service Superannuation Act*, would ensure that subsequent to the retirement or death of a contributor, an amount not less than the total of his contributions would be paid to the contributor, or his widow and children, or to his estate.

21. This clause would prevent a contributor from receiving a benefit under the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act* in respect of service which is to be included in computing his benefit under the Act.

Pension Account in the Consolidated Revenue Fund, pursuant to any regulation made under paragraph *(f)* of section 61, of any amount credited in respect of contributions of a contributor under this Part made under any other Part or under the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act*, the contributor ceases to be entitled to any benefit under such other Part or under the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act*, as the case may be, to the extent that any service of the contributor upon which that benefit was based may be counted by him under subsection (1) for the purpose of computing a pension or gratuity under this Part."

22. Section 58 of the said Act is amended by adding thereto the following subsection:

Idem.

"(3) Notwithstanding subsection (2), a certificate under paragraph *(a)* or *(b)* of that subsection is not required, in any case or class of cases specified by the Treasury Board, for the purposes of any requisition for payment of a benefit under this Part to or in respect of a contributor who served in the forces for a period of less than ten years."

23. The said Act is further amended by adding thereto, immediately after section 59 thereof, the following section:

Woman deemed to be widow.

"**59A.** (1) For the purposes of this Part, a woman who

(a) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than seven years immediately prior to the death of a contributor or former contributor with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of that contributor or of herself to another person, been maintained and publicly represented by that contributor as his wife, or

(b) establishes to the satisfaction of the Treasury Board that she had, for a number of years immediately prior to the death of a contributor or former contributor with whom she had been residing, been maintained and publicly represented by that contributor as his wife, and that at the time of the death of that contributor neither she nor the contributor was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that contributor and to have become married to him at such time as she commenced being so represented as his wife, and for the purposes of this Part a woman to whom this subsection would apply, but for her marriage to a contributor or former contributor after such time as she commenced being so represented as the wife of that con-

22. Subsection (2) of section 58 of the Act reads as follows:

"(2) A requisition for payment of a pension or gratuity to a contributor or dependant under this Part shall be supported by

(a) a certificate by the Service Pension Board that the actual cause of retirement of the contributor establishes a right to the type of pension or gratuity recommended by the Service,

(b) a certificate by the Judge Advocate General that the contributor is legally entitled to payment of the benefit recommended, and

(c) such a certificate by the Auditor General as may be directed by the Treasury Board."

Where a contributor at the time of death or retirement has served in the forces for less than ten years, only a gratuity is payable under the Act. In these circumstances, the clause would empower Treasury Board to specify the cases or classes of cases where a requisition for payment of a gratuity could be made without a supporting certificate of the Service Pension Board or the Judge Advocate General, thus expediting payment.

23. This clause would make the same provisions in Part V of the Act as would be made in Parts I to III by clause 15 of the Bill.

tributor, shall, if the Treasury Board so directs, be deemed to have become married to that contributor at the time when, in fact, she commenced being so represented.

Widow deemed to have predeceased contributor.

(2) If, upon the death of a contributor or former contributor, it appears to the Treasury Board that the widow of that contributor had, for a number of years immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the Treasury Board so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Part, to have predeceased that contributor.

Application.

(3) This section does not apply in respect of any contributor or former contributor whose death occurred prior to the coming into force of this section."

24. (1) Section 61 of the said Act is amended by adding thereto, immediately after paragraph *(d)* thereof, the following paragraphs:

"*(da)* respecting the determination, for the purposes of subsection (2a) of section 48, of the amount of the contributions required by this Part in respect of any service described in that subsection;

(db) respecting the medical examination of contributors for the purposes of subsection (6) of section 48;"

1953-54, c. 13.

(2) Paragraph *(ia)* of section 61 of the said Act is repealed and the following substituted therefor:

"*(ia)* providing for payment out of the Permanent Services Pension Account in the Consolidated Revenue Fund, upon the death of a contributor, while a member of the forces or while in receipt of a pension payable under this Part, and upon application to the Minister by or on behalf of any successor thereunder to whom any pension becomes payable under this Part, of the whole or any part of such portion of the succession duties payable by that successor as is determined in accordance with the said regulations to be attributable to that pension, and prescribing the amount by which and the manner in which any such pension shall be reduced; and"

Coming into force.

(3) Subsection (2) shall be deemed to have come into force on the 4th day of March, 1954.

24. Subclause (1) would empower the Governor in Council to make regulations respecting the determination of the amount of contributions and the medical examination required when a contributor makes an election pursuant to the provisions proposed in subclause (1) of clause 18 of the Bill.

Subclauses (2) and (3) would make it clear that the provisions of paragraph *(ia)* of section 61 of the Act are applicable not only where the contributor dies while a member of the forces, but also where he dies while in receipt of a pension. These provisions, which came into force on the 4th day of March 1954, are similar to those contained in paragraph *(ac)* of subsection (1) of section 30 of the *Public Service Superannuation Act.*

Application of para. *(h)* of s. 61 of Act.

25. Paragraph *(h)* of section 61 of the said Act is applicable in respect of any contributor therein described whether or not that contributor was employed in the public service of Canada or was a member of the naval, army or air forces of Canada upon the coming into force of that paragraph, and any regulations made pursuant to that paragraph shall, if the Governor in Council so directs, be deemed to have become effective on such date, subsequent to the 30th day of June, 1950, as the Governor in Council determines.

26. The said Act is further amended by adding thereto, immediately after section 62 thereof, the following section:

Offence.

"**62A.** Any person who knowingly makes any statement or gives any information that is false in any material particular for the purpose of obtaining, either for himself or for any other person, any payment under this Part is guilty of an indictable offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars, or to both such fine and imprisonment."

25. This clause would make the same provisions in Part V of the Act as would be made in Parts I to III by clause 16 of the Bill. Paragraph *(h)* of section 61 of the Act reads as follows:

"**61.** The Governor in Council may, on the recommendation of the Treasury Board, make regulations,

.....

(h) prescribing the extent to which and the manner in which a contributor, who after retirement from the forces, is appointed to the public service of Canada or is appointed to or enlisted in the naval, army or air forces of Canada, may count that additional service for the purpose of computing pension;".

26. This clause would make the same provisions in Part V of the Act as would be made in Parts I to III by clause 17 of the Bill.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 258.

An Act to amend the Municipal Grants Act.

First reading, March 17, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99711

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 258.

An Act to amend the Municipal Grants Act.

R.S., c. 182.

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

1. (1) Paragraph *(a)* of section 2 of the *Municipal Grants Act*, chapter 182 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"Accepted value."

"*(a)* "accepted value" means the value that, in the opinion of the Minister, would be attributed by a municipal taxing authority to federal property, without regard to any ornamental, decorative or non-functional features thereof, as the base for computing the amount of real estate tax applicable to that property if it were taxable property;"

(2) Paragraph *(c)* of section 2 of the said Act is amended by deleting all the words therein preceding subparagraph (i) thereof and substituting the following therefor:

"Federal property."

"*(c)* "federal property" means real property owned by Her Majesty in right of Canada but does not, except as provided in subsection (5) of section 6 and subsection (3) of section 7, include"

(3) Subparagraph (ii) of paragraph *(c)* of section 2 of the said Act is repealed and the following substituted therefor:

"(ii) a park, historical site, monument, museum, public library, art gallery or Indian reserve,"

Explanatory Notes.

The main purpose of the Bill is to provide a wider distribution of the annual (section 5) grants.

1. (1) Paragraph *(a)* of section 2 presently reads:

"2. In this Act

(a) "accepted value" means the value that, in the opinion of the Minister, would be attributed to federal property by a municipal taxing authority as the base for computing the amount of real estate tax applicable to that property if it were taxable property;"

This amendment specifically excludes ornamental features from the "accepted value" of buildings.

(2) The first part of paragraph *(c)* of section 2 presently reads:

"*(c)* "federal property" means real property owned by Her Majesty in right of Canada, but does not include....."

This amendment is necessary to conform to the new subsection (5) of section 6 and subsection (3) of section 7 (see clauses 4 and 5).

(3) Subparagraph (ii) of paragraph *(c)* of section 2 presently reads:

"(ii) a park, historical site, monument, museum, public library or art gallery,"

This amendment excludes Indian reserves from the definition of "federal property".

(4) Paragraph *(c)* of section 2 of the said Act is further amended by deleting the word "or" at the end of subparagraph (iv) thereof and by repealing subparagraph (v) thereof and substituting therefor the following:

"(v) except when otherwise prescribed by the Minister, real property owned by Her Majesty and leased to or occupied by a person from whom, by reason of his interest in or occupation of that real property, a municipal taxing authority may collect real estate tax, or

(vi) the building known as the Houses of Parliament, including the Peace Tower and the Parliamentary Library, and the lands in the City of Ottawa bounded as follows: on the north by the Ottawa River; on the south by Wellington Street; on the east by the centre line of the roadway immediately adjacent to and west of the building known as the East Block and the projection of that line to the Ottawa River and Wellington Street; and on the west by the centre line of the roadway immediately adjacent to and east of the building known as the West Block and the projection of that line to the Ottawa River and Wellington Street;"

(5) Subparagraph (ii) of paragraph *(e)* of section 2 of the said Act is repealed and the following substituted therefor:

"(ii) on persons who are lessees or occupiers of real property owned by any person exempt by law,"

2. Subsections (1) and (4) of section 3 of the said Act are repealed.

3. Section 5 of the said Act is repealed and the following substituted therefor:

Grant where Class A property exceeds two per cent of aggregate of assessed values and accepted values.

"**5.** (1) Where the accepted value of the Class A property in a municipality exceeds two per cent of the aggregate of the total assessed value of taxable property and the total accepted value of Class A property in the municipality, a grant in respect of Class A property may be made to the municipality based, as provided in this section, on the amount of such excess.

Calculation of grant.

(2) The amount of a grant made pursuant to this section shall not be greater than a fraction of the excess referred to in subsection (1), such fraction to be determined as follows:

(a) the numerator is the total amount of the real estate tax levied in the appropriate tax year, and

(b) the denominator is the assessed value of all taxable property in the municipality.

(4) Subparagraph (v) of paragraph *(c)* of section 2 presently reads:

"(v) real property leased by Her Majesty to a tenant from whom, by reason of such tenant's interest in that real property, a municipal taxing authority may collect real estate tax;"

The amendment to subparagraph (v) of paragraph *(c)* of section 2 of the Act permits payment of grants in respect of Crown-owned property occupied by taxable tenants, subject to agreement with the municipality.

Subparagraph (vi) is new. It excludes the Houses of Parliament from the definition of "federal property", but special provision for this property is made in a new section 8 (see clause 6).

(5) Subparagraph (ii) of paragraph *(e)* presently reads:

"(ii) on tenants, if any, of real property leased to them by Her Majesty,"

This amendment widens the definition of real estate tax to include taxes levied upon tenants of owners of property other than the Crown who are by law exempt from the payment of taxes.

2. Section 3 presently reads:

"**3.** (1) *For the purposes of this Act, federal property is divided into Class A property and Class B property.*

(2) In this section, "service" does not include the provision and maintenance of public roads and sidewalks.

(3) Class A property includes federal property that accepts from a municipality a service that

(a) the municipality customarily furnishes to real property in the municipality, and

(b) is, in the opinion of the Minister, a material service.

(4) *Class B property includes federal property that does not accept from a municipality any service referred to in subsection (3).*"

By this amendment the term "Class B property" is abolished, being unnecessary.

3. Section 5 presently reads:

"**5.** (1) Where the accepted value of the Class A property in a municipality exceeds *four* per cent of the aggregate of the total assessed value of taxable property and the total accepted value of Class A property in the municipality, a grant in respect of Class A property may be made to the municipality based, as provided in this section, on the amount of such excess.

(2) The amount of a grant made pursuant to this section shall not be greater than a fraction of the excess referred to in subsection (1), such fraction to be determined as follows:

(a) the numerator is the total amount of the real estate tax levied in the appropriate tax year *multiplied by seventy-five*, and

(b) the denominator is *the aggregate of* the assessed value of all taxable property *and the accepted value of Class A property* in the municipality *multiplied by one hundred.*

Certain accepted values to be excluded.

(3) The accepted value of Class A property in respect of which, for any tax year, the municipality may recover or has received taxes from any person shall, in respect of that tax year, be excluded from the total accepted value of Class A property in the municipality in calculating a grant under this section.

May deduct value of non-accepted services and services rendered.

(4) The Minister may, in determining the amount of a grant under this section, deduct from the amount that might otherwise be payable an amount that, in his opinion, represents

(a) the value of a service that is customarily furnished by the municipality to real property in the municipality and that Her Majesty does not accept in respect of Class A property in the municipality, and

(b) the value of a service customarily furnished by municipalities that is furnished to taxable property in the municipality by Her Majesty."

No grant under this section to be made in respect of property receiving grant under section 5.

4. Section 6 of the said Act is amended by adding thereto the following subsections:

"(4) No grant shall be made under this section in respect of any Class A property to any municipality receiving a grant under section 5.

"Federal property."

(5) For the purposes of this section, "federal property" includes any property referred to in subparagraphs (ii) and (iii) of paragraph *(c)* of section 2."

5. Subsection (2) of section 7 of the said Act is repealed and the following substituted therefor:

No grant where costs received from others.

"(2) No grant shall be made under subsection (1) in respect of any part of the cost of a local improvement that the municipality has received from any person or may recover from any person as a special assessment.

"Federal property."

(3) For the purposes of this section, "federal property" includes any property referred to in subparagraphs (ii), (iii) and (vi) of paragraph *(c)* of section 2."

(3) The accepted value of Class A property in respect of which, for any tax year, *a grant is made pursuant to section 6 or* the municipality may recover or has received taxes from any person shall, in respect of that tax year, be excluded from the total accepted value of Class A property in the municipality in calculating a grant under this section.

(4) The Minister may, in determining the amount of a grant under this section, deduct from the amount that might otherwise be payable an amount that, in his opinion, represents the value of a service that is customarily furnished by the municipality to real property in the municipality and that Her Majesty does not accept in respect of Class A property in the municipality."

The purpose of this amendment is to provide for the following:

(1) a grant on the excess over two per cent instead of four percent as at present;

(2) elimination of two reduction factors in the present grant formula;

(3) conformity with the new subsection (4) of section 6 (see clause 4); and

(4) deductions from grants to certain municipalities where the Crown provides to taxable properties in those municipalities services normally provided by them.

4. New.

Subsection (5) permits transitional grants on certain Crown property now excluded.

5. Subsection (2) of section 7 presently reads:

"(2) No grant shall be made under subsection (1) in respect of any part of the cost of a local improvement that the municipality has received from any person or may recover from any person as a special assessment *or by the levying of a special rate on the assessed value of taxable property.*"

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

Grant to City of Ottawa in respect of property in s. 2 (c) (vi).

"**8.** A grant may be made to the City of Ottawa in an amount that, in the opinion of the Minister, is a reasonable compensation for the expenses incurred by that City in furnishing services to the property referred to in subparagraph (vi) of paragraph (*c*) of section 2.

Regulations to provide other grants.

9. The Governor in Council may make regulations to provide, out of moneys provided by Parliament, grants to municipalities, other than cities, towns or villages, in amounts that, in the opinion of the Minister, represent the expenses incurred by the municipalities by reason of the existence of federal property within or near their borders."

Grants under section 5 for municipal tax year commencing before 1955.

7. Notwithstanding section 3 of this Act, a grant in respect of a municipal tax year commencing before the 1st day of January, 1955, may be made under section 5 of the *Municipal Grants Act* as in force immediately before the commencement of this Act if an application therefor is made before the 1st day of July, 1955, but not otherwise, and no grant in respect of such a municipal tax year shall be made under section 5 of that Act as enacted by this Act.

Coming into force.

8. This Act shall be deemed to have come into force on the 1st day of January, 1955.

The amendment to subsection (2) permits local improvement grants in some cases now precluded because of the method of assessment.

Subsection (3) is new. It permits local improvement grants on certain Crown property now excluded.

6. New.

Section 8 provides for a specific grant to the City of Ottawa in respect of the Houses of Parliament (see subclause (4) of clause 1).

Section 9 authorizes regulations to be made for grants to rural and suburban municipalities that provide to federal property services of a kind not regarded as material under the present Act. Such regulations now exist under the authority of an item in the annual Estimates.

7. New. This provides a cut-off date for filing applications for grants under section 5 of the present Act.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 259.

An Act to amend the Railway Act.

First reading, March 17, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99575

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 259.

An Act to amend the Railway Act.

R.S., c. 234.

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

1. Section 262 of the *Railway Act*, chapter 234 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Apportionment of cost of protection, etc.

"**262.** Notwithstanding anything in this Act or any other Act, the Board may order what portion, if any, of the cost is to be borne respectively by the company, municipal or other corporation or person in respect of any order made by the Board under section 259, 260 or 261, and such order is binding on and enforceable against any railway company, municipal or other corporation or person named in such order."

Repeal.

2. Section 263 of the said Act is repealed.

Explanatory Notes.

1. Section 262 of the *Railway Act* presently reads as follows:

"**262.** Notwithstanding anything in this Act, or in any other Act, the Board may, *subject to the provisions of section 263*, order what portion, if any, of cost is to be borne respectively by the company, municipal or other corporation, or person in respect of any order made by the Board, under section 259, 260 or 261, and such order is binding on and enforceable against any railway company, municipal or other corporation or person named in such order."

The deletion of the words in italics in section 262 by clause 1 of the Bill is consequential upon the repeal of section 263 as provided in clause 2.

2. Section 263 reads as follows:

"**263.** In any case where a railway is constructed after the 19th day of May, 1909, the company shall, at its own cost and expense, unless and except as otherwise provided by agreement, approved by the Board, between the company and a municipal or other corporation or person, provide, subject to the order of the Board, all protection, safety and convenience for the public in respect of any crossing of a highway by the railway."

The purpose of this clause is to permit the Board to apportion the cost of works for the protection of crossings in any case now coming within section 263.

3. (1) Subsections (1) and (2) of section 265 of the said Act are repealed and the following substituted therefor:

Railway Grade Crossing Fund.

"**265.** (1) The sums heretofore or hereafter appropriated and set apart to aid actual construction work for the protection, safety and convenience of the public in respect of crossings shall be placed to the credit of a special account to be known as "The Railway Grade Crossing Fund", and shall, insofar as not already applied, be applied by the Board in its discretion, subject to the limitations set forth in this section, solely towards the cost, not including that of maintenance and operation, of

(a) work actually done for the protection, safety and convenience of the public in respect of existing crossings at rail level, and

(b) work actually done in respect of reconstruction and improvement of grade separations that are in existence at crossings upon the coming into force of this subsection and that, in the opinion of the Board, are not adequate, by reason of their location, design or size, for the highway traffic using them.

Limit of amount to be applied.

(2) The total amount that may be applied by the Board in accordance with this section towards the cost of work actually done in respect of any one crossing shall not exceed,

(a) in the case of a crossing at rail level, sixty per cent of such cost or three hundred thousand dollars, whichever is the lesser, and

(b) in the case of reconstruction and improvement of a grade separation at a crossing, thirty per cent of such cost or one hundred and fifty thousand dollars, whichever is the lesser."

(2) Subsections (4) to (6) of section 265 of the said Act are repealed and the following substituted therefor:

Unexpended amounts in Fund.

"(4) Any amount to the credit of The Railway Grade Crossing Fund upon the coming into force of this subsection may, notwithstanding any provision made prior to the coming into force of this subsection in respect of that amount, be applied by the Board in accordance with this section towards the cost of work actually done in respect of crossings.

Amount to be credited in each fiscal year.

"(5) Until otherwise provided by the Parliament of Canada, there shall be credited to The Railway Grade Crossing Fund in each fiscal year beginning with the fiscal year commencing on the first day of April, 1955, the sum of five million dollars to aid actual construction work for the protection, safety and convenience of the public in respect of crossings, but where, at the commencement of any such year, there remains in the Fund an uncommitted balance of more than two million dollars, the amount so credited in that year shall be such amount as, with the uncommitted balance, totals seven million dollars.

3. (1) Subsections (1) and (2) of section 265 presently read as follows:

"**265.** (1) The sums heretofore or hereafter appropriated and set apart to aid actual construction work for the protection, safety and convenience of the public in respect of highway crossings of railways at rail level shall be placed to the credit of a special account to be known as "The Railway Grade Crossing Fund", and shall (insofar as not already applied) be applied by the Board, subject to the limitations hereinafter set out, solely towards the cost, not including that of maintenance and operation, of actual construction work for the protection, safety and convenience of the public in respect of crossings (railway crossings of highways or highway crossings of railways) at rail level in existence on the 1st day of April, 1909, and in respect of existing crossings (railway crossings of highways or highway crossings of railways) at rail level, constructed after the 1st day of April, 1909, but the Board shall not apply any moneys out of The Railway Grade Crossing Fund towards the cost of the actual construction work, for the protection, safety and convenience of the public in respect of any existing crossing (railway crossing of a highway or highway crossing of a railway), at rail level, constructed after the 1st day of April, 1909, unless and except an agreement, approved of by the Board, has been entered into between the company and a municipal or other corporation or person by which agreement the municipal or other corporation or person has agreed with the company to bear a portion of the cost of the actual construction work for the protection, safety and convenience of the public in respect of such crossing (railway crossing of a highway or highway crossing of a railway), at rail level, constructed after the 1st day of April, 1909.

(2) The total amount of money, to be applied by the Board out of The Railway Grade Crossing Fund, under the provisions of this section, in the case of any one crossing, where the cost of the actual construction work in providing the protection, safety and convenience for the public does not exceed one hundred and fifty thousand dollars, shall not exceed forty per cent of such cost, and the total amount of money, to be applied by the Board out of The Railway Grade Crossing Fund, under the provisions of this section, in the case of any one crossing, where the cost of the actual construction work in providing the protection, safety and convenience of the public exceeds one hundred and fifty thousand dollars shall not exceed forty per cent of such cost, and shall not in any case exceed one hundred and fifty thousand dollars."

The purpose of this amendment is to permit contributions from The Railway Grade Crossing Fund in respect of certain additional classes of crossings and to increase the maximum contributions that may be made in respect of crossings at rail level.

(2) Subsections (4) to (6) of section 265 presently read as follows:

"(4) In this section "crossing" means any railway crossing of a highway, or any highway crossing of a railway, at rail level, and every manner of construction of the railway or of the highway by the elevation or the depression of the one above or below the other, or by the diversion of the one or the other and any other work ordered by the Board to be provided as one work of protection, safety and convenience for the public in respect of one or more railways of as many tracks crossing or so crossed as in the discretion of the Board determined.

(5) The grants or the unexpended portions or moneys thereof made under the provisions of the Acts, chapter 32 of the statutes of 1909, chapter 50 of the statutes of 1914, and chapter 30 of the statutes of 1919, of two hundred thousand dollars each year for twenty consecutive years from the 1st day of April, 1909, may, from and after the 11th day of June, 1928, notwithstanding any provision of any of the said Acts, be expended to aid actual construction work for the protection, safety and convenience of the public in respect of crossings (railway crossings of highways or highway crossings of railways) at rail level in existence on the 1st day of April, 1909, and in respect of existing crossings (railway crossings of highways or highway crossings of railways) at rail level, constructed after the 1st day of April, 1909, subject to the terms and conditions contained in this section.

No amount to be applied unless crossing in existence three years.

"(6) No amount shall be applied by the Board out of The Railway Grade Crossing Fund towards the cost of work actually done in respect of any crossing unless that crossing has been in existence at least three years prior to the making of the order by the Board to apply the amount for that purpose.

Works ordered or authorized prior to date of coming into force of subsection.

"(7) Where the whole of any work ordered or authorized by the Board prior to the date of the coming into force of this subsection in respect of any one crossing at rail level was, in the opinion of the Board, completed prior to that date and the amount to be applied thereto out of The Railway Grade Crossing Fund was determined by the Board and paid in full prior to that date, no additional amount shall be applied by the Board out of the Fund towards the cost of that work, and where any work so ordered or authorized was, in the opinion of the Board, only partially completed prior to that date or was wholly completed but the amount to be applied thereto out of the Fund was not determined by the Board and paid in full prior to that date, the amount that may be applied by the Board in accordance with this section towards the cost of the whole of that work is such amount, not exceeding the lesser of the amounts mentioned in paragraph *(a)* of subsection (2), as the Board in its discretion determines.

Highway projects.

"(8) Where a highway project involves the construction of a grade separation crossing and the closing of an existing crossing at rail level or the diversion therefrom of substantially all highway traffic using it, the grade separation shall, if the Board so directs, be deemed to be a work for the protection, safety and convenience of the public in respect of that existing crossing.

"Crossing" defined.

"(9) In this section, "crossing" means any railway crossing of a highway, or any highway crossing of a railway, and every manner of construction of the railway or of the highway by the elevation or the depression of the one above or below the other, or by the diversion of one or the other, and any work ordered or authorized by the Board to be provided as one work for the protection, safety and convenience of the public in respect of one or more railways of as many tracks crossing or so crossed as the Board in its discretion determines."

(6) The sum of five hundred thousand dollars each year for two consecutive years from the 1st day of April, 1949, and the sum of one million dollars each year for six consecutive years from the 1st day of April, 1951, shall be appropriated and set apart from the Consolidated Revenue Fund of Canada to aid actual construction work for the protection, safety and convenience of the public in respect of highway crossings of railways at rail level in accordance with the provisions of this section."

The new subsection (4) replaces the present subsection (5). The purpose is to make all money presently in the Fund available for use in accordance with the new provisions.

The new subsection (5) replaces the present subsection (6). The principal change is the increase in the annual appropriation to the Fund from $1,000,000.00 to $5,000,000.00.

Subsection (6) is new. The distinction in the present subsection (1) between crossings in existence on April 1st, 1909, and crossings constructed after that date extends further back than is now appropriate and a new limitation is provided by subsection (6), that the crossing must have been in existence at least three years before any contribution can be made.

Subsection (7) is new. This subsection deals with works ordered or authorized prior to the coming into force of the present Bill.

Subsection (8) is new. Under the present section 265 a contribution cannot be made from the Fund towards the cost of a subway or grade separation where it does not eliminate an existing level crossing. The purpose of this new subsection is to permit contributions to be made towards the cost of grade separations that do not eliminate existing level crossings but divert substantially all of the highway traffic using such crossings.

Subsection (9) replaces the present subsection (4). The words "or authorized" are inserted to cover cases where the Board makes a permissive order, for instance where it authorizes a municipality to construct a subway under a railway as part of a highway project.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 260.

An Act to amend the Radio Act.

First reading, March 17, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

97913

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 260.

An Act to amend the Radio Act.

R.S. c. 233; 1952-53, c. 48; 1953-54, c. 31.

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 4 of the *Radio Act*, chapter 233 of the Revised Statutes of Canada, 1952, is amended by adding thereto immediately after paragraph *(d)* thereof, the following paragraphs:

"*(e)* respecting the installation, erection, construction or repair of antennae for radio stations and private receiving stations and the appointment of inspectors for the enforcement and administration of such regulations, and for conferring on such inspectors the powers of a peace officer;

(ee) exempting from the operation of section 5 radio stations not capable of emitting Hertzian waves of a field strength greater than that prescribed by such regulations;"

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

Penalty for unlawful interception of radio communications.

"(2) Every person who, having become acquainted with any radio communication not intended for public use or information, makes use of such communication or divulges it to any person, except when lawfully authorized or directed so to do, is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment."

Explanatory Notes.

1. The purpose of this amendment is *(a)* to control the mechanical features of radio antennae for safety purposes from the point of view of air navigation and protection of life and property, and *(b)* to permit the control of numerous low-powered radio devices by the establishment of technical standards to minimize interference with the operation of licensed radio stations.

2. The purpose of this amendment is to implement the obligations assumed by Canada under the International Telecommunication Convention with respect to the preservation of the secrecy of radio communications.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 261.

An Act to amend the National Parks Act and to establish a National Park in the Province of Newfoundland.

First reading, March 17, 1955.

THE MINISTER OF NORTHERN AFFAIRS AND NATIONAL RESOURCES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

54029

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 261.

An Act to amend the National Parks Act and to establish a National Park in the Province of Newfoundland.

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

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

1953-54, c. 6.

1. (1) Subparagraph (iv) of paragraph *(i)* of section 7 of the *National Parks Act*, chapter 189 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Use of water.

"(iv) the use in the Parks of water for domestic, business and railway purposes,"

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

Utilities.

"*(j)* the establishment, operation, maintenance and administration by the Minister of public works and utility services and the use of the same within the Parks, including water supply, sewage, telephone, electric power, natural gas service, streets, street-lighting, sidewalks, fire protection, garbage removal, cemeteries and any other works, improvements or services of a public character;"

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

Hospital services.

"*(pp)* authorizing agreements with the appropriate authorities for the provision of hospital services to any residents of a Park;

(q) levying taxes on any residents of a Park or on the interest of any persons in land in a Park in order to defray in whole or in part

(i) the cost of health and welfare services supplied to such residents by a province pursuant to an agreement made under paragraph *(p)* or supplied to such residents by the Government of Canada, and

Explanatory Notes.

The principal purposes of this Bill are:

1. To clarify and extend the purposes for which water may be used in a Park or made available to others residing on land adjacent to a Park.

2. To authorize the levying of taxes on residents of a park or land therein so that residents can take part in a hospital services plan provided by provincial legislation.

3. To provide for the withdrawal of certain lands from Waterton Lakes National Park so that they may be turned over to the Blood Band of Indians in exchange for rights-of-way and also for the withdrawal of an island from St. Lawrence Islands National Park.

4. To provide for the establishment of a National Park in Newfoundland on proclamation of the Governor in Council.

1. (1) Subparagraph (iv) of paragraph *(i)* of section 7 presently reads:

> "(iv) the use in the Parks of water for domestic or railway water supply purposes;"

The word "business" has been added to clarify any doubt that may exist as to the powers to regulate the use of water for such purposes rather than for purely domestic and railway purposes.

(2) Paragraph *(j)* of section 7 presently reads:

> "*(j)* the establishment, operation, maintenance and administration by the Minister of public works and utility services and the use of the same within the Parks, including *domestic* water supply, sewage, telephone, electric power, natural gas service, streets, street-lighting, sidewalks, fire protection, garbage removal, cemeteries and any other works, improvements or services of a public character;"

The only change is the deletion of the word *domestic*.

(3) Paragraph *(q)* of section 7 presently reads:

> "*(q)* levying taxes upon the residents of a Park or upon the interest of any person in land in a Park in order to defray the cost of health and welfare services supplied to such residents by a province pursuant to an agreement made under paragraph *(p)* or supplied to such residents by the Government of Canada;"

Paragraph *(pp)* is new. Its purpose is to authorize agreements with authorities in a province that make arrangements with a hospital for hospital services.

Paragraph *(q)* has been amplified to provide for levying taxes to pay for such hospital services.

(ii) the cost of hospital services supplied to such residents of a Park in a province pursuant to a municipal hospital scheme established under the laws of that province;"

(4) Section 7 of the said Act is amended by deleting the word "and" at the end of paragraph *(x)* thereof, by repealing paragraph *(y)* thereof and by substituting the following therefor:

"*(y)* authorizing agreements with municipalities or water districts adjacent to a Park for the supply of water from the Park; and

(z) authorizing agreements with persons residing on land adjacent to a Park for the supply of water from the Park for domestic purposes and for use in establishments providing tourist accommodation."

(5) Section 7 of the said Act is further amended by adding thereto the following subsection:

Purposes of taxes.

"(2) The purposes for which taxes may be levied under subsection (1) include provision for uncollectable taxes, for taxes that will not be collected during the year in which they are levied and for the costs and expenses of assessment and collection."

Lands withdrawn from Waterton Lakes National Park.

2. (1) The lands described in Schedule A are withdrawn from Waterton Lakes National Park and declared to be no longer required for Park purposes.

Lands withdrawn from St. Lawrence Islands National Park.

(2) The lands described in Schedule B are withdrawn from St. Lawrence Islands National Park and declared to be no longer required for Park purposes.

Governor in Council may establish National Park in Newfoundland.

3. The Governor in Council may, by proclamation, set aside as a National Park of Canada, lands in the Province of Newfoundland that the Government of Canada and the Government of the Province agree are suitable for a National Park, if clear title to the lands is transferred to Her Majesty in right of Canada; and upon the issue of the proclamation, the *National Parks Act* applies to the National Park of Canada so set aside as it applies to a Park as therein defined.

SCHEDULE

(4) Paragraph *(y)* presently reads:

> "*(y)* authorizing agreements with municipalities or water districts adjacent to a Park or other persons residing on land adjacent to a Park for the supply of water from the Park for domestic purposes."

The present section is being extended to enable water to be supplied to establishments providing tourist accommodation that are outside but adjacent to Park boundaries and where no other convenient water supply is available.

(5) New—this subsection extends the purposes for which taxes are levied—to include the costs and expenses of collection, etc.

2. (1) Withdraws a parcel of land from Waterton Lakes National Park. There is situated wholly within the Park boundaries an Indian Reserve belonging to the Blood Band of Indians. The Chief Mountain International Highway crosses the Reserve. An arrangement has been made with the Band that title to the land covered by the highway and also an area required for a Warden's Station will be exchanged for an area of approximately 753 acres lying between the north boundary of the Reserve and the north boundary of the Park. The parcel when withdrawn will belong to the Province of Alberta. The Province has agreed to re-transfer it to Canada for use of the Blood Indians.

(2) Withdraws an island from St. Lawrence Islands National Park which will be wholly flooded by the St. Lawrence Seaway.

3. Provides for the establishment of a National Park in Newfoundland when clear title to suitable lands is transferred to Her Majesty in right of Canada.

SCHEDULE A

All that portion of Waterton Lakes National Park in the province of Alberta being more particularly described as follows:—

Commencing at a standard post marked 5 IR, embedded in concrete, with pits and mound, at the northwest corner of Blood Indian Reserve Timber Limit A in said province; thence due north astronomic a distance of forty-eight chains and seventy-three links approximately to the north boundary of section thirty in township one, range twenty-eight, west of the fourth meridian; thence easterly along the north boundaries of sections thirty, twenty-nine and twenty-eight in said township to the left bank of Belly River, said boundaries also being boundaries of Waterton Lakes National Park, as said boundaries are described under said Park in chapter 189 of the Revised Statutes of Canada, 1952, said chapter being an Act respecting National Parks, and as said boundaries are shown on a copy of a map of said Park, said copy being entered and registered in the Land Titles Office for the South Alberta Land Registration District of Calgary under number 7673 EX, a copy of which is of record in the Legal Surveys and Aeronautical Charts Division of the Department of Mines and Technical Surveys at Ottawa under number 40398; thence southerly along said bank to the northeasterly corner of said Reserve; thence westerly along the northerly boundary of said Reserve a distance of one hundred and fifty-nine chains and seventy-five links, more or less, to the point of commencement, said corners and northerly boundary of said Reserve being as shown on a plan of resurvey of the boundaries of said Reserve, said plan being confirmed on the eighth of July, 1954, by Robert Thistlethwaite, Surveyor General of Canada, and being of record number 3816 in Indian Affairs survey records at Ottawa; said portion containing by admeasurement seven hundred and fifty-three acres, more or less.

SCHEDULE B

Broder Park, comprising the whole of Doran's Island, or Canada Island, in River St. Lawrence opposite Lot 33, in the Township of Williamsburg, County of Dundas, Province of Ontario and Dominion of Canada, distant about one thousand feet from the north shore of River St. Lawrence and nearly opposite the westerly limit of the Village of Morrisburg, containing by admeasurement seventeen acres and sixty-nine hundredths of an acre, more or less, and shown on the plan of survey made by F. M. Eagleson, Ontario Land Surveyor, dated at Winchester, Ontario, August 12, 1919, of record in the office of the Registrar of Deeds for the said County, a copy of which is of record number 1484 in the Indian Affairs Survey records, Ottawa.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 262.

An Act to approve an agreement between The Toronto Harbour Commissioners, The Toronto Terminals Railway Company, Canadian National Railway Company and Canadian Pacific Railway Company.

First reading, March 18, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

54117

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 262.

An Act to approve an agreement between The Toronto Harbour Commissioners, The Toronto Terminals Railway Company, Canadian National Railway Company and Canadian Pacific Railway Company.

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

Agreement approved and confirmed.

1. The agreement between The Toronto Harbour Commissioners, The Toronto Terminals Railway Company, Canadian National Railway Company and Canadian Pacific Railway Company, set out in the Schedule, is approved and confirmed, and the covenants therein contained are declared to be within the powers of the parties thereto and binding upon them.

SCHEDULE

SCHEDULE.

THIS INDENTURE made this 5th day of October A.D. 1954.

BETWEEN:

THE TORONTO HARBOUR COMMISSIONERS,
(Hereinafter called the "Commissioners")

OF THE FIRST PART:

and

THE TORONTO TERMINALS RAILWAY COMPANY,
(hereinafter called the "Terminal Railway")

OF THE SECOND PART:

and

CANADIAN NATIONAL RAILWAY COMPANY,
(hereinafter called the "National Company")

OF THE THIRD PART:

and

CANADIAN PACIFIC RAILWAY COMPANY,
(hereinafter called the "Pacific Company")

OF THE FOURTH PART.

WHEREAS, the Commissioners are the owners of certain railway tracks situated on lands owned and occupied by the Commissioners in the Harbour area of the City of Toronto for the serving of industries in that area, and which said Harbour area and tracks are shown on the plans attached hereto as Schedule "A" to this agreement;

AND WHEREAS, the said railway tracks have deteriorated to a degree that they are no longer reasonably fit for the purposes for which they were intended, AND WHEREAS, The Commissioners are not possessed of sufficient facilities to maintain or rehabilitate the said tracks, AND WHEREAS, all switching and other railway movements over the said tracks and any extensions thereof have been and will continue to be carried out by the National Company and the Pacific Company;

AND WHEREAS, the Commissioners desire to make provision for the rehabilitation, maintenance and extension of the said railway tracks and to provide some financial return to the Commissioners;

AND WHEREAS, the Terminal Railway has agreed to carry out certain work of rehabilitation, maintenance and extension of the said railway tracks on behalf of the Commissioners, on the terms as hereinafter set forth;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually convenant and agree as follows:

1. The tracks now owned by the Commissioners, including renewals of such tracks, together with any extensions thereto as hereinafter referred to, remain the property of the Commissioners.

2. Subject to the provisions of this agreement, the Terminal Railway will perform the said work of rehabilitation of the existing tracks, except private sidings, owned by the Commissioners in the said Harbour area. The work of rehabilitation shall be carried out over the period of ten (10) years next following the effective commencement date of this agreement. The cost of rehabilitation shall approximate but shall not exceed the amount of $300,000.00 during the first five years of the said period and shall not exceed the sum of $500,000.00 during the said ten year period unless such excess over the said sum of $500,000.00 be agreed to in writing by the Commissioners and the Terminal Railway. A general programme of the work to be performed over the said period of ten years shall be agreed to by the Commissioners and the Terminal Railway; provided, however, that the Terminal Railway may at its discretion reasonably defer or advance the performance of any part of the said work.

3. Subject to the provisions of this agreement, the Terminal Railway will maintain all the tracks, except private sidings, owned by the Commissioners during the term of this agreement and including therein extensions of the said tracks as they may exist from time to time. For the purpose of this agreement the terms "extensions" or "track extensions" shall include additional tracks of the Commissioners in excess of the present tracks of the Commissioners (except private sidings) in the said Harbour area. Except where the words "tracks of the Commissioners" are used in relation to rehabilitation such words shall include renewals and replacements of the present tracks of the Commissioners.

4. (1) The Terminal Railway will set up in its books an account known as the "*Commissioners' Account*" and it will credit such account with the sum of $1.50 for each loaded freight car moving into or out of the Harbour area, or such other sum in lieu thereof as from time to time may be fixed in accordance with this agreement.

For the purpose of this agreement the term "loaded freight car" shall mean and apply to a freight car moving into or out of the said Harbour area for which movement the Railway carrying out such movement receives revenue but shall not include an empty or loaded car moving into or out of the said Harbour area for the purpose of any work of maintenance or rehabilitation, as referred to in this agreement.

(2) The aforesaid Account will be debited with the cost of the work of rehabilitation and maintenance, which cost shall include—

(a) the cost of all services, work performed and material supplied for the rehabilitation of the existing tracks of the Commissioners, except private sidings;

(b) the cost of all services, work performed and material supplied for ordinary day to day maintenance of the tracks of the Commissioners, and any extensions thereof, except private sidings, existing from time to time and including snow and ice removal;

(c) interest on any monies loaned to or advanced by the Terminal Railway for any or all of the purposes aforesaid, at the rate of four percent (4%) per annum to be calculated monthly on the last day of each month during the term of this agreement, and such interest shall be calculated upon the balance of monies loaned to or advanced by the Terminal Railway for such purposes as aforesaid as of the said last day of each month.

5. (1) In determining the costs enumerated in sub-paragraph (a) of paragraph 4 (2) the following formulae shall be used:—

Labour furnished by the Terminal Railway—

Actual hourly rates of pay, plus surcharges authorized by Third Revised Circular No. 68 of Railway Association of Canada or of any further revisions of or amendments thereto.

Labour furnished by Contractors and work performed by Contractors—

In accordance with usual Railway practices.

Material furnished by the Terminal Railway—

(i) New and partly worn materials (except ballast) at current market price f.o.b. the tracks of the Commissioners, plus 15 percent of such price, or as the said percentage may vary from time to time in accordance with Railway practice;

(ii) Ballast—at cost to the Terminal Railway f.o.b. tracks of the Commissioners;

Other services furnished by the Terminal Railway—

At the standard rates charged by the National Company and the Pacific Company against other Railways.

Material of the Commissioners released—

To remain the property of the Commissioners and upon its release to be removed by and for the use of the Commissioners to a point where the same does not interfere or obstruct the movement of trains or persons in the vicinity of the tracks of the Commissioners.

(2) In determining the costs enumerated in sub-paragraph (b) of clause 4 (2), the following formulae shall be used:

Labour furnished by the Terminal Railway—

Actual hourly rates of pay, plus surcharges authorized by Third Revised Circular No. 68 of Railway Association of Canada or of any further revisions of or amendments thereto;

Labour furnished by Contractors and work performed by Contractors—

In accordance with usual Railway practices;

Material furnished by the Terminal Railway—

(i) New and partly worn materials (except ballast) at current market price f.o.b. the tracks of the Commissioners, plus 15 percent of such price, or as the said percentage may vary from time to time in accordance with Railway practice;

(ii) Ballast—at cost to the Terminal Railway f.o.b. tracks of the Commissioners;

Other Services furnished—

At the standard rates charged by the National Company and the Pacific Company against other Railways.

Material of the Commissioners released—

Scrap and partly worn materials upon their release, to be sold by the Terminal Railway at current market prices and the proceeds, less all handling costs, to be credited to the Commissioners' Account.

For the purpose of this agreement the term "released" shall mean any track or material removed from its then use or location and not re-applied in the work.

6. The Commissioners will set aside those lands coloured YELLOW as shown on the plans attached hereto and marked Schedule "A" to this agreement, which forms part of this agreement, for additional sorting yard space or additional tracks and the Commissioners will reserve and make available such lands for that purpose.

7. Track extensions which are necessary for the efficient switching operations to be carried on by the National Company and the Pacific Company in the Harbour area, shall be constructed by the Terminal Railway at the cost and expense of the Commissioners on lands of the Commissioners. The cost of the labour and material required for the construction of such track extensions shall be paid by the Commissioners to the Terminal Railway upon the written request of the Terminal Railway. Before commencing any work in connection with such track extensions, the Terminal Railway will submit plans to the Commissioners. If, upon receipt of the said plans, the Commissioners advise the Terminal Railway in writing that they do not consider such extensions to be necessary for the purposes aforesaid, the question of necessity of the said extensions may be referred to arbitration by either party in accordance with the provisions of paragraph 16 hereof.

8. The Terminal Railway, the National Company and the Pacific Company shall not be responsible for any municipal taxes on any of the tracks or lands of the Commissioners used in connection therewith pursuant to this agreement and if any such taxes are imposed upon any of them the Commissioners will indemnify the said Companies for the same. The said Companies shall notify the Commissioners forthwith and in writing if, and when, assessment notice is delivered to them of an assessment made against them with respect to any such taxes as aforesaid, and the Commissioners may, at their discretion and in the names of said Companies, dispute the correctness or lawfulness of any such taxes and shall indemnify and save harmless the said Companies from any cost, penalty or expense occasioned by such dispute.

9. The parties hereto expressly agree that neither this agreement nor anything done pursuant thereto shall create any obligation or duty whatsoever in the Terminal Railway, the Pacific Company or the National Company in connection with the construction, maintenance or the cost of any grade separation, protective device or appliance or any other means of protection on or at any road, street or highway crossed by the tracks of the Commissioners, including any extensions or renewals thereof.

10. The relocation of any tracks required by the Commissioners, the City of Toronto or other lawful authority, either for the development of Harbour facilities or to accommodate industries in the Harbour area or for the purpose of the repair, construction, reconstruction, alteration or diversion of any road or highway in the Harbour area, shall be performed by or on behalf of the Terminal Railway, upon the written request of the Commissioners, upon lands to be supplied by the Commissioners, and at the cost and expense of the Commissioners.

11. The Commissioners will continue to enter into siding agreements with industries in the Harbour area and at the written request of the Commissioners the Terminal Railway will re-construct and maintain private sidings existing at the date hereof and will construct and maintain future private sidings at such written request. The cost of all such re-construction, construction and maintenance will be paid by the Commissioners upon receipt of accounts from the Terminal Railway. For the purpose of this agreement, private sidings will be deemed to commence at the point of the switch connecting the said private sidings with other tracks of the Commissioners and being other than a private siding or sidings.

12. It is understood and agreed that all railway operations, including switching movements, upon the tracks of the Commissioners, and any extensions thereof, including private sidings, will continue to be carried on exclusively by the National Company and the Pacific Company, and the Commissioners expressly consent to the Terminal Railway, the National Company and the Pacific Company operating over the tracks of the Commissioners, including any renewals or

extensions thereof, under the terms of this agreement. The Terminal Railway, the National Company and the Pacific Company agree that no interswitching charge will be made against any industry in the Harbour area. Provided, however, that in the event that The Board of Transport Commissioners for Canada or other lawful body orders or authorizes switching charges over and above those now generally in effect, in the Toronto area, such switching charges may be imposed by the appropriate Railway.

13. The parties hereto and each of them will, at the request of any one of them, make or will join with the party making the request in making such application as that party may consider necessary to the Parliament of Canada or to The Board of Transport Commissioners for Canada or other authorities to authorize or validate the construction, rehabilitation, maintenance, reconstruction, extension or operation of the tracks of the Commissioners pursuant to the provisions of this agreement or otherwise to enable the provisions of this agreement to be carried out.

14. The total obligation of the Terminal Railway with respect to the work of maintenance and rehabilitation as herein referred to is limited to the amount which may from time to time be credited to the Commissioners' Account. It is understood and agreed by the parties hereto that the imposition of the charge of $1.50 for each loaded freight car, as referred to in paragraph 4 hereof, is for the purpose of meeting the cost of the work of maintenance and of rehabilitation and to provide for a reasonable return to the Commissioners for their trackage investment, which investment at the date hereof is estimated by the Commissioners to amount to $720,000.00. It is further understood that the only charge to be made directly or indirectly against the Terminal Railway, the Pacific Company or the National Company at any time during the term of this agreement as the same may be revised from time to time in accordance with paragraph 18 hereof, and arising directly or indirectly out of the use of, operation upon or any work done in relation to the said tracks of the Commissioners, or any extensions thereof, (including private sidings) or any lands or facilities relating thereto by the Terminal Railway, the Pacific Company or the National Company, shall be the said charge based upon the same principle as referred to in this paragraph 14. In the event that the actual or estimated amount derived or to be derived from the said charge and credited to the Commissioners' Account be not sufficient to meet the anticipated cost of rehabilitation as well as the cost of maintenance in accordance with the programme and expenditures as referred to in paragraph 2 hereof, the Terminal Railway will, in order to expedite the work of rehabilitation, make every reasonable effort to secure loans or advances to the Terminal Railway from the National Company and the Pacific Company in order that the cost of rehabilitation in excess of immediate income derived from the said charge and not used to meet the cost of maintenance be temporarily met by such loans or advances as above. Any and all income received from the

imposition of the said charge of $1.50 or such other sum in lieu thereof as from time to time may be fixed in accordance with this Agreement as aforesaid shall be applied, first, to the payment of interest (as referred to in paragraph 4 hereof) upon such advances or loans, secondly, to debit items of cost, as referred to in paragraphs 4 (2) *(b)* and 5 (2) hereof, thirdly, to debit items of cost as referred to in paragraphs 4 (2) *(a)* and 5 (1) hereof, and fourthly, to the principal of any such loans or advances.

The Terminal Railway will take full advantage of all discounts offered for cash payments for materials purchased by it for use in or about the work to be done by it for and on behalf of the Commissioners pursuant to this Agreement.

The Terminal Railway will furnish to the Commissioners at the end of each year a statement showing the amounts credited and debited to the Commissioners' Account and if at the end of the year there is a credit or debit balance the same shall be carried forward to the next year. The Commissioners will not at any time be called upon to pay any debit balance in the said Account.

The Commissioners shall have the right not more often than once in each calendar year upon reasonable written notice to the Terminal Railway to have an audit made of the books of account and records kept or intended to be kept by the Terminal Railway for the purposes of this agreement and all records and accounts pertaining thereto, which audit may be made by the Auditor for the time being of the Commissioners or some other Chartered Accountant or firm of Chartered Accountants in good standing, all at the cost and expense of the Commissioners. The Terminal Railway covenants and agrees to produce such books and records and supply such information and answer such questions as may be reasonably asked by the Auditors in the performance of their duties in respect of such audit.

15. In the event that at the end of ten years after the effective date of this agreement there is a credit balance in the Commissioners' Account after deducting therefrom the various charges and debit items heretofore referred to in this agreement, such credit balance shall then be paid to the Commissioners, and in the event that at that time a debit balance exists, such balance shall be carried forward in the said Account and such credit and debit balances shall be similarly dealt with at the end of each five year period after the expiration of the said period of ten years.

16. Any dispute between the parties hereto as to the interpretation of this Agreement or as to any matter or thing herein contained or as to the rights and liabilities of the parties arising therefrom which cannot be settled by agreement, may be referred by either party on notice in writing to the other for arbitration to The Board of Transport Commissioners for Canada, whose decision shall be final; PROVIDED, however, that if The Board of Transport Commissioners for Canada

declines to arbitrate in such dispute, it shall be submitted to a single arbitrator under the Arbitration Act of Ontario, from whose award there may be an appeal as provided in the said Act.

17. The Terminal Railway, the National Company and the Pacific Company each agrees to indemnify and save harmless the Commissioners from all legal liability for damages caused by its negligence or by the negligence of its servants.

18. This Agreement shall come into force at 12.01 a.m., Eastern Standard Time, on the 1st. day of November, 1954.

Upon the expiration of ten (10) years from the effective date hereof and upon the expiration of each five year period thereafter, unless this Agreement be sooner cancelled by mutual consent of the parties, the parties may, by mutual consent, amend the items to be charged and credited to the Commissioners' Account and failing mutual consent as to any proposed amendment, such amendment to the items to be charged and credited to the Commissioners' Account may be fixed by arbitration. PROVIDED, HOWEVER, that any party hereto which desires to effect any such amendment shall so notify the other party in writing not later than six months prior to the expiration of the then current ten year period or five year period, as the case may be, and such notice shall contain a description of the matter which it is desired to amend. Except as to cancellation by mutual consent and amendments made in accordance with this paragraph this Agreement shall continue in perpetuity.

19. It is agreed that time shall be of the very essence of this Agreement and no extension of time for making any payment or doing any act hereunder shall be deemed to be a waiver or modification of, or affect this provision.

20. This Agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto, respectively.

IN WITNESS WHEREOF the parties hereto have executed these presents.

SIGNED, SEALED
AND DELIVERED: THE TORONTO HARBOUR COMMISSIONERS

In the Presence of,–

W. H. Bosley
Chairman

Approved As
To Form

E. B. Griffith
Secretary

A.D.McD.
Solicitor

THE TORONTO TERMINALS RAILWAY COMPANY

W. A. Mather
President

L. A. Fuller
Assistant Secretary

Approved As
To Form

CANADIAN NATIONAL RAILWAY COMPANY

A.D.McD.
Regional Counsel

S. F. Dingle
Vice-President

J. M. Young
Assistant Secretary

Approved As
To Form

CANADIAN PACIFIC RAILWAY COMPANY

J.A.W.
Solicitor

D. S. Thomson
Vice-President

G.H.B.
Vice-President

F. Bramley
Secretary

SCHEDULE "A"

1. Drawing No. 13197, dated December 20, 1953, showing existing Toronto Harbour Commissioners' Trackage "Central Section",

2. Drawing No. 13198, dated December 20, 1953, showing existing Toronto Harbour Commissioners' Trackage "Eastern Section",

3. M-76, 3-87A., dated September 23rd, 1952, showing a proposed 150 car addition to Rees Street Yard,

4. M-76, 3-87d., dated September 20th, 1952, showing a proposed extension to Jarvis Street Yard—Capacity 80 cars,

5. M-76, 3-87b., dated September 23rd, 1952, showing a proposed new Commissioners Street Yard—Capacity 212 cars.

6. M-76, 3-87c., dated September 24th, 1953, showing a proposed new Unwin Avenue Yard—Capacity 60 cars.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 278.

An Act to amend the Veterans Benefit Act, 1954.

First reading, March 21, 1955.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52643

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 278.

An Act to amend the Veterans Benefit Act, 1954.

1953-54, c. 65.

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

1. Section 8 of the *Veterans Benefit Act, 1954*, chapter 65 of the statutes of 1953-54, is amended by adding thereto, immediately after subsection (1) thereof, the following subsection:

Limitation.

"(1a) Notwithstanding subsection (1), the *Reinstatement in Civil Employment Act* does not apply to or in respect of any person described in paragraph *(c)*, *(d)* or *(e)* of subsection (1) whose service with the regular forces, as mentioned in those paragraphs, commenced on or after the 1st day of July, 1955."

2. Section 12 of the said Act is amended by adding thereto, immediately after subsection (2) thereof, the following subsection:

Limitation.

"(2a) Notwithstanding subsection (2), the expression "veteran" as defined in paragraph (*c*) of section 101 of the said Act does not include any person described in paragraph (*b*) or (*d*) of subsection (2) whose service with the regular forces, as mentioned in paragraphs (*b*) and (*d*) thereof, commenced on or after the 1st day of July, 1955."

Explanatory Note.

The *Reinstatement in Civil Employment Act* and the *Unemployment Insurance Act* were made applicable to short-term engagements resulting from the Korean emergency in 1950. It is considered that the benefits of those Acts are not appropriate to service in the regular peacetime forces and the purpose of the present amendments is to ensure their continuance only to those persons who join the regular forces before the first of July next.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 279.

An Act to Implement a Convention on Great Lakes Fisheries between Canada and the United States.

First reading, March 21, 1955.

THE MINISTER OF FISHERIES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

98745

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 279.

An Act to Implement a Convention on Great Lakes Fisheries between Canada and the United States.

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 *Great Lakes Fisheries Convention Act.*

Definitions. "Commission" "Convention"

2. In this Act

(a) "Commission" means the Great Lakes Fishery Commission established under the Convention; and

(b) "Convention" means the Convention on Great Lakes Fisheries between Canada and the United States set out in the Schedule.

Convention approved.

3. The Convention is hereby approved and confirmed.

Regulations.

4. (1) Notwithstanding any other Act, the Governor in Council may make regulations for carrying out and giving effect to the provisions of the Convention and anything done by the Commission thereunder.

Offence and penalty.

(2) Every person who violates a regulation is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

Jurisdiction.

5. All courts, justices of the peace and magistrates in Canada have the same jurisdiction with respect to offences under the regulations as they have under sections 689 to 692 of the *Canada Shipping Act*, with respect to offences under that Act, and the provisions of those sections apply to offences under the regulations in the same manner and to the same extent as they apply to offences under the *Canada Shipping Act.*

Explanatory Note.

The purpose of the Bill is to provide implementing legislation for the Convention on Great Lakes Fisheries between Canada and the United States of America, signed at Washington on the 10th of September, 1954.

Coming into force.

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

SCHEDULE.

SCHEDULE.

CONVENTION ON GREAT LAKES FISHERIES

BETWEEN

CANADA

AND

THE UNITED STATES OF AMERICA.

The Government of Canada and the Government of the United States of America,

Taking note of the interrelation of fishery conservation problems and of the desirability of advancing fishery research in the Great Lakes,

Being aware of the decline of some of the Great Lakes fisheries,

Being concerned over the serious damage to some of these fisheries caused by the parasitic sea lamprey and the continuing threat which this lamprey constitutes for other fisheries,

Recognizing that joint and coordinated efforts by Canada and the United States of America are essential in order to determine the need for and the type of measures which will make possible the maximum sustained productivity in Great Lakes fisheries of common concern,

Have resolved to conclude a convention and have appointed as their respective Plenipotentiaries:

The Government of Canada:

Arnold Danford Patrick Heeney, Ambassador Extraordinary and Plenipotentiary of Canada to the United States of America, and

Stewart Bates, Chairman of the Delegation of Canada to the Great Lakes Fisheries Conference; and

The Government of the United States of America:

Walter Bedell Smith, Acting Secretary of State of the United States of America, and

William C. Herrington, Chairman of the Delegation of the United States of America to the Great Lakes Fisheries Conference,

who, having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

ARTICLE I.

This Convention shall apply to Lake Ontario (including the St. Lawrence River from Lake Ontario to the forty-fifth parallel of latitude) Lake Erie, Lake Huron (including Lake St. Clair), Lake Michigan, Lake Superior and their connecting waters, hereinafter referred to as "the Convention Area". This Convention shall also apply to the tributaries of each of the above waters to the extent necessary to investigate any stock of fish of common concern, the taking or habitat of which is confined predominantly to the Convention Area, and to eradicate or minimize the populations of the sea lamprey *(Petromyzon marinus)* in the Convention Area.

ARTICLE II.

1. The Contracting Parties agree to establish and maintain a joint commission, to be known as the Great Lakes Fishery Commission, hereinafter referred to as "the Commission", and to be composed of two national sections, a Canadian Section and a United States Section. Each Section shall be composed of not more than three members appointed by the respective Contracting Parties.

2. Each Section shall have one vote. A decision or recommendation of the Commission shall be made only with the approval of both Sections.

3. Each Contracting Party may establish for its Section an advisory committee for each of the Great Lakes. The members of each advisory committee so established shall have the right to attend all sessions of the Commission except those which the Commission decides to hold *in camera*.

ARTICLE III.

1. At the first meeting of the Commission and at every second subsequent annual meeting thereafter the members shall select from among themselves a Chairman and a Vice-Chairman, each of whom shall hold office from the close of the annual meeting at which he has been selected until the close of the second annual meeting thereafter. The Chairman shall be selected from one Section and the Vice-Chairman from the other Section. The offices of Chairman and Vice-Chairman shall alternate biennially between the Sections.

2. The seat of the Commission shall be at such place in the Great Lakes area as the Commission may designate.

3. The Commission shall hold a regular annual meeting at such place as it may decide. It may hold such other meetings as may be agreed upon by the Chairman and Vice-Chairman and at such time and place as they may designate.

4. The Commission shall authorize the disbursement of funds for the joint expenses of the Commission and may employ personnel and acquire facilities necessary for the performance of its duties.

5. The Commission shall make such rules and by-laws for the conduct of its meetings and for the performance of its duties and such financial regulations as it deems necessary.

6. The Commission may appoint an Executive Secretary upon such terms as it may determine.

7. The staff of the Commission may be appointed by the Executive Secretary in the manner determined by the Commission or appointed by the Commission itself on terms to be determined by it.

8. The Executive Secretary shall, subject to such rules and procedures as may be determined by the Commission, have full power and authority over the staff and shall perform such functions as the Com-

mission may prescribe. If the office of Executive Secretary is vacant, the Commission shall prescribe who shall exercise such power or authority.

ARTICLE IV.

The Commission shall have the following duties:

(a) to formulate a research program or programs designed to determine the need for measures to make possible the maximum sustained productivity of any stock of fish in the Convention Area which, in the opinion of the Commission, is of common concern to the fisheries of Canada and the United States of America and to determine what measures are best adapted for such purpose;

(b) to coordinate research made pursuant to such programs and, if necessary, to undertake such research itself;

(c) to recommend appropriate measures to the Contracting Parties on the basis of the findings of such research programs;

(d) to formulate and implement a comprehensive program for the purpose of eradicating or minimizing the sea lamprey populations in the Convention Area; and

(e) to publish or authorize the publication of scientific and other information obtained by the Commission in the performance of its duties.

ARTICLE V.

In order to carry out the duties set forth in Article IV, the Commission may:

(a) conduct investigations;

(b) take measures and install devices in the Convention Area and the tributaries thereof for lamprey control; and

(c) hold public hearings in Canada and the United States of America.

ARTICLE VI.

1. In the performance of its duties, the Commission shall, in so far as feasible, make use of the official agencies of the Contracting Parties and of their Provinces or States and may make use of private or other public organizations, including international organizations, or of any person.

2. The Commission may seek to establish and maintain working arrangements with public or private organizations for the purpose of furthering the objectives of this Convention.

ARTICLE VII.

Upon the request of the Commission a Contracting Party shall furnish such information pertinent to the Commission's duties as is practicable. A Contracting Party may establish conditions regarding the disclosure of such information by the Commission.

ARTICLE VIII.

1. Each Contracting Party shall determine and pay the expenses of its Section. Joint expenses incurred by the Commission shall be paid by contributions made by the Contracting Parties. The form and proportion of the contributions shall be those approved by the Contracting Parties after the Commission has made a recommendation.

2. The Commission shall submit an annual budget of anticipated joint expenses to the Contracting Parties for approval.

ARTICLE IX.

The Commission shall submit annually to the Contracting Parties a report on the discharge of its duties. It shall make recommendations to or advise the Contracting Parties whenever it deems necessary on any matter relating to the Convention.

ARTICLE X.

Nothing in this Convention shall be construed as preventing any of the States of the United States of America bordering on the Great Lakes or, subject to their constitutional arrangements, Canada or the Province of Ontario from making or enforcing laws or regulations within their respective jurisdictions relative to the fisheries of the Great Lakes so far as such laws or regulations do not preclude the carrying out of the Commission's duties.

ARTICLE XI.

The Contracting Parties agree to enact such legislation as may be necessary to give effect to the provisions of this Convention.

ARTICLE XII.

The Contracting Parties shall jointly review in the eighth year of the operation of this Convention the activities of the Commission in relation to the objectives of the Convention in order to determine the desirability of continuing, modifying or terminating this Convention.

ARTICLE XIII.

1. This Convention shall be ratified and the instruments of ratification shall be exchanged at Ottawa.

2. This Convention shall enter into force on the date of the exchange of the instruments of ratification. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

3. Either Contracting Party may, by giving two years' written notice to the other Contracting Party, terminate this Convention at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Convention.

DONE at Washington, in duplicate, this tenth day of September, 1954.

FOR THE GOVERNMENT OF CANADA:

A. D. P. HEENEY

STEWART BATES

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

WALTER BEDELL SMITH

WM. C. HERRINGTON

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 284.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

AS PASSED BY THE HOUSE OF COMMONS
25th MARCH, 1955.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

55103

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 284.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1956, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 1, 1955.*

$515,411,790.67 granted for 1955-56.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole five hundred and fifteen million, four hundred and eleven thousand, seven hundred and ninety dollars and sixty-seven cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-sixth of the amount of each of the items to be voted set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1956, as laid before the House of Commons at the present session of Parliament.

$137,500 granted for 1955-56.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2 of this Act, a sum not exceeding in the whole one hundred and thirty-seven thousand, five hundred dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-half of the amount of the item to be voted set forth in Schedule A to this Act.

$439,942 granted for 1955-56.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2 of this Act, a sum not exceeding in the whole four hundred and thirty-nine thousand, nine hundred and forty-two dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted set forth in Schedule B to this Act.

$1,975,296.08 granted for 1955-56.

5. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2 of this Act, a sum not exceeding in the whole one million, nine hundred and seventy-five thousand, two hundred and ninety-six dollars and eight cents, towards defraying the several charges and expenses of the public service from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-twelfth of the amount of the several items to be voted set forth in Schedule C to this Act.

Power to raise loan of $500,000,000 for public works and general purposes. R.S., c. 116.

6. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of the *Financial Administration Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole, the sum of five hundred million dollars, as may be required for public works and general purposes.

Lapse of prior borrowing powers.

(2) All borrowing powers authorized by section 4 of chapter 67 of the statutes of 1953-54 which are outstanding and unused shall expire on the date of the coming into force of this Act.

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

7. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act*.

SCHEDULE A

Based on the Main Estimates, 1955-56. The amount hereby granted is $137,500, being one-half of the amount of the item in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	EXHIBITIONS		
437	Canadian International Trade Fair—To provide for the net operating deficit during the current fiscal year of the Special Operating Account in the Consolidated Revenue Fund; advances to be made to the Account as required, but not to exceed in the aggregate.....	.....	*275,000

* Net total $137,500.

SCHEDULE B

Based on the Main Estimates, 1955-56. The amount hereby granted is $439,942, being one-sixth of the amount of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	B—UNEMPLOYMENT INSURANCE COMMISSION		
193	To provide for the transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council.....	100,000	
	LEGISLATION		
	THE SENATE		
196	General Administration.....	452,684	
	HOUSE OF COMMONS		
200	General Administration—Estimates of the Clerk.....	1,369,031	
201	Estimates of the Sergeant-at-Arms.....	717,937	
			*2,639,652

* Net total $439,942.

SCHEDULE C

Based on the Main Estimates, 1955-56. The amount hereby granted is $1,975,296.08, being one-twelfth of the amount of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	EXPERIMENTAL FARMS SERVICE		
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
18	Operation and Maintenance	6,668,649	
	TERMINABLE SERVICES		
37	Freight Assistance on Western Feed Grains	15,500,000	
	TRADE AND COMMERCE		
	STANDARDS BRANCH		
439	Electricity and Gas Inspection Services	740,063	
440	Weights and Measures Inspection Services	794,841	
			*23,703,553

* Net Total $1,975,296.08.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 285.

An Act to consolidate the Acts respecting The Winnipeg and St. Boniface Harbour Commissioners.

First reading, March 28, 1955.

Mr. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

55750

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 285.

An Act to consolidate the Acts respecting The Winnipeg and St. Boniface Harbour Commissioners.

1912, c. 55; 1938, c. 17; 1955, c.

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 *Winnipeg and St. Boniface Harbour Commissioners Act*. 1912, c. 55, s. 1.

INCORPORATION.

Corporation constituted.

2. The commissioners appointed in accordance with this Act are incorporated under the name of "The Winnipeg and St. Boniface Harbour Commissioners", hereinafter called "the Corporation". 1912, c. 55, s. 2.

INTERPRETATION.

Definitions.

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

"Commissioner."
(a) "commissioner" means a member of the Corporation;

"By-law."
(b) "by-law" means any by-law, rule, order of regulation made by the Corporation under the authority of this Act;

"Vessel."
(c) "vessel" includes every kind of ship, boat, barge, dredge, elevator, scow, or other floating craft;

"Goods."
(d) "goods" means any movables other than vessels;

"Rates."
(e) "rates" means any rate, toll, or duty whatsoever imposed by this Act;

"The Harbour."
(f) "the harbour" means the harbour of Winnipeg and St. Boniface as defined by this Act;

"Municipality."
(g) "municipality" means a municipality contiguous to the city of Winnipeg or the city of St. Boniface, and lying along the Red River, and any such municipality shall, for the purposes of this Act, be deemed to include

within its limits that portion of the Red River between such municipality and the centre line of the said River and between the productions respectively of the northerly and southerly boundaries of the said municipality from the points of intersection of the said boundaries with the said River to the points of intersection of the productions of the said boundaries with the centre line of the said River. 1912, c. 55, s. 3. 1938, c. 17, s. 1.

Harbour limits.

4. (1) For the purposes of this Act, the harbour of Winnipeg and St. Boniface shall be deemed to include all the waters within the limits of the cities of Winnipeg and St. Boniface at the time of the passing of this Act and of such municipalities as may be brought within the provisions of this Act under subsection two hereof.

Additions to harbour.

(2) With the consent of any municipality, expressed by by-law of the council thereof, the waters within such municipality may be added to the harbour by a by-law to that effect made by the Corporation and confirmed by the Governor in Council and published in the *Canada Gazette*. 1938, c. 17, s. 2.

Land marks.

5. The Corporation may erect land marks to indicate the said limits of the harbour, which land marks shall be held to determine *prima facie* the said limits. 1912, c. 55, s. 5.

Composition of Corporation.

Commissioners.

6. (1) The Corporation shall consist of five commissioners, three of whom shall be appointed by by-law of the council of the city of Winnipeg and two by by-law of the council of the city of St. Boniface.

Term of office.

(2) Each commissioner so appointed shall hold office for three years, subject to removal, and until his successor is appointed, and shall be eligible for reappointment.

Resignation.

(3) A commissioner may resign his office by notice of such resignation in writing to the council of the city by which he was appointed.

Additional commissioners.

(4) Whenever the waters within any municipality are added to the harbour, in accordance with the provisions of this Act, the number of commissioners constituting the Corporation shall be increased by the addition of one commissioner appointed by by-law of the council of such municipality and all the provisions of this Act applicable to a commissioner shall apply to every commissioner so appointed, 1912, c. 55, s. 6; 1938, c. 17, s. 3.

Filling of vacancies.

7. Whenever a vacancy occurs among the commissioners, whether such vacancy occurs by expiration of the term of office or otherwise, the body by which the commissioner so retiring was appointed shall, within thirty days, appoint his successor, and, in default of such appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. 1912, c. 55, s. 7.

Oath of office.

8. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed on record in the office of the Corporation. 1912, c. 55, s. 8.

Chairman and quorum.

9. The Corporation shall elect its own chairman, and a majority of the commissioners constitutes a quorum for the transaction of business. 1955, c. , s. 1.

Officers and Employees.

Officers, etc.

10. The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems proper, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary. 1912. c. 55, s. 10.

General Powers.

Territorial limits of jurisdiction.

11. The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the harbour, but nothing herein shall be deemed to give the Corporation jurisdiction or control respecting private property or rights within the said limits. 1912, c. 55, s. 11.

Suits and proceedings.

12. The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the said property and the land comprised within the harbour. 1912, c. 55, s. 12.

Powers as to property required for harbour.

13. (1) The Corporation may acquire, expropriate, hold, sell, lease and otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, maintenance and protection of the harbour, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion.

Property required for harbour.

(2) The Corporation may take, hold, develop and administer on behalf of the cities of Winnipeg and St. Boniface subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the councils of the said cities respectively, the dock property and water lots owned by the said cities respectively in the harbour, and all other property which may be placed under the jurisdiction of the Corporation.

Alienation of land restricted.

(3) Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by it from the Government of Canada. 1912, c. 55, s. 13.

Use and development of water front.

14. (1) The Corporation may regulate and control the use and development of all land and property on the waterfront within the limits of the harbour, and all docks, wharfs, channels, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided.

Docks, buildings and appliances

(2) The Corporation may construct and maintain docks, channels, warehouses, cranes and other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same.

Construction and operation of railways.

(3) The Corporation may, subject to such provisions of the *Railway Act* as are applicable to the exercise of the powers granted by this subsection,

(a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the harbour;

(b) enter into agreements with any railway company for the maintenance by such company of such railways, and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company;

(c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies, lines or vessels and those of the Corporation; but nothing in this subsection shall be deemed to constitute the Corporation a railway company.

Plant and machinery.

(4) The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour and facilitating the traffic therein.

R.S., c. 193 to apply to works.

(5) Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of the *Navigable Waters Protection Act.* 1912, c. 55, s. 14.

Surplus profits disposition.

15. After providing for the cost of management of all the property which the Corporation owns, controls or manages under the preceding sections, and after providing for the cost of works or improvements under way or contemplation, and for the performance of the other duties imposed upon the Corporation and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the City of Winnipeg and the city of St. Boniface and such municipalities as may be brought within the provisions of this Act, as their respective interests may appear, and shall be paid over by the Corporation to the city or municipal treasurer in each case. 1938, c. 17, s. 5.

Books, etc., to be open to inspection.

16. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the audit departments of the city of Winnipeg and of the city of St. Boniface and of such municipalities as may be brought within the provisions of this Act, and the Corporation shall keep separate accounts as between the city of Winnipeg and the city of St. Boniface and the said municipalities of all moneys borrowed, received and expended by it under the authority of this Act, and shall account for all moneys annually to the councils of the cities of Winnipeg and St. Boniface and the said municipalities and to the Governor in Council, in such manner or form as he may direct. 1938, c. 17, s. 6.

Separate accounts.

Expropriation of Lands.

Expropriation of lands.

17. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of the *Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation; but no proceedings for the expropriation of lands shall be commenced until the consent of the Governor in Council is first obtained. 1912, c. 55, s. 17.

Borrowing Powers.

Borrowing powers.

18. (1) For the purpose of defraying the expenses of constructing, extending and improving the wharfs, structures and other accommodations in the harbour in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures, for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the real property vested in or controlled by the Corporation.

Charge upon revenue.

(2) The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of the harbour; and other lawful charges upon the said revenue shall be as follows:

Other charges on revenue.

Collection.

(a) The payment of all expenses incurred in the collection of the same, and other necessary charges;

Repairs.

(b) The defraying the expenses of keeping the harbour clean and of keeping the wharfs and other works therein in a thorough state of repair;

Interest.

(c) The payment of interest due on all sums of money borrowed under this Act;

Sinking fund.

(d) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;

Dredging, operating, etc.

(e) The cost of keeping the harbour dredged, operating docks and wharfs, and otherwise carrying out the objects of this Act. 1912, c. 55, s. 18.

By-laws.

By-laws.

19. (1) The Corporation may make by-laws, not contrary to law or the provisions of this Act, for the following purposes:

Navigation.

(a) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour;

Building operations and other actions affecting harbour.

(b) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharfs or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto;

Construction, etc., of works on docks, etc.

Poles, wires.

(c) To construct, regulate, operate and maintain railways, elevators, pipes, conduits or other works or appliances upon the docks, wharfs or channels or any part thereof; and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation;

Encroachments.

(d) To prevent injuries to or encroachments upon any channels, harbours, wharfs or waters generally within the limits of the harbour;

Explosives.

(e) To regulate and control the landing and shipping of explosives or inflammable substances;

Order Prevention of theft.

(f) To maintain order and regularity and prevent theft and depredations;

Rates, tolls and penalties.

(g) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law made under the authority of this Act;

Control of boats, etc.

(h) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kinds of craft within the limits of the area over which the corporation has jurisdiction;

Penalties for infringing Act or by-laws.

(i) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the cost of conviction, the period of imprisonment, to be fixed by by-law, not to exceed sixty days, not to continue after such payment is made;

Government of harbour.

(j) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landing from or shipped on board of the same as they think fit, according to the use which may be made of the harbour and works aforesaid.

Tolls for use.

Confirmation of by-laws.

(2) No by-laws shall have force or effect until confirmed by the Governor in Council, and published in the *Canada Gazette*.

Copies when evidence.

(3) A copy of any by-law certified by the secretary under the seal of the corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada. 1912, c. 55, s. 19.

Harbour Rates.

Valuation of goods.

R.S., c. 58 to apply.

20. The valuation of goods on which ad valorem rates are imposed shall be made according to the provisions of the *Customs Act*, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied therein. 1912, c. 55, s. 20.

Recovery of rates.

21. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid, but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes, if it sees fit to do so. 1912, c. 55. s. 21.

Commutation of rates.

22. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient. 1912. c. 55, s. 22.

Summary Proceedings.

Seizure of vessels.

23. The Corporation may seize and detain any vessel at any place within the limits of the province of Manitoba—

(a) whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;

(b) whenever the master, owner or person in charge of the vessel has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty. 1912, c. 55, s. 23.

Seizure of goods.

24. The Corporation may seize and detain any goods in the following cases:—

(a) Whenever any sum is due for rates in respect of such goods, and is unpaid;

(b) Whenever any provision of this Act, or any by-law in force under this Act has been infringed in respect of such goods, and a penalty has been incurred thereby. 1912, c. 55, s. 24.

Seizure and detention to be at owners' risk.

25. (1) Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all the sums due, and penalties incurred, together with all proper and reasonable costs and charges incurred in the seizure and detention, and the costs of any conviction obtained for the infringement of any provision of this Act, or of any by-law in force under this Act have been paid in full.

May be made with or without suit.

(2) The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever.

Order for siezure

(3) The seizure and detention may be effected upon the order of

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the collector of customs at the ports of Winnipeg and St. Boniface.

Application for order.

(4) The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person

Execution of order.

whom the Corporation entrusts with the execution thereof, and the said constable, bailiff or other person, may take all necessary means and demand all necessary aid to enable him to execute the said order. 1912, c. 55, s. 25.

RESTRICTION.

Pecuniary transactions forbidden.

26. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof, directly or indirectly. 1912, c. 55, s. 26.

Oaths.

Administration of oaths.

27. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of Winnipeg or St. Boniface, or any justice of the peace, may administer such oath. 1912, c. 55, s. 27.

Accounting for Moneys.

Accounting for moneys.

28. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act; and shall account therefor annually to the Governor in Council in such manner and form as he may direct. 1912, c. 55, s. 28.

Limitation of Summary Proceedings.

Prescription of prosecutions for violation of Act or by-laws.

29. In the case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose. 1912, c. 55, s. 29.

Repeal.

Repeal.

30. *The Winnipeg and St. Boniface Harbour Commissioners Act*, chapter 55 of the statutes of 1912, The Act to amend The Winnipeg and St. Boniface Harbour Commissioners Act, chapter 17 of the statutes of 1938 and The Act to amend The Winnipeg and St. Boniface Harbour Commissioners Act, chapter 6 of the statutes of 1955 are repealed. (New.)

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 303.

An Act to amend the Interest Act.

First reading, March 29, 1955.

MR. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

55746

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 303.

An Act to amend the Interest Act.

R.S., c.156.

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

1. Section 2 of the *Interest Act*, chapter 156 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

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

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

Explanatory Note.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 304.

An Act to amend the Small Loans Act.

First reading, March 29, 1955.

MR. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

54673

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA-

BILL 304.

An Act to amend the Small Loans Act.

R.S., c. 251.

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

1. Subsection (2) of section 3 of the *Small Loans Act*, chapter 251 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Not more than 1 per cent per month.

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

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

Loans, how repayable.

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

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

Limitation as to amount, time and cost of loan.

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

Explanatory Notes.

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

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

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

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

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

3. Section 14 at present reads as follows:

"**14.** The Company may

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

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

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

Cost not to be compounded or deducted.

Prepayment.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 305.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1955.

AS PASSED BY THE HOUSE OF COMMONS, 30th MARCH, 1955.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

55396

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 305.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1955.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1955, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 2, 1955.*

$53,934,585 granted for 1954-55.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifty-three million, nine hundred and thirty-four thousand, five hundred and eighty-five dollars towards defraying the several charges and expenses of the public service, from the 1st day of April, 1954, to the 31st day of March, 1955, not otherwise provided for, and being the amount of each of the items voted, set forth in the Schedule to this Act for the fiscal year ending the 31st day of March, 1955, as laid before the House of Commons at the present session of Parliament.

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

3. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

SCHEDULE

Based on the Further Supplementary Estimates (1), 1954-55. The amount hereby granted is $53,934,585, being the amount of the items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1955, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION SERVICE		
	Health of Animals—		
552	To provide for payment of compensation to owners of animals or poultry affected with diseases coming under the Animal Contagious Diseases Act, which have died or have been slaughtered in circumstances not covered by the above Act and Regulations made thereunder, and to provide for payment to owners for loss of cattle during treatments for immunization against Hemorrhagic Septicaemia, all as detailed in the Estimates....	7,725	
	MARKETING SERVICE		
553	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required.....	11,909	
	TERMINABLE SERVICES		
554	Freight Assistance on Western Feed Grains—Further amount required.....	2,000,000	
	SPECIAL		
555	Amount required to recoup the Agricultural Products Board Account to cover the net operating loss of the Agricultural Products Board as at March 31, 1955, resulting from the importation, in 1951, and the marketing of butter by the Board.....	278,494	
556	To provide assistance for the replacement of maple production equipment—Further amount required.....	100,000	
557	Prairie Farm Assistance Act Administration—Further amount required.....	416,674	
558	Estimated amount required to recoup the Agricultural Prices Support Account to cover the net operating loss of the Agricultural Prices Support Board during the fiscal year 1954-55, including authority to credit to the account the net revenue received into the Agricultural Products Board Account from the sale of New Zealand meat received in exchange for beef shipped to the United Kingdom.....	3,210,928	
			6,025,730

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
559	Departmental Administration—Further amount required.....	4,500	
	CITIZENSHIP		
560	Citizenship Registration Branch—Further amount required....	4,000	
	INDIAN AFFAIRS BRANCH		
561	To provide that the amount of advances outstanding at any one time with respect to loans to Indians under Section 69 of the Indian Act, notwithstanding subsection (5) thereof, may total but not exceed $650,000.....	1	
	Welfare of Indians—		
562	Operation and Maintenance—Further amount required.....	600,000	
	Education—		
563	Administration, Operation and Maintenance—Further amount required.....	155,000	
			763,501
	CIVIL SERVICE COMMISSION		
564	Salaries and Contingencies of the Commission—Further amount required.....	.....	15,000
	EXTERNAL AFFAIRS		
	A—DEPARTMENT AND MISSIONS ABROAD		
565	Passport Office Administration—Further amount required.....	23,000	
566	To provide for official hospitality—Further amount required...	15,000	
567	Canadian Representation at International Conferences—Further amount required.....	75,000	
	B—GENERAL		
568	To provide for the Canadian Government's Assessment for Membership in International and Commonwealth Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of March, 1955—Further amount required....	18,165	
569	To provide for the Canadian Government's Contribution towards the cost of the North Atlantic Treaty Organization Permanent Headquarters in an amount of 12,500,000 French Francs, notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of March, 1955, which is.....	35,100	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	B—General—*Concluded*		
	Terminable Services		
570	To authorize payment out of Vote 649, Appropriation Act, No. 4, 1954, of an amount not exceeding $925 to compensate civil servants for translation and interpretation services performed by them during the Colombo Plan Conference in Ottawa in 1954, notwithstanding Section 16 of the Civil Service Act	1	
571	To provide for a Gift of Food and Drugs as a contribution to Flood Relief for India, Pakistan and Nepal	225,000	
572	Contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East	500,000	
573	Contribution to the United Nations Korean Reconstruction Agency	500,000	
574	To provide for a Gift of Fish as a contribution to Hurricane Relief for Haiti	25,000	
575	To provide for the cost of Canada's participation as a member of the International Commission for Supervision and Control in Indo-China	220,000	
			1,636,266
	FINANCE		
	Administration of Various Acts and Costs of Special Functions		
576	Expenses of the Tariff Board—Further amount required	2,000	
577	To provide for adjustment payments in respect of subsidies previously paid and administrative expenses incurred by the Minister of Finance on behalf of Her Majesty pursuant to the agreement entered into between Commodity Prices Stabilization Corporation Ltd., and Her Majesty, on the 25th day of June, 1953, under the authority of Order in Council P.C. 1953-868, dated the 1st day of June, 1953; and to authorize the write-off of the outstanding balance of advances previously made to the said Corporation	65,277	
	Payments to Municipalities		
578	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations amended by Order in Council P.C. 1954-1621; and to provide for payments to municipalities under Order in Council P.C. 1954-1497, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein—Further amount required including authority to regard the Admiralty Properties in the city of St. John's, Newfoundland, as Federal Property notwithstanding that formal transfer of administration has not been completed	95,855	
	Contingencies and Miscellaneous		
579	To authorize the write-off to the Consolidated Deficit Account of certain accounts, as detailed in the Estimates, arising out of World War II and other transactions amounting in the aggregate to $1,010,111.38 which are uncollectable or for which no residual asset remains	1	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
580	To provide for the Government's contribution, as an Employer, to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office—Further amount required	10,000	
	SPECIAL		
581	To provide for a contribution to the Government of the Province of Ontario for assistance in meeting costs resulting from floods, arising out of Hurricane Hazel, on October 15th and 16th, 1954, and to authorize, notwithstanding Section 35 of the Financial Administration Act, the making of payments under this Vote up to May 31, 1955	1,000,000	
	MISCELLANEOUS GRANTS		
582	To provide for the purchase of Canadian wood to be contributed for the restoration of the Canadian Room on the premises of the Royal Empire Society in London, originally provided by Canada and subsequently destroyed by enemy action during World War II (Revote)	1,250	1,174,383
	FISHERIES		
	SPECIAL		
583	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council—Further amount required	21,049	
584	Amount required to recoup the Fisheries Prices Support Account to cover the net operating loss on completed programs of the Fisheries Prices Support Board as at March 31, 1955	744,382	765,431
	JUSTICE		
	A—DEPARTMENT		
585	Yukon Territory—Administration of Justice—Further amount required	12,000	
	B—PENITENTIARIES		
586	Construction, Improvements and New Equipment, including provision for the establishment and construction of a new institution in the Province of Quebec for the confinement and reformation of Federal prisoners—Further amount required	200,000	212,000

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
587	Annuities Act—Administration—Further amount required.....	.....	26,000
	LEGISLATION		
	House of Commons		
588	General Administration—Estimates of the Clerk—Further amount required.....	.....	58,000
	MINES AND TECHNICAL SURVEYS		
	A—Department		
	Mines Branch		
589	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine—Further amount required.....	50,000	
	General		
590	Payments to Royal Canadian Air Force and Commercial Companies for Air Photography, and to defray the expenses of and the purchase of equipment by the Inter-departmental Committee on Air Surveys—Further amount required.....	1,200,000	
	B—Dominion Coal Board		
591	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council—Further amount required.....	1,604,000	2,854,000
	NATIONAL HEALTH AND WELFARE		
	National Health Branch		
	Health Services		
592	Laboratory of Hygiene—Operation and Maintenance—Further amount required.....	17,000	
	General Health Grants		
593	To authorize and provide for General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates—Further amount required including authority, notwithstanding Section 30 of the Financial Administration Act, to make additional commitments for the current year not to exceed $1,000,000.....	1	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Concluded*		
	WELFARE BRANCH		
	National Physical Fitness Act—		
594	Assistance to Provinces—Further amount required.....	3,443	20,444
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY		
	ATOMIC ENERGY OF CANADA LIMITED		
	Research Program—		
595	Current Operation and Maintenance—Further amount required.....	155,000	
596	Construction or Acquisition of Buildings, Works, Land and New Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works at Deep River for Atomic Energy of Canada Limited—Further amount required.....	1,106,000	
597	To authorize, (1) subject to the approval of the Governor in Council, amendments to the Agreement dated the 22nd day of January, 1953, between Her Majesty The Queen in right of Canada and Atomic Energy of Canada Limited (hereinafter called "the Company"), to provide for *(a)* the write-up in the accounts of the Company in the sum of $2,843,174 representing the depreciated value as at March 31, 1954, of the housing accommodation at Deep River previously written off to the research program of the Company; *(b)* the issuance by the Company of obligations in the sum of $2,843,174 in such form and upon such terms and conditions as the Governor in Council may approve; *(c)* the write-off in the accounts of the Company in the sum of $1,405,845 representing the increase from 26 per cent to 35 per cent in the percentage of the cost of construction of the new reactor (NRU) from inception to March 31, 1954, chargeable to the research program of the Company, and other minor adjustments; and *(d)* the cancellation of the capital stock of the Company in the amount of $1,405,845; and (2) the necessary entries and adjustments in the accounts of Canada in connection with the matters mentioned in paragraph (1).....	1	1,261,001
	PUBLIC PRINTING AND STATIONERY		
598	Printing and Binding the Annual Statutes—Further amount required.....	6,500	
599	Canada Gazette—Further amount required.....	55,000	
600	Distribution of Official Documents—Further amount required.	2,500	64,000

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
	ARCHITECTURAL BRANCH		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
601	Ottawa	1,732,666	
602	Saskatchewan	350,000	
	ENGINEERING BRANCH		
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amount required—		
603	Newfoundland ($113,900, less the amount of $113,899 available from savings in other listed projects detailed in previous Estimates for 1954-55 for this Province)	1	
			2,082,667
	SECRETARY OF STATE		
	GENERAL		
604	Expenses pertaining to the visit to Canada of His Royal Highness The Duke of Edinburgh	11,002	
605	Expenses pertaining to the visit to Canada of Their Royal Highnesses The Duchess of Kent and Princess Alexandra	3,801	
606	Expenses pertaining to the visit to Canada of Her Majesty Queen Elizabeth The Queen Mother	6,596	
			21,399
	TRANSPORT		
	A—DEPARTMENT		
	CANAL SERVICES		
607	Operation and Maintenance—Further amount required	30,000	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	MARINE SERVICES		
608	Nautical Services—Administration, Operation and Maintenance, including grants and contributions for the purposes indicated in the details of the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 306 of the Canada Shipping Act—Further amount required	57,000	
	Pilotage Service—		
609	Administration, Operation and Maintenance—Further amount required	5,000	
610	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	2,500	
	River St. Lawrence Ship Channel Service—		
611	Contract Dredging—Further amount required	1,529,361	
	RAILWAY AND STEAMSHIP SERVICES		
612	Construction or Acquisition of Auto-Ferry Vessels, as detailed in the Estimates—Further amount required	1,300,000	
613	Canadian National (West Indies) Steamships, Limited, Deficit, 1954—Additional amount in excess of the sum of $581,000 already appropriated to provide for the payment to the Canadian National (West Indies) Steamships, Limited (hereinafter called "The Company") of the deficit for the year ending December 31st, 1954, in the operations of the Company and the vessels under the control of the Company, as certified by the Auditors of the Company to the Minister of Finance and approved by the Minister of Transport—Further amount required	47,410	
614	Canadian National Railways Deficit, 1954—Amount required to provide for the payment during the fiscal year 1954-55, to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport, made by the National Company to the Minister of Finance, and to be applied by the National Company in payment of the system deficit (certified by the Auditors of the National Company) arising in the calendar year 1954, subject to recovery therefrom of accountable advances made to the National Company from the Consolidated Revenue Fund	28,758,098	
	AIR SERVICES		
	Meteorological Division		
615	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	45,000	
	Civil Aviation Division		
616	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates—Further amount required	60,000	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	A—Department—*Concluded*		
	Air Services—*Concluded*		
	Civil Aviation Division—*Concluded*		
617	Contributions, as detailed in the Estimates, to other Governments or International Agencies for the operation and maintenance of airports, air navigation and airway facilities, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of March, 1955—Further amount required	1,413	
	General		
618	To provide for the expenses of an inquiry, authorized pursuant to Part I of the Inquiries Act, into the application and effects of agreed charges authorized by the Board of Transport Commissioners for Canada under Part IV of the Transport Act	23,000	
619	To provide for reimbursement of the Department of Transport Stores Account for the value of stores which have become obsolete, unserviceable, lost or destroyed	11,335	
	B—General		
	Canadian Maritime Commission		
620	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	6,066	
			31,876,183
	VETERANS AFFAIRS		
621	Departmental Administration—Further amount required	39,738	
	War Veterans Allowances and Other Benefits		
622	War Veterans Allowances—Further amount required	921,500	
623	Assistance Fund (War Veterans Allowances)—Further amount required	50,000	
	Canadian Pension Commission		
624	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—Further amount required	865,000	
	Terminable Services		
625	Rehabilitation Benefits, including the Training of certain Pensioners under regulations approved by the Governor in Council—Further amount required	56,000	
			1,932,238
			50,788,243

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	CITIZENSHIP AND IMMIGRATION		
	Immigration Branch		
626	To provide, subject to regulations of the Treasury Board, for working capital advances in the current and subsequent fiscal years to posts and employees on posting abroad, and to authorize the creation of a special account in the Consolidated Revenue Fund to which shall be charged such advances and to which shall be credited expenditures made by and advances recovered from the said posts and employees, the excess of the amounts charged over the amounts credited to the account at any time not to exceed.....	230,000	
	FISHERIES		
627	To provide for advances to the Government of Nova Scotia (not to exceed $42,084) and to the Government of Prince Edward Island (not to exceed $74,257) in accordance with the terms of agreements to be entered into, with the approval of the Governor in Council, by the Government of Canada with each of the said governments; the advances to be seventy-five per cent of the loans made by each of the said governments for the purpose of replacing abnormal losses of equipment suffered by reason of severe weather conditions during the period February 1 to July 1, 1953.....	116,341	
	JUSTICE		
	Office of the Commissioner of Penitentiaries		
628	To authorize the operation of a revolving fund in accordance with Section 58 of the Financial Administration Act for the purposes of acquiring, managing and manufacturing materials used in industrial work done for: (a) government departments, and (b) penitentiaries including the Office of the Commissioner of Penitentiaries; the amount to be charged to the revolving fund at any time not to exceed.....	300,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
629	To authorize the operation of a revolving fund, in accordance with Section 58 of the Financial Administration Act, for the purpose of financing the purchase of stores to be used in construction projects at the new Aklavik site; and to authorize the charging to the revolving fund of expenditures already made for this purpose from Votes 324 and 695, Appropriation Act, No. 4, 1954; the amount to be charged to the revolving fund at any time not to exceed.....	500,000	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	TRANSPORT		
630	To extend the operation of the revolving fund authorized pursuant to subsection (2) of Section 101 of the Financial Administration Act for the purpose of acquiring, managing, manufacturing, producing, processing or dealing in stores or materials, the amount to be charged to the revolving fund at any time not to exceed $5,000,000; additional amount required	1,000,000	
	Railway and Steamship Services		
631	To authorize, on such terms and subject to such conditions as the Governor in Council may approve, the delivery to Her Majesty by Canadian National (West Indies) Steamships, Limited, of 16,000 shares of capital stock of the Company having a par value of $100 each in satisfaction of $1,600,000 of the loan made to the Company under Vote 764 of the Appropriation Act, No. 4, 1954	1	
	Air Services		
632	To provide for the acquisition of land required to control properties in the vicinity of main terminal airports in order to prevent the erection of hazards to flying and for future development of those airports—Further amount required	1,000,000	
			3,146,342
	Total		53,934,585

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 328.

An Act respecting Unemployment Insurance.

First reading, April 5, 1955.

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

51010

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 328.

An Act respecting Unemployment Insurance.

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

Short Title.

Short title.

1. This Act may be cited as the *Unemployment Insurance Act.*

Interpretation.

Definitions

2. In this Act,

"Advisory Committee."

(a) "Advisory Committee" means the Unemployment Insurance Advisory Committee established by this Act;

"Commission."

(b) "Commission" means the Unemployment Insurance Commission established by this Act;

"Contribution week."

(c) "contribution week" means a week for which contributions in respect of the earnings of an insured person during that week are payable and have been paid;

"Employer."

(d) "employer" includes a person who has been an employer;

"Excepted employment."

(e) "excepted employment" means employment specified in section 27;

"Fund."

(f) "Fund" means the Unemployment Insurance Fund established by this Act;

"Inspector."

(g) "inspector" means a person authorized to act as an inspector under this Act;

"Insurable employment."

(h) "insurable employment" means employment specified in section 25;

"Insured person."

(i) "insured person" means a person who is or has been employed in insurable employment;

"Labour dispute."

(j) "labour dispute" means any dispute between employers and employees, or between employees and employees, that is connected with the employment or

Explanatory Notes.

The *Unemployment Insurance Act* has been in force since July, 1941. It has been amended six times since that date but this Bill constitutes the first general revision of the Act. Its main purposes are:

1. to increase benefit rates as well as to provide for certain changes in the duration in both regular and seasonal benefits;
2. to adjust the contributions and to change contributions from a daily basis to a weekly earnings basis and benefit from a daily to a weekly basis;
3. to provide a graduated scale of allowable earnings in place of present provisions related to casual earnings and non-compensable day;
4. to change the enforcement provisions and provide for recourse to civil action for the recovery of amounts due to the Fund rather than proceeding by way of additional penalties imposed in the criminal courts;
5. to re-arrange the sections and the parts of the Act and to bring together all the provisions which deal with the same subject and to clarify the text.

The references below are to corresponding sections of the present Act, R.S.C., 1952, c. 273.

1. Sec. 1.

2. Sec. 2.

non-employment, or the terms or conditions of employment, of any persons;

"Minister." *(k)* "Minister" means the Minister of Labour;

"Umpire." *(l)* "umpire" includes a deputy umpire; and

"Week." *(m)* "week" means a period of seven consecutive days commencing on and including Sunday.

PART I.

ORGANIZATION.

Unemployment Insurance Commission.

Appointment.

Commission established. **3.** (1) There is hereby established a Commission called the "Unemployment Insurance Commission" consisting of three Commissioners, appointed by the Governor in Council, of whom one shall be Chief Commissioner.

Chief Commissioner and Commissioners. (2) One Commissioner, other than the Chief Commissioner, shall be appointed after consultation with organizations representative of workers and the other after consultation with organizations representative of employers.

Tenure of office. (3) The Chief Commissioner shall be appointed to hold office for a period of ten years, and each of the other Commissioners shall be appointed to hold office for a period not exceeding ten years.

Removal. (4) A Commissioner may be removed by the Governor in Council at any time for cause, and a Commissioner ceases to hold office upon attaining the age of sixty-five years.

Re-appointment. (5) A Commissioner whose term of office has expired is eligible for re-appointment, and a Commissioner who ceases to hold office by reason of his having attained the age of sixty-five years is eligible for re-appointment for one or more terms not exceeding one year each.

Absence or temporary incapacity. (6) In the event of the absence or temporary incapacity of a Commissioner the Governor in Council may appoint a person to act in his stead during such absence or incapacity.

Vacancy. (7) A vacancy on the Commission shall be filled within a period of four months after the vacancy arises.

3. Sec. 4.

Duties and Powers.

Duties of Commission.

4. The Commission shall administer this Act and shall assume and carry out such other duties and responsibilities as the Governor in Council, on the recommendation of the Minister, requires and, in respect of such other duties and responsibilities, is responsible to the Minister.

Meetings.

Quorum.

5. (1) Two Commissioners constitute a quorum and a vacancy on the Commission does not impair the right of the remaining Commissioners to act.

Majority.

(2) The decision of a majority of the Commissioners present at any meeting is the decision of the Commission, and in the event of a tie the Chief Commissioner has a casting vote.

Corporation.

Body corporate.

6. The Commission is a body corporate having capacity to contract and to sue and be sued in the name of the Commission.

Power to Acquire Personal Property.

Power to hold property.

7. The Commission has power, for the purposes of this Act, to acquire, hold and dispose of personal property.

Head Office.

Head office.

8. The head office of the Commission shall be in the City of Ottawa and each Commissioner shall reside in the City of Ottawa or within ten miles thereof.

Salaries.

Salaries.

9. The Commissioners shall be paid such salaries as are fixed by the Governor in Council, and they shall devote their whole time to the performance of the duties of their respective offices.

4. Sec. 97 (5).

5. Sec. 5.

6. Sec. 6.

7. Sec. 7.

8. Sec. 8.

9. Sec. 9.

Costs of Administration.

Costs of administration.

10. The costs of administration of this Act, including salaries and travelling and other allowances, shall be paid out of money appropriated by Parliament.

Establishment of Offices.

Offices.

11. (1) The Commission shall establish offices at such places as it considers desirable for the purposes of this Act.

Regional divisions.

(2) The Commission may establish such regional divisions as it considers desirable, and may establish a regional office within a regional division.

Control of offices.

(3) An office provided for under subsection (1) within a regional division may be directed and controlled by the Commission through the regional office within that division.

Staff.

Staff.

12. (1) The officers, clerks and other employees necessary for the proper conduct of the business of the Commission shall be appointed or employed under the provisions of the *Civil Service Act*.

Temporary staff.

(2) The Commission may temporarily employ technical or professional staff with the approval of the Treasury Board.

Commissioners for oaths.

13. A person appointed or employed pursuant to this Act who is authorized by the Commission for the purpose may, in the course of his employment, administer oaths and take and receive affidavits, declarations and affirmations for the purposes of or incidental to the administration or enforcement of this Act or the regulations, and every person so authorized has, with respect to any such oath, affidavit, declaration or affirmation, all the powers of a commissioner for taking affidavits.

Inspectors.

Inspectors.

14. The Commission may authorize any person to act as an inspector under this Act.

10. Sec. 11.

11. Sec. 98.

12. Sec. 10.

13. Sec. 12.

14. Sec. 76.

Certificate of authority.

15. The Commission shall furnish every inspector with a certificate of his authority to act as an inspector, and on applying for admission to any premises or place an inspector shall, if so required, produce the certificate to the person in charge thereof.

Insurance Officers.

Insurance officers.

16. The Commission may authorize any officers or employees appointed or employed pursuant to this Act to be insurance officers for the purposes of this Act.

Boards of Referees.

Boards of referees.

17. (1) There shall be boards of referees, consisting of one or more members chosen to represent employers, and an equal number of members chosen to represent insured persons, and a chairman.

Chairmen.

(2) Chairmen of boards of referees shall be appointed by the Governor in Council.

Panels from which members chosen.

(3) Panels of persons chosen to represent employers and insured persons shall be established by the Commission, and the members of the board of referees chosen to represent employers and insured persons shall be selected from those panels in such manner as the regulations made under this section prescribe.

Remuneration and allowances.

(4) There shall be paid such remuneration to the chairman and other members of a board of referees and such travelling, subsistence and other allowances, including compensation for loss of remunerative time, to a chairman or member of a board of referees or to any persons required to attend before the board, and such other expenses in connection with the operation of a board of referees as the Treasury Board approves.

Regulations.

(5) Subject to this section, the Commission may, with the approval of the Governor in Council, make regulations for the constitution of boards of referees, including the appointment of the members thereof, the number of members constituting a quorum, and the practice and procedure for proceedings before a board of referees.

15. Sec. 79.

16. Sec. 54.

17. Secs. 54 (2) and 55.

Umpire.

Umpire and deputy umpires.

18. (1) The Governor in Council may, from amongst the judges of the Exchequer Court of Canada and the superior courts of the provinces of Canada, appoint an umpire and such number of deputy umpires as he considers necessary for the purposes of this Act, and, subject to the provisions of this Act, may prescribe their jurisdiction.

Acting umpires.

(2) The Governor in Council may appoint persons to act in the place of the umpire in the event of his absence or incapacity.

Advisory Committee.

Advisory Committee.

19. (1) There shall be a committee, called the "Unemployment Insurance Advisory Committee", consisting of a chairman and not less than six nor more than eight other members, appointed by the Governor in Council to hold office during pleasure.

Employer and employee representation.

(2) At least one of the members of the Advisory Committee, other than the chairman, shall be appointed after consultation with organizations representative of workers and an equal number after consultation with organizations representative of employers.

Ineligibility of members of parliament, etc.

(3) No senator or member of the House of Commons and no member of the legislative council or the legislative assembly of any province of Canada is eligible to be a member of or to act on the Advisory Committee.

Absence or incapacity.

(4) In the event of absence or temporary incapacity of any member of the Advisory Committee the Governor in Council may appoint a person to act in his stead during such absence or incapacity.

Quorum.

(5) A majority of the members of the Advisory Committee constitutes a quorum, and a vacancy on the membership of the Advisory Committee does not impair the right of the remaining members to act.

Rules.

(6) The Advisory Committee may make rules for regulating the practice and procedure before the Committee.

Remuneration and allowances.

(7) Each member of the Advisory Committee shall be paid such remuneration and travelling allowances in connection with the work of the Committee as are approved by the Treasury Board.

Professional and technical assistance.

(8) The Minister may provide the Advisory Committee with professional, technical, secretarial, and other assistance, but no such assistance shall be provided otherwise than from the public service without the approval of the Treasury Board.

18. Sec. 54(3)(4).

19. Secs. 85 and 86.

Commission to make information available.

(9) The Commission shall make available to the Advisory Committee such information as the Committee reasonably requires for the proper discharge of its functions.

Investment Committee.

Investment Committee.

20. Investment transactions under section 85 shall be made only on the authorization of an Investment Committee of three members consisting of

(a) one member nominated by the Minister,

(b) one member nominated by the Minister of Finance, and

(c) the Governor of the Bank of Canada, or, in the event of his absence or incapacity, the Deputy Governor or other person having authority to act as Governor for the time being.

National Employment Committee.

National Employment Committee.

21. (1) The Commission may establish a committee to be called the "National Employment Committee", and such other committees as the Commission considers desirable, for the purpose of advising and assisting the Commission in carrying out the functions of the employment service.

Employer and employee representation.

(2) A committee established under subsection (1) shall include members chosen after consultation with organizations representative of workers and an equal number of members chosen after consultation with organizations representative of employers.

Remuneration and allowances.

(3) Each member of a committee established under subsection (1) shall be paid such remuneration and travelling allowances in connection with the work of his committee as are approved by the Treasury Board.

PART II.

EMPLOYMENT SERVICE.

Organization of Employment Service.

National Employment Service.

22. (1) The Commission shall organize and maintain a national employment service to assist workers to find suitable employment and employers to find suitable workers.

20. Sec. 81(3).

21. Sec. 99.

22. Secs. 97 and 98.

Duties of Commission.

(2) It is the duty of the Commission in organizing and maintaining the employment service,

(a) to collect information concerning employment for workers and workers seeking employment and, to the extent the Commission considers it necessary, to make such information available at its offices, with a view to assisting workers to obtain employment for which they are fitted and assisting employers to obtain workers most suitable to their needs, and

(b) to ensure that in referring a worker seeking employment there is no discrimination because of race, national origin, colour, religion or political affiliation, but nothing in this paragraph shall be construed to prohibit the national employment service from giving effect to any limitation, specification or preference based upon a *bona fide* occupational qualification.

Duties of regional offices.

(3) The regional office within a regional division shall collect and distribute to the offices in the division information concerning employers seeking workers and workers seeking employment.

Co-ordination of services of regional offices.

(4) The Commission shall co-ordinate the services of the regional offices so that the information obtained in any division is available to workers and employers in other divisions.

Responsibility to Minister

(5) The Commission is responsible to the Minister in respect of the administration of this Part.

REGULATIONS.

Regulations.

23. The Commission may, with the approval of the Governor in Council, make regulations,

(a) defining the functions and scope of the employment service and the principles to be applied in carrying out the duties of the Commission under this Part;

(b) for obtaining information respecting persons seeking employment and persons who have engaged or require employees or whose employees have left or are about to leave their employment; and

(c) for regulating, prohibiting and licensing employment services carried on or operated by or on behalf of any person or agency, other than the Government of Canada or the government of a province.

Loans to workers.

24. (1) The Commission may make regulations authorizing advances by way of loan towards meeting the expenses of workers travelling to places where employment has been found for them.

Debt due to Her Majesty.

(2) An advance made under this section is a debt due to Her Majesty.

Liability for repayment.

(3) An advance under this section may be made at the request of the employer or the worker, and the person on whose application the advance is made is liable to repay

23. Sec. 108*(o)(p)(t)*.

24. Sec. 100.

the advance and give such undertaking with respect to repayment thereof as the Commission by regulation prescribes.

To be made out of appropriations.

(4) Advances under this section shall be made out of money appropriated by Parliament for that purpose, but any advance or part thereof repaid in the same fiscal year in which the advance was made may be again advanced within that fiscal year without a further appropriation by Parliament.

PART III.

UNEMPLOYMENT INSURANCE.

Coverage.

Insurable Employment.

Insurable employment.

25. Insurable employment is employment that is not included in excepted employment and is

(a) employment in Canada, by one or more employers, under any express or implied contract of service or apprenticeship, written or oral, whether the employed person is remunerated by the employer or some other person, by time or by the piece, or partly by time and partly by the piece, or otherwise;

(b) employment in Canada as described in paragraph *(a)* under Her Majesty in right of Canada; or

(c) employment included in insurable employment under section 26.

Regulations.

Regulations.

26. (1) The Commission may, with the approval of the Governor in Council, make regulations for including in insurable employment,

(a) any excepted employment;

(b) any employment outside Canada or partly outside Canada, being employment that would be insurable employment if it were in Canada;

(c) the entire employment of a person who is engaged under one employer partly in insurable employment and partly in other employment; and

(d) any employment if it appears to the Commission that the nature of the work performed by persons employed in that employment is similar to the nature of the work performed by persons employed in insurable employment.

25. Sec. 14 and Schedule Part I.

26. Secs. 89, 108 and Schedule.

Idem.

(2) The Commission may make regulations for including in insurable employment,

(a) with the consent of the government of the province, employment in Canada under Her Majesty in right of a province;

(b) with the consent of the employing government, employment in Canada under the government of any country other than Canada; and

(c) with the consent of the employer, employment in a hospital that is not operated for the purpose of gain or in a charitable institution.

Election to continue as insured person.

(3) An insured person in respect of whom there are at least thirty contribution weeks within the period of one hundred and four weeks immediately preceding the most recent Sunday before the day on which his employment became excepted by reason only of paragraph *(q)* of section 27 may elect to continue as an insured person.

Excepted Employment.

Excepted employment.

27. Excepted employment is

(a) employment in agriculture, horticulture and forestry;

(b) employment in fishing;

(c) employment in hunting and trapping;

(d) employment in a hospital not carried on for purpose of gain;

(e) employment in a charitable institution;

(f) employment as a member of the Canadian Forces;

(g) employment as a member of the police forces of Canada, a province or a municipality;

(h) employment for which the employed person is paid for playing any game;

(i) employment as a teacher, whether engaged in a school, college, university or institution or in a private capacity;

(j) employment as a private duty nurse;

(k) employment in domestic service except where the employed person is employed in a trade or business carried on for the purpose of gain or is employed in a club;

(l) employment where the person employed is the husband or wife of the employer;

(m) employment for which no wages, salary or other pecuniary remuneration is paid, where the person employed is the child of, or is maintained by, the employer;

(n) employment by a corporation, of a person

(i) who is the *bona fide* registered owner of more than half of the shares of the corporation that carry voting rights, or

27. Schedule Part II.

(ii) who is a director and holds the position of an officer of the corporation, if such person actually performs the functions and duties of that position;

(o) employment as an agent paid by commission or fees or a share of the profits, or partly in one and partly in another of such ways, where the person so employed is mainly dependent for his livelihood on his earnings from some other occupation, or where he is ordinarily employed as such agent by more than one employer and his employment under no one of such employers is that on which he is mainly dependent for his livelihood;

(p) employment of a casual nature otherwise than for the purpose of the employer's trade or business;

(q) employment in one or more employments at a rate or an aggregate rate of remuneration under which the earnings of the insured person exceed four thousand eight hundred dollars a year, other than

(i) employment at an hourly, daily, piece, mileage or other rate per unit of work accomplished or service rendered, and

(ii) employment of a person in respect of whom an election was made under subsection (3) of section 26;

(r) employment in Canada under Her Majesty in right of a province or the government of any country other than Canada; and

(s) any employment excepted from insurable employment under section 28.

Regulations.

Regulations.

28. (1) The Commission may, with the approval of the Governor in Council, make regulations for excepting from insurable employment

(a) any employment if it appears to the Commission that by reason of the laws of any country other than Canada a duplication of contributions or benefits will result;

(b) any employment under Her Majesty in right of Canada or under any municipal or public authority;

(c) any employment in an area in which there is inconsiderable insurable employment;

(d) the entire employment of a person who is engaged under one employer partly in insurable employment and partly in other employment; and

(e) any employment, if it appears to the Commission that the nature of the work performed by persons employed in that employment is similar to the nature of the work performed by persons employed in employment that is not insurable.

28. Secs. 15, 17, 18, 108*(s)* and Schedule.

Idem.

(2) The Commission may make regulations,

(a) for excepting from insurable employment any employment in which persons are ordinarily employed to an inconsiderable extent;

(b) respecting the time and manner of making and revoking elections under subsection (3) of section 26; and

(c) for determining or predetermining the remuneration of employed persons for the purposes of paragraph *(q)* of section 27.

Extent of authority to make regulations.

29. A regulation made under section 26 or 28 may be conditional or unconditional, qualified or unqualified, and may be general or restricted to a specified area, a person or a group or class of persons, and the authority conferred by those sections to make regulations includes authority to make such other regulations and such modifications and adaptations of the provisions of this Act as are necessary to give effect to the regulations made under those sections.

Determination of Questions.

Decisions of Commission.

30. Subject to an appeal to the umpire as provided in this Act, a decision of the Commission

(a) that any employment or any class of employment is or was insurable, or that a person is an insured person,

(b) that a person is the employer of any insured person, or

(c) that during any period falling within the periods specified in section 45, a person was or was not employed

(i) in employment that was not insurable, or

(ii) in insurable employment in respect of which contributions were not payable,

is final and is not subject to appeal to or review by any court.

Appeal to umpire.

31. A person aggrieved by a decision of the Commission under section 30 may appeal from the decision to the umpire within thirty days from the day on which the decision is communicated to him or within such longer period as the umpire allows.

Amendment of decision.

32. The Commission or the umpire may on new facts rescind or amend a decision given by it or him, as the case may be, under this Act.

29. Secs. 15(2), 17, 89(2), 108.

30. Sec. 47.

31. Sec. 48.

32. Sec. 49.

Reference.

33. The Commission may refer any question mentioned in section 30 to the umpire for decision.

Decision of umpire.

34. (1) On an appeal from a decision of the Commission the umpire may direct the Commission to reconsider or rehear the case either generally or on any particular issue, and may withhold his decision pending the decision of the Commission.

Final.

(2) The decision of the umpire on any appeal under section 31 or a reference under section 33 is final and is not subject to appeal to or review by any court.

Decision whether person insured.

35. In determining whether any employment is or was insurable, regard shall be had to the nature of the work rather than to the business of the employer.

Procedure.

36. (1) The Commission may make regulations respecting the determination of the questions mentioned in section 30.

Expenses of witnesses.

(2) Any person required by the Commission or the umpire to attend before the Commission or the umpire, as the case may be, shall be paid such travelling and other allowances, including compensation for loss of remunerative time, as are approved by the Treasury Board.

Contributions.

Payment of Contributions.

Contributions.

37. (1) Every employer shall for every week during which an insured person is employed by him in insurable employment pay, in respect of that person,

(a) a contribution on behalf of the insured person equal to the amount set out in column 2 of the Schedule to this section opposite the range of earnings in column 1 of that Schedule within which the earnings of the insured person from that employer for that week fall, and

(b) a contribution by the employer on his own behalf equal to the contribution payable on behalf of the insured person under paragraph *(a)*.

33. Sec. 50.

34. Secs. 48(2), 63.

35. Sec. 52.

36. Sec. 53.

37. Secs. 19, 20.

SCHEDULE.

Rates of Contribution.

Column 1	Column 2
Range of Earnings	Weekly Contribution Cents
Less than $9.00	8
$ 9.00 and under $15.00	16
15.00 and under 21.00	24
21.00 and under 27.00	30
27.00 and under 33.00	36
33.00 and under 39.00	42
39.00 and under 45.00	48
45.00 and under 51.00	52
51.00 and under 57.00	56
57.00 and over	60

Where two or more employers.

(2) The Commission with the approval of the Governor in Council may make regulations prescribing the amount of contributions payable by each employer where during any week an insured person is employed in insurable employment by two or more employers.

Employee contributions recoverable from wages.

38. (1) The contribution paid or payable by an employer on behalf of an insured person may, notwithstanding any Act or contract, be recovered by withholding the amount thereof from the wages of the insured person, but, except as provided in the regulations made under section 42, no contribution shall be withheld from wages other than the contribution payable for the period in respect of which the wages were payable.

Where wages paid by third party.

(2) Where an insured person does not receive wages from his employer but receives wages from some other person, the amount of the contributions paid by the employer in respect of the insured person is recoverable by the employer from such other person, if proceedings for the recovery thereof are instituted within three months from the day on which the contribution was payable.

Where no wages.

(3) Where an insured person does not receive wages from his employer or any other person, the employer is not entitled to recover from the insured person any contributions paid or payable by him on behalf of the insured person.

"Wages" defined.

(4) For the purposes of this Part, "wages" includes salary and any other pecuniary remuneration.

38. Sec. 21.

Employer's contribution not recoverable.

39. Notwithstanding any contract, an employer is not entitled to recover from an insured person the contributions payable by the employer on his own behalf, either by withholding the amount thereof from the wages of such person or otherwise, except that where the insured person has continued as an insured person by virtue of an election made under subsection (3) of section 26, recovery may be made as in the case of contributions on behalf of insured persons.

Employee contributions held in trust.

40. (1) Where an employer has withheld from the wages of an insured person employed by him the amount of any contribution payable by the employer on behalf of the insured person but has not paid the contribution as required by this Act or the regulations, the employer shall be deemed to hold the amount so withheld in trust for Her Majesty.

Separate from estate in bankruptcy, etc.

(2) In the event of any liquidation, assignment or bankruptcy of an employer, an amount equal to the amount that by subsection (1) is deemed to be held in trust for Her Majesty shall be deemed to be separate from and to form no part of the estate in liquidation, assignment or bankruptcy.

Application of payments.

(3) A payment made by an employer shall be applied first in payment of the contributions payable by him on behalf of insured persons employed by him in insurable employment and, secondly, in payment of the contributions payable by him on his own behalf.

Determination of Questions.

Decisions of Commission.

41. (1) Subject to subsection (2), a decision of the Commission as to what contributions are payable in respect of any person or class of persons is final and is not subject to appeal to or review by any court.

Appeal sections applicable.

(2) Sections 31 to 36 apply to any decision under this section.

Regulations.

Regulations.

42. The Commission may make regulations,

(a) for permitting an employer to recover contributions, paid on behalf of insured persons, otherwise than from the wages for the period in respect of which the contributions were payable;

(b) providing that in any case or class of cases where insured persons

(i) work under the general control or direct supervision of or are paid by, some person other than their actual employer, or

39. Sec. 23.

40. Sec. 25.

41. Sec. 47.

42. Secs. 21(1), 22, 26, 28, 35, 74 and 108.

(ii) work with the concurrence of some person other than their actual employer on premises or property owned or occupied by that person, or on premises or property with respect to which that person has any rights or privileges under a license, permit or agreement,

such other person shall for the purposes of paying contributions under this Act be deemed to be the employer of such insured persons in addition to the actual employer, and providing for the payment and recovery of contributions paid in respect of such insured persons;

(c) providing for the return of contributions erroneously paid, less any benefits paid by reason thereof;

(d) for allocating to particular insured persons payments of contributions made by an employer;

(e) prescribing the cases in which contributions payable may be deemed to have been paid for the purposes of paragraph *(c)* of section 2;

(f) for defining and determining "earnings" and "pay period" and for the allocation of earnings and contributions to pay periods and to weeks;

(g) for establishing and determining the amount of earnings of insured persons and the amount of contributions payable;

(h) prescribing the times when contributions shall be paid and recorded;

(i) for writing-off unpaid contributions;

(j) for determining the earnings and contributions paid or payable in respect of one or more employees of an employer who has failed to keep books, records or accounts as required under this Act; and

(k) providing that contributions are not payable under this Act where contributions otherwise payable were not paid by reason of a false statement or misrepresentation by an insured person.

Regulations.

43. (1) The Commission may, with the approval of the Governor in Council, make regulations,

(a) providing for the payment of contributions by means of stamps affixed to or impressed upon books or cards or otherwise, and for the preparation and issue, redemption and exchange of such stamps or devices for impressing stamps;

(b) prescribing and regulating the manner and conditions in and under which contributions shall be paid and recorded;

(c) respecting the entry in or upon insurance books or cards of particulars of contributions and benefits paid in respect of the persons to whom the insurance books or cards relate;

43. Secs. 19(5), 27, 28, 108.

(d) respecting the issue, sale, custody, production and surrender of insurance books or cards and the replacement of insurance books or cards that have been lost, destroyed or defaced;

(e) providing for the payment of rewards for the return of lost insurance books or cards, and for the recovery from the person responsible for the custody of the book or card at the time of its loss of any reward paid for the return thereof;

(f) for regulating the possession, custody or control of insurance cards, insurance books, unemployment insurance stamps or other documents or things used in the administration of this Act;

(g) requiring employers to make deposits to secure payment of contributions;

(h) for imposing pecuniary penalties on employers who fail to make returns or pay contributions or keep records as required under this Act and for remitting such penalties;

(i) for the registration of employees and employers; and

(j) prescribing contribution rates for periods other than a week on a basis substantially equivalent to the rates set out in section 37, and determining the corresponding weekly rates of contribution for the purposes of this Act.

Penalties.

(2) Any penalties imposed under paragraph *(h)* of subsection (1) are payable by employers and recoverable from employers in the same manner as contributions, but are not recoverable from employees and are in addition to any other penalties imposed by this Act.

Benefits.

Benefit Period.

Benefit period.

44. Benefits are payable as provided in this Act in respect of a benefit period established in respect of an insured person.

How established.

45. (1) A benefit period in respect of an insured person is established when, upon making a claim for benefit, he proves

(a) that within the period of one hundred and four weeks immediately preceding the most recent Sunday before the day on which he makes the claim he had at least thirty contribution weeks, and

(b) that at least eight of the contribution weeks referred to in paragraph *(a)* were

(i) in the period of fifty-two weeks immediately preceding the most recent Sunday before the day on which he makes the claim, or

45. Sec. 30.

(ii) in the period since the commencement of the immediately preceding benefit period, if any, whichever is the shorter period.

Use of qualification periods of previous benefit period.

(2) Where an insured person in respect of whom a benefit period was established claims benefit in respect of a subsequent benefit period, any contribution week that is within the one hundred and four weeks immediately before the commencement of the previous benefit period and is more than fifty-two weeks before the commencement of the subsequent benefit period shall not be included as one of the thirty contribution weeks required to establish the subsequent benefit period or as a contribution week for the purposes of sections 47 and 48.

Extension of qualification periods.

(3) Where an insured person proves in the manner prescribed by regulations of the Commission that during any period mentioned in subsection (1) or (2) contributions were not payable in respect of him for the reason that he was for any time

(a) incapacitated for work by reason of some specific disease or bodily or mental disablement,

(b) employed in employment that was not insurable,

(c) employed in insurable employment in respect of which contributions were not payable, or

(d) not working by reason of a stoppage of work owing to a labour dispute at the place of his employment,

that period shall, for the purposes of this section and sections 47 and 48, be increased by the aggregate of any such times.

Idem.

(4) Where an insured person proves in the manner prescribed by regulations of the Commission that during any increase to a period mentioned in subsection (3) contributions were not payable in respect of him for any of the reasons specified in subsection (3), that period shall, for the purposes of this section and sections 47 and 48, be further increased by the aggregate of those times during which contributions were not payable.

Benefit periods excluded.

(5) For the purposes of subsections (3) and (4), the time during which contributions were not payable does not include any time during which the insured person was in receipt of benefit or seasonal benefit.

Limitation.

(6) The aggregate of any period and the total increases made to that period under this section shall not exceed two hundred and eight weeks.

Certain contribution weeks to count as half.

(7) In computing the number of contribution weeks and the average of weekly contributions for any purpose under this Act, a contribution week during which the earnings of an insured person were less than nine dollars shall be counted as one-half.

Duration of benefit period.

46. (1) Subject to this section, a benefit period in respect of an insured person is a period of fifty-two weeks commencing with and including the week in which the benefit period was established.

Commencement.

(2) A benefit period does not commence until the previous benefit period, if any, has terminated.

Ante-date.

(3) Where an insured person makes a claim for benefit on a day later than the day he was first qualified to make the claim and shows good cause for the delay, the claim may, as prescribed by regulation of the Commission, be regarded as having been made on a day earlier than the day on which it was made.

Cancellation.

(4) Where a benefit period has been established in respect of an insured person but benefit is not payable or has not been paid in respect of that benefit period, the benefit period may, as prescribed by regulation of the Commission, be regarded as not having commenced.

Termination.

(5) A benefit period is terminated

(a) when the insured person exhausts his benefit rights with respect thereto prior to the time it would otherwise expire, or

(b) under such circumstances as are prescribed by regulations made by the Commission.

Rates of Benefit.

Rates of benefit.

47. (1) Where the average of the weekly contributions of an insured person is within a range of average weekly contributions set out in column 1 of the Schedule to this subsection, the weekly rate of benefit for a benefit period established in respect of that person is the rate set out opposite to such range in column 2 of that Schedule if he has no dependant or in column 3 of that Schedule if he has a dependant.

46. Sec. 38.

47. Sec. 33.

SCHEDULE.

Rates of Benefit.

Range of Average Weekly Contributions	Weekly Rate of Benefit	
Column 1	Column 2	Column 3
Cents	Person Without Dependant	Person With Dependant
Less than 20	$ 6.00	$ 8.00
20 and under 27	9.00	12.00
27 and under 33	11.00	15.00
33 and under 39	13.00	18.00
39 and under 45	15.00	21.00
45 and under 50	17.00	24.00
50 and under 54	19.00	26.00
54 and under 58	21.00	28.00
58 to 60	23.00	30.00

Average weekly contributions.

(2) For the purpose of this section the average of the weekly contributions of an insured person is the average of the contributions paid on his behalf under paragraph *(a)* of subsection (1) of section 37 for the most recent thirty contribution weeks during the one hundred and four weeks immediately before the commencement of the benefit period.

Dependant.

(3) For the purposes of this section,

(a) a person with a dependant is

(i) a man whose wife is being maintained wholly or mainly by him,

(ii) a married woman who has a husband dependent on her,

(iii) a person who maintains wholly or mainly one or more children under the age of sixteen years, and

(iv) a person who maintains a self-contained domestic establishment and supports therein, wholly or mainly, a person connected with him by blood relationship, marriage or adoption;

(b) a child means a child of the insured person and includes his stepchild, adopted child or illegitimate child; and

(c) a person who does not reside in Canada is not a dependant, except as otherwise prescribed by regulations made by the Commission.

Duration of Benefit.

Maximum benefits.

48. (1) No person shall, in respect of any benefit period, be paid benefits in excess of

(a) thirty times the weekly rate applicable to him, or

(b) the weekly rate applicable to him multiplied by one-half of the number of his contribution weeks within the period described in paragraph *(a)* of subsection (1) of section 45,

whichever is the lesser amount.

Fractions.

(2) Where one-half of the number of the contribution weeks referred to in paragraph *(b)* of subsection (1) results in a fraction, the fraction shall be taken as one.

Seasonal Benefits.

Seasonal benefit period.

49. Seasonal benefits are payable as provided in this Act in respect of a seasonal benefit period established in respect of an insured person who does not meet the requirements of subsection (1) of section 45.

How established.

50. A seasonal benefit period in respect of an insured person is established when, upon making a claim for benefit on or after the 1st day of December but before the 15th day of April next following, he proves that he is

(a) a person who had at least fifteen contribution weeks subsequent to the most recent Saturday preceding the 31st day of March immediately before the day on which he makes the claim, or

(b) a person whose most recent benefit period terminated after the 15th day of April immediately preceding the day on which he makes the claim, and who has complied with such other conditions as are prescribed by regulations made by the Commission with the approval of the Governor in Council.

Duration of period.

51. (1) A seasonal benefit period in respect of an insured person who makes his claim on or after the 1st day of December but before the 1st day of January next following, is the period commencing with and including the week in which such 1st day of January falls, and ending with and including the week in which the 15th day of April next following falls.

Idem.

(2) A seasonal benefit period in respect of an insured person who makes his claim on or after the 1st day of January is the period commencing with and including the week in which the seasonal benefit period in relation to him was established and ending with and including the week in which the 15th day of April next following falls.

48. Sec. 32.

49. Sec. 91.

50. Sec. 92.

51. Secs. 93 and 94(1).

Only one period between Dec. 1st. and April 15th.

52. Not more than one seasonal benefit period may be established in respect of an insured person during the period commencing on the 1st day of December and ending on the 15th day of April next following.

Application of Act.

53. (1) Subject to this section, all the provisions of this Act respecting benefit periods and benefits apply in respect of seasonal benefit periods and seasonal benefits respectively, except section 44, subsections (1), (3), (4), (5) and (6) of section 45, subsection (1) of section 46, subsection (2) of section 47, section 48, paragraph *(b)* of section 50, and section 121.

Rates of benefit.

(2) For the purposes of subsection (1) of section 47

(a) the average of the weekly contributions of a person coming within paragraph *(a)* of section 50 is the average of the weekly contributions paid on his behalf under paragraph *(a)* of subsection (1) of section 37 for the contribution weeks subsequent to the Saturday referred to in paragraph *(a)* of section 50, and

(b) the benefit rate of a person coming within paragraph *(b)* of section 50 is his benefit rate for the benefit period referred to in paragraph *(b)* of section 50.

Maximum benefit.

(3) A person coming within paragraph *(a)* of section 50 shall not be paid seasonal benefits in excess of

(a) the weekly rate applicable to him multiplied by the number of weeks in his seasonal benefit period, or

(b) the weekly rate applicable to him multiplied by two-thirds of the number of his contribution weeks subsequent to the Saturday referred to in paragraph *(a)* of section 50,

whichever is the lesser amount.

Fractional weeks.

(4) For the purposes of paragraph *(b)* of subsection (3), where two-thirds of the number of the contribution weeks therein referred to results in a fraction, a fraction less than one-half shall be disregarded and a fraction of one-half or more shall be taken as one.

Maximum benefit.

(5) A person coming within paragraph *(b)* of section 50 shall not be paid seasonal benefits in excess of

(a) the weekly rate applicable to him multiplied by the number of weeks in his seasonal benefit period, or

(b) fifteen times the weekly rate applicable to him,

whichever is the lesser amount.

52. Sec. 94.

53. Secs. 93(2), 94, 95.

Payment of Benefit.

Conditions of benefit.

54. (1) Subject to this Act, where an insured person in respect of whom a benefit period has been established proves that he was unemployed during any week in the benefit period, he is entitled to be paid benefit in respect of his unemployment during that week at the weekly rate applicable to him under section 47.

Disqualification.

(2) An insured person is disqualified from receiving benefit in respect of every day for which he fails to prove that he was

(a) capable of and available for work, and

(b) unable to obtain suitable employment.

Waiting period.

55. (1) Except as otherwise prescribed by regulation of the Commission, an insured person is not entitled to receive benefit in respect of a benefit period until the expiration of a waiting period commencing with the day on which the benefit period was established and ending on the day that, but for this section, benefits in respect of that benefit period equal to the weekly benefit rate would have accrued.

For certain seasonal benefit periods.

(2) Where an insured person has established a seasonal benefit period described in subsection (1) of section 51, the seasonal benefit period shall, for the purposes of subsection (1) of this section, be deemed to have commenced with the week in which the claim was made.

Deductions.

56. There shall be deducted from the weekly benefit of an insured person the amount of his weekly earnings in excess of the amount set out in column 3 of the Schedule to this section opposite

(a) his weekly benefit rate in column 1 of that Schedule, if he has no dependant, or

(b) his weekly benefit rate in column 2 of that Schedule, if he has a dependant.

SCHEDULE.

Weekly Benefits		Earnings not deducted
Column 1	Column 2	Column 3
$ 6.00	$ 8.00	$ 2.00
9.00	12.00	3.00
11.00	15.00	4.00
13.00	18.00	5.00
15.00	21.00	6.00
17.00	24.00	7.00
19.00	26.00	9.00
21.00	28.00	11.00
23.00	30.00	13.00

54. Sec. 29.

55. Secs. 37, 94(3).

56. Sec. 31(2)*(a)*.

Unemployment.

57. (1) For the purposes of this Act, a person is unemployed during a week if he does not work a full working week.

Not unemployed.

(2) No person is unemployed during a week by reason only that he does not work

(a) on a Sunday, unless the Commission by regulation otherwise prescribes;

(b) on a holiday or non-working day for his grade, class or shift in the occupation or at the factory, workshop or other premises at which he is employed, unless otherwise prescribed by regulations made by the Commission; or

(c) on any day of a week during which he works the full working week.

Unemployed.

(3) An insured person is unemployed and available for work within the meaning of this Act during any period he is attending a course of instruction or training that the Commission has directed him to attend or during such other period in such circumstances as are prescribed by regulations of the Commission.

Benefits not assignable, etc.

58. Benefits are not capable of being assigned, charged, attached, anticipated or given as security and any transaction purporting to assign, charge, attach, anticipate or give as security any benefits is void, except that any amounts payable under this Act by any person and required to be credited to the Fund may be recovered out of any benefits payable to that person, without prejudice to any other mode of recovery.

Disqualifications.

Disqualifications for neglecting, etc., employment opportunities.

59. (1) An insured person is disqualified from receiving benefit if he has without good cause,

(a) after becoming aware that a situation in suitable employment is vacant or about to become vacant, refused or failed to apply for such situation or failed to accept such situation when offered to him;

(b) neglected to avail himself of an opportunity of suitable employment;

(c) failed to carry out any written direction given to him by an officer of the Commission with a view to assisting him to find suitable employment, being a direction that was reasonable having regard both to his circumstances and to the usual means of obtaining that employment; or

(d) failed to attend a course of instruction or training that the Commission directed him to attend for the purpose of becoming or keeping fit for entry into or return to employment.

57. Sec. 31.

58. Sec. 39.

59. Sec. 42.

Employment not suitable.

(2) For the purposes of this section, but subject to subsection (3), employment is not suitable employment for a claimant if it is

(a) employment arising in consequence of a stoppage of work attributable to a labour dispute;

(b) employment in his usual occupation either at a lower rate of earnings or on conditions less favourable than those observed by agreement between employers and employees, or in the absence of any such agreement, than those recognized by good employers; or

(c) employment of a kind other than employment in his usual occupation either at a lower rate of earnings or on conditions less favourable than those that he might reasonably expect to obtain, having regard to those that he habitually obtained in his usual occupation, or would have obtained had he continued to be so employed.

Suitable employment.

(3) After a lapse of a reasonable interval from the date on which an insured person becomes unemployed, paragraph *(c)* of subsection (2) does not apply to the employment described therein if it is employment at a rate of earnings not lower and on conditions not less favourable than those observed by agreement between employees and employers or, in the absence of any such agreement, than those recognized by good employers.

Loss of employment through misconduct.

60. (1) An insured person is disqualified from receiving benefit if he lost his employment by reason of his own misconduct or if he voluntarily left his employment without just cause.

Definition.

(2) For the purposes of this section, loss of employment by reason of misconduct does not include loss of employment on account of membership in, or lawful activity connected with, any association, organization or union of workers.

Exception.

61. Notwithstanding anything in this Act, no insured person is disqualified from receiving benefit by reason only of his leaving or refusing to accept employment if by remaining in or accepting the employment he would lose the right

(a) to become a member of,

(b) to continue to be a member and to observe the lawful rules of, or

(c) to refrain from becoming a member of

any association, organization or union of workers.

Period of disqualification.

62. Where an insured person is disqualified from receiving benefit under section 59 or 60, the period of disqualification shall be for such period, not exceeding six weeks, as is determined by the insurance officer, board of referees or umpire.

60. Sec. 43.

61. Sec. 45.

62. Sec. 46.

Work stoppage.

63. (1) An insured person who has lost his employment by reason of a stoppage of work attributable to a labour dispute at the factory, workshop or other premises at which he was employed, is disqualified from receiving benefit until

(a) the termination of the stoppage of work,

(b) he becomes *bona fide* employed elsewhere in the occupation that he usually follows, or

(c) he has become regularly engaged in some other occupation,

whichever event first occurs.

Exception.

(2) An insured person is not disqualified under this section if he proves that

(a) he is not participating in, or financing or directly interested in the labour dispute that caused the stoppage of work, and

(b) he does not belong to a grade or class of workers that, immediately before the commencement of the stoppage, included members who were employed at the premises at which the stoppage is taking place and are participating in, financing or directly interested in the dispute.

Separate businesses.

(3) Where separate branches of work that are commonly carried on as separate businesses in separate premises are carried on in separate departments on the same premises, each department shall, for the purpose of this section, be deemed to be a separate factory or workshop.

Inmate of public institution.

64. An insured person is disqualified from receiving benefit while he is an inmate of any prison or penitentiary or an institution supported wholly or partly out of public funds or, while he is resident, whether temporarily or permanently, out of Canada, unless otherwise prescribed by regulations made by the Commission.

False statement.

65. Where an insurance officer becomes aware of facts that in his opinion establish that an insured person or any person on his behalf has, for the purpose of obtaining benefit under this Act, made a false statement or misrepresentation, the insurance officer may declare the insured person to be disqualified from receiving benefits after such day as the insurance officer may determine, in such amount as the insurance officer may fix but not exceeding six times the insured person's weekly rate of benefit, and the amount so fixed shall be deducted

(a) from the first benefits otherwise payable to the insured person after such day, and

(b) from the maximum benefits prescribed by section 48 or 53, as the case may be.

63. Sec. 41.

64. Sec. 44.

65. Sec. 46(2).

Illness.

66. No person who has become entitled to receive benefit and subsequently, while he otherwise continues to be so entitled, becomes incapable of work by reason of illness, injury or quarantine, is disqualified from receiving benefit by reason only of such illness, injury or quarantine, but an insured person who has lost his employment or has ceased to work by reason of illness, injury or quarantine is disqualified from receiving benefit for the duration of the illness, injury or quarantine.

Regulations.

Regulations.

67. (1) The Commission may, with the approval of the Governor in Council, make regulations,

(a) providing for the payment of benefit to any person or agency on behalf of deceased or incapacitated persons or persons of unsound mind;

(b) for taking into account in determining benefit rights, contributions erroneously paid;

(c) imposing additional conditions and terms with respect to contributions and the payment thereof and with respect to the receipt of benefit, restricting the amount or period of benefit and making modifications in the provisions of this Act relating to the determination of claims for benefit, in relation to persons

(i) who habitually work for less than a full working week,

(ii) who work or have worked for only part of a year in an industry or occupation that the Commission declares to be seasonal,

(iii) who by custom of their occupation, trade or industry or pursuant to their agreement with an employer are paid, in whole or in part, by the piece or on a basis other than time, or

(iv) who are married women.

Scope of regulations.

(2) Regulations made under paragraph *(c)* of subsection (1) may be applicable

(a) either generally or in a specified area; and

(b) to all classes to which paragraph *(c)* of subsection (1) applies or one or more of them, to a particular class or a portion of a class or to an industry or a portion of an industry.

Regulations.

(3) The Commission may make regulations,

(a) for the ratification or writing-off of amounts paid to a person by way of benefit while he was not entitled thereto;

66. Sec. 29(3).

67. Secs. 29(2), 35, 40.

(b) for defining "adopted child" and the words and expressions in subparagraphs (i) to (iv) of paragraph *(a)* of subsection (3) of section 47;

(c) for determining the beginning and the end of a stoppage of work; and

(d) for defining and determining what is a working week in any employment.

Claim Procedure.

Reference to Insurance Officer.

Claims submitted to insurance officer.

68. All claims for benefit and all questions arising in connection therewith shall be submitted to an insurance officer.

How dealt with.

69. (1) An insurance officer shall consider any claim submitted to him under section 68 and

(a) if he is of opinion that a benefit period has been established, he shall so declare, or

(b) if he is of opinion that a benefit period has not been established, he shall

(i) declare that a benefit period has not been established on the ground that one or more of the requirements of this Act have not been complied with, or

(ii) refer the claim, if practicable within fourteen days from the day on which the claim was submitted to him, to the board of referees for its decision.

Disallowance of claim.

(2) Notwithstanding that a benefit period has been established, if the insurance officer is not satisfied that the claimant has fulfilled all the other conditions of qualification for benefit or if he is of the opinion that the claimant is disqualified from receiving benefit, he shall

(a) declare the claimant to be disqualified from receiving benefit for such days as he may determine, on the ground that

(i) the claimant is disqualified under this Act, or

(ii) the claimant does not fulfil one or more of any of the conditions or requirements of this Act or the regulations, or

(b) refer the claim, if practicable within fourteen days from the day on which the claim was submitted to him, to the board of referees for its decision.

68. Sec. 56.

69. Sec. 57.

Deduction for days of disqualification.

(3) Where a claimant has been declared disqualified under paragraph *(a)* of subsection (2) for any days, there shall be deducted from the benefits otherwise payable to him in respect of the week in which such days fall, an amount equal to one-sixth of the product obtained by multiplying the total number of such days in the week by the weekly rate of benefit applicable to that person under section 47, but if the amount so calculated is not a multiple of one dollar, fractions of a dollar less than one-half shall be disregarded and fractions of a dollar equal to or greater than one-half shall be taken as a full dollar.

Appeal to Board of Referees.

Appeal to board of referees.

70. The claimant may at any time within twenty-one days from the day on which the decision of an insurance officer is communicated to him, or within such further time as the Commission may in any particular case for special reasons allow, appeal to the board of referees in the manner prescribed by regulations of the Commission.

Decision.

71. A decision of a board of referees shall be recorded in writing and shall include a statement of the findings of the board on questions of fact material to the decision.

Appeal to Umpire.

Appeal to umpire.

72. An appeal lies to the umpire in the manner prescribed by regulations of the Commission from any decision of a board of referees as follows:

(a) at the instance of an insurance officer, in any case;

(b) at the instance of an association of workers of which the claimant is a member, in any case; or

(c) at the instance of the claimant

(i) without leave in any case in which the decision of the board of referees is not unanimous, and

(ii) with the leave of the chairman of the board of referees in any other case.

Leave to appeal.

73. (1) An application for leave to appeal from a decision of a board of referees may be made by the claimant in such form, and within such time not exceeding thirty days after the day the decision is communicated to him, as is prescribed in regulations made by the Commission, and an application for leave to appeal shall be granted by the chairman if it appears to him that there is a principle of importance involved in the case or there are other special circumstances by reason of which leave to appeal ought to be granted.

70. Sec. 58.

71. Sec. 61.

72. Sec. 59.

73. Sec. 59.

Grounds of appeal.

(2) Where the chairman of a board of referees grants leave to appeal to the umpire from the decision of the board, the chairman shall include in the record a statement of the grounds on which leave to appeal is granted.

When person member of association.

74. For the purposes of paragraph *(b)* of section 72 a claimant for benefit is not, in relation to any appeal, a member of any association of workers unless he was a member thereof on the last day on which he was employed before the claim that is the subject of the appeal was made, and has continued to be a member thereof until the day when the appeal is made; and the question whether an association is or is not an association of workers for the purposes of this section shall be decided by the umpire.

Time for appeal.

75. An appeal from a decision of a board of referees must be brought within thirty days of the day the decision is communicated to the claimant or such longer period as the umpire may in any case for special reasons allow.

Re-consideration.

76. On an appeal from a decision of a board of referees the umpire may direct the board of referees to reconsider or rehear the case either generally or on any particular issue, and may withhold his decision pending the decision of the board of referees.

Umpire decision final.

77. The decision of the umpire on an appeal from a decision of a board of referees is final and is not subject to appeal to or review by any court.

Attendance of witnesses.

78. Where on an appeal to the umpire from a decision of a board of referees a person affected by the decision is requested by the umpire to attend before him on the consideration of the appeal and so attends, he shall be paid such travelling and other allowances, including compensation for loss of remunerative time, as are approved by the Treasury Board.

Amendment of decision.

79. An insurance officer, a board of referees or the umpire may on new facts rescind or amend a decision given in any particular claim for benefit.

Payment of benefit pending appeal.

80. (1) Where a claim for benefit is allowed by a board of referees, benefit is payable in accordance with the decision of the board notwithstanding that an appeal to the umpire is pending, and any benefit paid in pursuance of this section after the decision of the board of referees shall be treated, notwithstanding that the final determination of the question is adverse to the claimant, as having been duly paid, and is not recoverable from the claimant.

74. Sec. 60.

75. Sec. 62.

76. Sec. 63.

77. Sec. 64.

78. Sec. 65.

79. Sec. 66.

80. Sec. 67.

Exception.

(2) Subsection (1) does not apply

(a) if the appeal was brought within twenty-one days of the day on which the decision of the board of referees was given and on the ground that the claimant ought to be disqualified under section 63, and

(b) in such other cases as the Commission by regulation prescribes.

References.

81. (1) In this Act references to claims for benefit shall be construed as including references to questions arising in relation to such claims, and references to action on a claim shall be construed as including references to determining a question in favour of or adversely to a claimant.

Determination of questions.

(2) If in the consideration of any claim for benefit any question specified in section 30 or 41 arises, that question shall be decided by the Commission as provided in those sections.

REGULATIONS.

Regulations.

82. The Commission may make regulations,

(a) respecting the proof of fulfilment of the conditions and the absence of the disqualifications for receiving or continuing to receive benefit, and for that purpose requiring the attendance of insured persons at such offices or places and at such times as may be required;

(b) for prescribing the manner in which claims for benefit may be made and the procedure to be followed for the consideration and examination of claims and questions to be considered by insurance officers, boards of referees, and umpire, and the mode in which any question may be raised as to the continuation of benefit in the case of a person in receipt of benefit;

(c) with respect to the payment of contributions and benefits during any period intervening between an application for the determination of a question or a claim for benefit and the final determination of the question or claim;

(d) prescribing the time and manner of payment of benefits;

(e) for determining on which day a person was employed or unemployed where a period of employment that began on one day extends over midnight into another day; and

(f) to provide, with the concurrence of the Postmaster General, for enabling claimants for benefit in certain places to make their claims for benefit through the Post Office, and for the payment of benefit to claimants through the Post Office.

81. Sec. 68.

82. Secs. 29 and 108.

Unemployment Insurance Fund.

Establishment of Unemployment Insurance Fund.

83. There shall be a fund, called the Unemployment Insurance Fund, for the account of which there shall be credited in the Consolidated Revenue Fund,

(a) the contributions made under this Act on behalf of insured persons;

(b) the contributions made under this Act by employers of insured persons;

(c) an amount equal to one-fifth of each of the amounts mentioned in paragraphs *(a)* and *(b)* at the time those amounts are credited; and

(d) the amounts paid under paragraph *(h)* of subsection (1) of section 43 and sections 102 and 103.

Payments out of Consolidated Revenue Fund.

84. (1) Subject to this Act, the Minister of Finance may, notwithstanding anything in the *Financial Administration Act*, on the requisition of the Commission or its authorized officers, pay out of the Consolidated Revenue Fund benefits and refunds of contributions as provided by this Act and the costs of the operations under section 86.

Charge on U.I. Fund.

(2) All payments made out of the Consolidated Revenue Fund under subsection (1), plus an amount equal to one-fifth of the refunds of contributions, shall be charged to the Unemployment Insurance Fund.

Limit.

(3) No payment shall be made out of the Consolidated Revenue Fund under this section in excess of the amounts standing to the credit of the Unemployment Insurance Fund in the Consolidated Revenue Fund.

Investments.

85. (1) To the extent that there are amounts standing to the credit of the Unemployment Insurance Fund in the Consolidated Revenue Fund not currently required for the purposes of this Act the Minister of Finance shall, on the requisition of the Commission, purchase obligations of, or guaranteed by, the Government of Canada and pay therefor out of the Consolidated Revenue Fund.

Charge on U.I. Fund.

(2) Payments made out of the Consolidated Revenue Fund under subsection (1) shall be charged to the Unemployment Insurance Fund.

Interest on investments.

(3) The interest on the obligations purchased under this section and the proceeds of the sale thereof shall be credited to the Unemployment Insurance Fund.

Assets of U.I. Fund.

(4) Obligations purchased under this section are assets of the Unemployment Insurance Fund.

Auditor General.

(5) Obligations purchased under this section shall be held by the Bank of Canada and are subject to the inspection of the Auditor General.

83. Secs. 19, 80.

84. Sec. 81.

85. Secs. 81 and 85.

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Advances.

86. (1) Where the amounts standing to the credit of the Unemployment Insurance Fund in the Consolidated Revenue Fund are not sufficient for the payment of benefits under this Act, the Minister of Finance, on the requisition of the Commission, may,

(a) obtain advances from the Bank of Canada on the security of the obligations acquired under section 85 not exceeding the par value of the obligations secured, and credit to the Unemployment Insurance Fund an amount equal to those advances, or

(b) on the security of such obligations, credit further amounts to the Unemployment Insurance Fund not exceeding the par value of the obligations secured, on such terms and conditions as the Governor in Council determines.

Repayment.

(2) The Minister of Finance shall, on the requisition of the Commission,

(a) repay to the Bank of Canada out of the Consolidated Revenue Fund, the amount of any advances made under paragraph *(a)* of subsection (1), and the amounts so repaid shall be charged to the Unemployment Insurance Fund, and

(b) charge to the Unemployment Insurance Fund an amount equal to the amount secured by obligations under paragraph *(b)* of subsection (1).

Report to Parliament.

Report to Parliament.

87. The Minister of Finance shall report annually to Parliament the state of the Fund as of the 31st day of March last preceding and the transactions under section 86 during the fiscal year ending on that day; and the operations of the Fund shall be set out in the Public Accounts in such detail as the Minister of Finance may decide.

Powers of Bank of Canada.

Powers of Bank of Canada.

88. The powers of the Bank of Canada include the power to do the things required to be done by it under sections 85 and 86.

Report of Advisory Committee.

Advisory Committee report.

89. (1) Within four months after the end of each fiscal year the Advisory Committee shall make a report to the Governor in Council on the financial condition of the Fund

86. Sec. 82.

87. Sec. 83.

88. Sec. 84.

89. Sec. 87.

as of the end of that fiscal year and shall also make a report to the Governor in Council on the financial condition of the Fund whenever the Advisory Committee considers that the Fund is or is likely to become, and is likely to continue to be, insufficient to discharge its liabilities, and may make a report on the financial condition of the Fund at such other times as the Advisory Committee may think fit.

Recommendations for amendment of Act.

(2) Where the Advisory Committee at any time reports that the Fund is or is likely to become, and is likely to continue to be, insufficient to discharge its liabilities, or is and is likely to continue to be more than reasonably sufficient to discharge its liabilities, the report shall contain recommendations for such amendments of this Act or the regulations as the Advisory Committee considers appropriate, and an estimate of the effect that the amendments recommended will have on the financial condition of the Fund.

Public hearing.

90. (1) The Advisory Committee shall give such public notice as it considers sufficient of its intention to make a report under section 89 and shall receive any representations that may be made to it with respect thereto.

Report to Parliament.

(2) The Minister shall lay every report made under section 89 before Parliament within thirty days after it was submitted to the Governor in Council, or if Parliament is not then sitting, on any of the first thirty days thereafter that Parliament is sitting.

PART IV.

GENERAL.

Investigations.

Investigation and report on excepted employments.

91. (1) Whenever the Governor in Council, after consultation with the Commission, considers it expedient to do so, he may direct the Advisory Committee to investigate and to report upon,

(a) the provision of unemployment insurance for any excepted employments, either by extending thereto the provisions of Part III, with such modifications, if any, as may be found necessary, or by special or supplementary schemes, and

(b) the rates of contribution and benefit of insured persons having regard to the earnings of such persons.

Other matters.

(2) The Commission may from time to time refer to the Advisory Committee for consideration and advice such matters relating to this Act as the Commission thinks fit.

90. Sec. 88.

91. Secs. 89, 90.

Idem.

92. The Governor in Council may direct the Commission to investigate and report upon all questions that the Governor in Council deems advisable or necessary.

Investigation powers of Commission.

93. (1) For the purposes of any investigations undertaken by the Commission under this Act, the Commission has the powers of a commissioner under the *Inquiries Act*.

Public notice.

(2) The Commission shall give such public notice as it considers sufficient of its intention to investigate any matters that under this Act it is empowered to investigate, and it shall receive representations submitted to it by persons or associations of persons appearing to the Commission to have an interest in the matters under investigation.

REPORTS.

Reports to be made through Minister.

94. All reports, recommendations and submissions required to be made under this Act to the Governor in Council, whether by the Commission or by the Advisory Committee, shall be submitted through the Minister.

Report on affairs of Commission.

95. (1) Within three months after the end of each fiscal year or within such longer period as is approved by the Governor in Council, the Commission shall submit to the Minister a report covering the business and affairs of the Commission for that fiscal year in such detail as the Minister may direct.

Report to Parliament.

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

INFORMATION AND RETURNS.

Powers of inspector.

96. (1) An inspector may enter at all reasonable times any premises or place where he reasonably believes insured persons are or were employed and make such examination and inquiry as may be necessary for ascertaining whether the provisions of this Act are being or have been complied with in any such premises or place.

Information.

(2) The following persons, namely,

(a) the occupier of any premises or place that an inspector is by subsection (1) authorized to enter, every person found therein, and the servants and agents of such occupier,

92. Sec. 111.

93. Sec. 13.

94. Sec. 112.

95. Sec. 110.

96. Secs. 76, 77.

(b) any person who is considered by an inspector on reasonable grounds to be an employer, the servants and agents of such person, and trustees in bankruptcy, administrators or liquidators concerned with such person's estate, and

(c) any person who is or has been employed by any person mentioned in paragraph *(a)* or *(b)*,

shall forthwith, upon so being requested by an inspector, whether orally or in writing, produce to the inspector, or any person designated by the inspector, any registers, books, cards, wage sheets, records of wages, ledgers, accounts or any other documents requested by the inspector, and shall furnish to the inspector or any person designated by the inspector all such information with respect to the administration of this Act as the inspector requests.

Proof of stamps in possession of employer.

(3) A person who is considered by an inspector on reasonable grounds to be an employer shall forthwith upon being requested so to do by the inspector furnish to him such proof as is prescribed by regulations made by the Commission of the amount of unemployment insurance stamps lawfully in his possession at the commencement and at the end of any period specified by the inspector, the amount of such stamps lawfully purchased by him during the period and the amount of contributions paid by him otherwise during that period.

Contributions paid.

(4) For the purposes of subsections (3) and (5) the contributions paid by any person during a period means the amount by which the aggregate value of

(a) the unemployment insurance stamps lawfully in the possession of that person at the commencement of the period,

(b) the unemployment insurance stamps lawfully purchased by him during the period, and

(c) any contributions paid by him during the period otherwise than by means of unemployment insurance stamps

exceeds the aggregate value of

(d) the unemployment insurance stamps lawfully in his possession at the end of the period, and

(e) the unemployment insurance stamps lost, stolen or destroyed or refunded to him by the Commission during the period.

Determination of contributions owing.

(5) The inspector may determine that the amount by which the contributions payable by any person during a period exceed the contributions paid during that period is the amount of contributions that such person failed or neglected to pay, and the amount so determined shall *prima facie* be deemed to be due and owing by such person.

Books, records, etc.

97. (1) The Commission may require any person to keep such books, records and accounts as the Commission directs and may require any person to make written returns of information deemed by the Commission to be necessary for the purposes of this Act, and failure to comply with any such direction or requirement is an offence against this Act.

Powers of officers

(2) The powers and functions of the Commission under this section may be exercised by any officer appointed pursuant to this Act and authorized in that behalf by general or special directions of the Commission.

Destruction of records.

(3) No person shall, with intent to evade any of the provisions of this Act or the regulations, destroy, alter, mutilate or secrete any records or books or make or counsel or procure the making of any false or fraudulent entries in records or books, or omit or concur in omitting to enter any material particular in records or books.

Information obtained confidential.

98. Information, written or verbal, obtained by the Commission from any person pursuant to the provisions of this Act or any regulation shall be made available only to the employees of the Commission in the course of their employment and such other persons as the Commission deems advisable, and neither the Commission nor any of its employees is compellable to answer any question concerning such information or to produce any records or other documents containing such information as evidence in any proceedings not directly concerned with the enforcement or interpretation of this Act or the regulations.

Regulations.

Regulations.

99. (1) The Commission may, with the approval of the Governor in Council, make regulations,

(a) governing the reference for consideration and advice of questions bearing upon the administration of this Act to the committees provided for in this Act;

(b) for requiring employers to answer inquiries relating to any matters on which the fulfilment of the conditions or the absence of the disqualifications for receiving or continuing to receive benefits depends;

(c) for requiring persons to keep and make available books, records, accounts and other documents and to furnish information and make returns for the purpose of this Act; and

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

Idem.

(2) The Commission may make regulations prescribing anything that by this Act is to be prescribed by regulations of the Commission.

97. Sec. 113.

98. Sec. 116.

99. Secs. 108*(e)(r)(u)* and 113.

AUDIT.

Audit.

100. The accounts of the Commission are subject to the applicable provisions of the *Financial Administration Act.*

RECIPROCAL ARRANGEMENTS.

Agreements with other countries.

101. The Commission, with the approval of the Governor in Council, may, notwithstanding anything in this Act, enter into agreements with the governments of other countries to establish reciprocal arrangements on matters relating to unemployment insurance.

LEGAL PROCEEDINGS.

Loss of Benefit through Default.

Loss of benefits through employer's default.

102. Where by reason of the failure or neglect of any person to comply with this Act or the regulations, any other person loses the right to claim, in whole or in part, any benefit to which he would otherwise be entitled under this Act, the Commission may nevertheless pay the benefit, and the person who so failed or neglected to comply with this Act or the regulations is, unless the Commission otherwise directs, liable to pay a sum equal to the amount of the benefit paid by the Commission.

Unauthorized Payments.

Repayment of unauthorized payments.

103. Where a person has received money by way of benefit for any period in respect of which he is disqualified or is not entitled to benefit, he is liable to repay an amount equal to the money so received by him, but this section does not apply if the person was disqualified or was not entitled to benefit by reason of failure to meet the requirements of section 45 or 50 and there was no false statement or misrepresentation made by him or any person on his behalf in connection therewith.

Recovery of Amounts Payable.

Debts to Crown.

104. (1) All amounts other than benefits payable under this Act are debts due to Her Majesty, and recoverable as such in the Exchequer Court of Canada or any other court of competent jurisdiction or in any other manner provided by this Act.

Certification.

(2) An amount referred to in subsection (1) that has not been paid, or such part thereof as has not been paid, may be certified by the Commission.

100. Sec. 118.

101. Sec. 115.

102. Sec. 74(1).

103. Sec. 74(3).

104. Sec. 73 and sec. 119 of the *Income Tax Act.*

Judgment of Exchequer Court.

(3) On production to the Exchequer Court of Canada a certificate made under this section shall be registered in the Court and when registered has the same force and effect and all proceedings may be taken thereon as if the certificate were a judgment obtained in the Court for a debt of the amount specified in the certificate plus interest to the day of payment.

Costs.

(4) All reasonable costs and charges attendant upon the registration of the certificate are recoverable in like manner as if they had been certified and the certificates had been registered under this section.

Powers of officers.

(5) The powers and functions of the Commission under this section and section 105 may be exercised by any officer appointed pursuant to this Act and authorized in that behalf by general or special directions of the Commission.

Garnishment.

Garnishment.

105. (1) When the Commission has knowledge or suspects that a person is or is about to become indebted or liable to make any payment to a person who is liable to make a payment under this Act, the Commission may, by registered letter or by a letter served personally, require him to pay the moneys otherwise payable to that person in whole or in part on account of the liability under this Act.

Receipt.

(2) The receipt of the Commission for money paid as required under this section is a good and sufficient discharge of the original liability to the extent of the payment.

Liability of garnishee.

(3) Every person who has discharged any liability to a person liable to make a payment under this Act without complying with a requirement under this section is liable to pay an amount equal to the liability discharged or the amount that he was required under this section to pay, whichever is the lesser.

Service of notice.

(4) Where the person who is or is about to become indebted or liable carries on business under a name or style other than his own name, the registered or other letter under subsection (1) may be addressed to the name or style under which he carries on business and, in the case of personal service, shall be deemed to have been validly served if it has been left with an adult person employed at the place of business of the addressee.

Idem.

(5) Where the persons who are or are about to become indebted or liable carry on business in partnership, the registereo or other letter under subsection (1) may be addressed to the partnership name and, in the case of personal service, shall be deemed to have been validly served if it has been served on one of the partners or left with an adult person employed at the place of business of the partnership.

105. Sec. 120 of the *Income Tax Act.*

Time for Proceedings.

Time limit.

111. (1) Proceedings for an offence under this Act may be commenced at any time within twelve months from the day on which evidence sufficient in the opinion of the Commission to justify prosecution for the offence, comes to its knowledge.

Certificate.

(2) For the purposes of subsection (1), a document purporting to have been issued by the Commission or an officer appointed or employed pursuant to this Act certifying as to the date on which the evidence referred to in that subsection came to the knowledge of the Commission, shall be received in evidence as conclusive proof of such fact without proof of the signature or of the official character of the person appearing to have signed the document and without further proof.

Determination of Questions by Commission.

Questions to be decided by Commission.

112. Where a question specified in section 30 or 41 arises in any legal proceedings, the justice or justices of the peace, magistrate, judge or court before whom it arises shall, if the question has not been decided by the Commission, refer the question to the Commission and defer further proceedings until the Commission's decision is received, and upon receipt of the Commission's decision, shall proceed with the hearing and judgment of the legal proceedings, and where an appeal or reference to the umpire has been made, shall nevertheless proceed with the hearing but defer judgment until the umpire's decision is received.

Determination of Questions by Officers.

By insurance officer.

113. Where in any legal proceedings any question arises and

(a) that question is one that could be decided by an insurance officer under this Act but has not been decided by an insurance officer, or

(b) an appeal from a decision of an insurance officer is pending,

the justice or justices of the peace, magistrate, judge or court before whom the question arises shall, in the case of a question coming within paragraph *(a)*, refer the question to the insurance officer and defer further proceedings until the insurance officer's decision is received, or, in the case of a question coming within paragraph *(b)*, defer further pro-

111. Sec. 72(2), (3).

112. Sec. 51.

113. Sec. 69(5).

ceedings until the appeal decision has been received, and upon receipt of such decision shall proceed with the hearing and judgment; and in any legal proceedings under this Act, any such decision is conclusive.

Evidence of Husband or Wife.

Spouse compellable witness.

114. (1) Subject to subsections (3), (4) and (5) of section 4 of the *Canada Evidence Act*, the spouse of a person charged with an offence in respect of a statement or representation as to dependency is a competent and compellable witness for the prosecution without the consent of the person charged.

Onus.

(2) Where in any prosecution a question arises whether, for the purposes of section 47, an insured person has a dependant, the onus of proving that fact lies on the accused.

Evidence of Documents.

Evidence of documents, etc.

115. In any proceedings under this Act,

(a) a document purporting to be a resolution, record or other proceeding of the Commission or other proceeding under this Act or a copy thereof, and purporting to be certified by a Commissioner or the Secretary of the Commission,

(b) a document purporting to be a copy of or extract from a document or any entry in any books or records in the custody of the Commission and purporting to be certified by the Commission, an inspector or an officer appointed or employed pursuant to this Act,

(c) a document purporting to be certified by the Commission, an inspector or an officer appointed or employed pursuant to this Act and setting forth the amount of any contributions paid, payable or owing or the amount of any benefit or other amount paid to or owing by any person, and

(d) a document purporting to be a copy of any employer's register, books, wage sheets, records of wages, ledgers, accounts or other documents or any extract therefrom and purporting to be certified by an inspector or officer appointed or employed pursuant to this Act to whom they were produced under this Act,

is receivable in evidence as *prima facie* proof of the facts appearing in the document without proof of the signature or official character of the person appearing to have signed the certificate and without further proof.

COMING INTO FORCE.

Coming into force

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

114. Sec. 69(6).

115. Secs. 69(3), 70(5), 117(1).

PART V.

Transitional and Repeal.

Definition.

117. In this Part, "old Act" means the *Unemployment Insurance Act*, chapter 273 of the Revised Statutes of Canada, 1952, as in force immediately before the coming into force of this Act.

Repeal.

118. (1) Subject to this section, the old Act is repealed.

Current benefit year.

(2) Where a benefit year or supplementary benefit period was established in respect of a person under the old Act and that benefit year or supplementary benefit period had not terminated at the coming into force of this Act, the benefits payable under the old Act if it had remained in force shall be paid under this Act, subject to such adaptations and modifications as are prescribed by regulations made by the Commission with the approval of the Governor in Council.

Veterans Benefit Act.

(3) The old Act shall be deemed to continue in force for the purposes of the *Veterans Benefit Act, 1954* except that the amount of contributions and rates of benefit prescribed by this Act shall apply as prescribed by regulations made by the Commission with the approval of the Governor in Council.

Pending applications.

(4) An application for benefit pending under the old Act at the coming into force of this Act shall be dealt with under the provisions of the old Act.

Amounts owing to Fund.

(5) Where, at the coming into force of this Act, any amount is owing to the Fund as established by the old Act, such amount shall be deemed to be owing to Her Majesty under this Act, and when paid or collected shall be credited to the Fund established by this Act.

Refunds of contributions.

(6) A refund of contributions payable under the old Act shall be deemed to be a refund of contributions payable under this Act.

Powers of Commission, etc.

(7) The powers and functions of any body or person under the old Act with reference to any matter arising under the old Act by virtue of this Part or the *Interpretation Act* shall be exercised or performed by the corresponding body or person under this Act.

Disqualification.

(8) A disqualification imposed under subsection (2) of section 46 of the old Act and in effect at the coming into force of this Act shall be deemed to have been imposed under section 65 of this Act.

Application to prior periods.

119. For the purposes of establishing a benefit period and calculating the rate of benefit in respect of an insured person under this Act,

(a) a reference to time in this Act shall be construed as including time that elapsed prior to the coming into force of this Act;

(b) six days in respect of which contributions were payable and paid under the old Act shall be deemed to be a contribution week, and the Commission may make regulations for providing that the average of the contributions paid under the old Act in respect of any period shall be deemed to be the average of the contributions that would have been payable in respect of that period under this Act if this Act had been in force during such period; and

(c) a benefit year established under the old Act shall be deemed to be a benefit period.

Continuation of offices.

120. (1) The persons who held office as Chief Commissioner and Commissioner under the old Act immediately before the coming into force of this Act shall be deemed to have been appointed Chief Commissioner and Commissioner respectively under this Act for the unexpired portions of the respective terms to which they were appointed under the old Act.

Idem.

(2) The courts of referees and panels of members existing under the old Act immediately before the coming into force of this Act shall be deemed to have been constituted boards of referees and panels respectively under this Act, and a chairman of a court of referees shall be deemed to be a chairman of a board of referees.

Idem.

(3) Persons who were inspectors, insurance officers or commissioners for oaths under the old Act immediately before the coming into force of this Act shall respectively be deemed to have been authorized as inspectors, insurance officers or commissioners for oaths under this Act.

Idem.

(4) Persons who immediately before the coming into force of this Act were umpire, deputy umpires, members of committees, officers, clerks or employees under the old Act shall respectively be deemed to have been appointed to the corresponding offices and positions under this Act.

Agreements.

(5) Any agreement made under section 115 of the old Act in force at the coming into force of this Act continues in force as though it had been made under section 101 of this Act.

"Credit" defined.

121. (1) In this section "credit" means the maximum benefits that a person would be entitled to receive under the old Act if, immediately before the coming into force of this Act, he had become entitled to unemployment insurance benefits under the old Act and the old Act continued in force.

Increased benefits.

(2) Where, within a period of three years from the coming into force of this Act, a benefit period has been established under this Act in relation to an insured person that is his first benefit period established under this Act, and that person has exhausted his benefit rights under Part III with respect thereto,

(a) that benefit period is, notwithstanding subsection (5) of section 46, deemed not to have terminated by reason of such exhaustion, and

(b) notwithstanding section 48, the maximum benefits payable under this Act to the insured person in respect of that benefit period are the maximum benefits prescribed by section 48 plus the amount by which his credit exceeds the total benefits paid to the insured person in respect of that benefit period at the time of such exhaustion.

350.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 350.

An Act to amend the Blind Persons Act.

First reading, April 18, 1955.

THE MINISTER OF NATIONAL HEALTH AND WELFARE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

52180

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 350.

An Act to amend the Blind Persons Act.

R.S., c. 17.

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

1. (1) Subparagraph (ii) of paragraph *(a)* of subsection (2) of section 3 of the *Blind Persons Act*, chapter 17 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"(ii) has attained the age of eighteen years, and"

(2) Subparagraphs (i), (ii), (iii) and (iv) of paragraph *(c)* of subsection (2) of section 3 of the said Act are repealed and the following substituted therefor:

"(i) an unmarried person, without a dependent child or children and his income, inclusive of allowance, is not more than nine hundred and sixty dollars a year, or

(ii) an unmarried person with a dependent child or children, and his income, inclusive of allowance, is not more than eleven hundred and sixty dollars a year, or

(iii) married and living with his spouse and the total income, inclusive of allowance, of the recipient and his spouse is not more than fifteen hundred and sixty dollars a year, or

(iv) married and living with his spouse who is blind and the total income, inclusive of allowance, of the recipient and his spouse is not more than sixteen hundred and eighty dollars a year."

Explanatory Notes.

The *Blind Persons Act* provides that eligible recipients must have attained the age of twenty-one years. It is proposed by this Bill to lower the age for eligible recipients to eighteen years. It is also proposed to increase the maximum annual incomes allowed to recipients from $840.00 to $960.00 in the case of an unmarried person without dependents; from $1,040.00 to $1,160.00 in the case of an unmarried person with a dependent; from $1,320.00 to $1,560.00 in the case of a married recipient living with his spouse; and, from $1,440.00 to $1,680.00 in the case of a married recipient living with a blind spouse.

1. Section 3 (2) (a) (ii).
Lowers age of eligible recipients from twenty-one to eighteen.

2. Section 3 (2) (c) (i).
Increases maximum annual income allowed to an unmarried recipient without dependents from $840.00 to $960.00.

3. Section 3(2) (c) (ii).
Increases maximum annual income allowed to an unmarried recipient with a dependent from $1,040.00 to $1,160.00.

4. Section 3 (2) (c) (iii).
Increases maximum annual income allowed to a married recipient living with his spouse from $1,320.00 to $1,560.00.

5. Section 3 (2) (c) (iv).
Increases maximum annual income allowed to a married recipient living with a blind spouse from $1,440.00 to $1,680.00.

6. Section 7 (c) (ii).
Lowers age of eligible recipients as defined in agreements with the provinces from twenty-one to eighteen.

2. Subparagraph (ii) of paragraph *(c)* of section 7 of the said Act is repealed and the following substituted therefor:

"(ii) that where a recipient, during the last ten hundred and ninety-five days that he was present in Canada prior to reaching the age of eighteen years, or prior to making application for the allowance, whichever is the later, was present in the province for a greater number of days than in any other province, the province will reimburse any other province that is paying the allowance to the extent of twenty-five per cent of the amount of the allowance;"

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 351.

An Act respecting Canadian National Railways.

First reading, April 26, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

99721

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 351.

An Act respecting Canadian National Railways.

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 *Canadian National Railways Act.*

INTERPRETATION.

Definitions.

"Board."

"Canadian Government Railways."

"Canadian National Railways."

2. In this Act,

(a) "Board" means the Board of Transport Commissioners for Canada;

(b) "Canadian Government Railways" means

(i) the lines of railway or parts thereof,

(ii) the property, works or interests, and

(iii) the powers, rights or privileges

the management and operation of which are entrusted to the National Company by any subsisting order in council made under section 11 of chapter 13 of the statutes of 1919, section 19 of chapter 172 of the Revised Statutes of Canada, 1927, section 18 of chapter 40 of the Revised Statutes of Canada, 1952, or section 19 of this Act, and, unless expressly excluded, includes all properties, works, interests, powers, rights and privileges incidental to those so entrusted and commonly used, operated and enjoyed in connection therewith;

(c) "Canadian National Railways" comprises

(i) the National Company,

(ii) all the companies in Canada mentioned or referred to in the First Schedule and any company formed by any consolidation or amalgamation of any two or more of such companies, and

Explanatory Notes.

The purpose of this Bill is to consolidate the various enactments relating to Canadian National Railways into one statute.

Generally, the following are the changes made from the existing statutory provisions:

1. The Bill includes authority to operate a telecommunication system. These powers are now held by subsidiaries of the C.N.R.
2. Officers and employees of the C.N.R. are authorized by the Bill to act as directors of partially owned companies.
3. The Bill would authorize the Railway to construct short lines without specific parliamentary authority.
4. The Bill includes procedure for extinguishing charters of constituent corporations.
5. The Bill also includes provisions authorizing the Company to operate motor vehicles.

In these notes, the *Canadian National Railways Act* is called "the C.N.R. Act", and the *Canadian National–Canadian Pacific Act* is called "the C.N.–C.P. Act".

1. Section 1 of the C.N.R. Act.

2.

(a) New.

(b) Section 2*(a)* of the C.N.R. Act.

(c) Section 2*(b)* of the C.N.R. Act.

(iii) all companies in Canada controlled directly or indirectly by the National Company and declared by the Governor in Council to be comprised in Canadian National Railways;

"Her Majesty."

(d) "Her Majesty" means Her Majesty in right of Canada;

"National Company."

(e) "National Company" means the Canadian National Railway Company continued by this Act;

"National Railways."

(f) "National Railways" comprises the Canadian Government Railways, Canadian National Railways and all the companies, not in Canada, mentioned or referred to in the First Schedule; and

"Telecommunication."

(g) "telecommunication" means any transmission, emission or reception of signs, signals, writing, images or sounds or intelligence of any nature by wire, radio, visual or other electromagnetic system.

ORGANIZATION.

Continuation of existing corporation.

3. The company incorporated under the name of Canadian National Railway Company by chapter 13 of the statutes of 1919, the company formed by the amalgamation of Canadian National Railway Company and The Grand Trunk Railway Company of Canada, and the Canadian National Railway Company referred to in chapter 33 of the statutes of 1932–33, are hereby declared to be and to have been one and the same company, and the said company is hereby continued under the name of Canadian National Railway Company.

Capital stock.

4. (1) The capital stock of the National Company consists of such shares as are specified in the *Canadian National Railways Capital Revision Act.*

Ownership.

(2) Unless otherwise ordered by the Governor in Council, all capital stock of the National Company shall be issued to the Minister of Finance and shall be held by him in trust for Her Majesty.

Head office.

5. The head office of the National Company shall be at such place in Canada as the Governor in Council determines.

Board of Directors.

6. (1) Subject to this Act, the direction and control of the National Company and its undertaking are vested in a Board of Directors.

Number.

(2) The Board of Directors of the National Company shall consist of seven directors.

Tenure.

(3) Each director shall be appointed by the Governor in Council for a term not exceeding three years, but a director may at any time be removed for cause.

(d) Section 2*(e)* of the C.N.R. Act.

(e) Section 3*(d)* of the C.N.–C.P. Act.

(f) Section 3*(e)* of the C.N.–C.P. Act.

(g) New.

3 New.

4. Section 5 of the C.N.R. Act.

5. Section 6 of the C.N.R. Act.

6.

(1) Section 8(1) of the C.N.–C.P. Act.

(2) Section 4(1) of the C.N.–C.P. Act.

(3) Section 6(6) of the C.N.–C.P. Act, and Section 4(1) of the C.N.R. Act.

Expiration of office.

(4) A director whose term of office has expired remains a director until his successor is appointed, and is eligible for re-appointment.

Qualification.

(5) No stock ownership is necessary to qualify a director.

Chairman.

(6) The Governor in Council may appoint one of the directors of the National Company to be Chairman of the Board of Directors; the Chairman shall devote his whole time to the performance of his duties and except as provided in section 11 shall not be an officer nor after his appointment as Chairman of the Board of Directors become, otherwise than by re-election, a director of any company other than a company comprised in National Railways or a company owned or controlled by Her Majesty directly or indirectly by stock ownership or otherwise.

President.

7. (1) Subject to the approval of the Governor in Council, the directors shall appoint a President of the National Company, who may be the Chairman of the Board of Directors or a person other than one of the directors; the President holds office during the pleasure of the directors.

Powers.

(2) The President of the National Company is the Chief Executive Officer of National Railways with such powers, authorities and duties as may be defined by by-law or resolution of the directors, approved of by the Governor in Council.

Other constituent companies.

(3) The President of the National Company is the President of every other company comprised in Canadian National Railways.

Salaries.

8. (1) Except as provided in this section, the President or a director shall not be paid any salary, remuneration or other emolument by any company comprised in National Railways.

Directors.

(2) A director may be paid by the National Company a sum fixed by the Governor in Council, and the Chairman of the Board of Directors, if he is not the President, may in addition be paid by the National Company a salary or other remuneration fixed by the Governor in Council.

President.

(3) The President may be paid by the National Company a salary or other remuneration approved by the Governor in Council.

Expenses.

(4) The President and a director may be paid proper expenditures incurred while engaged in and upon the affairs of National Railways.

Pension.

(5) A director is not entitled to receive or to be paid a pension from any railway company during his term of office.

(4) Section 6(4) and (7) of the C.N.–C.P. Act.

(5) Section 3(2) of the C.N.R. Act.
(6) Section 4(3) of the C.N.–C.P. Act.

7.

(1) Section 10(1) of the C.N.–C.P. Act.

(2) Section 10(2) of the C.N.–C.P. Act.

(3) Section 10(3) of the C.N.–C.P. Act.

8.
(1) Sections 5(2) and 10(4) of the C.N.–C.P. Act.

(2) Section 5(1) and (2) of the C.N.–C.P. Act.

(3) Section 10(1) of the C.N.–C.P. Act.

(4) Sections 5(2) and 10(4) of the C.N.–C.P. Act.

(5) Section 5(1) of the C.N.–C.P. Act.

Liability of directors.

9. (1) A director of the National Company is not, in respect of his office or any act done or omitted to be done by him in the execution of his office,

(a) under any personal responsibility to any shareholder, director, officer or employee of any company comprised in National Railways or to any other person, or

(b) except with the approval of the Governor in Council, subject to any pecuniary penalty under any statute.

Pension rights.

(2) Except as provided in section 8, the appointment of an officer or employee of National Railways as a director of the National Company does not affect any rights, privileges or benefits to which he may be entitled under any pension Act or pension regulations relating to National Railways, and for all pension purposes he shall be deemed to be an officer or employee within the meaning of such Act or regulations.

Meetings.

10. (1) Meetings of the Board of Directors may be held at such times and places as are fixed by by-law or as the Chairman determines.

Quorum.

(2) Four directors constitute a quorum.

Powers.

(3) At any meeting regularly called at which all the directors are not present but at which there is a quorum, the directors present are competent to exercise all the powers vested in the Board of Directors, and the act of a majority of the directors present shall be deemed the act of the Board of Directors.

Vacancy

(4) A vacancy in the Board of Directors does not impair the right of the remaining directors to act.

Absence.

(5) If the Chairman of the Board of Directors is absent or unable to act or the office is vacant, the remaining directors may elect one of their number to be the acting Chairman during such absence, inability or vacancy; the acting Chairman is also during the same period the acting Chairman of the Board of Directors of every other company comprised in Canadian National Railways, and he may be paid by the National Company such additional remuneration, if any, as the Governor in Council approves.

Executive committee.

(6) The by-laws of the National Company may provide for an executive committee of the Board of Directors, to exercise such powers as the by-laws may specify.

Boards of Directors of constituent companies.

11. (1) Notwithstanding any statute, charter, letters patent or order in council, the directors and the Chairman of the Board of Directors of the National Company are respectively the directors and the Chairman of the Board of Directors of every other company comprised in Canadian National Railways, and in relation to such companies they have the like powers, rights, privileges and immunities and are subject to the like duties, responsibilities and restrictions as in relation to the National Company.

9.

(1) Section 8 of the C.N.R. Act.

(2) Section 4(4) of the C.N.–C.P. Act.

10.

(1) Section 11(1) of the C.N.–C.P. Act.

(2) Section 6(9) of the C.N.–C.P. Act.

(3) Section 11(2) of the C.N.–C.P. Act.

(4) Section 6(8) of the C.N.–C.P. Act.

(5) Section 6(10) of the C.N.–C.P. Act.

(6) Section 9 of the C.N.R. Act.

11.

(1) Section 8(3) and (4) of the C.N.–C.P. Act.

Boards of Directors of partially controlled companies.

(2) Where the ownership, interest or right to operate or the control of the National Company or any element of National Railways is, as respects any company in Canada, partial only, the Board of Directors of the National Company shall elect the directors of such company from among the directors, officers or employees of the National Company, in such number as the Board of Directors of the National Company are entitled to elect to the Board of Directors of such company.

Powers.

(3) Every officer or employee of the National Company elected to the Board of Directors of any company under subsection (2) has all the powers, rights, privileges and immunities and is subject to all the duties, responsibilities and restrictions as those in this Act provided for with relation to the directors of the National Company, but the Board of Directors of the National Company may remove and replace such officer or employee from the Board of Directors of such company at any time without notice and without assigning cause.

How shareholders' approval given.

12. Whenever under the provisions of the *Railway Act*, or any other statute or law, the approval, sanction or confirmation by shareholders is required with respect to any company comprised in Canadian National Railways, such approval, sanction or confirmation may be given by the Governor in Council.

Use of name.

13. The National Company may use the name "Canadian National Railways" as a collective or descriptive designation of all lines of railway or railway works comprised in National Railways.

Change of names.

14. (1) The Governor in Council may change to any other name the name of any company comprised in Canadian National Railways, or of any other company of which the properties or the controlling interest in the stock is vested in or held by Her Majesty.

Addition of constituent companies.

(2) The Governor in Council may declare any company in Canada that is directly or indirectly controlled by the National Company to be comprised in Canadian National Railways.

APPLICATION OF OTHER ACTS.

Railway Act, Expropriation Act.

15. Notwithstanding anything in the *Government Railways Act* or any other Act, the provisions of the *Railway Act* respecting the construction, maintenance and operation of a railway, except sections 169 to 246, apply to any Canadian Government Railway that would, but for the passing of this Act, be subject to the *Government Railways*

(2) New.

(3) New.

12. Section 9 of the C.N.–C.P. Act.

13. Section 11 of the C.N.R. Act.

14.

(1) Section 12 of the C.N.R. Act.

(2) Section 2*(b)* of the C.N.R. Act.

15. Section 15 of the C.N.R. Act.

Act, but only for the period during which the management and operation of that railway is entrusted to the National Company, and all the provisions of the *Expropriation Act*, and all legal procedure in matters arising under the *Expropriation Act* apply, during the said period, to such Canadian Government Railway in like manner as if this Act had not been passed.

Railway Act.

16. All the provisions of the *Railway Act* apply to the National Company, except

(a) sections 105 to 112, 169 to 180, 183 to 190, 192 to 195, 197 to 205 and 207 to 246, and

(b) such other provisions as are inconsistent with this Act or the *Expropriation Act* as made applicable to the National Company by this Act.

Expropriation Act.

17. (1) The *Expropriation Act* applies *mutatis mutandis* to the National Company, subject as follows:

(a) any plan deposited under the *Expropriation Act* may be signed by the Minister of Transport on behalf of the National Company, or by the President or any Vice-President of the National Company, and no description need be deposited;

(b) the land shown upon such plan so deposited thereupon vests in the National Company, unless the plan indicates that the land taken is required for a limited time only or that a limited estate or interest therein is taken, in which case the right of possession for such limited time or such limited estate or interest vests in the National Company upon the deposit of the plan;

(c) subject to paragraph *(d)*, the compensation payable in respect of any lands or interests therein taken by the National Company shall be ascertained in accordance with the *Expropriation Act*, and for that purpose the Exchequer Court has jurisdiction in all cases relating to or arising out of any such expropriation or taking and may make rules and regulations governing the institution, by or against the National Company, of judicial proceedings and the conduct thereof;

(d) notwithstanding section 16, in any case where the offer of the National Company does not exceed two thousand five hundred dollars, compensation may be ascertained under the *Railway Act*, beginning with notice of expropriation to the opposite party; and

(e) the amount of any judgment awarding compensation is payable by the National Company.

Lands required for constituent companies.

(2) Lands or interests in lands required by any company comprised in Canadian National Railways may be acquired for such company by the National Company under the provisions of this Act.

16. Section 16(1) of the C.N.R. Act.

17. Section 16(2) and (3) of the C.N.R. Act.

Works for the General Advantage of Canada.

Works for the general advantage of Canada.

18. (1) The railway or other transportation works of every company that is comprised in Canadian National Railways and is incorporated by or under the laws of Canada are hereby declared to be works for the general advantage of Canada.

Idem.

(2) The works of every company that is comprised in Canadian National Railways but is not incorporated by or under the laws of Canada are hereby declared to be works for the general advantage of Canada.

Continuation of constituent companies.

(3) The companies incorporated by subsection (2) of section 7 of the *Canadian National-Canadian Pacific Act* are hereby continued and such companies are in respect of all their affairs subject to this Act.

Management of Other Lines.

Entrustment to National Company of lines of railway, etc.

19. (1) The Governor in Council may by order in council entrust to the National Company the management and operation of

(a) any lines of railway or parts thereof, and any property or works of whatsoever description, or interests therein, and any powers, rights or privileges over or with respect to any railways, properties or works, or interests therein, that may be vested in or owned, controlled or occupied by Her Majesty, or

(b) any part of anything referred to in paragraph *(a)* or any right or interest therein

upon such terms and subject to such regulations and conditions as the Governor in Council may decide.

Duration.

(2) The management and operation of anything entrusted to the National Company under subsection (1) shall continue during the pleasure of the Governor in Council, and are subject to termination or variation in whole or in part by the Governor in Council.

Report to Parliament.

(3) Any order of the Governor in Council made under this section shall be laid before Parliament within ten days from the date thereof or, if Parliament is then not in session, within ten days from the commencement of the next ensuing session.

Transfer of capital stock of other railway companies.

20. Where Her Majesty owns the entire stock or the controlling interest in the stock of any railway company, or of any other company having corporate powers or properties that may be conveniently exercised or operated by the National Company, the Governor in Council may transfer, or cause to be transferred, such capital stock or any part thereof to the National Company, or may by proxies or otherwise enable the National Company or any nominee of

18. Section 7 of the C.N.–C.P. Act.

19. Section 18 of the C.N.R. Act.

20. Section 19 of the C.N.R. Act.

the Governor in Council to exercise the voting power thereof at any meeting of shareholders, upon such terms and conditions as the Governor in Council determines.

Powers and Duties.

Use of Canadian ports.

21. The Board of Directors shall direct and provide that all freight originating in Canada, destined for export by sea and consigned for carriage by National Railways either from the point of origin or between that point and the sea, shall, unless it has been by its shippers specifically routed otherwise, be exported through Canadian seaports.

Construction and operation of lines of railway.

22. (1) With the approval of the Governor in Council and upon any location sanctioned by the Minister of Transport, the National Company may construct, maintain and operate railway lines, branches and extensions

(a) if the line, branch or extension does not exceed six miles in length, and

(b) in any other case, if Parliament has, in respect of the construction thereof, authorized the necessary expenditure or the guarantee of an issue of the National Company's securities.

Plans to be deposited with Board.

(2) A copy of any plan and profile made in respect of any completed railway shall be deposited with the Board.

Pooling of lines.

23. (1) A company or railway comprised in National Railways has the right to run its trains over the tracks of any other company comprised in National Railways.

Agreements for amalgamation, etc.

(2) With the approval of the Governor in Council and on the recommendation of the Minister of Transport, agreements for any one or more of the purposes specified in subsection (3) may be entered into

(a) between any two or more companies comprised in National Railways, and

(b) between any company comprised in National Railways and any company approved or designated for the purpose by the Governor in Council.

Purposes of agreement.

(3) The purposes for which agreements may be entered into under subsection (2) are as follows:

(a) amalgamation;

(b) the purchase, sale or leasing of the railway or the undertaking in whole or in part of either party to the agreement;

(c) those purposes that are specified in section 156 of the *Railway Act*, except running rights where such rights otherwise exist under subsection (1);

(d) the making of half-interest agreements; and

21. Section 14(2) of the C.N.—C.P. Act.

22. Section 20 of the C.N.R. Act.

Paragraph *(a)* of subsection (1) relating to lines not exceeding 6 miles in length is new.

23. Section 23 of the C.N.R. Act, section 14 of chapter 11 of the Statutes of Canada, 1928, and section 10 of chapter 32 of the Statutes of Canada, 1929.

(e) the granting by one party to the other of rights and privileges, whether by way of joint ownership or joint operation of any company or of any undertaking in whole or in part or otherwise in respect of the lines, tracks, terminal facilities and appurtenances of either party.

Duration.

(4) Any agreement made for any of the purposes mentioned in paragraphs *(c)*, *(d)* and *(e)* of subsection (3) may be for a fixed period or in perpetuity.

Capacity.

(5) A company approved or designated under paragraph *(b)* of subsection (2) has the power or capacity to enter into the agreement.

Application of *Railway Act*.

(6) Sections 154 and 155 of the *Railway Act* apply *mutatis mutandis* to any agreement for amalgamation entered into under subsection (2), except that where the National Company is a party to an agreement for amalgamation entered into under subsection (2), the amalgamated company is the National Company.

Copy of agreement to be filed with Secretary of State.

(7) A copy of any agreement made for any of the purposes mentioned in paragraphs *(a)* and *(b)* of subsection (3) shall be filed in the office of the Secretary of State of Canada, and thereupon such agreement shall come into force and effect.

With Board.

(8) A copy of any agreement made for any of the purposes mentioned in paragraphs *(c)*, *(d)* and *(e)* of subsection (3) shall be deposited with the Board.

No application to Board necessary.

(9) No application to or recommendation by the Board is necessary with respect to any agreement made under subsection (2).

No amalgamation with companies comprised in C.P.R.

(10) Nothing in this section shall be construed to authorize the amalgamation of any company comprised in National Railways with any company comprised in Pacific Railways as defined in the *Canadian National—Canadian Pacific Act*, nor to authorize the unified management and control of the railway system forming part of National Railways with the railway system forming part of Pacific Railways as so defined.

Winding-up.

24. The Governor in Council, upon the recommendation of the Minister of Transport, may declare any company comprised in Canadian National Railways, other than the National Company, to have ceased to exist; and upon the making of such declaration all property, powers, rights, obligations and liabilities of any such company that existed on the effective date of the declaration shall be deemed to have been as of that day the property, powers, rights, obligations and liabilities of the National Company or such other company comprised in Canadian National Railways as is designated by the Governor in Council.

24. New.

Express business.

25. (1) The National Company may carry on all business that is customarily carried on by express companies, including, without restricting the generality of the foregoing, the handling of express money orders or other methods of transmitting or handling money, securities, or other articles of value.

Terms.

(2) All express traffic handled by the National Company shall move or be dealt with by the National Company on the same terms and conditions as to the liability of the National Company or otherwise as are from time to time approved by the Board with respect to similar traffic when handled by express companies, subject to such variations therein as may be necessary in view of the handling of the traffic by a railway company instead of an express company.

Telecommunication facilities.

26. (1) The National Company may establish, construct or acquire by purchase, lease or otherwise and may maintain and operate telecommunication facilities, systems and services in Canada and elsewhere.

Public telecommunication business.

(2) The National Company may carry on a public telecommunication business and may enter into arrangements with other telecommunication companies or Her Majesty for the exchange and transmission of messages or for the maintenance or working, in whole or in part, of the telecommunication systems of the respective companies or Her Majesty.

Motor vehicles.

27. The National Company and every other railway company comprised in National Railways, may, in conjunction with or substitution for the rail services under their management or control, buy, sell or lease motor vehicles of all kinds and maintain and operate motor vehicles on highways in Canada or elsewhere for the carriage of traffic and may charge tolls therefor.

Steamships.

28. The National Company may construct, purchase, lease or otherwise acquire, charter, own, maintain, operate and manage vessels, motorships, steamships, tugs, car ferries, dredges, lighters, barges, boats and water craft of every description, herein called vessels, and sell or otherwise dispose thereof and it shall be entitled to charge fares and freight for traffic carried on board such vessels.

Docking and warehouse facilities, etc.

29. The National Company may purchase, lease or otherwise acquire or provide, hold, use, enjoy and operate, as well in Canada as in such other places as are deemed expedient, and either in the name of the National Company or in the name of any other company comprised in National Railways, such lands, water lots, wharfs, docks, dock-yards, slips, warehouses, elevators, hotels, offices and other

25. Section 24 of the C.N.R. Act.

26. New.

27. New.

28. This section corresponds to section 12 of *The Grand Trunk Railway Act, 1888*, being chapter 58 of the Statutes of Canada, 1888.

29. This section corresponds to section 3 of *The Grand Trunk Act*, 1906-7, being chapter 89 of the Statutes of Canada, 1907.

buildings as it may find necessary and convenient for the purposes of National Railways, and enter into agreements respecting the use thereof, and sell or otherwise dispose thereof; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property.

FINANCE.

Power to acquire securities or make or receive advances.

30. The National Company may acquire any securities issued by, or make advances to, or receive advances from any other company comprised in National Railways, and may take or give security for such advances; the National Company may also borrow upon its notes or securities or the notes or securities of any such other company, whether for its own benefit or for the benefit of such other company or otherwise.

Power to acquire securities of other companies.

31. The National Company may, with the approval of the Governor in Council, acquire, hold, guarantee, pledge and dispose of shares in the capital stocks, bonds, notes, securities or other contractual obligations whatsoever of any railway company, or of any transportation, navigation, terminal, telecommunication, express, hotel, electric, power or of any other company authorized to carry on any business incidental to the working of a railway, or any business which in the opinion of the Board of Directors may be carried on in the interests of the National Company.

Equipment issues of 75 per cent where 25 per cent has been authorized.

32. Where Parliament has provided for expenditures on equipment to the extent of twenty-five per cent of the cost of such equipment, the National Company may make or arrange for one or more equipment issues for the remaining seventy-five per cent of such cost, and whenever any such issue is arranged with and made by a trustee the National Company may guarantee payment of the principal and interest thereof and thereon.

Registration of mortgages.

33. Sections 139 and 140 of the *Railway Act* respecting deposit and registration of mortgages and instruments in any way affecting mortgages, apply to any mortgages or instruments affecting the same heretofore or hereafter executed by any company comprised in Canadian National Railways securing any issue of bonds, debentures, or other securities; notarially certified copies of such mortgages or instruments may be deposited or registered hereunder in lieu of the original documents.

30. Section 25 of the C.N.R. Act.

31. Section 26 of the C.N.R. Act.

32. Section 29 of the C.N.R. Act.

33. Section 30 of the C.N.R. Act.

Agreements to restore or make good loss or damage by fire or other casualty to mortgaged premises and indemnify trustees.

34. (1) The Governor in Council may cause agreements to be executed by or on behalf of Her Majesty undertaking or guaranteeing that any company comprised in National Railways will restore or make good all loss or damage to the mortgaged premises comprised in any mortgage or deed of trust, (hereinafter called "such mortgage"), at any time executed by any such company, ocasioned by fire or other casualty against which such company covenanted in such mortgage to insure, and indemnifying the trustee or trustees of any such mortgage against any consequences arising from any failure

(a) on the part of such company to comply with such covenants to insure, and

(b) on the part of such trustee or trustees to take any action in respect thereof.

Details subject to approval.

(2) The times and manner of the giving of any agreement under subsection (1) and the form and terms thereof, and the person who may sign the same on behalf of Her Majesty, shall be such as the Governor in Council approves or directs.

Financial year.

35. Notwithstanding anything in the *Interpretation Act* or any other Act, the financial year in respect of National Railways is the calendar year, unless the Governor in Council otherwise directs.

Surplus or deficit.

36. (1) The surplus or deficit of Canadian Government Railways shall be included in, and deemed to be part of, the surplus or deficit, as the case may be, of National Railways.

Exemption.

(2) This section does not apply to such Canadian Government Railways as are designated by the Governor in Council.

Annual budget.

37. (1) The annual budget of National Railways shall be under the control of the Board of Directors and shall be submitted by the Board of Directors to the Minister of Transport.

Submission to Parliament.

(2) The Minister of Transport shall annually lay before Parliament the budget of National Railways approved by the Governor in Council on the recommendation of the Minister of Transport and the Minister of Finance.

Contents.

(3) The annual budget of National Railways shall include estimates of the amounts required

(a) for income deficits,

(b) for capital expenditures,

(c) for refunding or retirement of maturing securities, and

(d) for additional working capital.

Deficits.

(4) Income deficits of National Railways shall not be funded.

34. Section 31 of the C.N.R. Act.

35. New.

This section corresponds to section 79 of the *Financial Administration Act.*

36. Section 8 of the *Canadian National Railways Capital Revision Act.*

37. Section 12 of the C.N.—C.P. Act.

Diversion of funds.

(5) Amounts provided by Parliament to meet capital expenditures shall not be diverted to cover deficits in operation unless with the express authority of Parliament.

Continuous audit by independent auditors.

38. (1) A continuous audit of the accounts of National Railways shall be made by independent auditors appointed annually by Parliament who shall annually report to Parliament in respect of their audit.

Report to Parliament.

(2) The report of the auditors shall call attention to any matters that in their opinion require consideration or remedial action.

Payment.

(3) The auditors shall be paid by the National Company such amounts as the Governor in Council approves.

Annual report to Parliament.

39. (1) The Board of Directors shall make a report annually to Parliament setting forth the results of their operations, the amounts expended on capital account in respect of National Railways and such other information as appears to them to be of public interest or necessary for the information of Parliament with relation to any situation existing at the time of such report, or as may be required from time to time by the Governor in Council.

Contents of report to Parliament.

(2) The report shall contain a separate section giving in a summary manner information concerning:

(a) the results achieved and the economies effected under the *Canadian National-Canadian Pacific Act* during the immediately preceding financial year of National Railways;

(b) co-operative projects approved during the year preceding by the National Company and the Canadian Pacific Railway Company but not yet completed;

(c) co-operative projects approved during the year preceding by the National Company and the Canadian Pacific Railway Company but not proceeded with and the reasons therefor;

(d) co-operative projects studied during the year preceding by the National Company and the Canadian Pacific Railway Company but not approved and the reasons therefor;

(e) co-operative projects currently being studied by the National Company and the Canadian Pacific Railway Company, and such other information as appears to the Directors to be of public interest or necessary for the information of Parliament with relation to any situation existing at the time of such report or as may be required from time to time by the Governor in Council; and

38. Section 13 of the C.N.—C.P. Act.

39. Sections 14 and 15 of the C.N.—C.P. Act.

(f) an estimate of the annual value, having regard to the traffic conditions and cost of railway operations obtaining at the time of the report, of continuing co-operative measures, such as the pooling of trains.

Reports to Parliament.

40. The annual reports of the Board of Directors and auditors, respectively, shall be submitted to Parliament through the Minister of Transport.

Signatures of officers.

41. (1) Any equipment trust certificates, bonds or debentures in interim or definitive forms heretofore or hereafter issued by the National Company pursuant to any Act relating to the National Company, may be executed on behalf of the National Company by being signed by the President or a Vice-President and countersigned by the Secretary or an Assistant Secretary, and any coupons attached to such equipment trust certificates, bonds or debentures shall bear the signature of the President, a Vice-President, the Secretary, an Assistant Secretary or the Treasurer.

Facsimile signatures.

(2) The signatures of the officers referred to in subsection (1) may be engraved, lithographed, or otherwise mechanically reproduced facsimiles of such signatures, and such reproduced and other signatures of such officers, made before or after the coming into force of this Act, are for all purposes valid and binding upon the National Company, whether at the date of the issue of the equipment trust certificates, bonds, debentures or coupons the persons whose signatures so appear were or were not the President, a Vice-President, Secretary, an Assistant Secretary or Treasurer of the National Company, as the case may be.

Signature of guarantee by Her Majesty.

42. Where the principal and interest of securities are guaranteed by Her Majesty pursuant to any Act relating to the National Company, an endorsement on the face of such securities certifying to such guarantee and bearing the engraved, lithographed or otherwise mechanically reproduced facsimile of the signature of a person designated by the Governor in Council is for all purposes valid and binding upon Her Majesty as to the existence and validity of such guarantee.

Pension plan for National Company.

43. (1) The National Company may, for the benefit of its officers and employees and their dependants or other representatives, make provision for, establish and support one or more funds or plans for pensions, insurance against accident, sickness or death or other purposes.

40. Section 16 of the C.N.—C.P. Act.

41. Section 11 of the *Canadian National Railways Financing and Guarantee Act, 1954.*

42. Section 12 of the *Canadian National Railways Financing and Guarantee Act, 1954.*

43. *Canadian National Railways Pension Act,* 1907, ch. 89, as amended by 1929, ch. 14.

Other companies and railways.

(2) Any benefit under a fund or plan established under subsection (1) may be made available to the officers and employees of any railway or company comprised in the National Railways or controlled by the National Company, upon such terms and conditions as are determined by the directors.

Rules and regulations.

(3) The directors may make rules and regulations for the due and efficient management, administration and disposition of any fund or plan established under this section.

Existing plan continued.

(4) The pension plan established pursuant to the *Canadian National Railways Pension Act*, chapter 89 of the statutes of 1907, as amended by chapter 4 of the statutes of 1929, and existing at the coming into force of this Act, is hereby continued and shall be deemed to have been established under this section.

PROCEDURE.

Actions, suits or other proceedings.

44. (1) Actions, suits or other proceedings by or against the National Company in respect of its undertaking or in respect of the operation or management of Canadian Government Railways, may, in the name of the National Company, be brought in and may be heard by any judge or judges of any court of competent jurisdiction in Canada, with the same right of appeal as may be had from a judge sitting in court under the rules of court applicable thereto.

Appeal.

Defence.

(2) Any defence available to the respective corporations, including Her Majesty, in respect of whose undertaking the cause of action arose shall be available to the National Company, and any expense incurred in connection with any action taken or judgment rendered against the National Company in respect of its operation or management of any lines of railway or properties, other than its own lines of railway or properties, may be charged to and collected from the corporation in respect of whose undertaking such action arose.

Jurisdiction of court.

(3) Any court having under the statutes or laws relating thereto jurisdiction to deal with any cause of action, suit or other proceeding, when arising between private parties shall, with respect to any similar cause of action, suit or other proceeding by or against the National Company, be a court of competent jurisdiction under the provisions of this section.

44. Section 32 of the C.N.R. Act.

Report.

Inquiry and report regarding National Railways.

45. The Minister of Transport may appoint or direct any person to enquire into and report upon any matters or things relating to or affecting National Railways or their works and undertakings, and any person so appointed or directed may, for the purposes of and in connection with any such enquiry or report, do all such things and exercise all such powers as are referred to or mentioned in section 71 of the *Railway Act*.

Nominations, etc., to continue good and valid.

46. All nominations, appointments, rules, regulations, by-laws and orders, including orders of the Governor in Council, made under any enactment repealed by this Act, continue good and valid until they are rescinded, amended or varied or others are made in their stead.

Repeal.

Repeal.

47. The Acts set out in the Second Schedule are repealed to the extent specified therein.

45. Section 33 of the C.N.R. Act.

46. New.

47. New.

THE FIRST SCHEDULE.

PART I.

COMPANIES COMPRISED IN CANADIAN NORTHERN SYSTEM.

The Canadian Northern Railway Company

and

Canadian National Express Company.
Canadian National Realties, Limited.
Canadian National Telegraph Company.
Canadian National Transfer Company.
The Canadian Northern Alberta Railway Company.
Canadian Northern Consolidated Railways.
The Canadian Northern Ontario Railway Company.
The Canadian Northern Quebec Railway Company.
The Canadian Northern Railway Express Company, Limited.
Canadian Northern Steamships, Limited.
Canadian Northern System Terminals (Limited).
The Dalhousie Navigation Company, Limited.
Duluth, Rainy Lake & Winnipeg Railway Company.
Duluth, Winnipeg and Pacific Railroad Company.
Duluth, Winnipeg and Pacific Railway Company.
The Great North Western Telegraph Company of Canada.
The Lake Superior Terminals Company Limited.
The Minnesota and Manitoba Railroad Company.
The Minnesota and Ontario Bridge Company.
Mount Royal Tunnel and Terminal Company, Limited.
The Niagara, St. Catharines and Toronto Navigation Company (Limited).
The Niagara, St. Catharines and Toronto Railway Company.
The Northern Consolidated Holding Company Limited.
The Quebec and Lake St. John Railway Company.
St. Boniface Western Land Company.
The Winnipeg Land Company Limited.

PART II.

COMPANIES FORMERLY COMPRISED IN GRAND TRUNK RAILWAY SYSTEM.

Atlantic and St. Lawrence Railroad Company.
Canadian National Steamship Company Limited,
The Central Counties Railway Company.
Central Vermont Railway, Inc.

Central Vermont Transportation Company.
The Champlain and St. Lawrence Railroad Company.
Grand Trunk-Milwaukee Car Ferry Company.
The Grand Trunk Pacific Branch Lines Company.
The Grand Trunk Pacific Development Company, Limited.
The Grand Trunk Pacific Railway Company.
The Grand Trunk Pacific Saskatchewan Railway Company.
Grand Trunk Pacific Terminal Elevator Company, (Limited).
Grand Trunk Western Railroad Company.
International Bridge Company.
Montreal and Southern Counties Railway Company.
The Montreal and Vermont Junction Railway Company.
The Montreal Warehousing Company.
The Oshawa Railway Company.
The Pembroke Southern Railway Company.
St. Clair Tunnel Company.
The Stanstead, Shefford and Chambly Railroad Company.
The Thousand Islands Railway Company.
The United States and Canada Rail Road Company.
Vermont and Province Line Railroad Company.

Part III.

OTHER COMPANIES.

Canadian National Railways (France).
The Canadian National Railways Securities Trust.
Canadian National Rolling Stock Limited.
Canadian National Transportation, Limited.
The Centmont Corporation.
Central Vermont Transit Corporation.
Consolidated Land Corporation.
Industrial Land Company.
Manitoba Northern Railway Company.
Montreal Fruit & Produce Terminal Company, Limited.
The Montreal Stock Yards Company.
Muskegon Railway and Navigation Company.
National Terminals of Canada, Limited.
Prince George, Limited.
Prince Rupert, Limited.

THE SECOND SCHEDULE.

Year	Chapter	Title	Extent of Repeal
1852	37	An Act to incorporate the Grand Trunk Railway of Canada.....	Section 3.
1907	89	Canadian National Railways Pension Act.....	The whole.
1919	13	Canadian National Railways Act, 1919.....	The whole.
1920	39	Canadian National Railways Act, 1920.....	Section 1.
1923	6	An Act respecting the Canadian National Railways.....	The whole.
1923	7	An Act respecting the Canadian National Railways.....	The whole.
1923	37	The Canadian National Railways Guarantee Act, 1923.....	The whole.
1924	13	The Canadian National Guarantee Act, 1924.....	The whole.
1926-27	28	An Act to amend the Canadian National Railways Act, 1919...	The whole.
R.S.C. 1927	172	Canadian National Railways Act.....	The whole.
1928	11	The Canadian Northern Income Charge Act, 1928.....	Section 14.
1928	13	An Act to amend the Canadian National Railways Act.....	The whole.
1929	4	An Act to amend The Grand Trunk Act, 1906-7, with respect to pensions.....	The whole.
1929	10	An Act to amend the Canadian National Railways Act.....	The whole.
1929	32	An Act respecting the Construction of a Canadian National Railway Line from St. Walburg, in the Province of Saskatchewan, to Bonnyville, in the Province of Alberta.....	Section 10.
1931	6	An Act to amend the Canadian National Railways Act.....	The whole.
1933	33	The Canadian National—Canadian Pacific Act, 1933.....	Part I.
1936	25	The Canadian National—Canadian Pacific Act, 1936.....	Section 3.
1940-41	12	Canadian National Railways Financing and Guarantee Act, 1941.....	Section 12.
1951 (2nd Sess.)	8	An Act to amend The Canadian National—Canadian Pacific Act, 1933.....	The whole.
1952	36	The Canadian National Railways Capital Revision Act, 1952..	Section 8.
R.S.C. 1952	39	Canadian National—Canadian Pacific Act.....	Part I.
R.S.C. 1952	40	Canadian National Railways Act.....	The whole.
RS.C. 1952	311	Canadian National Railways Capital Revision Act.....	Section 8.
1953-54	50	Canadian National Railways Financing and Guarantee Act, 1954.....	Sections 11 and 12.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 352.

An Act respecting the Inspection of Meat and Meat Products Entering into International and Interprovincial Trade.

First reading, May 9, 1955.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

56876

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 352.

An Act respecting the Inspection of Meat and Meat Products Entering into International and Interprovincial Trade.

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 *Meat Inspection Act.*

Interpretation.

Definitions.

2. In this Act,

"Animal."
(a) "animal" includes bird;

"Inspector."
(b) "inspector" means a person appointed or designated as an inspector pursuant to section 7;

"Meat product."
(c) "meat product" means
(i) an animal carcass,
(ii) the product or by-product of an animal carcass, and
(iii) a food product containing any product or by-product mentioned in subparagraph (ii),
prescribed as a meat product for the purposes of this Act;

"Minister."
(d) "Minister" means the Minister of Agriculture;

"Place."
(e) "place" includes any vehicle, vessel, railway car, or aircraftr; and

"Prescribed".
(f) "prescibed" means prescribed by regulation of the Governor in Council.

Explanatory Notes.

This Bill embodies the substance of the meat inspection provisions of the *Meat and Canned Foods Act*, R.S.C., 1952, ch. 177. That Act deals with the inspection of abattoirs, animals intended for slaughter, meat products and other food products containing meat; it deals also with standards and the grading and inspection of any canned foods, including fish.

The provisions of the Act relating to meat inspection are designed for sanitary and health purposes, and have no relation to the provisions relating to quality grades and standards.

It is therefore proposed to provide for meat inspection in a separate statute. The Bill does not in substance differ materially from the meat inspection provisions of the *Meat and Canned Foods Act*.

When the required regulations have been made under the new legislation, the corresponding regulations under the *Meat and Canned Foods Act* can be revoked.

Export and Interprovincial Movement.

Export and interprovincial movement of meat products.

3. (1) No person shall export out of Canada, or send or convey from one province to another, any meat product unless

(a) the meat product was prepared in an establishment that

(i) complied with prescribed conditions, and

(ii) was registered and operated in prescribed manner;

(b) the animal from which the product was derived

(i) was slaughtered in prescribed manner, and

(ii) was inspected as prescribed before and after slaughter;

(c) the meat product is packaged and marked as prescribed; and

(d) the meat product conforms to prescribed standards.

Imports.

(2) No person shall import into Canada any meat product unless

(a) the meat product is packaged and marked as prescribed,

(b) the importer has obtained and produces prescribed evidence that the meat product conforms to prescribed standards, and

(c) meat products of the class or kind imported are, under the laws of the country of origin, subject to inspection in prescribed manner.

Regulations.

Carriage of meat products.

4. (1) The Governor in Council may make regulations for prohibiting the carriage to a destination outside the province in which it was received of a meat product unless

(a) prescribed evidence that the product meets the requirements of this Act and the regulations has been obtained and produced as prescribed, and

(b) the meat product is identified in prescribed manner as a meat product that meets the requirements of this Act and the regulations.

(2) No person shall carry or receive for carriage a meat product contrary to a regulation made under this section.

Regulations.

5. The Governor in Council may make regulations for carrying out the purposes and provisions of this Act, and without limiting the generality of the foregoing, may make regulations

(a) providing for the registration of establishments and prescribing fees for registration;

(b) respecting the operation of establishments;

(c) providing for the inspection of establishments; animals and meat products and prescribing fees therefor;

(*d*) prescribing standards for any class of meat products;
(*e*) respecting the packaging and marking of meat products and containers thereof;
(*f*) for the inspection of meat products during the course of preparation;
(*g*) for exempting any person or meat product from the operation of all or any of the provisions of this Act;
(*h*) prescribing the class or kind of meat products that are unhealthy or unfit for food for the purposes of this Act; and
(*i*) for prescribing anything that by this Act is required to be prescribed.

ADMINISTRATION.

Inspectors and staff.

6. (1) Inspectors and other persons necessary for the administration and enforcement of this Act shall be appointed or employed under the provisions of the *Civil Service Act*.

Idem.

(2) The Minister may designate any person as an inspector for the purposes of this Act.

Powers of inspector.

7. (1) An inspector may at any time
(*a*) enter any place in which he reasonably believes there are meat products or other things to which this Act applies and may open any package found therein that he has reason to believe contains any meat product, and may examine any meat product or other thing found in such place and take samples thereof, and
(*b*) require any person to produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading or other documents or papers, with respect to the administration of this Act or the regulations.

Certificate of appointment.

(2) An inspector shall be furnished with a prescribed certificate of his appointment or designation and on entering any place under subsection (1) shall, if so required, produce the certificate to the person in charge thereof.

Assistance to inspector.

(3) The owner or person in charge of any place described in subsection (1) and every person found therein shall give an inspector all reasonable assistance in his power to enable the inspector to carry out his duties and functions under this Act and shall furnish him with such information with respect to the administration of this Act or the regulations as he may reasonably require.

Seizure.

8. (1) Whenever an inspector believes on reasonable grounds that this Act has been violated he may seize the meat products and other things by means of or in relation to which he reasonably believes the violation was committed.

Detention.

(2) Meat products and other things seized pursuant to subsection (1) shall not be detained after

(a) the provisions of this Act and the regulations have, in the opinion of the inspector, been complied with, or

(b) the expiration of ninety days from the day of seizure, or such longer period as may be prescribed with respect to any meat product or other thing,

unless before that time proceedings have been instituted in respect of the violation, in which event the meat products and other things may be detained until the proceedings are finally concluded.

Forfeiture.

(3) Where a person has been convicted of a violation of this Act, every meat product or other thing by means of or in relation to which the offence was committed is, upon the conviction, in addition to any penalty imposed, forfeited to Her Majesty, whether or not the forfeiture is directed by the conviction.

Sale of unhealthy products.

(4) No person shall sell or have in possession for sale a meat product that is unhealthy or unfit for food.

Regulations.

(5) The Governor in Council may make regulations

(a) respecting the detention of articles seized under this section and for preserving or safeguarding any articles so detained;

(b) respecting the disposition of articles forfeited under this section; and

(c) respecting the marking, treatment or disposal of meat products that are unhealthy or unfit for food.

Obstruction of inspector.

9. (1) No person shall obstruct or hinder an inspector or other officer in the carrying out of his duties or functions under this Act.

False statements.

(2) No person shall make a false or misleading statement either verbally or in writing to an inspector or other officer engaged in carrying out his duties or functions under this Act.

Offence.

10. (1) Every person who, or whose employee or agent has violated any provision of this Act or any regulation made under subsection (5) of section 8 is guilty of an offence and is liable

(a) on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment, or

(b) upon conviction on indictment to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both fine and imprisonment.

Offence by agent or employee.

(2) In a prosecution for a violation of this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not the employee or agent is identified or has been prosecuted for the offence.

Evidence.

11. Proof that a meat product or a package containing a meat product bore

(a) a name and address purporting to be the name and address of the person by whom it was packaged or prepared, or

(b) a registered number or brand mark purporting to be the registered number or brand mark of the establishment where it was packaged or prepared

is *prima facie* proof in a prosecution for a violation of this Act that the meat product was packaged or prepared and that the meat product or package was marked by the person whose name or address appeared on the meat product or package, or by the person operating the establishment whose registered number or brand mark appeared on the package, as the case may be.

Trial of offences.

12. A complaint or information in respect of an offence under this Act may be heard, tried or determined by a police or stipendiary magistrate or a justice or justices of the peace if the accused is resident or carrying on business within his or their territorial jurisdiction although the matter of the complaint or information did not arise in that territorial jurisdiction.

Coming into force.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 379.

An Act to amend the Senate and House of Commons Act.

First reading, May 16, 1955.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

58046

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 379.

An Act to amend the Senate and House of Commons Act.

R.S., cc. 249, 310, s.5; 1953-54, cc. 10, 13, s.18.

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

Directors of companies not to be Ministers of the Crown.

1. Section 14 of the *Senate and House of Commons Act*, chapter 249 of the Revised Statutes of Canada, 1952, is amended by adding thereto the following subsection:

"(2) No person who is a director of a company incorporated under the *Companies Act* or under any other Public General Act of Canada, or incorporated by a Local or Private Act of Canada, shall be eligible to be a member of the Queen's Privy Council for Canada and a Minister of the Crown."

Coming into force.

2. This Act shall come into force on the 1st day of July, 1955.

Explanatory Note.

The purpose of this Bill is to amend section 14 of the *Senate and House of Commons Act* by adding thereto a new subsection providing that directors of Canadian companies shall not be eligible as Ministers of the Crown.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 410.

An Act to amend the Customs Act.

First reading, May 24, 1955.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53546

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 410.

An Act to amend the Customs Act.

R.S., c. 58, 1953-54, c. 3.

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

1. Section 18 of the *Customs Act*, chapter 58 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Duty to report.

"**18.** Every person in charge of a vehicle arriving in Canada, other than a railway carriage, and every person arriving in Canada on foot or otherwise, shall

(a) come to the Custom-house nearest to the point at which he arrived in Canada, or to the station of the officer nearest to such point if that station is nearer thereto than a Custom-house;

(b) before unloading or in any manner disposing thereof, make a report in writing to the collector or proper officer at such Custom-house or station of all goods in his charge or custody or in the vehicle and of the fittings, furnishings and appurtenances of the vehicle and any animals drawing it and their harness and tackle, and of the quantities and values of such goods, fittings, furnishings, appurtenances, harness and tackle; and

(c) then and there truly answer all such questions respecting the articles mentioned in paragraph *(b)* as the collector or proper officer requires of him and make due entry thereof as required by law.

1953-54, c. 3.

2. (1) Subsection (6) of section 35 of the said Act is renumbered as subsection (11).

(2) Subsections (1) to (5) of section 35 of the said Act are repealed and the following substituted therefor:

Valuation for duty.

"**35.** (1) Whenever duty *ad valorem* is imposed on goods imported into Canada, the value for duty shall be determined in accordance with the provisions of this section.

Explanatory Notes.

1. Section 18 reads as follows:

"**18.** (1) The following persons, namely:

(a) the person in charge of any vehicle other than a railway carriage, arriving by land at any place in Canada and containing goods, whether any duty is payable on such goods or not;

(b) the person in charge of any such vehicle so arriving, whether containing goods or not, if the vehicle, or its fittings, furnishings or appurtenances, or the animals drawing the same, or their harness or tackle, is or are liable to duty; and

(c) every person whosoever so arriving in Canada from any port or place out of Canada, on foot or otherwise, and having with him or in his charge or custody, any goods, whether such goods are dutiable or not;

shall come to the Custom-house nearest to the point at which he crossed the frontier line, or to the station of the officer nearest to such point, if such station is nearer thereto than any Custom-house, before unlading or in any manner disposing of the same, and there make a report in writing to the collector or proper officer, stating the contents of each and every package and parcel of such goods and the quantities and values of the same.

(2) Such person shall also then truly answer all questions respecting such goods or packages, and the vehicle, fittings, furnishings and appurtenances and animals, and the harness or tackle appertaining thereto, as the said collector or proper officer requires of him, and shall then and there make due entry of the same, in accordance with the law in that behalf."

The purpose of the amendment is to require all persons to report.

2. Subsections (1) to (5) of section 35 of the *Customs Act* at present read as follows:

"**35.** (1) Whenever any duty *ad valorem* is imposed on any goods imported into Canada, the value for duty shall be the fair market value of such or the like goods when sold for home consumption in the ordinary course of trade under fully competitive conditions, in like quantities and under comparable conditions of sale at the time when and place whence such goods were exported by the vendor abroad to the purchaser in Canada; or, except as otherwise provided in this Act, the price at which the goods were sold by the vendor abroad to the purchaser in Canada, exclusive of all charges thereon after their shipment from the place whence exported direct to Canada, whichever may be greater.

(2) When the fair market value of any goods is not ascertainable under subsection (1), the value for duty of such goods shall be the nearest ascertainable equivalent of such value.

(3) When neither the fair market value nor the equivalent of such value can be ascertained, the value for duty shall be the actual cost of production of similar goods at date of shipment to Canada, plus a reasonable addition for administration, selling cost and profit.

(4) The value for duty shall not include the amount of any internal tax applicable within the country of origin or export from which the imported goods have been exempted or have been or will be relieved by means of refund or drawback.

(5) The Governor in Council may order that import duties of a country of export shall be disregarded, in whole or in part, in estimating the value for duty of goods of any kind imported into Canada from a country specified in the order."

Fair market value of like goods.

(2) The value for duty shall be the fair market value, at the time when and place from which the goods were shipped to Canada, of like goods when sold in like quantities for home consumption in the ordinary course of trade under fully competitive conditions and under comparable conditions of sale.

Idem.

(3) When the value for duty cannot be determined under subsection (2) for the reason that like goods are not sold under comparable conditions of sale, the value for duty shall be the fair market value, at the time when and place from which the goods were shipped to Canada, of like goods when sold in like quantities for home consumption in the ordinary course of trade under fully competitive conditions.

Similar goods.

(4) Where like goods are not sold in the manner described in subsection (2) or (3), the value for duty shall be the fair market value, at the time when and place from which the goods were shipped to Canada, of similar goods when sold in like quantities for home consumption in the ordinary course of trade under fully competitive conditions and under comparable conditions of sale.

Idem.

(5) Where like goods are not sold in the manner described in subsection (2) or (3) and the value for duty cannot be determined under subsection (4) for the reason that similar goods are not sold under comparable conditions of sale, the value for duty shall be the fair market value, at the time when and place from which the goods were shipped to Canada, of similar goods when sold in like quantities for home consumption in the ordinary course of trade under fully competitive conditions.

Special cases.

(6) When the value for duty cannot be determined under the preceding subsections for the reason that

(a) like or similar goods are not sold for use or consumption in the country of export, or

(b) there is no established market in the country of export for like or similar goods,

the value for duty of the goods shall be such value as the Minister determines.

Cost of production.

(7) Where the value for duty cannot be determined under the preceding subsections, the value for duty shall be the actual cost of production of like or similar goods at the date of shipment to Canada plus a reasonable addition for administration costs, selling costs and profit.

Minimum value.

(8) Where the value for duty as determined under the preceding subsections is less than the amount for which the goods were sold by the vendor abroad to the purchaser in Canada, exclusive of all charges thereon after their shipment from the place from which they were exported direct to Canada, the value for duty shall be such amount.

The principal purpose of the proposed amendment is to define more clearly the situations coming within the present subsection (2) of section 35. The primary rule for establishing value for duty as contained in the present subsection (1) is carried forward in the proposed new subsections (2), (4) and (8); subsection (3) of the present section, which provides for an artificial value based on the cost of production, is carried forward in the proposed new subsection (7). The proposed new subsections (3), (5) and (6) are intended to provide workable rules for determining "the nearest ascertainable equivalent" referred to in the present subsection (2).

Foreign tax excluded.

(9) The value for duty of imported goods shall not include the amount of any internal tax imposed on the goods within the country of origin or export from which the goods have been exempted or have been or will be relieved by means of refund or drawback.

Foreign impost duties.

(10) The Governor in Council may order that import duties of a country of export shall be disregarded, in whole or in part, in estimating the value for duty of goods of any kind imported into Canada from a country specified in the order.

Charge for services.

(11) Notwithstanding the preceding subsections, where the Minister is of opinion that the value for duty of any goods determined in accordance with the preceding subsections includes an amount that represents a charge for services, the Minister may reduce the value for duty so determined by such amount as he considers a reasonable charge for such services."

Finality of classification or appraisal.

3. Section 43 of the said Act is repealed and the following substituted therefor:

"**43.** (1) Subject to this section, a determination of the tariff classification or an appraisal of the value for duty of any goods, made at the time of their entry, is final and conclusive unless the importer, within sixty days of the date of entry, makes a written request in prescribed form and manner to a Dominion Customs Appraiser for a re-determination or a re-appraisal.

Review by Dominion Customs Appraiser.

(2) A Dominion Customs Appraiser may re-determine the tariff classification or re-appraise the value for duty of any goods made at the time of their entry

(a) in accordance with a request made pursuant to subsection (1), or

(b) in any other case where he deems it advisable, within two years of the date of entry.

Review by Deputy Minister.

(3) Subject to subsection (4), a decision of a Dominion Customs Appraiser under this section is final and conclusive unless the importer, within thirty days of the date of the decision, makes a written request in prescribed form and manner to the Deputy Minister for a re-determination or a re-appraisal.

Re-determination or re-appraisal.

(4) The Deputy Minister may re-determine the tariff classification or re-appraise the value for duty of any goods

(a) in accordance with a request made pursuant to subsection (3),

(b) at any time, if the importer has made any misrepresentation or committed any fraud in making the entry of those goods,

(c) at any time, to give effect to a decision of the Tariff Board, the Exchequer Court of Canada or the Supreme Court of Canada with respect to those goods, and

3. The present section 43 reads as follows:

"**43.** (1) Where, upon any entry or in connection with any entry, it appears to any Dominion Customs Appraiser that any goods have been erroneously classified or appraised or allowed entry at an erroneous rate or valuation by any appraiser or collector acting as such, or that any of the foregoing provisions of this Act respecting the classification or value at which goods shall be entered for duty have not been complied with, such appraiser may make a fresh appraisal or valuation, and may direct an amended entry and payment of additional duty on such goods, or a refund of the whole or a part of the duty paid, as the case requires, subject to review by the Deputy Minister.

(2) The Deputy Minister may review the decision of any appraiser as to the tariff classification of any goods or the value for duty of any goods."

The purpose of the amendment is to revise the procedure for appeals from customs appraisers.

(d) in any other case where he deems it advisable, within two years of the date of entry of those goods.

Effect of re-determination or re-appraisal.

(5) Where the tariff classification of goods has been re-determined or the value for duty of goods has been re-appraised under this section

(a) the importer shall pay any additional duties or taxes payable with respect to the goods, or

(b) a refund shall be made of the whole or a part of any duties or taxes paid with respect to the goods,

in accordance with the re-determination or re-appraisal.

"Prescribed" defined.

(6) In this section "prescribed" means prescribed by regulations of the Governor in Council."

4. Paragraph *(c)* of subsection (1) of section 44 of the said Act is repealed and the following substituted therefor:

"*(c)* as to whether any drawback of Customs duties is payable or as to the rate of such drawback,"

5. Subsection (1) of section 47 of the said Act is repealed and the following substituted therefor:

Invoice to show fair market value.

"**47.** (1) Every invoice delivered pursuant to this Act or any regulation shall exhibit, in the currency of the country of export, the fair market value of the goods to which it relates, determined in accordance with section 35, and the true price at which such goods were sold by the vendor to the purchaser; and in computing the value for duty of the goods in Canadian currency the rate of exchange shall be such as may be declared from time to time by the Bank of Canada."

6. Subsection (2) of section 104 of the said Act is repealed and the following substituted therefor:

Liability for duties or additional duties.

"(2) Where goods are sold or otherwise disposed of and duties or additional duties become payable under subsection (1) in respect of those goods, the person who purchased or otherwise acquired the goods and the person who sold or otherwise disposed of the goods are from the time of sale or other disposition jointly and severally liable to pay the duties or additional duties and shall forthwith report the sale or other disposition and pay such duties or additional duties to the nearest collector.

Idem.

(3) Where goods are diverted to a use other than that for which they were imported and duties or additional duties become payable under subsection (1) in respect of those goods, the person who diverted the goods is from the time of diversion liable to pay the duties or additional duties and shall forthwith report the diversion and pay such duties or additional duties to the nearest collector.

Penalty.

(4) Every person who fails to comply with subsection (2) or subsection (3) is guilty of an offence and is liable on summary conviction to a fine of five hundred dollars or to imprisonment for a term of six months or to both fine and imprisonment."

4. Section 44 (1) *(c)* now reads as follows:

"**44.** (1) A person who deems himself aggrieved by a decision of the Deputy Minister

.....

(c) as to whether any drawback of Customs duties is payable *under section 11 of the Customs Tariff* or as to the rate of drawback so payable,

may appeal from the decision to the Tariff Board.....".

The amendment provides for appeal to the Tariff Board in respect of Departmental rulings affecting export drawback as well as rulings affecting home consumption drawback.

5. Subsection (1) of section 47 at present reads as follows:

"**47.** (1) Every invoice delivered pursuant to this Act or any regulation shall exhibit, in the currency of the country of export, the fair market value of the goods to which it relates, *when sold for home consumption in the ordinary course of trade under fully competitive conditions in like quantities and under comparable conditions of sale at the time when and the place whence the same were exported direct to Canada*, and the true price at which such goods were sold by the vendor to the purchaser; and in computing the value for duty of the goods in Canadian currency the rate of exchange shall be such as may be declared from time to time by the Bank of Canada."

The proposed amendment is consequential upon the revision of section 35.

6. Section 104 at present reads as follows:

"**104.** (1) Where goods have been imported free of duty or at a rate of duty lower than that to which they would otherwise be liable, either

(a) as being for the use of a person who is by law entitled to import goods for his own use free or at a reduced rate of duty, or

(b) as being intended for a specific use,

and such goods are sold or otherwise disposed of to a person not entitled to any exemption, or are diverted to a use other than that for which they were imported, they become liable to and are charged with the duties or the additional duties payable upon like goods on their importation, and if such duties or additional duties are not paid, such goods are liable to forfeiture and may be seized and dealt with accordingly.

(2) *A person who purchases or otherwise acquires any goods coming within paragraph (a) of subsection (1) and is not entitled to any exemption, and a person who diverts any goods coming within paragraph (b) of subsection (1) to a use other than that for which they were imported, shall report to the nearest collector and pay the duties or the additional duties exigible.*"

The purpose of the amendment is to provide that the importer as well as the person who acquires the goods shall be liable for the duties applicable, and to provide penalties for failure to report.

7. Section 112 of the said Act is repealed and the following substituted therefor:

Refunds.

"**112.** Subject to sections 111 and 113, no refund of a payment or overpayment of duty or taxes, arising otherwise than by reason of an erroneous tariff classification or an erroneous appraisal of value, shall be made unless an application therefor is made within two years of the date of payment or overpayment."

8. (1) Subsection (2) of section 166 of the said Act is repealed and the following substituted therefor:

Person who claims interest in vessel, etc., may apply to judge for order.

"(2) Where any vessel, vehicle, goods or thing has been seized as forfeited under this Act, any person (other than the person accused of an offence resulting in such seizure or the person in whose possession the vessel, vehicle, goods or thing was when seized) who claims an interest in them as owner, mortgagee, lien-holder or holder of any like interest may, within sixty days after such seizure, apply by notice in writing to a judge for an order declaring his interest."

(2) Subsection (6) of section 166 of the said Act is repealed and the following substituted therefor:

Appeal.

"(6) The claimant or the Crown may appeal to the court of appeal from an order of a judge given under this section and the appeal shall be asserted, heard and decided according to the ordinary procedure governing appeals to the court of appeal from orders or judgments of a judge."

9. Subsection (1) of section 178 of the said Act is repealed and the following substituted therefor:

Forfeiture for failure to report.

"**178.** (1) Where the person in charge or custody of any article mentioned in paragraph *(b)* of section 18 has failed to comply with any of the requirements of that section, all the articles mentioned in paragraph *(b)* of that section in the charge or custody of such person shall be forfeited and may be seized and dealt with accordingly."

7. Section 112 presently reads as follows:

"**112.** (1) Where it is established by a decision of the Deputy Minister, an order or finding of the Tariff Board, or a judgment of a court of competent jurisdiction that money, taken to account as duty, was paid under an erroneous construction of the law, no refund shall be made unless a written application therefor is made within twelve months of the date of payment, and, subject to sections 111 and 113, in every other case of overpayment of duty or payment of duty in error, no refund shall be made unless an application therefor is made within two years of the date of payment.

(2) A written request for the review of a tariff classification, an appeal to the Tariff Board or the institution of legal proceedings for the recovery of an overpayment of duty or a payment of duty in error shall be deemed to be a written application for the purposes of subsection (1).

(3) Nothing in subsection (1) or (2) affects or prejudices any refund pursuant to an application pending on the 20th day of June, 1951."

The amendment is consequential upon the proposed amendments to section 43.

8. (1) The present subsection (2) of section 166 reads as follows:

"(2) Where any vessel, vehicle, goods or thing has been seized as forfeited under this Act, any person (other than the person accused of an offence resulting in such seizure or the person in whose possession the vessel, vehicle, goods or thing was when seized) who claims an interest in them as owner, mortgagee, lien-holder or holder of any like interest may, within *thirty* days after such seizure, apply by notice in writing to a judge for an order declaring his interest."

The purpose of the amendment is to extend the time from thirty days to sixty days.

(2) The present subsection (6) reads as follows:

"(6) The claimant or the Crown may appeal to the court of appeal from an order of a judge given under *subsection (5)* and the appeal shall be asserted, heard and decided according to the ordinary procedure governing appeals to the court of appeal from orders or judgments of a judge."

The purpose of the amendment is to make this provision applicable to all decisions.

9. The present subsection (1) of section 178 reads as follows:

"**178.** (1) The following articles, namely:

(a) any vehicle containing goods, other than a railway carriage, arriving by land at any place in Canada, whether any duty is payable on such goods or not;

(b) any such vehicle on arriving, if the vehicle or its fittings, furnishings or appurtenances, or the animals drawing the same, or their harness or tackle, is or are liable to duty; and

(c) any goods brought into Canada in the charge or custody of any person arriving in Canada on foot or otherwise;

shall be forfeited and may be seized and dealt with accordingly, if before unloading or in any manner disposing of any such vehicle or goods, the person in charge thereof does not

(i) come to the Custom-house nearest to the point at which he crossed the frontier line, or to the station of the officer nearest to such point, if such station is nearer thereto than any Custom-house, and there make a report in writing to the collector or proper officer, stating the contents of each and every package and parcel of such goods and the quantities and values of the same;

(ii) then truly answer all such questions respecting such goods or packages, and the vehicle, fittings, furnishings and appurtenances appertaining thereto, as the said collector or proper officer requires of him; and

(iii) then and there make due entry of the same in accordance with the law in that behalf."

The amendment is consequential upon the proposed amendment to section 18.

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 411.

An Act to Establish National Standards for Agricultural Products and to Regulate International and Interprovincial Trade in Agricultural Products.

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 Agricultural Products Standards Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"Agricultural product."

(a) "agricultural product" means livestock (including fur-bearing animals raised in captivity), eggs, poultry, milk, vegetables, fruit, honey and maple syrup, and products thereof;

"Analyst."

(b) "analyst" means an analyst designated for the purposes of the *Food and Drugs Act* or an analyst employed under the Government of Canada or the government of a province and having authority to make analyses for public purposes;

"Grade."

(c) "grade" includes standard;

"Grade name."

(d) "grade name" includes any mark, description or designation of a grade;

"Grader."

(e) "grader" means a person appointed or designated as a grader pursuant to section 7;

"Inspector."

(f) "inspector" means a person appointed or designated as an inspector pursuant to section 7;

"Minister."

(g) "Minister" means the Minister of Agriculture;

"Package."

(h) "package" means an inner or outer receptacle or covering used for containing, packing, wrapping or covering an agricultural product;

"Place."

(i) "place" includes any vehicle, vessel, railway car, or aircraft; and

"Prescribed."

(j) "prescribed" means prescribed by regulation of the Governor in Council.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 411.

An Act to Establish National Standards for Agricultural Products and to Regulate International and Interprovincial Trade in Agricultural Products.

First reading, May 24, 1955.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

56888

PART I.

STANDARDS.

Regulations.

3. (1) The Governor in Council may make regulations establishing grades with appropriate grade names for any class of agricultural products and, without limiting the generality of the foregoing, may, by such regulations

(a) prescribe the terms and conditions on which and the manner in which agricultural products may be graded or inspected under this Part;

(b) without limiting the generality of paragraph *(a)*, require, as a condition to the grading or inspection of an agricultural product under this Part, that it be prepared and graded in an establishment that, at the time of the preparation or grading of the product,

(i) complied with prescribed conditions, and

(ii) was registered in the prescribed manner,

and in respect of which the prescribed registration fee was paid;

(c) prescribe fees that may be charged for the grading or inspection of agricultural products; and

(d) prescribe the sizes, dimensions and other specifications of packages in which an agricultural product must be packed and the manner in which it must be packed and marked as a condition to application or use of the name of a grade so established.

Prohibitions.

(2) No person shall

(a) sell, offer for sale, or have in possession for sale an agricultural product under a grade name established under subsection (1) or under a grade name or other designation so closely resembling a grade name so established as to be likely to be mistaken therefor, or

(b) apply to an agricultural product or to a package containing an agricultural product a grade name established under subsection (1) or a grade name or other designation so closely resembling a grade name so established as to be likely to be mistaken therefor,

unless the agricultural product meets the requirements prescribed for the grade, has been graded and inspected as required by the regulations, and is packed and marked in prescribed manner.

PART II.

International and Interprovincial Trade.

Export and interprovincial movement.

4. Except as provided by regulations of the Governor in Council, no person shall export out of Canada, or send or convey from one province to another, an agricultural product of a class for which grades have been established under Part I unless the product has been graded and inspected under that Part and is packed and marked in accordance with the regulations made under that Part.

Regulations.

5. (1) The Governor in Council may make regulations for prohibiting

(a) importation into Canada,

(b) exportation out of Canada, or

(c) sending or conveyance from one province to another,

of an agricultural product of any class unless it complies with prescribed requirements, has been prepared in accordance with prescribed conditions and is packed and marked in prescribed manner.

Carriage of agricultural products.

(2) The Governor in Council may make regulations for prohibiting the carriage to a destination outside the province in which it was received of an agricultural product of a class for which grades have been established under Part I or of a class for which requirements have been prescribed under this section unless

(a) prescribed evidence that the product meets the requirements of this Act and the regulations has been obtained and produced as prescribed, and

(b) the product is identified in prescribed manner as an agricultural product that meets the requirements of this Act and the regulations.

Prohibitions.

(3) No person shall

(a) import into Canada,

(b) export from Canada,

(c) send or convey from one province to another, or

(d) carry or receive for carriage

an agricultural product contrary to a regulation made under this section.

Licence to deal in agricultural product.

6. (1) The Governor in Council may make regulations for the licensing of dealers to deal in any agricultural product shipped from or to a place outside the province in which such dealer carries on business, and for the issue, cancellation and suspension of licences including the prescribing of fees for the issue thereof.

Dealing without licence prohibited.

(2) No dealer, who is by the regulations made under subsection (1) required to be licensed to deal in an agricultural product in any manner, shall so deal in such product unless he is so licensed.

"Dealer" defined.

(3) For the purposes of this section, "dealer" means a person who

(a) is engaged in the business of selling a prescribed agricultural product,

(b) negotiates consignments, sales or purchases of a prescribed agricultural product for or on behalf of a vendor or purchaser, or

(c) receives or handles for purchase or sale a prescribed agricultural product on commission.

PART III.

ADMINISTRATION.

Inspectors and staff.

7. (1) Inspectors, graders and other persons necessary for the administration and enforcement of this Act shall be appointed or employed under the provisions of the *Civil Service Act.*

Idem.

(2) The Minister may designate any person as an inspector or grader for the purposes of this Act.

Regulations.

8. The Governor in Council may make regulations for carrying out the purposes and provisions of this Act and for prescribing anything that by this Act is required to be prescribed.

Powers of inspector.

9. (1) An inspector may at any time

(a) enter any place in which he reasonably believes there are agricultural products or other things to which this Act applies and may open any package found therein that he has reason to believe contains any agricultural product, and may examine any agricultural product or other thing found in such place and take samples thereof, and

(b) require any person to produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading or other documents or papers with respect to the administration of this Act or the regulations.

Certificate of appointment.

(2) An inspector shall be furnished with a prescribed certificate of his appointment or designation and on entering any place under subsection (1) shall, if so required, produce the certificate to the person in charge thereof.

Assistance to inspector.

(3) The owner or person in charge of any place described in subsection (1) and every person found therein shall give an inspector all reasonable assistance in his power to enable the inspector to carry out his duties and functions under this Act and shall furnish him with such information with respect to the administration of this Act and the regulations as he may reasonably require.

Seizure.

10. (1) Whenever an inspector believes on reasonable grounds that this Act or the regulations have been violated he may seize the agricultural products and other things by means of or in relation to which he reasonably believes the violation was committed.

Detention.

(2) Agricultural products and other things seized pursuant to subsection (1) shall not be detained after

(a) the provisions of this Act and the regulations have, in the opinion of the inspector, been complied with, or

(b) the expiration of ninety days from the day of seizure, or such longer period as may be prescribed with respect to any agricultural product, or other thing,

unless before that time proceedings have been instituted in respect of the violation, in which event the agricultural products and other things may be detained until the proceedings are finally concluded.

Forfeiture.

(3) Where a person has been convicted of a violation of this Act, every agricultural product or other thing by means of or in relation to which the offence was committed is, upon the conviction, in addition to any penalty imposed, forfeited to Her Majesty whether or not the forfeiture is directed by the conviction.

Regulations.

(4) The Governor in Council may make regulations

(a) respecting the detention of articles seized under this section and for preserving or safeguarding any articles so detained; and

(b) respecting the disposition of articles forfeited under this section.

Obstruction of inspector.

11. (1) No person shall obstruct or hinder an inspector or other officer in the carrying out of his duties or functions under this Act.

False statements.

(2) No person shall make a false or misleading statement either verbally or in writing to an inspector or other officer engaged in carrying out his duties or functions under this Act.

Damage and careless handling of products during shipment.

12. (1) No person shall, during the course of shipment of an agricultural product that has been packed, marked or graded under this Act,

(a) wilfully or carelessly damage the agricultural product, or

(b) handle the product in such a manner

(i) that it is likely to deteriorate in quality, or

(ii) that it is likely to fail to meet the requirements prescribed under this Act for the grade applied thereto.

"During course of shipment" defined.

(2) For the purposes of this section, the expression "during the course of shipment" includes loading and unloading and any acts preparatory to loading, shipping or unloading.

Offence.

13. (1) Every person who, or whose employee or agent, has violated any provision of this Act or any regulation made under subsection (4) of section 10, is guilty of an offence and is liable

(a) on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment, or

(*b*) upon conviction on indictment to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both fine and imprisonment.

Offence by agent or employee.

(2) In a prosecution for a violation of this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not the employee or agent is identified or has been prosecuted for the offence.

Evidence.

14. Proof that an agricultural product or a package containing an agricultural product bore

(*a*) a name and address purporting to be the name and address of the person by whom it was packaged or prepared, or

(*b*) a registered number or brand mark purporting to be the registered number or brand mark of the establishment where it was packaged or prepared,

is *prima facie* proof in a prosecution for a violation of this Act that the product was packaged or prepared and that the product or package was marked by the person whose name or address appeared on the product or package, or by the person operating the establishment whose registered number or brand mark appeared on the package, as the case may be.

Certificate of analyst.

15. (1) A certificate of an analyst stating that he has examined the composition of a sample of an agricultural product or other thing submitted to him by an inspector and stating the result of his examination is *prima facie* proof in a prosecution for a violation of this Act of the statement contained in the certificate.

Certificate of grader.

(2) A certificate of a grader as to the grade of an agricultural product is *prima facie* proof in a prosecution for a violation of this Act of the grade of the product at the time when, according to the certificate, the product was graded and during the period for which the certificate is expressed to be valid.

Admissibility.

(3) In a prosecution for a violation of this Act, a document purporting to be the certificate of an analyst or a grader shall be received in evidence, without proof of the signature of the person by whom it purports to be signed and without proof of his official position.

Trial of offences.

16. A complaint or information in respect of an offence under this Act may be heard, tried or determined by a police or stipendiary magistrate or a justice or justices of the peace if the accused is resident or carrying on business within his or their territorial jurisdiction although the matter of the complaint or information did not arise in that territorial jurisdiction.

Coming into force.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 413.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

AS PASSED BY THE HOUSE OF COMMONS, 26th MAY, 1955.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

58305

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 413.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1956, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 3, 1955.*

$257,705,895.34 granted for 1955-56.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and fifty-seven million, seven hundred and five thousand, eight hundred and ninety-five dollars and thirty-four cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-twelfth of the amount of each of the items to be voted set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1956, as laid before the House of Commons at the present session of Parliament.

$3,122,487.50 granted for 1955-56.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2 of this Act, a sum not exceeding in the whole three million, one hundred and twenty-two thousand, four hundred and eighty-seven dollars and fifty cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-twelfth of the amount of the several items to be voted set forth in the Schedule to this Act.

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

4. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act*.

SCHEDULE

SCHEDULE

Based on the Main Estimates, 1955-56. The amount hereby granted is $3,122,487.50, being one-twelfth of the amount of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	GEOLOGICAL SURVEY OF CANADA		
	Geological Surveys—		
216	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, an amount of $1,875 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England, and an amount of $25,000 for Grants in aid of Geological Research in Canadian Universities	2,394,637	
	SURVEYS AND MAPPING BRANCH		
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
219	Administration, Operation and Maintenance	1,592,065	
	Canadian Hydrographic Service—		
221	Administration, Operation and Maintenance, including Canada's Annual Contribution of $4,200 to the International Hydrographic Bureau	2,830,784	
223	Geodetic Survey of Canada—Administration, Operation and Maintenance	554,938	
224	International Boundary Commission	61,081	
	GEOGRAPHICAL BRANCH		
229	Geographical Branch—Administration, Operation and Maintenance, including a Grant of $250 to the Canadian Association of Geographers	300,345	
	VETERANS AFFAIRS		
	WAR VETERANS ALLOWANCES AND OTHER BENEFITS		
520	War Veterans Allowances	29,736,000	
			*37,469,850

* Net Total $3,122,487.50.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 415.

An Act to amend the Canada Elections Act.

First reading, June 1, 1955.

THE SECRETARY OF STATE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

57593

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 415.

An Act to amend the Canada Elections Act.

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

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

1. (1) Subsection (14) of section 2 of the French version of the *Canada Elections Act*, chapter 23 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"Heures du jour."

"(14) "heures du jour" et toutes les autres mentions de l'heure dans la présente loi ont trait à l'heure solaire;"

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

"*(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;"

R.S., cc. 23, 334, s. 9.

(3) Subsection (15) of section 2 of the said Act is further amended by deleting the word "and" at the end of paragraph *(d)* thereof and all the words following paragraph *(e)* thereof, by adding the word "and" at the end of paragraph *(e)* thereof and by adding thereto the following paragraph:

"*(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."

Explanatory Notes.

Clause 1. (1) To clarify the French version of the present section 2 (14) which reads as follows:

"(14) "heures du jour" et toutes les autres mentions de l'heure dans la présente loi ont trait à l'heure *normale*;"

(2) To provide that the judge appointed for any judicial district in the Province of Quebec, other than the judicial districts of Quebec and Montreal, will be the judge as therein defined. The present paragraph *(b)* of section 2 (15) reads as follows:

"*(b)* in relation to any place or territory within *the* judicial districts *of St. Francis and Three Rivers*, in the Province of Quebec, *the resident judge of the Superior Court;*"

(3) To provide a different mode of appointment of a substitute judge when the judge as defined in the preceding paragraphs of section 2 (15) is not available. The words appearing after paragraph *(e)* to be deleted are as follows:

"and if there is no such judge in any place or territory in Canada or the judge is unable to act, means the judge designated for the purpose by the Governor in Council;"

R. S., c. 306.

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

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 thirteen thousand five hundred 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."

3. Subsection (1) of section 11 of the said Act is repealed and the following substituted therefor:

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."

Repeal and relettering.

4. (1) Subsection (2) of section 14 of the said Act is amended by adding the word "and" at the end of paragraph *(g)* thereof, by repealing paragraph *(h)* thereof and by relettering paragraph *(i)* thereof as paragraph *(h)*.

(2) Subsection (6) of section 14 of the said Act is repealed and the following substituted therefor:

Residence qualifications of members of the Canadian Forces.

"(6) A Canadian Forces elector, as defined in paragraph 20 of *The Canadian Forces Voting Regulations*, 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 22 of those Regulations, and

Clause 2. The purpose of this amendment is to increase the salary of the Chief Electoral Officer.

Clause 3. Consequential to the proposed amendment in Clause 11. The present section 11 (1) reads as follows:

"**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) 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."

Clause 4. (1) Paragraph *(h)* of subsection (2) of section 14 is repealed as the only province that had legislation of the kind mentioned therein has now repealed such legislation. Paragraph *(h)* of the present subsection (2) of section 14 now reads as follows:

"*(h) in any province, every person exempted or entitled to claim exemption or who on production of any certificate might have become or would now be entitled to claim exemption from military service by reason of the Order in Council of December 6th, 1898, because the doctrines of his religion make him averse to bearing arms, and who is by the law of that province disqualified from voting at an election of a member of the legislative assembly of that province; and*"

(2) Consequential to the proposed change in terminology in Clause 40. The present section 14 (6) reads as follows:

"(6) *A Canadian Forces elector, as defined in paragraph 20 of The Canadian Forces Voting Regulations, is entitled to vote at a by-election only in the electoral district in which is situated the place of his ordinary residence as prescribed in paragraph 22 of the said Regulations.*"

(b) at a general election only under the procedure set forth in those Regulations, 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 22 of those Regulations."

5. All that portion of subsection (3) of section 15 of the said Act following paragraph *(c)* thereof is repealed and the following substituted therefor:

"*(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, the total number of persons employed under this paragraph not to exceed one for each five hundred electors in the electoral district; the official agent shall communicate the name, address and occupation of every person employed under this paragraph, in writing, to the returning officer who shall, in turn, communicate such name, address and occupation to the deputy returning officer of the appropriate polling station."

6. Subsection (5) of section 16 of the said Act is repealed and the following substituted therefor:

Members of the Canadian Forces.

"(5) A Canadian Forces elector, as defined in paragraph 20 of *The Canadian Forces Voting Regulations*, 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 22 of those Regulations."

7. (1) All that portion of subsection (5) of section 17 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

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

Clause 5. The latter portion of subsection (3) of section 15 was so drafted that it was doubtful whether it applied to the persons mentioned in paragraphs *(a)* to *(d)* of subsection (3) or to those mentioned in paragraph *(d)* only. The Statute Revision Committee construed it as applying to the persons mentioned in paragraphs *(a)* to *(d)*. This amendment makes it clear that that portion of subsection (3) applies only to the persons mentioned in paragraph *(d)*. All that portion of section 15 (3) appearing after paragraph *(c)* thereof now reads as follows:

"*(d)* persons employed, whether casually or for the period of the election or part thereof, in advertising of any kind, or as clerks *or* stenographers or *as* messengers on behalf of a candidate, *but* the total number of persons employed under *the provisions of* this paragraph *shall* not exceed one for each five hundred electors in the electoral district;

the name, address and occupation of every such person so employed shall be communicated, in writing, to the returning officer who shall, in turn, communicate such name, address and occupation to the deputy returning officer of the appropriate polling station."

Clause 6. Consequential to the proposed change in terminology in Clause 40. The present section 16 (5) reads as follows:

"(5) A Canadian Forces elector, as defined in paragraph 20 of *The Canadian Forces Voting Regulations*, shall be deemed to continue to ordinarily reside in the place of his ordinary residence as *prescribed in* paragraph 22 of *the said* Regulations."

Clause 7. (1) The words "upon its face" have been eliminated. The name and address of the printer and the certificate referred to cannot always appear on the face of the printed preliminary lists of electors. All that portion of section 17 (5) preceding paragraph *(a)* thereof now reads as follows:

"(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 *upon its face* 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:"

enumerators for the polling division to which such list relates; the arrangement of names on the lists shall be as follows:"

(2) Section 17 of the said Act is further amended by adding thereto immediately after subsection (5) thereof the following subsection:

Reproduction of preliminary lists where returning officer unable to have them printed.

"(5a) 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 (6) to (8), 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."

(3) Rule (17) of Schedule A to section 17 of the said Act is repealed and the following substituted therefor:

"*Rule (17).* For every urban polling division, the judge as defined in subsection (15) of section 2 is the *ex officio* revising officer."

(4) Rule (20) of Schedule A to section 17 of the said Act is repealed and the following substituted therefor:

"*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."

(5) Rules (23) and (24) of Schedule A to section 17 of the said Act are repealed and the following substituted therefor:

(2) New. To provide alternative methods of producing preliminary lists of electors when, for the reasons set out, the returning officer is unable to have such lists printed.

(3) Consequential to the proposed amendment in Clause 1 (3). The present Rule (17) reads as follows:

"*Rule (17).* For every urban polling division, the judge as defined in subsection (15) of section 2 is the *ex officio* revising officer; *in the event of there being or arising a vacancy in the office of ex officio revising officer, another judge for the same district, if any, shall thereupon become or be named ex officio revising officer, and if there is none or none is named, the Governor in Council may nominate a person to be substitute for the ex officio revising officer pending the appointment or nomination of a new judge.*"

(4) To enable the Chief Electoral Officer to instruct returning officers to complete as much of the preliminary work as possible before the writ ordering an election issues. The present Rule (20) reads as follows:

"*Rule (20).* The returning officer shall, *as soon as he conveniently can after the receipt by him of notice of the issue of a writ for an election in his electoral district,* 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 the boundaries* of such revisal districts."

(5) The proposed amendment to Rule (23) is to shorten the printed notice of revision by eliminating the descriptions of the boundaries of the revisal districts. The proposed amendment to Rule (24) is consequential to the proposed amendment in Clause 7 (6). The present Rules (23) and (24) read as follows:

"*Rule (23).* Forthwith on receipt of *such* notification 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, *describing the boundaries of* every revisal district established by him, giving the name of the revising officer appointed for each thereof, setting out the revisal office at which such revising

"*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 listing the numbers of the polling divisions comprised in every revisal district established by him, giving the name of the revising officer appointed for each thereof, setting out the revisal office at which such revising officer will attend for the revision of the lists of electors and stating the days and times during which such revisal office will be open; at least four days before the first day fixed for the sittings for revision, the returning officer shall cause two copies of such notice to be posted up in conspicuous places in each urban polling division comprised in his electoral district; immediately after the printing of the notice in Form No. 14, the returning officer shall transmit or deliver five copies thereof 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). 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."

(6) Rules (26) to (28) of Schedule A to section 17 of the said Act are repealed and the following substituted therefor:

"*Rule (26).* 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 (36), 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

officer will attend for the revision of the lists of electors, and stating the day and time during which such revisal office will be open; *it shall also be stated in the said notice the days and hours before the first day of sittings for revision, and the address at which each revising officer shall be in attendance to complete Affidavits of Objection in Form No. 15;* at least four days before the first day fixed for the sittings for revision, the returning officer shall cause two copies of such notice to be posted up in conspicuous places in each urban polling division comprised in his electoral district. Immediately after the printing of the notice in Form No 14, the returning officer shall transmit or deliver five copies thereof 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 officially nominated or to his representative.

Rule (24). 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 *above* mentioned notice 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 *three* days of sittings for revision."

(6) The proposed amendment to Rule (26) is to provide urban electors and candidates more time to examine lists of electors before the sittings for revision for the purpose of filing sworn notices of objection. The proposed amendments to Rules (27) and (28) are consequential to the proposed amendment to Rule (26). The present Rules (26) to (28) read as follows:

"Rule (26). The sittings of the revising officers for the revision of the lists of electors shall commence at ten o'clock in the forenoon of Thursday, Friday, and Saturday, the eighteenth, seventeenth, and sixteenth days before polling day, 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, provided that, if any of such days is a holiday as defined in the Interpretation Act, the date for the commencement or continuation of the sittings for revision may be postponed accordingly; moreover, on each of the three days fixed for the sittings for revision, every revising officer shall sit continuously at his revisal office for the revision of the lists of electors from seven o'clock until ten o'clock in the evenings of these three days.

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 (27). 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, on behalf of persons claiming the right to have their names included in the official list of electors, pursuant to Rule (33); and

(c) verbal applications for the correction of names or particulars of electors appearing on the preliminary list.

Rule (28). 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."

(7) Rules (32) and (33) of Schedule A to section 17 of the said Act are repealed and the following substituted therefor:

Rule (27). At the sittings for revision, 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, on behalf of persons claiming the right to have their names included in the list of electors, pursuant to Rule (33);

(c) verbal applications for the correction of names or particulars of electors appearing on the preliminary list; *and*

(d) any objection made on oath, in Form No. 15, to the inclusion of any name on the preliminary lists of electors, of which he himself has given notice to the elector concerned, in Form No. 16, pursuant to Rule 28.

Rule (28). During *the three days immediately preceding the first day fixed for* the sittings for revision, 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 *the day immediately preceding the first day fixed for the sittings for revision*, 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, 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; *on each of the three days immediately preceding the first day fixed for the sittings for revision, the revising officer shall keep himself available during at least three hours in the afternoons or evenings of such days, at the address given in the Notice of Revision in Form No. 14, to complete, as required, Affidavits of Objection and Notices to Persons Objected to, and to despatch copies of such affidavits and notices to the persons concerned."*

(7) Consequential to the proposed amendment to Rule (26) in Clause 7 (6). The present Rules (32) and (33) read as follows:

"*Rule (32).* 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 (33). 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."

(8) Rule (36) of Schedule A to section 17 of the said Act is repealed and the following substituted therefor:

"*Rule (32).* 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 list of electors at *any* sitting of the revising officer for such revisal district, and if such person answers to the satisfaction of the revising officer all such relevant questions as the revising officer *shall* deem 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 as an accepted application for registration in the list of electors of the polling division *wherein* such person resides.

Rule (33). 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 *any* sitting for revision held by him, 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 *wherein* such person ordinarily resides; the two applications shall be printed on the same sheet and shall be kept attached."

(8) Consequential to the proposed amendment to Rule (26) in Clause 7 (6). The present Rule (36) reads as follows:

"*Rule (36).* Where under Rule (28) 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, 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 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."

Proclamation by returning officer.

8. Lines one and two of subsection (1) of section 18 of the said Act are repealed and the following substituted therefor:

"**18.** (1) Within two days after the receipt of the writ of election or within six days after he has been notified"

Nomination day.

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

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

Notice and proclamation of new nomination and polling days.

10. Subsection (2) of section 23 of the said Act is repealed and the following substituted therefor:

"(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 Four, 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 twenty-first day after the new day fixed for the nomination of candidates."

"Rule (36). During his sittings for revision the revising officer shall hear and determine all objections made upon oath before him under Rule (28) and of which notice has been properly given by him under the said rule."

Clause 8. To provide more time for the printing and the distribution of the proclamation. Lines one and two of the present section 18 (1) read as follows:

"18. (1) Within two days after the receipt of the writ of election or within *two* days after he has been notified"

Clause 9. Consequential to the proposed amendment in Clause 37. The present section 21 (3) reads as follows:

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

Clause 10. Consequential to the proposed amendment in Clause 9. The present section 23 (2) reads as follows:

"(2) Notice of the new day fixed for the nomination of candidates, which shall not be more than one month from the death of *such* candidate 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 Four, 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."

11. Subsection (6) of section 31 of the said Act is repealed and the following substituted therefor:

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."

12. Subsection (4) of section 34 of the said Act is repealed and the following substituted therefor:

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."

13. Subsection (4) of section 49 of the said Act is repealed and the following substituted therefor:

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."

Clause 11. The proposed amendment to section 31 (6) is to provide authority for the Chief Electoral Officer to grant permission, under certain conditions, for the establishment of central polling places in any locality. The present section 31 (6) reads as follows:

"(6) The returning officer may, with the prior permission, and shall upon the direction of the Chief Electoral Officer, establish *in any city or town of not more than ten thousand population* a central polling place *whereat* the polling stations of all or any of the polling divisions of *such city or town* may be centralized, and upon the establishment of *such* central polling place 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."

Section 31 (7) is new. The proposed amendment is to provide authority for the Chief Electoral Officer to grant permission for the establishment of a polling station outside the boundaries of the polling division for which it is established.

Clause 12. Agents of candidates could not return to a polling station unless they did so within one hour of the close of the poll. The proposed amendment is to allow them to return at any time before the close of the poll. The present section 34 (4) reads as follows:

"(4) Agents of candidates or electors representing candidates may absent themselves from and return to the polling station at any time before *one hour previous to* the close of the poll."

Clause 13. The proposed amendment is to reduce to two days the period of eight days provided in this subsection. The present section 49 (4) reads as follows:

"(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 *eight* 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 *eight* days before such day."

14. Subsection (10) of section 50 of the said Act is repealed and the following substituted therefor:

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."

15. Subsections (1) and (2) of section 54 of the said Act are repealed and the following substituted therefor:

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 one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada 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 (15) 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."

16. Section 59 of the said Act is amended by adding thereto, immediately after subsection (2) thereof, the following subsection:

Election documents or election papers receivable in evidence when certified by Chief Electoral Officer.

"(2a) 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

Clause 14. To make this subsection conform to subsection (9) of section 50 and to simplify procedure with regard to polling station accounts. The present section 50 (10) reads as follows:

"(10) The deputy returning officer shall, with the ballot box, transmit or deliver to the returning officer, in the envelope provided for that purpose, *the key of such ballot box*, the preliminary statement of the poll in the form prescribed by the Chief Electoral Officer and the polling station account *furnished him in blank by the returning officer, having first caused it to be* filled in and signed by the *officials of his polling station entitled to fees, and by the landlord thereof, if any, and if under subsection (11) the ballot box is returned to the returning officer post free, registered, the envelope containing the key thereof, the preliminary statement of the poll and the polling station account shall likewise be transmitted at the same time.*"

Clause 15. (1) Clarification. (2) Consequential to the proposed amendment in Clause 1 (3). The present subsections (1) and (2) of section 54 read as follows:

"**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 one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada, as security for the costs of the candidate who has obtained the largest number of votes, *the said* judge shall appoint a time within four days after the receipt of the said affidavit to recount the said votes.

(2) The judge to whom applications under this section may be made shall be the judge as defined in subsection (15) of section 2 within whose judicial district is situated the place *whereat* the official addition of the votes was held, 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."

Clause 16. New. To make it possible for election documents or election papers to be produced in court without the personal appearance of the Chief Electoral Officer.

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."

17. (1) Paragraph *(a)* of subsection (4) of section 62 of the said Act is repealed and the following substituted therefor:

"*(a)* by a candidate, out of his own money for his personal expenses to an aggregate amount not exceeding two thousand dollars, or"

(2) Subsection (15) of section 62 of the said Act is repealed and the following substituted therefor:

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."

18. Section 87 of the said Act is repealed and the following substituted therefor:

No privilege from answering questions.

"**87.** (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."

Clause 17. The proposed amendments are to increase from one thousand to two thousand dollars the amount which a candidate may pay personally.

(1) The present subsection (4) *(a)* of section 62 reads as follows:

"*(a)* by a candidate, out of his own money for his personal expenses to an aggregate amount not exceeding *one* thousand dollars, or"

(2) The present section 62 (15) reads as follows:

"(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 *one* thousand dollars, but any further personal expenses so incurred by him shall be paid by his official agent."

Clause 18. Clarification. The present section 87 reads as follows:

"**87.** *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, except that no elector shall be obliged to state for whom he voted at any election; but 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.*"

19. Paragraph *(b)* of subsection (3) of section 94 of the said Act is repealed and the following substituted therefor:

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

20. (1) All that portion of subsection (1) of section 100 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

Who shall not be appointed election officers.

"**100.** (1) Subject to this section, none of the following persons shall be appointed as election officers, that is to say:"

(2) Paragraph *(c)* of subsection (1) of section 100 of the said Act is repealed and the following substituted therefor:

"*(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;"

(3) Paragraph *(e)* of subsection (1) of section 100 of the said Act is repealed and the following substituted therefor:

"*(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;"

(4) Section 100 of the said Act is further amended by adding thereto the following subsection:

Exceptions.

"(3) Paragraph *(d)* of subsection (1) does not apply in the electoral districts mentioned in Schedule Four, 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."

21. Subsection (1) of section 109 of the said Act is amended by adding the word "and" at the end of paragraph *(a)* thereof, by repealing paragraphs *(b)*, *(c)* and *(d)* thereof and substituting the following therefor:

"*(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 (36) of Schedule A to section 17, Tuesday, the sixth day before polling day."

Clause 19. To enable the Chief Electoral Officer to authorize the establishment of advance polls in places other than incorporated villages, towns or cities. Paragraph *(b)* of the present section 94 (3) reads as follows:

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

Clause 20. (1) and (4). To allow ministers, priests or ecclesiastics of any religious faith or worship to be appointed as election officers in the electoral districts mentioned in Schedule Four of the *Canada Elections Act.* The present provision reads as follows:

"**100.** (1) *Saving and excepting a judge upon whom this Act confers specific powers and his right to exercise such powers,* none of the following *indicated* persons shall be appointed as election officers, that is to say:"

(2) and (3). To provide that members of the Council of the Northwest Territories and police magistrates in the Northwest Territories shall not be appointed as election officers. Paragraphs *(c)* and *(e)* of the present section 100 (1) read as follows:

"*(c)* members of the House of Commons, or of the Legislative Assembly of any province of Canada, or of the Yukon *Territorial* Council;

(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, police magistrates;"

Clause 21. Consequential to the proposed amendment in Clause 7. Paragraphs *(b)*, *(c)* and *(d)* of the present section 109 (1) read as follows:

"*(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;

(c) the lists of electors for urban polling divisions shall not be re-printed after such lists have been revised by the revising officer; and

(d) the official list of electors for an urban polling division shall consist of the printed preliminary list of electors, prepared pursuant to this Act, taken together with a copy of the statement of changes and additions certified by either the revising officer or the returning officer."

22. Section 114 of the said Act is amended by adding thereto the following subsection:

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."

23. (1) The said Act is further amended by adding thereto the following section:

Yukon Territory elections to be conducted in accordance with this Act.

"**115.** (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 109 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."

Coming into force.

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

24. The said Act is further amended by adding thereto the following section:

Definition of "election material".

"**116.** (1) In this section, "election material" includes instructions, forms, record books, index books, ballot papers, poll books and copies of Acts or regulations 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."

Clause 22. Subsection (4) of section 114 was deleted from the Act as being spent. The qualifications for electors for Northwest Territories elections are to be governed in future by subsection (4) as it appears in the amendment.

Clause 23. New. To provide for elections of members to the Council of the Yukon Territory being conducted under the provisions of the *Canada Elections Act.*

Clause 24. New. To provide for the use of existing election material at a by-election, Northwest Territories or Yukon Territory elections that may be held after any re-enactment of the *Canada Elections Act* such as the revision of the Statutes of Canada.

25. Forms Nos. 5 and 6 of Schedule One to the said Act are repealed and the following substituted therefor:

"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 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)."

Clause 25. Change in terminology only. The present Forms Nos. 5 and 6 read as follows:

"FORM No. 5.

APPOINTMENT OF AN ENUMERATOR.

(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 1.)

To *(insert name of enumerator), whose occupation is (insert occupation), and* whose address is *(insert address).*

Know you that, in pursuance of *the provisions of section 17 of* the *Canada Elections Act,* I, the undersigned, in my capacity as returning officer for the electoral district of....., do hereby appoint you to be enumerator for polling division No..... *in* the said electoral district to prepare a list of electors qualified to vote *in the said* polling division, *in accordance with the provisions of the said section 17 of the Canada Elections Act.*

Given under my hand at..... this.....

day of....., 19....

.....
Returning Officer.

FORM No. 6.

OATH OF AN ENUMERATOR.

(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 3.)

I, the undersigned *(insert name of enumerator),* appointed enumerator for polling division No....., *in* the electoral district of ....., do *solemnly* swear (*or* affirm) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, *and in every respect according to law.* 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 *made and* subscribed before me the above set forth oath (*or* affirmation).

In testimony whereof I have issued this certificate under my hand.

.....
Returning Officer (or as the case may be.)"

26. Form No. 14 of Schedule One to the said Act is repealed and the following substituted therefor:

"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 (32) of Schedule A to section 17 of the *Canada Elections Act;*

Clause 26. Consequential to the proposed amendments in Clause 7 (4), (5) and (6). The present Form No. 14 reads as follows:

"FORM No. 14.

NOTICE OF REVISION.

(Sec. 17, Sched. A, Rule 23.)

Electoral district of .....

PUBLIC NOTICE IS HEREBY GIVEN THAT the 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, *included within an area described as follows: (Insert description of area included in revisal 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 *and whose address is (Insert address of revising officer), where he will be found from ..... o'clock until ..... o'clock in the afternoons of Monday, Tuesday, and Wednesday, the ....., ... and ..... days of ....., 19....*

(Insert the dates of the three days immediately preceding the first day of sittings for revision) to complete affidavits of objection in Form No. 15 of the Canada Elections Act.

(Proceed as above in respect to any other revisal district.)

NOTICE IS FURTHER GIVEN THAT, *on the three days immediately preceding the first day fixed for* the sittings for revision, *as* 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 *at any of* the sittings for revision aforesaid the revising officer shall dispose of the following applications *and objections:*

(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 (32) of Schedule A to section 17 of the *Canada Elections Act;*

(b) sworn applications made by agents on Forms Nos. 17 and 18 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 (33) 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 (35) 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 (28) 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."

(*b*) sworn applications made by agents on Forms Nos. 17 and 18 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 (33) of Schedule A to section 17 of the said Act;

(*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 (35) of Schedule A to section 17 of the said Act; *and*

(*d*) *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 (28) 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 continuously in his revisal office from seven o'clock until ten o'clock in the evening of each of these *three* 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.)*

Given under my hand at..... this.....

day of....., 19.....

(Print name of returning officer)
Returning officer."

27. Forms Nos. 16 and 17 of Schedule One to the said Act are repealed and the following substituted therefor:

"FORM No. 16.

NOTICE TO PERSON OBJECTED TO.

(Sec. 17, Sched. A, Rule 28.)

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 (28) of Schedule A to section 17 of the *Canada Elections Act.*

Dated at....., this.....day of

....., 19....

.....

Revising Officer.

Clause 27. The proposed amendment to Form No. 16 is consequential to the proposed amendment in Clause 7 (6). The proposed amendment to Form No. 17 is to make it conform to Rule (33) of Schedule A to section 17. The present Forms Nos. 16 and 17 read as follows:

"FORM No. 16.

NOTICE TO PERSON OBJECTED TO.

(Sec. 17, Sched. A, Rule 28.)

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 the....., ..., *and* ..... *days* of....., 19....., where I may be found from ten o'clock until eleven o'clock in the forenoon, and *also* from seven o'clock until ten o'clock in the evening *of each of these three days.*

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 28 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 33.)

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 (33) 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 is signed in the handwriting of 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. 17.

SWORN APPLICATION TO BE MADE BY THE AGENT OF AN ELECTOR.

(Sec. 17, Sched. A, Rule 33.)

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 *urban* polling division No.....of the said electoral district.

2. That pursuant to the provisions of Rule (33) 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 is signed in the handwriting of 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)"

28. Form No. 19 of Schedule One to the said Act is repealed and the following substituted therefor:

"FORM No. 19.

REVISING OFFICER'S STATEMENT OF CHANGES AND ADDITIONS MADE IN AN URBAN PRELIMINARY LIST OF ELECTORS.

(Sec. 17, Sched. A, Rule 40.)

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."

Clause 28. Clarification. The present Form No. 19 reads as follows:

"*Form No. 19.*

Revising Officer's Statement of Changes and Additions made in an Urban Preliminary List of Electors.

(Sec. 17, Sched. A, Rule 41.)

Polling Division No.....
Electoral District of.....
Revisal District No.....

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*

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*

CERTIFICATE.

I hereby certify that the foregoing is a correct statement of all the changes and additions *which* 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."

29. Form No. 22 of Schedule One to the said Act is repealed and the following substituted therefor:

"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
day of....., 19.....
Saturday, 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.....
(insert the date of Thursday, the
day of....., 19...., he will
eighteenth day before polling day)
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 at....., this.....
day of....., 19....

.....
Rural Enumerator."

Clause 29. To bring this form in line with the provisions of Rule (3) of Schedule B to section 17. Also clarification and change in terminology. The present Form No. 22 reads as follows:

"FORM No. 22.

NOTICE OF RURAL ENUMERATION *of Electors*

(Sec. 17, Sched. B, Rule 3.)

Electoral District of.....
Rural Polling Division No.....

Public notice is hereby given that the undersigned has been appointed enumerator for the above mentioned rural polling division *and* is about to prepare a preliminary list of electors who are qualified to vote therein at *an* election, and that he will complete the said preliminary list of electors 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 *afternoon* of *Tuesday*, the.....day of the month of....., 19....

(insert the date of Tuesday, the thirteenth day before polling day.)

he will attend and remain at.....

(insert an exact description of the location of the place and where the enumerator intends to remain.)

.....

so that he may be found there by any person who desires to direct attention to any error in any entry *in* the preliminary list or to represent that such list does not contain the name of *any person residing* in the above polling division who is qualified to vote at the pending election or does contain the name of any person who is not qualified to vote *thereat.*

And that in order that the preliminary list *of electors for the above mentioned polling division* shall be available for inspection by persons *desiring to inspect the same,* a copy thereof will, forthwith after *the* completion *thereof,* be posted at the place above described and will remain so posted until all proper *corrections in* the list have been made.

And that after ten o'clock in the *afternoon* of the *Tuesday* above mentioned, no further *corrections or additions* will be made, and the preliminary list *of electors* together with the statement of changes and additions *certified by me* will constitute the official list of electors to be used for the taking of the vote at the pending election for the polling division *above mentioned.*

Dated at....., this.....

day of....., 19....

.....

Enumerator."

30. Form No. 31 of Schedule One to the said Act is repealed and the following substituted therefor:

"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 six 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."

Clause 30. Change in terminology only. The present Form No. 31 reads as follows:

"Form No. 31.

Appointment of a deputy returning officer. (Sec. 26.)

To (insert name of D.R.O.), whose occupation is (insert occupation) and whose address is (insert address).

Know you that I, in my capacity of returning officer for the electoral district of.....,
hereby appoint you to be deputy returning officer for polling station No.....of the said electoral district, there to take the votes of the electors by ballot according to law, at the polling station to be by you opened and kept for that purpose; and you are hereby authorized and required to open and hold the poll of such election at the said polling station on the.....day of....., 19....., at the hour of eight o'clock in the forenoon, at (here describe particularly the location of the polling station), and there to keep the said poll open until six o'clock in the afternoon, and to take at the said polling station, by ballot, in the manner by law provided, the votes of the electors qualified to vote at the said polling station, and after counting the votes given for the various candidates and performing all the other duties required of you by law, to return to me forthwith the ballot box sealed with your seal, and inclosing two envelopes one containing the statement of the poll and another containing the poll book, the ballot papers—unused, spoiled, rejected and counted for each candidate—each lot in its proper envelope, the list of electors and other documents used at the poll, and all other papers required by law.

Given under my hand at.....this.....

day of....., in the year 19.....

.....
Returning Officer."

31. Form No. 40 of Schedule One to the said Act is repealed and the following substituted therefor:

"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
.....	.....
.....	.....
.....	.....

Clause 31. Clarification. The present Form No. 40 reads as follows:

"FORM No. 40.

POLL BOOK (Sec. 36 (6).)

Consecutive number given each elector as he applies for a ballot	Particulars of elector			
	Name of elector *(Family name first)*	Occupation	Post office address	Consecutive number of elector on *the* list *of electors*
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Form numbers of oaths, if any, the elector is required to swear	Record that oaths sworn or refused (If sworn, insert "Sworn" if refused, insert "Refused to be sworn")	Particulars of person vouching, *in a rural polling division only*, under section 46, for an elector whose name is not on the list.		
		Name	Consecutive number of elector on list *of electors*	Record that oath (Form *49*) sworn (when sworn insert "Sworn")
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Record that elector has voted — *(When ballot put into ballot box, insert "Voted")*	Remarks
.....	.....
.....	.....
.....	.....

32. Forms Nos. 56 and 57 of Schedule One to the said Act are repealed and the following substituted therefor:

"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)."

Clause 32. Change in terminology only. The present Forms Nos. 56 and 57 read as follows:

"FORM No. 56.

OATH OF THE DEPUTY RETURNING OFFICER *after the closing* OF THE POLL. (Sec. 50 (7).)

I, the undersigned, 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, *this* poll book *kept for* the said polling station, *under my direction,* has been *so* kept correctly; *that the total number of voters recorded therein is.....*, *and that it contains a true and exact record of the votes given at the said polling station, as the said votes were taken thereat;* that I have faithfully counted the votes *given* for each candidate *in the manner by law provided and* performed all duties *required of me by law,* and that the statement of the poll, poll book, *packets of* ballot papers, and other documents *required by law to be returned by me to the returning officer,* will be *faithfully and truly* prepared and placed *within* the ballot box, *as this oath* (*or* affirmation) *will be,* to the end that the said ballot box, being first *carefully* sealed with *my* seal, *may be transmitted to the returning officer according to law.*

.....
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 THE POLL CLERK *After Closing* OF THE POLL. (Sec. 50 (7).)

I, the undersigned, poll clerk for polling station No..... of the electoral district of....., do swear (*or do* solemnly affirm) that *this* poll book *for* the *said* polling station *kept under the direction of*....., *who has acted as deputy*
(insert name of D.R.O.)
returning officer thereat, has been *so* kept *by me, under his direction as aforesaid, correctly and* to the best of my *skill and judgment;* that the total number of *voters recorded* therein is.....*and* that *to the best of my knowledge and belief, it* contains a true and exact record of the votes *given* at the *above mentioned* polling station *as the said votes were taken thereat by the said deputy returning officer,* and that I have faithfully performed all my other duties as poll clerk *according to law.*

.....
Poll Clerk.

Sworn (*or* affirmed) before me at....., this.....day of....., *in the year* 19.....

.....
Deputy Returning Officer (or as the case may be)."

33. Form No. 66 of Schedule One to the said Act is repealed and the following substituted therefor:

"FORM No. 66.

ADVANCE POLL CERTIFICATE AND STATEMENT OF IDENTIFICATION.

(Sec. 96.)

CERTIFICATE.

I hereby certify that *(insert full name of applicant elector)*, whose occupation as given on the official list of electors is *(insert occupation)*, whose address as given thereon is *(insert address)* and whose signature appears hereunder above mine has personally appeared before me and has satisfied me:

(1) That he is now employed..... *(insert:* "by the..... ...Railway Company in the capacity of....." *or* "on the vessel known as the .....in the capacity of....." *or* "by.....as a commercial traveller", *or* "as a fisherman", *or as the case may be)*, and

(2) That by reason of the nature of his said employment and in the course thereof he is necessarily absent from time to time from the place of his ordinary residence, and

(3) That he has reason to believe that he will be so absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on such polling day in, the undermentioned polling division on the list of electors for which his name appears, or that he is a member of the reserve forces of the Canadian Forces or that he is a member of the Royal Canadian Mounted Police Force and that, on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on such polling day from, and that he is likely to be unable to vote on that day in, the undermentioned polling division on the list of electors for which his name appears, and

(4) That he is the person intended to be described by the entry of the name, occupation and address above set out on the official list of electors entitled to vote at the pending election in polling division No....., in the electoral district of.....

And I accordingly certify that he is a person entitled to vote at any advance poll established in the said electoral district on the conditions prescribed in the *Canada Elections Act* and in the Instructions for Deputy Returning Officers issued by the Chief Electoral Officer.

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

.....

(Signature of applicant elector).

.....

Returning Officer (or as the case may be).

Clause 33. To bring this form in line with the provisions of section 96 (5). Also change in terminology. The present Form No. 66 reads as follows:

"FORM No. 66.

ADVANCE POLL CERTIFICATE AND STATEMENT OF IDENTIFICATION.

(Sec. 96.)

CERTIFICATE.

I hereby certify that (*insert full name of applicant voter*), whose occupation as given *in* the official list of electors is *(insert occupation)*, whose address as *so* given is.....*(insert address)*,.....and whose signature appears hereunder above mine, has personally appeared before me and has satisfied me:

(1) That he is now employed..... (*insert:* "by the.....Railway Company in the capacity of ....." *or* "on the vessel known as the..... in the capacity of....." *or* "by..... as a commercial traveller," *or as the case may be*), and

(2) That by reason of the nature of his said employment and in the course thereof he is necessarily absent from time to time from his ordinary place of residence, and

(3) That he has reason to believe that he will be so absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on such polling day in, the undermentioned polling division on the list of electors for which his name appears, or that he is a member of the reserve forces of the Canadian Forces or that he is a member of the Royal Canadian Mounted Police Force and that, on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on such polling day from, and that he is likely to be unable to vote on that day in, the undermentioned polling division on the list of electors for which his name appears, and

(4) That he is the person intended to be described by the entry of the name, occupation and address above set out on the official list of electors entitled to vote at *this* election in polling division No....., in the electoral district of.....

And I accordingly certify that he is a person entitled to vote at any advance poll established in the said electoral district on the conditions prescribed in the *Canada Elections Act.*

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

.....
(Signature of applicant voter).

.....
Returning Officer (or as the case may be).

STATEMENT OF IDENTIFICATION AND DECLARATION.

I hereby declare that I am the person described in the above certificate, that all the facts therein stated with respect to my employment and anticipated absence from the place of my ordinary residence on the ordinary polling day are correct, and that I verily believe myself to be the person intended to be referred to by the entry on the official list of electors, the particulars of which are transcribed in the above certificate.

I am aware that, having presented this certificate at an advance poll, I am not entitled to vote at an ordinary polling station on the ordinary polling day.

.....

(Signature of applicant elector).

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

Consecutive number given to the elector as he applies for a ballot paper	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

STATEMENT OF IDENTIFICATION AND DECLARATION.

I hereby declare that I am the person described in the above certificate, that all the facts therein stated with respect to my employment and anticipated absence from *home* on polling day are correct, and that I verily believe myself to be the person intended to be referred to by the entry in the official list of electors, the particulars of which are transcribed in the above certificate.

I am aware that, having presented this certificate at an advance *polling station*, I am not entitled to vote at an ordinary *poll* on polling day.

.....

(Signature of voter)."

34. The preamble to *The Canadian Forces Voting Regulations* in Schedule Three to the said Act is repealed and the following substituted therefor:

"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."

35. (1) Clause *(g)* of paragraph 4 of the French version of the said Regulations is repealed and the following substituted therefor:

"Heures du jour."

"*(g)* "heures du jour" et les autres mentions de l'heure dans les présents règlements se rapportent à l'heure solaire;"

(2) Clause *(j)* of paragraph 4 of the said Regulations is repealed and the following substituted therefor:

"Outer envelope."

"*(j)* "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. 7A or Form No. 12;"

36. Clauses *(e)* and *(f)* of paragraph 12 of the said Regulations are repealed and the following substituted therefor:

"*(e)* secure from the various liaison officers the lists provided for in paragraph 26;

(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 30;"

37. Paragraph 15 of the said Regulations is repealed and the following substituted therefor:

List of names and surnames, etc., of candidates.

"15. As soon as possible after the nominations of candidates at the general election have closed on the twenty-first day before polling day, the Chief Electoral Officer shall transmit a sufficient number of copies of a printed list of the names and surnames of the candidates officially nominated in each electoral district to every special returning officer; upon such list shall be inserted after the names

Clause 34. Remedial. The present preamble reads as follows:

"To enable Canadian electors *on Defence Service* and Veterans receiving treatment or domiciliary care in certain hospitals or institutions to exercise their franchise at a general election."

Clause 35. (1) To clarify the French version of the present clause *(g)* of paragraph 4 which reads as follows:

"*(g)* "heures du jour" et les autres mentions de l'heure dans les présents règlements se rapportent à l'heure *normale;*"

(2) Consequential to proposed new subparagraph (1a) of paragraph 33 of the Regulations as set out in Clause 47 (1); it provides for printing the new Form No. 7A on the outer envelope. The present clause *(j)* of paragraph 4 reads as follows:

"*(j)* "outer envelope" means the envelope provided for the transmission *by mail* of the ballot paper (after such ballot paper has been marked and enclosed in the inner envelope *hereinbefore defined*) 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 *either* in Form No. 7 or Form No. 12;

Clause 36. (i) Paragraph 12 *(e).* Consequential to the amendment to paragraph 26. The present paragraph 12 *(e)* reads as follows:

"*(e)* secure *a* list *of the names, ranks, and numbers of Canadian Forces electors* from the various liaison officers, *as prescribed* in paragraph 26;"

(ii) Paragraph 12 *(f).* Section 52 of chapter 3 of the statutes of 1951 (Second Session) directed that the expression "deputy returning officer" be substituted for the expressions "commissioned officer" and "commissioned officer designated" in various places throughout the Act and forms. When the statutes were being revised it was necessary to effect the substitution in the consolidation of the *Canada Elections Act,* but difficulties arose largely because of the varying contexts in which the expressions "commissioned officer" and "commissioned officer designated" occurred. The result was that the amendments directed by section 52 of the 1951 amending Act were not given effect in the Revised Statutes precisely as contemplated in 1951. The present paragraph 12 *(f)* reads as follows:

"*(f)* secure, through the liaison officers, a list of the name, rank, and number of every *commissioned* officer designated by each commanding officer to take the votes of Canadian Forces electors, as *prescribed in* paragraph 30;"

Clause 37. To provide more time to comply with the provisions of this paragraph and of paragraph 19 of the Regulations. The present paragraph 15 reads as follows:

"15. 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 printed list of the names and surnames of the candidates officially nominated in each electoral district to every special returning officer; upon such list shall be inserted after the names and surname of each candidate the designating letters currently used to indicate his political affiliations; such designating letters shall be ascertained from the best sources of information available to the Chief Electoral Officer."

and surname of each candidate the designating letters currently used to indicate his political affiliations; such designating letters shall be ascertained from the best sources of information available to the Chief Electoral Officer."

38. Paragraph 17 of the said Regulations is repealed and the following substituted therefor:

Books of key maps, etc.

"17. The books of key maps referred to in paragraph 14 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."

39. The said Regulations are further amended by adding thereto immediately after paragraph 20 thereof the following paragraphs:

Wives of members of Canadian Forces outside Canada deemed Canadian Forces electors.

"20A. The wife of a Canadian Forces elector, as defined in paragraph 20, 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 20,

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 Regulations.

Disqualifications.

20B. Notwithstanding anything in these Regulations, 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 Regulations."

40. Paragraph 21 of the said Regulations is repealed and the following substituted therefor:

Canadian Forces elector, as defined in paragraph 20, to complete statement and declaration of ordinary residence.

"21. (1) Notwithstanding paragraph 20, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Regulations, unless he or she

(a) completes a statement of ordinary residence as provided in paragraph 22 or subparagraph (1) of paragraph 33, and

Clause 38. Clarification. The present paragraph 17 reads as follows:

"17. The books of key maps referred to in paragraph 14, shall be used by Canadian Forces electors and Veteran electors *from* 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 *from* other places in Canada."

Clause 39. The purpose of the new paragraph 20A is to enable the wife of a member of the Canadian Forces, who is a Canadian Forces elector, residing with her husband when he is serving outside Canada, to vote under the procedure set forth in the Regulations. The new paragraph 20B is to make it clear that a Canadian Forces elector who is undergoing punishment, detention or imprisonment, or who is subject to any other disqualification set out in section 14 of the Act is disqualified from voting under the procedure set forth in the Regulations.

Clause 40. To make it clear that a member of the Canadian Forces who is a Canadian Forces elector must make a statement as to place of ordinary residence before either he or his wife is entitled to vote under the Regulations, and that his or her vote is to be applied to the electoral district in which that place of ordinary residence is situated. The present paragraph 21 of the Regulations reads as follows:

"21. *In order to be entitled to vote under the procedure set forth in these Regulations, a Canadian Forces elector shall specify, in a declaration in Form No. 7, the name of the place of his or her ordinary residence in Canada as defined in paragraph 22, and his or her vote shall be applied only to the electoral district in which such place of ordinary residence is situated.*"

(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 20A, to complete declaration of ordinary residence.

(2) Notwithstanding paragraph 20A, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Regulations, unless

(a) her husband has completed a statement of ordinary residence as provided in paragraph 22 or subparagraph (1) of paragraph 33, and

(b) she specifies in a declaration in Form No. 7A 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 20, 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 22 or subparagraph (1) of paragraph 33, and a Canadian Forces elector, as defined in paragraph 20A, 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."

41. (1) Subparagraph (1) of paragraph 22 of the said Regulations is repealed.

(2) Subparagraphs (3) to (7) of paragraph 22 of the said Regulations are repealed and the following substituted therefor:

Ordinary residence on enrolment in regular forces.

"(3) After the 21st day of December 1951,

(a) every person shall, forthwith upon his or her enrolment in the regular forces of the Canadian Forces, complete, in duplicate, before a commissioned officer, a statement of ordinary residence, in Form No. 16, indicating the city, town, village or other place in Canada in which was situated his or her place of ordinary residence immediately prior to enrolment; and

(b) a person, not having a place of ordinary residence in Canada immediately prior to enrolment in the regular forces of the Canadian Forces, shall complete, as soon as one or more of the provisions of subparagraph (2) become applicable to his or her circumstances, a statement of ordinary residence in Form No. 15 before a commissioned officer.

Change of ordinary residence and statement of ordinary residence when not previously completed.

(4) A member of the regular forces may, during the month of December in any year and at no other time,

(a) except when he or she is also a member of the active service forces of the Canadian Forces, change his or her place of ordinary residence to the city, town,

Clause 41. (1) Consequential. Subparagraph (1) of paragraph 22 is no longer necessary as all relevant paragraphs now refer to residence as shown on the statement of ordinary residence. Subparagraph (1) of the present paragraph 22 reads as follows:

"22. *(1) For the purpose of these Regulations, the place of ordinary residence of a member of the Canadian Forces shall be deemed to be the place of ordinary residence required to be shown by him or her in the statements provided for in this paragraph.*"

(2) See note (ii) to Clause 36. Paragraph 22 (4) *(b)* is new. It permits members of the regular forces of the Canadian Forces mentioned in subparagraph (2) who have failed to complete a statement of ordinary residence to complete a statement in December of any year. Subparagraphs (3) to (7) of the present paragraph 22 read as follows:

"(3) After the 21st day of December, 1951,

(a) every person shall, forthwith upon his or her enrolment in the regular forces of the Canadian Forces, complete, in duplicate, before a *deputy returning* officer, a statement of ordinary residence, in Form No. 16, indicating the city, town, village, or other place in Canada, in which was situated his or her place of ordinary residence immediately prior to enrolment; and

(b) a person, not having a place of ordinary residence in Canada immediately prior to enrolment in the regular forces of the Canadian Forces, shall complete, as soon as one or more of the provisions of subparagraph (2) become applicable to his or her circumstances, a statement of ordinary residence, in Form No. 15, before a *deputy returning* officer.

(4) Except when he or she is also a member of the active service forces of the Canadian Forces, a member of the regular forces may, during the month of December of any year and at no other time, change his or her place of ordinary residence to the city, town, village, or other place in Canada referred to in clause (a), (b) or (c) of subparagraph (2) by completing, in duplicate, before a deputy returning officer, a statement of change of ordinary residence ,in Form No. 17.

village or other place in Canada referred to in clause *(a)*, *(b)* or *(c)* of subparagraph (2) by completing, in duplicate, before a commissioned officer a statement of change of ordinary residence, in Form No. 17, and

(b) if he or she has failed to complete a statement of ordinary residence mentioned in subparagraph (2) or (3), complete such statement of ordinary residence either in Form No. 15 or Form No. 16.

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. 18 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. 18, 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 of the Canadian Forces, every person who is not a member of the regular or reserve forces shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 16 indicating the city, town, village or other place in Canada in which is situated his or her place of ordinary residence immediately prior to enrolment in the active service forces."

42. Paragraph 23 of the said Regulations is repealed and the following substituted therefor:

Voting by Canadian Forces electors.

"23. Every Canadian Forces elector, as defined in paragraph 20, is entitled to vote at a general election only according to the procedure set forth in these Regulations, unless such elector is, on polling day, at the place of his or

(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 *deputy returning* officer, a statement of ordinary residence, in Form No. 18, indicating the city, town, village, or other place in Canada *wherein is* situated his or her place of ordinary residence immediately prior to commencement of such period of full-time training or 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 *deputy returning* officer, a statement of ordinary residence, in Form No. 18, 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.

(7) On enrolment in the active service forces of the Canadian Forces, every person, who is not a member of the regular or reserve forces, shall complete, in duplicate, before a *deputy returning* officer, a statement of ordinary residence, in Form No. 16, indicating the city, town, village, or other place in Canada in which is situated his or her place of ordinary residence immediately prior to enrolment in the active service forces."

Clause 42. Clarification. The present paragraph 23 reads as follows:

"23. Every Canadian Forces elector as defined in paragraph 20, is entitled to vote at a general election only according to the procedure set forth in these Regulations, unless such elector is, on polling day, *in* the place of his or her ordinary residence, as *defined in* paragraph 22, in which case the Canadian Forces elector may vote as a civilian elector, subject to the limitation set out in paragraph 39."

her ordinary residence as shown on the statement made by the elector under paragraph 22, in which case the Canadian Forces elector may vote as a civilian elector, subject to the limitation set out in paragraph 39."

43. Subparagraph (3) of paragraph 24 of the said Regulations is repealed and the following substituted therefor:

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 Regulations 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 29 in the taking of the votes of Canadian Forces electors."

44. (1) Subparagraph (1) of paragraph 25 of the said Regulations is repealed and the following substituted therefor:

Publication of notice of general election.

"25. (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 for polling day; it shall also be stated in such notice 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 as may be fixed by the commanding officer, not less than three each day, of the six days from Monday the seventh day before polling day to the Saturday immediately preceding polling day, both inclusive; the commanding officer shall afford all necessary facilities to Canadian Forces electors attached to his unit, and to the wives of such electors who are Canadian Forces electors, as defined in paragraph 20A, to cast their votes in the manner prescribed in these Regulations."

(2) All that portion of subparagraph (2) of paragraph 25 of the said Regulations preceding clause *(a)* thereof is repealed and the following substituted therefor:

Notification of days, hours and places of voting.

"(2) On at least three days before the period fixed for voting by Canadian Forces electors as provided in sub-

Clause 43. To define more clearly the duties of a liaison officer. The present paragraph 24 (3) reads as follows:

"(3) The liaison officer designated in each of the respective Forces shall immediately communicate with the commanding officer of every unit stationed in the voting territory, stating all necessary particulars 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 *and* the various commanding officers, in the taking of the votes of Canadian Forces electors."

Clause 44. (1) To enable commanding officers to fix the three hours for voting at any time during the day. Further, the amendment is consequential to Clause 39, and provides that a commanding officer of a unit is to make the facilities of Service voting places in his unit available to wives of members of the Canadian Forces who are qualified to vote as Canadian Forces electors pursuant to Clause 39. The present paragraph 25 (1) reads as follows:

"25. (1) Every commanding officer shall, forthwith upon being notified by the liaison officer, 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 for polling day; it shall also be stated in *the said* notice 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 as may be fixed by the commanding officer, not less than three each day, *between nine o'clock in the forenoon and ten o'clock in the evening*, of the six days from Monday the seventh day before polling day to the Saturday immediately preceding polling day, both inclusive; the commanding officer shall afford all necessary facilities to Canadian Forces electors attached to his unit to cast their votes in the manner prescribed in these Regulations."

(2) To do away with the necessity for a commanding officer issuing Daily Orders on a day on which they are ordinarily not issued, unless such a day is one on which voting takes place. All that portion of paragraph 25 (2) preceding clause *(a)* thereof now reads as follows:

"(2) At least *two* days before the period fixed for voting by Canadian Forces electors, as *prescribed* in subparagraph (1), and every day *thereafter until the Saturday immediately preceding polling day*, every commanding officer shall publish in Daily Orders, with the necessary modifications, a notice stating"

paragraph (1) 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"

1952-53, c. 24, s. 7.

45. Paragraphs 26 to 29 of the said Regulations are repealed and the following substituted therefor:

List of names, etc., of Canadian Forces electors.

"26. 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 22, places of ordinary residence, as shown on such statements, of Canadian Forces electors, as defined in paragraph 20, attached to his unit; and

(b) the names of Canadian Forces electors, as defined in paragraph 20A, 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 22, 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 22 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.

27. (1) Every Canadian Forces elector, as defined in paragraph 20, who is undergoing treatment in a Service hospital or convalescent institution during the period prescribed in subparagraph (1) of paragraph 25 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 20A, 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 Regulations to take

Clause 45. The amendment to paragraph 26 of the Regulations is consequential to Clause 39, and provides for the preparation of lists of wives of members of the Canadian Forces residing outside Canada with their husbands who are eligible to vote under the Regulations in accordance with Clause 39; it also requires commanding officers to include on the lists prepared in their units the names of all Canadian Forces electors, even though some may not have completed statements of ordinary residence. The present paragraph 26 reads as follows:

"26. 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 the names, ranks, numbers and places of ordinary residence, as *prescribed in* paragraph 22, of Canadian Forces electors attached to his unit; 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 *attached to his unit;* at any reasonable time during an election, such list and the statements referred to in paragraph 22 shall be open to inspection by any officially nominated candidate or his accredited representative, and such persons shall be permitted to make extracts therefrom."

The amendment to subparagraph (1) of paragraph 27 is consequential to Clause 39, and permits a wife who is qualified to vote as a Canadian Forces elector, whose husband is undergoing treatment in a Service hospital or convalescent institution, to vote either at that hospital or institution or at the unit where her husband was entitled to vote prior to admission to the hospital or institution. The proposed subparagraph (2) of that paragraph is to enable a deputy returning officer to go from room to room in Service hospitals or convalescent institutions to take the votes of Canadian Forces electors. The proposed subparagraph (3) of that paragraph is to ensure that the vote is taken in all Service hospitals or convalescent institutions. The present paragraph 27 reads as follows:

"27. Every Canadian Forces elector in a Service hospital or convalescent institution, during the period prescribed in subparagraph (1) of paragraph 25 for the taking of the votes of Canadian Forces electors at *the* 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."

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.

Distribution of supplies by commanding officer.

28. Forthwith upon receiving the supplies mentioned in paragraph 19, the commanding officer shall distribute such supplies in sufficient quantities to every deputy returning officer designated by him to take the votes of Canadian Forces electors; the commanding officer shall also cause copies of the printed list of names and surnames of candidates to be posted up on the bulletin boards of his unit and in other conspicuous places.

Posting up of list of names of candidates.

Before whom votes of Canadian Forces electors to be cast.

29. The vote of every Canadian Forces elector shall be cast before a Canadian Forces elector, as defined in paragraph 20, who has been designated by a commanding officer to act as a deputy returning officer."

46. Subparagraphs (1) and (2) of paragraph 32 of the said Regulations are repealed and the following substituted therefor:

Representative of political group.

"32. (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. 10, 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."

1952-53, c. 24, s. 7.

47. (1) Subparagraph (1) of paragraph 33 of the said Regulations is repealed and the following substituted therefor:

Declaration by Canadian Forces elector, as defined in paragraph 20.

"33. (1) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 20, 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,

Paragraph 28. See note (ii) to Clause 36. The present paragraph 28 reads as follows:

"28. Forthwith upon *the receipt of* the supplies mentioned in paragraph 19, the commanding officer shall distribute such supplies in sufficient quantities to every *commissioned* officer designated by him to take the votes of Canadian Forces electors; the commanding officer shall also cause copies of the printed list of names and surnames of candidates to be posted up on the bulletin boards of his unit and in other conspicuous places."

The amendment to paragraph 29 is to provide that only a member of the Canadian Forces, who is a Canadian Forces elector, can act as a deputy returning officer for the taking of the votes of Canadian Forces electors. The present paragraph 29 reads as follows:

"29. The vote of every Canadian Forces elector shall be cast before a Canadian Forces elector who has been designated by a commanding officer to act as a deputy returning officer."

Clause 46. To permit a candidate at a general election to nominate any Canadian citizen, other than a member of the Canadian Forces, to act as the representative of the political group to which the candidate belongs, in a Service voting place either in or outside Canada. Subparagraphs (1) and (2) of the present paragraph 32 read as follows:

"32. (1) Any *person qualified to vote as a civilian elector at the general election* may, upon *delivery of* a declaration, completed and signed by *himself*, in Form No. 10, to the deputy returning officer who is taking the votes of Canadian Forces electors, act as representative of a political *party* at the taking of such votes.

(2) In any voting place where it is not possible for a civilian elector to act as a representative of a political party, as provided in subparagraph (1), a Canadian Forces elector may, with the approval of the commanding officer, act as such representative."

Clause 47. (1) The amendment to subparagraph (1) provides that the statement of ordinary residence in respect of a member of the reserve forces is Form No. 18. The new subparagraph (1a) is consequential to Clause 39, and sets out the procedure for voting to be followed by a Canadian Forces elector who is the wife of a member of the Canadian Forces. The present paragraph 33 (1) reads as follows:

"33. (1) Before delivering a ballot paper to a Canadian Forces elector, 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 *the* 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 20), 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 22, or, if no such statement appears to have been made, he shall subscribe to a statement in Form No. 16, and the place of ordinary residence to be declared in Form No. 7 shall be the place of ordinary residence shown *in the said* Form No. 16; 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 *the* 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."

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 20), 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 22, 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. 18, if he is a member of the reserve 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. 18; 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 20A.

(1a) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 20A, the deputy returning officer before whom the vote is to be cast shall require such elector to make a declaration, in Form No. 7A, 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 22 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. 7A; 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."

1952-53, c. 24, s. 7.

(2) Subparagraph (6) of paragraph 33 of the said Regulations is repealed and the following substituted therefor:

Filing of statements.

"(6) 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."

(2) Consequential to the proposed amendments in Clause 47 (1). The present paragraph 33 (6) reads as follows:

"(6) The original of each *Form No. 16* 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."

48. Paragraph 34 of the said Regulations is repealed and the following substituted therefor:

Manner of voting by Canadian Forces elector.

"34. After a Canadian Forces elector has completed and signed a declaration in Form No. 7 or Form No. 7A and the deputy returning officer has completed and signed the certificate printed thereunder, as prescribed in subparagraph (1) or (1a) of paragraph 33, 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."

49. (1) Subparagraph (1) of paragraph 35 of the said Regulations is repealed and the following substituted therefor:

Disposition of completed outer envelope.

"35. (1) When, under paragraph 34, 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."

(2) Subparagraph (4) of paragraph 35 of the said Regulations is repealed and the following substituted therefor:

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."

50. Paragraph 39 of the said Regulations is repealed and the following substituted therefor:

Canadian Forces elector voting as civilian.

"39. (1) A member of the Canadian Forces who

Clause 48. Consequential to proposed new subparagraph (1a) of paragraph 33 of the Regulations as set out in Clause 47 (1). The present paragraph 34 reads as follows:

"34. After *the* declaration has *been* completed and signed *by the* Canadian Forces elector, and the certificate printed thereunder has *been* completed and signed *by the* deputy returning officer, as prescribed in subparagraph (1) of paragraph 33, 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."

Clause 49. (1) and (2) To facilitate the transmission of outer envelopes containing ballot papers. Subparagraphs (1) and (4) of the present paragraph 35 read as follows:

"35. (1) The deputy returning officer before whom the vote of a Canadian Forces elector has been cast *shall, as prescribed in* paragraph 34, *hand* the outer envelope, containing the ballot paper, to the Canadian Forces 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.

(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 *or* mail box; the deputy returning officer before whom a Canadian Forces elector has cast his vote shall direct such elector to the nearest post office *or* mail box from which outer envelopes may be despatched to the special returning officer."

Clause 50. (1) Clarification. (2) This amendment is consequential to Clause 39, and would permit a wife who is a Canadian Forces elector and accompanies her husband who is absent on duty or on leave from his unit, to vote at any Service voting place with her husband. The present paragraph 39 reads as follows:

"39. *(1) A Canadian Forces elector who has not voted in the manner prescribed in these Regulations, and who is in the place of his ordinary residence on polling day, may cast his vote in the manner prescribed in the Canada Elections Act for civilian electors; in such case, however, the name of the Canadian Forces elector shall, in an urban polling division, appear on the official list of electors used at the poll.*

(a) has completed a statement of ordinary residence as provided in paragraph 22, and

(b) has not voted under the procedure set forth in these Regulations,

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 20, who is absent from his unit, on duty, leave or on furlough, during the voting period prescribed in subparagraph (1) of paragraph 25, 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 20A, 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."

51. The heading preceding paragraph 41 of the said Regulations is repealed and the following substituted therefor:

"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."

52. Paragraph 65 of the said Regulations is repealed and the following substituted therefor:

Application of certain paragraphs and forms.

"65. Paragraphs 20 to 40 and Forms Nos. 5, 7, 9, 10 and 14 to 18 do not apply to the taking of the votes of Veteran electors."

53. Clauses *(d)* and *(e)* of paragraph 84 of the said Regulations are repealed and the following substituted therefor:

"*(d)* makes any untrue statement in the declaration in Form No. 7 or Form No. 7A signed by him or her before a deputy returning officer or, in the case of a Veteran elector in Form No. 12 signed by him before two deputy special returning officers; or

(2) A Canadian Forces elector who is absent from his unit, on duty, leave or on furlough, during the voting period prescribed in subparagraph (1) of paragraph 25, *and who has not already voted at the general election*, 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 *such* votes."

Clause 51. Remedial. The present heading reads as follows:

"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, WHO ARE RECEIVING TREATMENT OR DOMICILIARY CARE IN CERTAIN HOSPITALS OR INSTITUTIONS."

Clause 52. Remedial. The present paragraph 65 reads as follows:

"65. Paragraphs 20 to 40 and Forms Nos. 5, 7, 9 *and* 10 do not apply to the taking of the votes of Veteran electors."

Clause 53. The proposed amendment to Clause *(d)* is consequential to proposed new subparagraph (1a) of paragraph 33 of the Regulations as set out in Clause 47 (1), and extends the present provisions in respect of any untrue statement to one contained in proposed new Form No. 7A of the Regulations. The amendment to Clause *(e)* is consequential to the proposed amendments in Clause 47 (1). Clauses *(d)* and *(e)* of the present paragraph 84 read as follows:

"*(d)* makes any untrue statement in the declaration in Form No. 7 signed by him before a deputy returning officer or, in the case of a Veteran elector in Form No. 12 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 22 or subparagraph (1) of paragraph 33;"

54. Paragraph 87 of the said Regulations is repealed and the following substituted therefor:

Procedure on withdrawal of candidate.

"87. Where a candidate withdraws during the period between nomination day and three days before polling day, 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."

(e) makes any untrue declaration in the statement of ordinary residence completed pursuant to paragraph 22;"

Clause 54. See note (ii) to Clause 36. The present paragraph 87 reads as follows:

"87. *In the case of the withdrawal of* a candidate during the period between nomination day and three days before polling day, 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 *commissioned* officer designated by him to take the votes of Canadian Forces electors of such withdrawal, and such *commissioned* 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."

55. Form No. 5 to the said Regulations is repealed and the following substituted therefor:

"FORM No. 5

NOTICE TO CANADIAN FORCES ELECTORS THAT A GENERAL ELECTION HAS BEEN ORDERED IN CANADA. (Par. 25)

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 Regulations*, all Canadian Forces electors, as defined in paragraph 20 of the said Regulations, *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 will take place on each of the six days from Monday, the.....day of....., 19...., to Saturday, the.....day of....., 19...., both inclusive.

And that a notice giving the exact location of each voting place established in the unit under my command, together with the hours fixed for voting on each day in such voting places, will be published in Daily Orders during the whole of the above mentioned voting period.

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.

Clause 55. This amendment is consequential to Clause 39, and modifies the form of notice required to be promulgated by commanding officers of units outside Canada in respect of a general election to include a reference to wives of Canadian Forces electors qualified to vote under the Regulations. The present Form No. 5 reads as follows:

"FORM NO. 5

NOTICE TO CANADIAN FORCES ELECTORS THAT A GENERAL ELECTION HAS BEEN ORDERED IN CANADA. (Par. 25)

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 Regulations*, all Canadian Forces electors, as defined in paragraph 20 of the said Regulations, 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 will take place on each of the six days from Monday, the.....day of....., 19...., to Saturday, the.....day of....., 19...., both inclusive.

And that a notice giving the exact location of each voting place established in the unit under my command, together with the hours fixed for voting on each day in such voting places, will be published in Daily Orders during the whole of the above mentioned voting period.

Given under my hand at....., this.....
day of....., 19.....

.....
Commanding officer."

56. (1) Form No. 7 to the said Regulations is amended by striking out the heading

"FORM No. 7

DECLARATION TO BE MADE BY A CANADIAN FORCES ELECTOR BEFORE BEING ALLOWED TO VOTE. (Par. 33)"

and substituting therefor the heading

"FORM No. 7

DECLARATION TO BE MADE BY A CANADIAN FORCES ELECTOR, AS DEFINED IN PARAGRAPH 20 OF *The Canadian Forces Voting Regulations* BEFORE BEING ALLOWED TO VOTE. (Par. 33)"

(2) Paragraph 7 of Form No. 7 to the said Regulations is repealed and the following substituted therefor:

"7. That the place of my ordinary residence in Canada, as shown on the statement made by me under paragraph 22 or subparagraph (1) of paragraph 33 of *The Canadian Forces Voting Regulations*, 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)"

Clause 56. (1). This amendment is consequential to Clauses 39 and 47 (1), and makes Form No. 7 applicable only to Canadian Forces electors who are members of the Canadian Forces.

(2) Consequential to the proposed amendments in Clause 47 (1). Paragraph 7 of the present Form No. 7 reads as follows:

"7. That the place of my ordinary residence in Canada, as *prescribed in* paragraph 22 of *The Canadian Forces Voting Regulations*, 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)"

57. The said Regulations are further amended by adding thereto immediately after Form No. 7 thereto the following form:

"FORM NO. 7A

DECLARATION TO BE MADE BY A CANADIAN FORCES ELECTOR, AS DEFINED IN PARAGRAPH 20A OF *The Canadian Forces Voting Regulations*, BEFORE BEING ALLOWED TO VOTE. (Par. 33)

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 22 or subparagraph (1) of paragraph 33 of *The Canadian Forces Voting Regulations* 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)"

Clause 57. Consequential to Clauses 39 and 47 (1). This new Form No. 7A is the form of the declaration to be made at the time of voting by a wife of a Canadian Forces elector who is entitled to vote under the Regulations.

58. (1) Paragraph 1 of Form No. 9 to the said Regulations is repealed and the following substituted therefor:

"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 22 or subparagraph (1) of paragraph 33 of *The Canadian Forces Voting Regulations*.

* Strike out the words in brackets where the unit is stationed in Canada.

(2) Paragraph 11 of Form No. 9 to the said Regulations is repealed and the following substituted therefor:

"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."

Clause 58. (1) Consequential to Clauses 39 and 40. Form No. 9 (Card of Instructions) will now make reference to the wife of a Canadian Forces elector who is entitled to vote under the Regulations. Paragraph 1 of the present Form No. 9 reads as follows:

"1. A Canadian Forces 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 *prescribed in* paragraph 22 of *The Canadian Forces Voting Regulations*."

(2) Consequential to the proposed amendment in Clause 49. Paragraph 11 of the present Form No. 9 reads as follows:

"11. The Canadian Forces elector shall then mail the completed outer envelope in the nearest post office, mail box, or by such other *postal* facilities as may be available and expeditious."

59. Form No. 10 to the said Regulations is repealed and the following substituted therefor:

"FORM No. 10

DECLARATION NOMINATING REPRESENTATIVE OF POLITICAL GROUP.
(Par. 32)

To the deputy returning officer designated to take the votes of Canadian Forces electors at.....

Pursuant to the provisions of paragraph 32 of *The Canadian Forces Voting Regulations*, 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....."

Clause 59. Consequential to Clause 46. See also note (ii) to Clause 36. The present Form No. 10 reads as follows:

"FORM No. 10

DECLARATION *of* REPRESENTATIVE OF POLITICAL *Party.* (Par. 32)

To the *commissioned* officer designated to take the votes of Canadian Forces electors at.....

Pursuant to the provisions of paragraph 32 of *The Canadian Forces Voting Regulations*, I hereby declare that *I am qualified to vote at the general election now pending in Canada, and that I have undertaken* to represent the interests of the..... political *party*, during the taking of the votes of Canadian Forces electors in *this* voting place.

Given under my hand at.....this.....

day of....., 19.....

.....

Representative."

60. Forms Nos. 14 to 18 to the said Regulations are repealed and the following substituted therefor:

"FORM NO. 14

AFFIDAVIT OF QUALIFICATION. (Par. 33(3).)

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 22 or subparagraph (1) of paragraph 33 of *The Canadian Forces Voting Regulations*, 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 20A of *The Canadian Forces Voting Regulations.*

† Strike out this line if it is not applicable pursuant to paragraph 20(2) of *The Canadian Forces Voting Regulations.*

Clause 60. Form No. 14. This amendment is consequential to Clause 39, and adapts that form to provide for an affidavit of qualification by a wife who is a Canadian Forces elector. The present Form No. 14 reads as follows:

"FORM NO. 14

AFFIDAVIT OF QUALIFICATION. (Par. 33 (3))

I, the undersigned, do swear (*or* solemnly affirm)

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 *prescribed in* paragraph 22 of *The Canadian Forces Voting Regulations*, 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.....	*Signature of Canadian Forces elector.*
.....	
Deputy returning officer.	

* Strike out this line if it is not applicable pursuant to paragraph 20 (2) of *The Canadian Forces Voting Regulations.*"

FORM No. 15

STATEMENT OF ORDINARY RESIDENCE. (Par. 22 (2), (3) *(b)*, (4) *(b)*.)
(Only applicable to members of the regular forces enrolled on or prior to June 21, 1952.)

I HEREBY DECLARE

That my name is.....,

that my age is....., that my rank is.....

and that my number is.....

THAT the place of my ordinary residence in Canada, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, 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 the regular forces.

CERTIFICATE OF COMMISSIONED 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.

.....

(Insert rank, number and name of unit)

Clause 60. Form No. 14. This amendment is consequential to Clause 39, and adapts that form to provide for an affidavit of qualification by a wife who is a Canadian Forces elector. The present Form No. 14 reads as follows:

"FORM No. 14

AFFIDAVIT OF QUALIFICATION. (Par. 33 (3))

I, the undersigned, do swear (*or* solemnly affirm)

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 *prescribed in* paragraph 22 of *The Canadian Forces Voting Regulations*, 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 if it is not applicable pursuant to paragraph 20 (2) of *The Canadian Forces Voting Regulations.*"

FORM No. 16

R.S., c. 23, 1952-53, c. 24, s. 7.

STATEMENT OF ORDINARY RESIDENCE ON ENROLMENT.

(Par. 22 (3) *(a)*, (4) *(b)* and (7) and par. 33 (1).)

(Applicable to regular force members on enrolment subsequent to June 21, 1952, to persons on enrolment in the active service forces and to persons required to complete this Form pursuant to paragraph 33 (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 date of my enrolment, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, was.....

.....

(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 the regular forces or active service forces.

CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.

I HEREBY CERTIFY that the above mentioned member of the regular 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)

Form No. 16. Consequential to the proposed amendments in Clauses 41 and 47. The present Form No. 16 reads as follows:

"FORM No. 16

STATEMENT OF ORDINARY RESIDENCE ON ENROLMENT

(Par. 22 (3) (*a*) and (6) and par. 33 (1))

(Applicable to regular force members on enrolment subsequent to June 21, 1952, to persons on enrolment in the active service forces and to persons required to complete this Form pursuant to paragraph 33 (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 date of my enrolment, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, was

.....

(Insert name of city, town, village, or other place in Canada,

.....

with street address, if any)

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 the regular forces or active service forces

CERTIFICATE OF DEPUTY RETURNING OFFICER.

I HEREBY CERTIFY that the above mentioned member of the regular 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 deputy returning officer.

.....

(Insert rank, number, and name of unit)."

FORM No. 17

STATEMENT OF CHANGE OF ORDINARY RESIDENCE. (Par. 22 (4) *(a)*.)

(Only applicable to regular force members who are not members of an active service force.)

I HEREBY DECLARE

THAT my name is....., that my age is....., that my rank is..... and that my number is....

THAT the place of my ordinary residence in Canada, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is now

.....

(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 the regular forces.

CERTIFICATE OF COMMISSIONED 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.

.....

(Insert rank, number and name of unit)

Form No. 17. See note (ii) to Clause 36. The present Form No. 17 reads as follows:

"FORM NO. 17

STATEMENT OF CHANGE OF ORDINARY RESIDENCE. (Par. 22 (4))

(Only applicable to regular force members who are not members of an active service force)

I HEREBY DECLARE

THAT my name is....., that my age is.....,

that my rank is....., and that my number is.....

THAT the place of my ordinary residence in Canada, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is now

.....

(Insert name of city, town, village, or other place in Canada,

.....

with street address, if any)

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 the regular forces.

CERTIFICATE 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 deputy returning officer.

.....

(Insert rank, number, and name of unit)."

FORM No. 18

STATEMENT OF ORDINARY RESIDENCE. (Par. 22 (5) and (6) and par. 33 (1).)

(Applicable to members of the reserve forces on full-time training or service not on active service during period commencing on date of ordering of general election, or on being placed on active service, and to persons required to complete this Form pursuant to paragraph 33 (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,

as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, 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.

CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.

I HEREBY CERTIFY that the above mentioned member of the reserve 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. 18. Consequential to the proposed amendment in Clause 47. The present Form No. 18 reads as follows:

"FORM No. 18

STATEMENT OF ORDINARY RESIDENCE. (Par. 22 (5) and (6))

(Applicable to members of the reserve forces on full-time training or service not on active service during period commencing on date of ordering of general election, or on being placed on active service)

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,

as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is.....

(Insert name of city, town, village, or other place in Canada,

.....

with street address, if any)

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.

CERTIFICATE OF DEPUTY RETURNING OFFICER.

I HEREBY CERTIFY that the above mentioned member of the reserve forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....

Signature of deputy returning officer.

.....

(Insert rank, number, and name of unit)."

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 417.

An Act to amend the Income Tax Act.

First reading, June 2, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

59035

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 417.

An Act to amend the Income Tax Act.

R.S., c. 148; 1952-53, c. 40; 1953-54, c. 57.

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

1. (1) Subsection (1) of section 11 of the *Income Tax Act*, chapter 148 of the Revised Statutes of Canada, 1952, is amended by adding thereto, immediately after paragraph *(ca)* thereof, the following paragraph:

Expense of issuing shares or borrowing money.

"*(cb)* an expense incurred in the year,

(i) in the course of issuing or selling shares of the capital stock of the taxpayer, or

(ii) in the course of borrowing money used by the taxpayer for the purpose of earning income from a business or property (other than money used by the taxpayer for the purpose of acquiring property the income from which would be exempt),

but not including any amount in respect of

(iii) a commission or bonus paid or payable to a person to whom the shares were issued or sold or from whom the money was borrowed, or for or on account of services rendered by a person as a salesman, agent or dealer in securities in the course of issuing or selling the shares or borrowing the money, or

(iv) an amount paid or payable as or on account of the principal amount of the indebtedness incurred in the course of borrowing the money, or as or on account of interest;"

(2) This section is applicable to the 1955 and subsequent taxation years.

2. (1) Section 20 of the said Act is amended by adding thereto, immediately after subsection (5) thereof, the following subsection:

Explanatory Notes.

Clause 1. This new paragraph provides that taxpayers may claim a deduction for certain expenses incurred in the course of issuing shares or borrowing money. This implements paragraph 7 of the Income Tax Resolution which reads as follows:

> "7. That expenses incurred in the 1955 and subsequent taxation years by a taxpayer in the course of issuing or selling shares of its capital stock or in the course of borrowing money used in the taxpayer's business (other than amounts in respect of commissions, bonus payments or discounts) be allowed as a deduction in computing the income of the taxpayer."

Clause 2. This new subsection provides that a taxpayer who receives a payment under an insurance policy in respect of loss or destruction of property may defer taking this payment into the computation of income until the following year if in that following year it is expended for the replacement of the property destroyed.

Insurance proceeds.

"(5a) Where an amount payable under a policy of insurance in respect of loss or destruction of property of a prescribed class would otherwise be included in computing the income of a taxpayer for a taxation year (hereinafter in this subsection referred to as the "initial year") by virtue of this section,

(a) it shall, to the extent that it has been expended by the taxpayer in the taxation year immediately following the initial year on acquiring

(i) property of the same class, or

(ii) if the property destroyed was a building, a building of a prescribed class,

not be included in computing the income of the taxpayer for the initial year, and

(b) it shall, to the extent that it has not been included in computing the income of the taxpayer for the initial year, be deemed to be proceeds of a disposition made in the taxation year immediately following the initial year of depreciable property of the taxpayer of the same class as the property so acquired."

(2) This section is applicable to amounts payable in respect of loss or destruction of property in the 1954 and subsequent taxation years.

3. (1) Subsection (1) of section 21 of the said Act is repealed and the following substituted therefor:

Husband and wife.

"**21.** (1) Where a person has, on or after August 1, 1917, transferred property, either directly or indirectly, by means of a trust or by any other means whatsoever, to his spouse, or to a person who has since become his spouse, the income for a taxation year from the property or from property substituted therefor shall, during the lifetime of the transferor while he is resident in Canada and the transferee is his spouse, be deemed to be income of the transferor and not of the transferee."

(2) This section is applicable to the 1954 and subsequent taxation years.

4. (1) Subsection (1) of section 22 of the said Act is repealed and the following substituted therefor:

Transfers to minors.

"**22.** (1) Where a taxpayer has, since 1930, transferred property to a person who was under 19 years of age, either directly or indirectly, by means of a trust or by any other means whatsoever, the income for a taxation year from the property or from property substituted therefor shall, during the lifetime of the taxpayer while he is resident in Canada, be deemed to be income of the taxpayer and not of the transferee unless the transferee has before the end of the year attained the age of 19 years."

Clause 3. This amendment adds the underlined words. This is to make it clear that if the transferor of the property dies or ceases to be a resident of Canada or becomes divorced from his spouse this subsection ceases to apply and the income from the transferred property will be treated as income of the transferee.

Clause 4. This amendment adds the underlined words for the same purpose as explained above in connection with Clause 3.

(2) All that portion of subsection (2) of section 22 of the said Act following paragraph (*b*) thereof is repealed and the following substituted therefor:

"income from the property shall, during the lifetime of such person while he is resident in Canada, be deemed to be income of such person."

(3) This section is applicable to the 1954 and subsequent taxation years.

5. (1) Subsection (1) of section 26 of the said Act is amended by adding thereto, immediately after paragraph *(b)* thereof, the following paragraph:

Persons wholly dependent upon more than one taxpayer.

"*(ba)* $1,000 in the case of an individual who, jointly with one or more other persons, maintained a self-contained domestic establishment and actually supported therein a person who, during the year, was wholly dependent upon the taxpayer and such one or more other persons for support and was connected with each of them by blood relationship, marriage or adoption;"

(2) Section 26 of the said Act is further amended by adding thereto, immediately after subsection (5) thereof, the following subsection:

Additional limitation.

"(5a) For the purpose of a deduction under paragraph (*ba*) of subsection (1), the following rules apply:

(a) no deduction may be made under that paragraph by a taxpayer

(i) who is or would be, but for subsection (2), entitled to a deduction under paragraph *(a)* of subsection (1), or

(ii) who, during the year, was a married person whose income for the year while married and whose spouse's income for the year while married each exceeded $1,000;

(b) no deduction may be made under that paragraph by any taxpayer in respect of more than one person;

(c) where a taxpayer is entitled to a deduction under that paragraph in respect of any person therein described, neither the taxpayer nor any other taxpayer is entitled to a deduction under paragraph *(d)* of subsection (1) in respect of that person; and

(d) no more than one taxpayer is entitled to a deduction under that paragraph in respect of the same person or the same domestic establishment, and in the event of failure on the part of two or more taxpayers otherwise entitled to a deduction under that paragraph 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."

(3) This section is applicable to the 1955 and subsequent taxation years.

Clause 5. (1) The law at present allows an unmarried person or a married person not supporting his spouse to claim the married exemption of $2,000 if he maintains a self-contained domestic establishment and actually supports therein a person wholly dependent upon him who is connected with him by blood relationship, marriage or adoption. However, this exemption is lost at present if the dependent relative obtains any support from any other person because he then ceases to be wholly dependent. This new paragraph will permit one of a group of related individuals which supports a dependent relative in a self-contained domestic establishment to claim this exemption.

(2) This new subsection provides rules in connection with the exemption described above.

6. (1) Paragraphs *(a)* to *(p)* of subsection (1) of section 32 of the said Act are repealed and the following substituted therefor:

"*(a)* 13% of the amount taxable if the amount taxable does not exceed $1,000,

(b) $130 plus 15% of the amount by which the amount taxable exceeds $1,000 if the amount taxable exceeds $1,000 and does not exceed $2,000,

(c) $280 plus 17% of the amount by which the amount taxable exceeds $2,000 if the amount taxable exceeds $2,000 and does not exceed $4,000,

(d) $620 plus 20% of the amount by which the amount taxable exceeds $4,000 if the amount taxable exceeds $4,000 and does not exceed $6,000,

(e) $1,020 plus 24% of the amount by which the amount taxable exceeds $6,000 if the amount taxable exceeds $6,000 and does not exceed $8,000,

(f) $1,500 plus 28% of the amount by which the amount taxable exceeds $8,000 if the amount taxable exceeds $8,000 and does not exceed $10,000,

(g) $2,060 plus 33% of the amount by which the amount taxable exceeds $10,000 if the amount taxable exceeds $10,000 and does not exceed $12,000,

(h) $2,720 plus 38% of the amount by which the amount taxable exceeds $12,000 if the amount taxable exceeds $12,000 and does not exceed $15,000,

(i) $3,860 plus 43% of the amount by which the amount taxable exceeds $15,000 if the amount taxable exceeds $15,000 and does not exceed $25,000,

(j) $8,160 plus 48% of the amount by which the amount taxable exceeds $25,000 if the amount taxable exceeds $25,000 and does not exceed $40,000,

(k) $15,360 plus 53% of the amount by which the amount taxable exceeds $40,000 if the amount taxable exceeds $40,000 and does not exceed $60,000,

(l) $25,960 plus 58% of the amount by which the amount taxable exceeds $60,000 if the amount taxable exceeds $60,000 and does not exceed $90,000,

(m) $43,360 plus 63% of the amount by which the amount taxable exceeds $90,000 if the amount taxable exceeds $90,000 and does not exceed $125,000,

(n) $65,410 plus 68% of the amount by which the amount taxable exceeds $125,000 if the amount taxable exceeds $125,000 and does not exceed $225,000,

(o) $133,410 plus 73% of the amount by which the amount taxable exceeds $225,000 if the amount taxable exceeds $225,000 and does not exceed $400,000,

(p) $261,160 plus 78% of the amount by which the amount taxable exceeds $400,000 if the amount taxable exceeds $400,000."

Clause 6. (1) This amendment provides the new graduated rates of tax to apply to incomes of individuals in 1956 and thereafter. This implements the first portion of paragraph 1 of the Income Tax Resolution which reads as follows:

"1. That for the 1956 and subsequent taxation years each of the graduated rates of tax at present applicable to individuals be reduced by two percentage points,"

(2) Subsection (5) of section 32 of the said Act is amended by striking out the word "and" at the end of paragraph *(a)* thereof, by adding the word "and" at the end of paragraph *(b)* thereof and by adding thereto the following paragraph:

"*(c)* rental income from real property."

(3) This section is applicable to the 1955 and subsequent taxation years, except that for the 1955 taxation year paragraphs *(a)* to *(p)* of subsection (1) of section 32 of the said Act shall be read as follows:

(a) 14% of the amount taxable if the amount taxable does not exceed $1,000,

(b) $140 plus 16% of the amount by which the amount taxable exceeds $1,000 if the amount taxable exceeds $1,000 and does not exceed $2,000,

(c) $300 plus 18% of the amount by which the amount taxable exceeds $2,000 if the amount taxable exceeds $2,000 and does not exceed $4,000,

(d) $660 plus 21% of the amount by which the amount taxable exceeds $4,000 if the amount taxable exceeds $4,000 and does not exceed $6,000,

(e) $1,080 plus 25% of the amount by which the amount taxable exceeds $6,000 if the amount taxable exceeds $6,000 and does not exceed $8,000,

(f) $1,580 plus 29% of the amount by which the amount taxable exceeds $8,000 if the amount taxable exceeds $8,000 and does not exceed $10,000,

(g) $2,160 plus 34% of the amount by which the amount taxable exceeds $10,000 if the amount taxable exceeds $10,000 and does not exceed $12,000,

(h) $2,840 plus 39% of the amount by which the amount taxable exceeds $12,000 if the amount taxable exceeds $12,000 and does not exceed $15,000,

(i) $4,010 plus 44% of the amount by which the amount taxable exceeds $15,000 if the amount taxable exceeds $15,000 and does not exceed $25,000,

(j) $8,410 plus 49% of the amount by which the amount taxable exceeds $25,000 if the amount taxable exceeds $25,000 and does not exceed $40,000,

(k) $15,760 plus 54% of the amount by which the amount taxable exceeds $40,000 if the amount taxable exceeds $40,000 and does not exceed $60,000,

(l) $26,560 plus 59% of the amount by which the amount taxable exceeds $60,000 if the amount taxable exceeds $60,000 and does not exceed $90,000,

(m) $44,260 plus 64% of the amount by which the amount taxable exceeds $90,000 if the amount taxable exceeds $90,000 and does not exceed $125,000,

(n) $66,660 plus 69% of the amount by which the amount taxable exceeds $125,000 if the amount taxable exceeds $125,000 and does not exceed $225,000,

(2) This new paragraph implements paragraph 5 of the Income Tax Resolution which reads as follows:

"5. That for the 1955 and subsequent taxation years rental income from real property shall not be included in income to which the additional 4% tax on investment income applies."

(3) This amendment provides the new graduated rates of tax to apply to incomes of individuals in 1955. This implements the second portion of paragraph 1 of the Income Tax Resolution which reads as follows:

"and that for the 1955 taxation year each of the graduated rates of tax at present applicable to individuals be reduced by one percentage point."

(o) $135,660 plus 74% of the amount by which the amount taxable exceeds $225,000 if the amount taxable exceeds $225,000 and does not exceed $400,000,

(p) $265,160 plus 79% of the amount by which the amount taxable exceeds $400,000 if the amount taxable exceeds $400,000.

7. (1) For the 1954 taxation year, paragraph *(b)* of subsection (1) of section 33 of the said Act shall be read as though the expression "10%" were substituted for the expression "5%" as it appears therein.

(2) Section 33 of the said Act is repealed and the following substituted therefor:

Deduction from tax where resident, etc. in prescribed province.

"**33.** (1) There may be deducted from the tax otherwise payable under this Part by an individual for a taxation year (hereinafter in this subsection referred to as the "basic tax") any one of such of the following amounts as are applicable:

(a) in the case of an individual taxable under subsection (1) of section 2 for the year who resided at any time in the year in a prescribed province, an amount that bears the same relation to 10% of the basic tax that

(i) his income for the period or periods in the year during which he resided in that province (computed as though such period or periods were the whole taxation year),

bears to

(ii) his income for the period or periods in the year during which he resided in Canada, was employed in Canada or carried on business in Canada, computed as described in subparagraph (i);

(b) in the case of an individual taxable under subsection (1) of section 2 for the year who was employed or carried on business at any time in the year in a prescribed province, an amount that bears the same relation to 10% of the basic tax that

(i) his income earned in that province in the year determined in prescribed manner,

bears to

(ii) his income for the period or periods in the year during which he resided in Canada, was employed in Canada or carried on business in Canada, computed as described in subparagraph (i) of paragraph *(a)*; and

(c) in the case of an individual taxable under subsection (2) of section 2 for the year who was employed or carried on business at any time in the year in a prescribed province, an amount that bears the same relation to 10% of the basic tax that

Clause 7. (1) This amends the section of the Act which provides for a deduction from tax in respect of personal income tax paid to a province. It implements paragraph 3 of the Income Tax Resolution which reads as follows:

"3. That for the 1954 taxation year an individual may deduct from the tax otherwise payable by him the amount of tax on income paid to the government of any province in which he resided, was employed or carried on business, not exceeding 10% of the tax otherwise payable by him."

(2) This amendment provides for a 10% deduction from tax for 1955 and 1956 for individuals who reside in or earn income in a province which imposes a personal income tax. It implements paragraph 4 of the Income Tax Resolution which reads as follows:

"4. That for the 1955 and 1956 taxation years an individual who resided, was employed or carried on business in a province in which a tax on income was payable to the government of the province may deduct from the tax otherwise payable by him to Canada that proportion of 10% of his tax otherwise payable that his income for the period during which he resided in the province or his income earned in the province is of his whole income."

(i) his income earned in that province in the year determined in prescribed manner,

bears to

(ii) the part of his income for the year that may reasonably be attributed to the duties performed by him in Canada or the business carried on by him in Canada;

or 10% of the basic tax, whichever is the lesser.

Definitions.

(2) In this section,

"Tax otherwise payable under this Part."

(a) "tax otherwise payable under this Part" means the tax otherwise payable after making any deduction under section 38 but before making any deduction in respect of taxes payable to the government of a country other than Canada; and

"Prescribed."

(b) "prescribed" means prescribed by a regulation made on the recommendation of the Minister of Finance for the purpose of this section."

(3) Section 33 of the said Act as enacted by subsection (2) is applicable to the 1955 and 1956 taxation years.

8. (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 (i) thereof, by adding the word "or" at the end of subparagraph (ii) thereof and by adding thereto the following subparagraph:

Employees profit sharing plan.

"(iii) pursuant to an employees profit sharing plan in full satisfaction of all rights of the payee in or under the plan, 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) Paragraphs *(b)* and *(c)* of subsection (1) of section 36 of the said Act are repealed and the following substituted therefor:

Retirement.

"*(b)* a payment or payments made by an employer to an employee or former employee upon or after retirement in respect of loss of office or employment, if made in the year of retirement or within one year after that year, or

Payment as death benefit.

(c) a payment or payments made as a death benefit, if made in the year of death or within one year after that year,"

(3) This section is applicable to the 1955 and subsequent taxation years.

9. (1) Paragraph *(b)* of subsection (1) of section 39 of the said Act is repealed and the following substituted therefor:

"*(b)* $3,600 plus 45% of the amount by which the amount taxable exceeds $20,000, if the amount taxable exceeds $20,000."

Clause 8. (1) The addition of this new subparagraph means that a taxpayer may elect that certain payments received pursuant to an employees profit sharing plan be taxed at the average of the employee's effective rate of tax for the preceding three years.

(2) This amendment adds the underlined words. These paragraphs are part of the section which provides that a taxpayer may elect to have certain lump sum payments taxed at the average of the employee's effective rate of tax for the previous three years. The addition of the underlined words provides that the payments described must be received within the stated period if the recipient is to have the privilege of electing to have them taxed in this special way.

Clause 9. (1) This amendment provides new rates of tax on income of corporations for 1955 and subsequent taxation years. This implements paragraph 2 of the Income Tax Resolution which reads as follows:

"2. That with respect to income of corporations earned on and after January 1, 1955, the 47 per cent rate of tax on income in excess of $20,000 be reduced to 45 per cent."

The paragraph being repealed reads as follows:

"*(b)* $3,600 plus 47% of the amount by which the amount taxable exceeds $20,000, if the amount taxable exceeds $20,000."

(2) Subsections (2), (3) and (3a) of section 39 of the said Act are repealed and the following substituted therefor:

Associated corporations.

"(2) Where two or more corporations are associated with each other in a taxation year, the tax payable by each of them under this Part for the year is, except where otherwise provided by another section, 45% of the amount taxable for the year.

Idem.

"(3) Notwithstanding subsection (2), if all of the corporations of a group that are associated with each other in a taxation year have filed with the Minister in prescribed form an agreement whereby, for the purposes of this section, they allocate an amount to one or more of them for the taxation year and the amount so allocated or the aggregate of the amounts so allocated, as the case may be, is $20,000, the tax payable by each of the corporations under this Part upon its amount taxable for the year is, except where otherwise provided by another section, the aggregate of

(a) 18% of the amount so allocated to it, if any, or the amount taxable, whichever is the lesser, and

(b) 45% of the amount, if any, by which the amount taxable exceeds the amount, if any, so allocated to it.

Idem.

"(3a) If any of the corporations of a group that are associated with each other in a taxation year has failed to file with the Minister an agreement as contemplated by subsection (3) within 30 days after notice in writing by the Minister has been forwarded to any of them that such an agreement is required for the purpose of any assessment of tax under this Part, the Minister shall, for the purposes of this section, allocate an amount to one or more of them for the taxation year, which amount or the aggregate of which amounts, as the case may be, shall equal $20,000, and, in any such case, notwithstanding subsection (2) the tax payable by each of the corporations under this Part upon its amount taxable for the year is, except where otherwise provided by another section, such amount as would have been payable under subsection (3) if the allocation so made by the Minister had been made pursuant to an agreement filed with the Minister as contemplated by subsection (3)."

(3) Section 39 of the said Act is further amended by adding thereto the following subsection:

Idem.

"(7) Where a corporation has two taxation years ending in the same calendar year (otherwise than by reason of a change made in the usual and accepted fiscal period of the corporation) and is associated in each of those taxation years with another corporation that has only one taxation year ending in the calendar year, notwithstanding anything in this section the tax payable by the first-mentioned corporation under this Part for the second taxation year ending in the calendar year shall be computed under subsection (2)."

(2) The amendment to subsection (2) substitutes 45% for 47%.

The amendments to subsections (3) and (3a) substitute 45% for 47%, eliminate the present time limit for filing the agreement to allocate the amount to be taxed at the lower 18% rate, and provide that the Minister shall make the allocation if an agreement is not filed within 30 days after notice that it is required.

The subsections being repealed read as follows:

"(2) Where two or more corporations are associated with each other in a taxation year, the tax payable by each of them under this Part for the year is, except where otherwise provided by another section, 47% of the amount taxable for the taxation year.

(3) Notwithstanding subsection (2), where two or more corporations are associated with each other, the tax payable by such one of them as may be agreed by them or, if they cannot agree, as may be designated by the Minister shall be computed under subsection (1).

(3a) If all the corporations of a group that are associated with each other have filed with the Minister in prescribed form, on or before the earliest day on which a return for a taxation year was filed as required by section 44 by any of the corporations of the group, an agreement whereby, for the purposes of this section, they allocate an amount to each of them for the taxation year and the aggregate of the amounts so allocated is $20,000, notwithstanding subsection (3) the tax payable by each of the corporations under this Part upon its amount taxable for the year is, except where otherwise provided by another section, the aggregate of

(a) 18% of the amount so allocated to it or the amount taxable, whichever is the lesser, and

(b) if the amount so allocated to it is less than the amount taxable, 47% of the amount by which the amount taxable exceeds the amount so allocated to it."

(3) This new subsection is consequential upon the amendment to section 139 contained in Clause 34 that permits a corporation to have a fiscal period as long as 53 weeks. A corporation to which that amendment applies may have two fiscal periods ending in the same calendar year. Where such a corporation is related to another corporation that has only one fiscal period ending in the calendar year, this amendment provides that the corporation with the two fiscal periods ending in the year may not have the benefit of the 18% rate of tax for its second fiscal period.

(4) This section and section 24 are applicable to the 1955 and subsequent taxation years, but where a corporation has a taxation year part of which is before and part of which is after the commencement of 1955, the tax payable by the corporation under Part I of the said Act for that taxation year is the aggregate of

(a) that proportion of the tax computed under Part I of the said Act as it was before being amended by this section and section 24 that the number of days in that portion of the taxation year that is in 1954 is of the number of days in the whole taxation year, and

(b) that proportion of the tax computed under Part I of the said Act as amended by this section and section 24 that the number of days in that portion of the taxation year that is in 1955 is of the number of days in the whole taxation year.

10. (1) Subsection (5) of section 41 of the said Act is repealed and the following substituted therefor:

"Tax otherwise payable under this Part" defined.

"(5) In this section, "tax otherwise payable under this Part" means the tax otherwise payable after making any deduction under section 33, 38 or 40."

(2) This section is applicable to the 1955 and subsequent taxation years.

11. Subsection (6) of section 54 of the said Act is repealed.

12. Paragraph *(n)* of subsection (1) of section 62 of the said Act is repealed.

13. (1) Subsection (8) of section 63 of the said Act is repealed and the following substituted therefor:

Capital cost allowance.

"(8) A beneficiary or other person beneficially interested in a trust or estate may deduct from the amount that would otherwise be his income from the trust or estate by virtue of subsection (6) such part of the amount that would otherwise be deductible from the income of the trust or estate for the year under regulations made under paragraph *(a)* of subsection (1) of section 11 as the trust or estate may determine; and any amount deductible under this section for a taxation year shall be deducted from the amount that the trust or estate would otherwise be able to deduct under regulations made under the said paragraph *(a)* but shall, for the purpose of section 20, be deemed to have been allowed to the trust or estate under those regulations in computing its income for the year."

(2) This section is applicable to the 1955 and subsequent taxation years.

(4) This provides that the new rate of tax shall apply on income of corporations earned on and after January 1, 1955. The reference to section 24 is to Clause 24 of this bill which amends the rate of tax payable by electric, gas or steam utility corporations.

Clause 10. This is an amendment to the definition of "tax otherwise payable" used in calculating the maximum credit allowed for taxes paid to a foreign government. The Canadian tax against which credits for foreign taxes can be applied is the amount of tax remaining after deducting any credit allowed because of provincial income taxes and any credits allowed to individuals in respect of dividends from taxable Canadian corporations. The subsection being repealed reads as follows:

"(5) In this section, "tax otherwise payable" means the tax payable before making any deduction under section 40 or in respect of taxes paid to a provincial government but after making the deduction, if any, permitted by section 38."

Clause 11. The subsection being repealed was enacted in 1946 to provide a restriction on interest because at that time there were long delays in assessing returns. These circumstances no longer exist. The subsection being repealed reads as follows:

"(6) No interest under this section upon the amount by which the unpaid taxes exceed the amount estimated under section 45 is payable in respect of the period beginning 12 months after the day fixed by this Act for filing the return of the taxpayer's income upon which the taxes are payable or 12 months after the return was actually filed, whichever was later, and ending 30 days from the day of mailing of the notice of the original assessment for the taxation year."

Clause 12. The repeal of this paragraph is consequential upon the amendment to section 69. See Clause 14. The paragraph being repealed reads as follows:

"*(n)* a corporation exempt by section 69 as an investment company;"

Clause 13. This amendment removes the requirement that a beneficiary receiving income from a trust or estate must be entitled either contingently or absolutely to the property of the trust or estate or some part thereof at some future time if he is to be allowed to deduct capital cost allowances on property of the estate in computing his income therefrom. The subsection being repealed reads as follows:

"(8) A beneficiary or other person beneficially interested in a trust or estate *who is entitled, either contingently or absolutely, to the property of the trust or estate or some part thereof at some future time,* may deduct from the amount that would otherwise be his income from the trust or estate by virtue of subsection (6) such part of the amount that would otherwise be deductible from the income of the trust or estate for the year under regulations made under paragraph *(a)* of subsection (1) of section 11 as the trust or estate may determine; and any amount deductible under this section for a taxation year shall be deducted from the amount that the trust or estate would otherwise be able to deduct under regulations made under the said paragraph *(a)* but shall, for the purpose of section 20, be deemed to have been allowed to the trust or estate under those regulations in computing its income for the year."

14. (1) Subsection (1) of section 69 of the said Act is repealed and the following substituted therefor:

Special tax rate.

"**69.** (1) The tax payable under this Part by a corporation for a taxation year when it was an investment company is an amount equal to 18% of its taxable income for the year."

(2) Subsection (2) of section 69 of the said Act is amended by adding thereto, immediately after paragraph *(b)* thereof, the following paragraph:

"*(ba)* not less than 60% of its gross revenue for the year was from dividends from taxable corporations;"

(3) Subsection (2) of section 69 of the said Act is further amended by adding the word "and" at the end of paragraph (*d*) thereof, by repealing paragraphs (*e*) and (*f*) thereof and by substituting therefor the following:

"(*e*) an amount not less than 85% of its taxable income plus exempt income for the year (other than dividends or interest received in the form of shares, bonds or other securities that have not been sold before the end of the taxation year) minus

(i) 20% of its taxable income for the year, and

(ii) taxes paid in the year to other governments,

was distributed to the shareholders before the end of the year."

(4) Section 69 of the said Act is further amended by adding thereto the following subsection:

"Taxable corporation" defined.

"(3) In subsection (2), "taxable corporation" means a taxable corporation as defined in subsection (2) of section 38."

(5) This section, except subsection (2), is applicable

(a) in the case of a corporation that, but for an election made by it under paragraph *(f)* of subsection (2) of section 69 of the said Act applicable to the 1954 taxation year, complied with each of the conditions set forth in paragraphs *(a)* to *(f)* of subsection (2) of section 69 of the said Act during that taxation year, to the 1955 and subsequent taxation years, and

(b) in the case of any other corporation, to taxation years commencing with the taxation year commencing in 1955.

(6) Subsection (2) is applicable to the 1956 and subsequent taxation years.

15. (1) Subsection (4) of section 70 of the said Act is amended by adding thereto, immediately after paragraph *(b)* thereof, the following paragraph:

"*(ba)* not more than 10% of its gross revenue was derived from rents;"

(2) Paragraph *(d)* of subsection (4) of section 70 of the said Act is repealed and the following substituted therefor:

Clause 14. (1) This amendment imposes a new tax of 18% upon the taxable income of investment companies. (An additional tax of 2% is levied under the *Old Age Security Act*). This implements paragraph 6 of the Income Tax Resolution which reads as follows:

"6. That the right of an investment company at present to elect as regards its taxable status be repealed and that for the 1955 and subsequent taxation years an investment company be subject to a tax of 20% on its taxable income."

The subsection being repealed reads as follows:

"69. (1) No tax is payable under this Part on the taxable income of a corporation for a taxation year in which it was an investment company."

(2) This new paragraph is an addition to the list of conditions with which a corporation must comply to qualify as an investment company.

(3) This amendment adds the underlined words. This is consequential upon the fact that investment companies now have to pay out 20% of their taxable income in tax.

The repeal of paragraph *(f)* is consequential upon (1) above. The paragraph being repealed reads as follows:

"*(f)* it has not, within 90 days from the commencement of the taxation year, elected in a prescribed manner to pay tax under this Part, or, if it has at any time so elected, has, before the taxation year, revoked in a prescribed manner the elections so made by it."

(4) This new subsection defines "taxable corporation". This is made necessary by the addition of the new paragraph *(ba)* explained in (2) above.

(5) The new tax applies to the 1955 and subsequent taxation years in the case of those corporations which in 1954 had elected to be taxed as ordinary corporations. For those corporations which had not elected to be taxed as ordinary corporations the new tax commences with the taxation year commencing in 1955.

(6) The new condition with which an investment company must comply comes into operation commencing with the 1956 taxation year.

Clause 15. (1) This new paragraph is an addition to the list of conditions with which a corporation must comply to qualify as a non-resident-owned investment corporation. This carries out paragraph 10 of the Income Tax Resolution which reads as follows:

"10. That for the 1956 and subsequent taxation years a corporation more than 10% of whose gross revenue was derived from rents, be disqualified from being treated for tax purposes as a non-resident-owned investment corporation."

(2) This amendment makes it clear that a company does not have to file a new election each year. The paragraph being repealed reads as follows:

"*(d)* it has, not later than 90 days after the commencement of the taxation year, elected in prescribed manner to be taxed under this section; and"

(3) Subsection (1) is applicable to the 1956 and subsequent taxation years.

16. (1) Subsection (2) of section 71 of the said Act is amended by striking out the word "and" at the end of paragraph *(b)* thereof, by adding the word "and" at the end of paragraph *(c)* thereof and by adding thereto the following paragraph:

"*(d)* derived not more than 10% of its gross revenue from leasing or operating a ship or aircraft."

(2) This section is applicable to the 1956 and subsequent taxation years.

17. Subparagraph (ii) of paragraph *(b)* of subsection (1) of section 72 of the said Act is repealed and the following substituted therefor:

"(ii) the undepreciated capital cost to the taxpayer of the property so acquired as of the end of the taxation year (before making any deduction under this paragraph in computing the income of the taxpayer for the taxation year)."

18. Subsection (3) of section 77 of the French version of the *Income Tax Act* is repealed and the following substituted therefor:

Limitation.

"(3) Lorsqu'un paiement, auquel le paragraphe (1) s'appliquerait par ailleurs, est reçu par le contribuable en provenance ou au titre d'un fonds ou plan de pension de retraite ou de pension, à l'égard d'une période de service pour laquelle il n'a contribué que partiellement au fonds ou plan, le paragraphe (1) s'applique seulement à cette partie du paiement qui peut être raisonnablement considérée comme ayant été reçue à l'égard de la période pour laquelle il a effectué des paiements au ou relativement au fonds ou plan, et toute partie du paiement qui peut raisonnablement être considérée comme ayant été reçue à l'égard d'une période pour laquelle il n'a pas effectué de paiements au ou relativement au fonds ou plan doit être incluse dans le calcul de son revenu pour l'année sans déduction aucune."

19. (1) Subsection (3) of section 79 of the said Act is repealed and the following substituted therefor:

Allocation contingent or absolute taxable.

"(3) There shall be included in computing the income for a taxation year of an employee who is a beneficiary under an employees profit sharing plan each amount that is allocated to him contingently or absolutely by the trustee under the plan at any time in the year otherwise than in respect of

(a) a payment made by the employee to the trustee, or

"*(d)* it has, within 90 days from the commencement of the taxation year, elected in a prescribed manner to be taxed under this section; and"

Clause 16. This new paragraph is an addition to the list of conditions with which a corporation must comply to qualify as a foreign business corporation. This carries out paragraph 11 of the Income Tax Resolution which reads as follows:

"11. That for the 1956 and subsequent taxation years a corporation any part of whose income was derived from leasing or operating ships or aircraft be disqualified from being treated for tax purposes as a foreign business corporation."

Clause 17. This is a change in wording to make it clear that the deductions permitted in respect of capital expenditures for research commence in the year the expenditures are made. The subparagraph being repealed reads as follows:

"(ii) the undepreciated capital cost to the taxpayer of the property so acquired as of the beginning of the taxation year."

Clause 18. This amendment to the French version of the *Income Tax Act* substitutes the underlined words for the word "durant".

Clause 19. (1) This amendment provides that an officer or employee who is a beneficiary under a profit sharing plan need not include in income those amounts allocated to him by the trustee under the plan which have been derived from reallocations of amounts which have at some previous time been allocated to him or some other beneficiary under the plan. The subsection being repealed reads as follows:

"(3) There shall be included in computing the income for a taxation year of an officer or employee who is a beneficiary under an employees profit sharing plan each amount that is allocated to him contingently or absolutely by the trustee under the plan at any time in the year otherwise than in respect of contributions made by him."

(b) an amount that, by virtue of a previous allocation under the plan, was required to be included in computing the income of the employee, or the income of any other employee or former employee who is or was a beneficiary under the plan, for that or a previous taxation year."

(2) Subsection (6) of section 79 of the said Act is repealed and the following substituted therefor:

Beneficiary's receipts that are not deductible.

"(6) Notwithstanding subsection (5), such portion of an amount received in a taxation year by a beneficiary from the trustee under an employees profit sharing plan as cannot be established to be attributable to

(a) payments made by the employee to the trustee, or

(b) amounts required to be included in computing the income of the employee, or the income of any other employee or former employee who is or was a beneficiary under the plan, for that or a previous taxation year,

shall be included in computing the beneficiary's income for the year in which the amount was received."

(3) This section is applicable to the 1955 and subsequent taxation years.

20. Subsection (4) of section 81 of the said Act is repealed and the following substituted therefor:

Taxable portion of deemed to be dividend.

"(4) Where a dividend is, under this section, deemed to have been received by a taxpayer in a taxation year, the amount thereof to be included in computing the taxpayer's income for the year is the amount of the dividend minus the taxpayer's portion of the payer corporation's tax-paid undistributed income as of the time the dividend is deemed to have been received; and the amount so included shall, where the dividend is deemed to have been received by a corporation, be deemed to be the amount of the dividend for the purposes of sections 28 and 105B."

21. (1) Subsections (5) and (6) of section 83 of the said Act are repealed and the following substituted therefor:

Exemption for 3 years.

"(5) Subject to prescribed conditions, there shall not be included in computing the income of a corporation income derived from the operation of a mine during the period of 36 months commencing with the day on which the mine came into production.

Definitions. "Mine."

"(6) In subsection (5),

(a) "mine" does not include an oil well, gas well, brine well, sand pit, gravel pit or stone quarry; and

"Production."

(b) "production" means production in reasonable commercial quantities."

(2) This section is applicable in respect of mines that came into production after 1954.

22. The said Act is further amended by adding thereto, immediately after section 83 thereof, the following heading and section:

(2) This amendment is consequential upon the amendment explained in (1) above. The subsection being repealed reads as follows:

"(6) Notwithstanding subsection (5), such portion of an amount received in a taxation year by a beneficiary from the trustee under an employees profit sharing plan as cannot be established to be attributable to

(a) payments made by the employer to the trustee, or

(b) profits from trust property,

which were included in computing the employee's income for that or a previous year under this Part, or as cannot be established as being attributable to payments made by the employee to the trustee, shall be included in computing the beneficiary's income for the year in which the amount was received."

Clause 20. This amendment adds the underlined words. This change is consequential upon the addition to the *Income Tax Act* of the new section 105B. See Clause 29.

Clause 21. This amendment implements paragraph 13 of the Income Tax Resolution which reads as follows:

"13. That the exemption of income from metalliferous or industrial mineral mines for the first three years of production be extended to mines coming into production at any time hereafter."

It also extends the three year exemption to other mines coming into production in 1955 and thereafter. The subsections being repealed read as follows:

"*(5)* Where a corporation establishes that a mine was

(a) a metalliferous mine, or

(b) an industrial mineral mine certified by the Minister of Mines and Technical Surveys to have been operating on mineral deposits (other than bedded deposits except sylvite),

that came into production of ore prior to the end of the 1957 calendar year, income derived from the operation of the mine during the period of 36 months commencing with the day on which the mine came into production shall, subject to prescribed conditions, not be included in computing the income of the corporation.

(6) In subsection (5), "production" means production in reasonable commercial quantities."

"EXPLORATION, PROSPECTING AND DEVELOPMENT EXPENSES.

Deduction from income of petroleum or natural gas corporation.

83A. (1) A corporation whose principal business is production, refining or marketing of petroleum, petroleum products or natural gas or exploring or drilling for petroleum or natural gas may deduct, in computing its income under this Part for a taxation year, the lesser of

(a) the aggregate of such of the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by it on or in respect of exploring or drilling for petroleum or natural gas in Canada as were incurred during the calendar years 1949 to 1952, to the extent that they were not deductible in computing income for a previous taxation year, or

(b) of that aggregate, an amount equal to its income for the taxation year

(i) if no deduction were allowed under paragraph *(b)* of subsection (1) of section 11, and

(ii) if no deduction were allowed under this subsection,

minus any deduction allowed for the year by section 28.

Deduction from income of mining corporation.

(2) A corporation whose principal business is mining or exploring for minerals may deduct, in computing its income under this Part for a taxation year, the lesser of

(a) the aggregate of such of the prospecting, exploration and development expenses incurred by it in searching for minerals in Canada as were incurred during the calendar year 1952, to the extent that they were not deductible in computing income for a previous taxation year, or

(b) of that aggregate, an amount equal to its income for the taxation year

(i) if no deduction were allowed under paragraph *(b)* of subsection (1) of section 11, and

(ii) if no deduction were allowed under this subsection,

minus any deduction allowed for the year by section 28, if the corporation has filed certified statements of such expenses and has satisfied the Minister that it has been actively engaged in prospecting and exploring for minerals in Canada by means of qualified persons and has incurred the expenses for such purposes.

Deduction from income of petroleum or natural gas corporation or mining corporation.

(3) A corporation whose principal business is

(a) production, refining or marketing of petroleum, petroleum products or natural gas, or exploring or drilling for petroleum or natural gas, or

(b) mining or exploring for minerals,

may deduct, in computing its income under this Part for a taxation year, the lesser of

Clause 22. This new section 83A implements paragraph 14 of the Income Tax Resolution which reads as follows:

"14. That the special deduction from income allowed for expenses of exploring or drilling for petroleum or natural gas in Canada and the special deduction from income allowed for expenses of searching for minerals in Canada be allowed for expenses incurred at any time hereafter."

All those portions of section 53, chap. 25, statutes of 1949 (Second Session) and amendments thereto under which taxpayers may still be claiming deductions or credits, other than in respect of deep test oil wells, have been incorporated in this new section.

The first subsection is analogous to sec. 53(1) chap. 25, 1949 (Second Session).

Subsection (2) is analogous to sec. 53(4) chap. 25, 1949 (Second Session).

Subsection (3) is analogous to sec. 53 (1A) chap. 25, 1949 (Second Session).

(c) the aggregate of such of

(i) the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by it on or in respect of exploring or drilling for petroleum or natural gas in Canada, and

(ii) the prospecting, exploration and development expenses incurred by it in searching for minerals in Canada,

as were incurred after the calendar year 1952 and before the end of the taxation year, to the extent that they were not deductible in computing income for a previous taxation year, or

(d) of that aggregate, an amount equal to its income for the taxation year

(i) if no deduction were allowed under paragraph (b) of subsection (1) of section 11, and

(ii) if no deduction were allowed under this subsection,

minus the deductions allowed for the year by subsection (1) or (2) of this section and by section 28.

Deduction from income from business of association, etc.

(4) There may be deducted in computing the income for a taxation year under this Part from the business of an association, partnership or syndicate formed for the purpose of exploring or drilling for petroleum or natural gas, the lesser of

(a) the aggregate of such of the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by it on or in respect of exploring or drilling for petroleum or natural gas in Canada as were incurred after the calendar year 1948 and before the end of the taxation year, to the extent that they were not deductible in computing income therefrom for a previous taxation year, or

(b) of that aggregate, an amount equal to the income therefrom for the taxation year if no deduction were allowed under this subsection.

Limitation re payments for exploration and drilling rights.

(5) In computing a deduction under subsection (1), (3) or (4), no amount shall be included in respect of a payment for or in respect of a right, licence or privilege to explore for, drill for or take petroleum or natural gas other than an annual payment not exceeding $1 per acre.

Bonus payments.

(6) Notwithstanding subsection (5), where a corporation whose principal business is of the class described in paragraph (a) or (b) of subsection (3) or an association, partnership or syndicate formed for the purpose of exploring or drilling for petroleum or natural gas has, after 1952, paid an amount (other than a rental or royalty) to the government of Canada or of a province for a legal lease of the right to take or remove petroleum or natural gas from a

Subsection (4) is analogous to sec. 53 (2) chap. 25, 1949 (Second Session).

Subsection (5) is analogous to sec. 53 (2A) chap. 25, 1949 (Second Session).

Subsection (6) is analogous to sec. 53 (3A) chap. 25, 1949 (Second Session).

specified parcel of land in Canada (which expression is, for greater certainty, declared not to include a right of the type commonly referred to as a "Reservation"), and the corporation, association, partnership or syndicate has, before a well came into production on that land, surrendered all its rights under the lease so acquired without receiving any consideration therefor or repayment of any part of the amount so paid, the amount so paid shall, for the purpose of subsection (3) or (4), be deemed to have been an expense incurred by the corporation, association, partnership or syndicate as a drilling or exploration expense on or in respect of exploring or drilling for petroleum or natural gas in Canada during the taxation year in which its rights were so surrendered.

Expenses incurred for specified considerations not deductible.

(7) For the purposes of this section and section 53 of chapter 25 of the statutes of 1949 (Second Session), it is hereby declared that expenses incurred by a corporation, association, partnership or syndicate on or in respect of exploring or drilling for petroleum or natural gas in Canada or in searching for minerals in Canada do not and never did include expenses so incurred by that corporation, association, partnership or syndicate pursuant to an agreement under which it undertook to incur those expenses in consideration for

(a) shares of the capital stock of a corporation that owned or controlled the mineral rights,

(b) an option to purchase shares of the capital stock of a corporation that owned or controlled the mineral rights, or

(c) a right to purchase shares of the capital stock of a corporation that was to be formed for the purpose of acquiring or controlling the mineral rights.

Exception.

(8) Notwithstanding subsection (7), a corporation whose principal business is

(a) production, refining or marketing of petroleum, petroleum products or natural gas or exploring or drilling for petroleum or natural gas, or

(b) mining or exploring for minerals,

may deduct, in computing its income under this Part for a taxation year, the lesser of

(c) the aggregate of such of

(i) the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by it on or in respect of exploring or drilling for petroleum or natural gas in Canada, and

(ii) the prospecting, exploration and development expenses incurred by it in searching for minerals in Canada,

as were incurred after the calendar year 1953 and before the end of the taxation year,

The new subsections (7) and (8) provide new rules governing the deduction of exploration expenses incurred by a taxpayer in consideration for shares or the right to purchase shares of another corporation. The new subsection (8) implements paragraph 15 of the Income Tax Resolution which reads as follows:

> "15. That a deduction from income be allowed to a corporation whose principal business is production, refining or marketing of petroleum, petroleum products or natural gas or exploring or drilling for petroleum or natural gas, and to a corporation whose principal business is mining or exploring for minerals, for expenses incurred in the 1954 and subsequent calendar years in exploring or drilling for petroleum or natural gas in Canada or searching for minerals in Canada, if such expenditures were incurred otherwise than on its own account, in consideration for shares or an option or right to purchase shares of a corporation on whose account they were incurred."

(iii) pursuant to an agreement under which it undertook to incur those expenses for a consideration mentioned in paragraph *(a)*, *(b)* or *(c)* of subsection (7), and

(iv) to the extent that they were not deductible in computing income for a previous taxation year, or

(d) of that aggregate, an amount equal to its income for the taxation year

(i) if no deduction were allowed under paragraph *(b)* of subsection (1) of section 11, and

(ii) if no deduction were allowed under this subsection, minus any deduction allowed for the year by section 28;

but where a corporation has incurred expenses the deduction of which from income for a taxation year is authorized by this subsection, no deduction in respect of those expenses may be made under this section or section 53 of chapter 25 of the statutes of 1949 (Second Session) in computing the income of any other corporation or from the business of an association, partnership or syndicate for that or any other taxation year.

General limitation.

(9) Where a corporation, association, partnership or syndicate has incurred expenses the deduction of which from income is authorized under more than one provision of this section, it is not entitled to make the deduction under more than one provision but is entitled to select the provision under which to make the deduction.

Deduction for tax payable under provincial statute.

(10) Where a corporation whose principal business is production, refining or marketing of petroleum, petroleum products or natural gas or exploring or drilling for petroleum or natural gas could have deducted an amount in respect of expenditures of the corporation in connection with exploration or drilling for petroleum or natural gas incurred in a previous year from the tax payable under a provincial statute for the 1952 or a subsequent taxation year if the provincial statute were applicable to that year, the corporation may deduct from the tax otherwise payable by it under this Part for the year an amount not exceeding the amount that would have been so deductible.

"Provincial statute" defined.

(11) For the purposes of subsection (10), "provincial statute" means a statute imposing a tax on the incomes of corporations enacted by the legislature of a province in 1949 and, for the purpose of that subsection, an amount deductible thereunder for one year shall, for the purpose of computing the deduction for a subsequent year, be deemed to have been deductible under the provincial statute.

Subsection (9) is analogous to sec. 53 (7) chap. 25, 1949 (Second Session).

Subsection (10) is analogous to sec. 53 (7A) chap. 25, 1949 (Second Session).

Subsection (11) is analogous to sec. 53 (7B) chap. 25, 1949 (Second Session).

Expenses deductible under certain enactments deemed not otherwise deductible.

(12) Where expenses are or have been, under section 8 of the *Income War Tax Act*, section 16 of chapter 63 of the statutes of 1947, section 16 of chapter 53 of the statutes of 1947-48, section 53 of chapter 25 of the statutes of 1949 (Second Session) or this section, deductible from or in computing a taxpayer's income, or where any amount is or has been deductible in respect of expenses under any of those provisions from taxes otherwise payable, it is hereby declared that no amount in respect of the same expenses is or has been deductible under any other authority in computing the income or from the income of that taxpayer or any other taxpayer for that taxation year or any other taxation year."

(2) This section except subsections (7) and (8) of section 83A of the said Act as enacted by this section is applicable in computing a deduction from income for the 1955 and subsequent taxation years, and subsections (1), (1A), (2), (4), (7A), and (8) of section 53 of chapter 25 of the statutes of 1949 (Second Session) are not applicable for that purpose.

(3) Subsection (8) of section 83A of the said Act as enacted by this section is applicable in computing a deduction from income for the 1954 and subsequent taxation years.

23. Section 84 of the said Act is amended by adding thereto the following subsection:

Idem.

"(6) For the purposes of section 39, corporations specified in Schedule D to the *Financial Administration Act* shall be deemed not to be associated with each other."

24. (1) All that portion of paragraph *(b)* of subsection (3) of section 85 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

"*(b)* 45% of"

(2) Paragraph *(a)* of subsection (4) of section 85 of the said Act is repealed and the following substituted therefor:

"*(a)* 45% of the corporation's class B taxable income for the year, and"

25. (1) Paragraph *(a)* of subsection (1) of section 85A of the said Act is repealed and the following substituted therefor:

"*(a)* if the employee has acquired shares under the agreement, a benefit equal to the amount by which the value of the shares at the time he acquired them exceeds the amount paid or to be paid to the corporation therefor by him shall be deemed to have been received by the employee by virtue of his employment in the taxation year in which he acquired the shares;"

(2) Paragraph *(c)* of subsection (1) of section 85A of the said Act is repealed and the following substituted therefor:

Subsection (12) is analogous to sec. 53 (8) chap. 25, 1949 (Second Session).

Clause 23. This new subsection is necessary because common ownership by the Crown technically makes Crown corporations associated corporations. It is not necessary that the rules concerning associated corporations, which are intended to protect the revenue, apply to Crown corporations.

Clause 24. This amendment substitutes the new corporation income tax rate of 45% for the old rate of 47% in the section which refers to electric, gas or steam utility corporations.

See Clause 9 (4) for rules covering fiscal years which are partly in 1954 and partly in 1955.

Clause 25. (1) This amendment adds the underlined words.

(2) This amendment adds the underlined words.

"*(c)* if rights of the employee under the agreement have, by one or more transactions between persons not dealing at arm's length, become vested in a person who has acquired shares under the agreement, a benefit equal to the amount by which the value of the shares at the time that person acquired them exceeds the amount paid or to be paid to the corporation therefor by that person shall be deemed to have been received by the employee by virtue of his employment in the taxation year in which that person acquired the shares; and"

(3) Subparagraph (i) of paragraph *(b)* of subsection (2) of section 85A of the said Act is repealed and the following substituted therefor:

"(i) the proportion of the benefit so deemed to have been received that the aggregate of the taxes that would have been payable by the employee under this Part for the 3 years immediately preceding the taxation year (before making any deduction under section 33, 34, 38 or 41), if no benefit were deemed by paragraph *(a)*, *(b)*, *(c)* or *(d)* of subsection (1) to have been received by him in those 3 years, is of the aggregate of the employee's incomes for those 3 years minus the benefit deemed by paragraph *(a)*, *(b)*, *(c)* or *(d)* of subsection (1) to have been received by him in those 3 years,"

(4) Subparagraph (i) of paragraph *(b)* of subsection (3) of section 85A of the said Act is repealed and the following substituted therefor:

"(i) the proportion of the benefit so deemed to have been received that the aggregate of the taxes that would have been payable by the employee under this Part for the 3 years referred to in subsection (2) (before making any deduction under section 33, 34, 38 or 41), if he had been resident in Canada throughout those years and his incomes for those years had been from sources in Canada, and if no benefit were deemed by paragraph *(a)*, *(b)*, *(c)* or *(d)* of subsection (1) to have been received by him in those years, is of the aggregate of the employee's incomes for those years minus the benefit deemed by paragraph *(a)*, *(b)*, *(c)* or *(d)* of subsection (1) to have been received by him in those years,"

(5) Paragraph *(b)* of subsection (5) of section 85A of the said Act is repealed and the following substituted therefor:

"*(b)* the income for a taxation year of the corporation or of a corporation with which it does not deal at arm's length shall be deemed to be not less than its income for the year would have been if a benefit had not been

(3) This amendment adds the underlined words. This changes the formula for taxing any benefits received by an employee in the form of shares or rights to purchase shares by excluding from the formula any benefits, and the tax on any benefits, received in past years.

(4) This amendment makes the change described in (2) above in the formula for taxing benefits received by employees who have not been resident in Canada for three years. The subparagraph being repealed reads as follows:

> "(i) the proportion of the benefit so deemed to have been received that the aggregate of the taxes that would have been payable by the employee under this Part for the three years referred to in subsection (2) (before making any deduction under section 33, 34, 38 or 41), if he had been resident in Canada throughout those years and his incomes for those years had been from sources in Canada, is of the aggregate of his incomes for those three years,"

(5) This amendment prevents a corporation from claiming a deduction in respect of benefits it confers on an employee, or some person in whom the employee's rights have become vested, through the sale or issue of shares of a corporation with which it does not deal at arm's length. The paragraph being repealed reads as follows:

> "*(b)* the income of the corporation for a taxation year shall be deemed to be not less than its income for the year would have been if it had not conferred a benefit on the employee by the sale or issue of the shares to the employee."

conferred on the employee by the sale or issue of the shares to him or to a person in whom his rights under the agreement have become vested."

(6) This section is applicable to the 1955 and subsequent taxation years.

26. (1) Subparagraph (ii) of paragraph *(a)* of subsection (1) of section 85B of the said Act is repealed and the following substituted therefor:

"(ii) under an arrangement or understanding that it is repayable in whole or in part on the return or resale to the taxpayer of articles in or by means of which goods were delivered to a customer,"

(2) Subsection (3) of section 85B of the said Act is amended by striking out the word "or" at the end of paragraphs *(b)* and *(e)* thereof, by adding the word "or" at the end of paragraphs *(a)* and *(d)* thereof and by repealing paragraphs *(c)* and *(f)* thereof.

(3) This section is applicable to the 1955 and subsequent taxation years.

27. (1) The said Act is further amended by adding thereto, immediately after section 85D thereof, the following headings and sections:

"SALE OF INVENTORY.

Sale of inventory.

85E. (1) Where, upon or after disposing of or ceasing to carry on a business or a part of a business, a taxpayer has sold all or any part of the property that was included in the inventory of the business, the property so sold shall, for the purposes of this Part, be deemed to have been sold by him

(a) during the last taxation year in which he carried on the business or the part of the business, and

(b) in the course of carrying on the business.

Agreement as to price paid by vendor and purchaser.

(2) Where a person who has been carrying on a business has sold all or part of the property that was included in the inventory of the business (whether or not he has disposed of or ceased to carry on that business or a part of that business) to a person who has used all or part of the property so sold as inventory of a business carried on or to be carried on by the purchaser, and the amount of the consideration paid by the purchaser is, in part, consideration for the property so sold and, in part, consideration for something else, the following rules are applicable:

Clause 26. This amendment makes it unnecessary for taxpayers to identify and keep account of each container in respect of which they wish to establish a reserve.

The subparagraph (ii) being repealed reads as follows:

"(ii) under an arrangement or understanding that it is repayable in whole or in part on the return or resale to the taxpayer of articles in, or by means of, which goods were delivered to a customer, and not so repaid in the year,"

Paragraph *(c)* being repealed reads as follows:

"*(c)* amounts of the class described in subparagraph (ii) of paragraph *(a)* of subsection (1) that it is reasonably anticipated will have to be repaid after the end of the year,"

Paragraph *(f)* being repealed reads as follows:

"*(f)* articles not returned or resold to the taxpayer before the end of the year,"

Clause 27. The new section 85E provides that where all or part of the inventory of a business is sold upon or after disposing of or ceasing to carry on a business this inventory shall be deemed to have been sold in the course of carrying on the business. It also provides rules for establishing the price which was paid and provides that an amount included in income by virtue of this section may be taxed as if 1/3 of the amount had been received in each of the three years ending with the year in which the sale was made.

(a) such part of the consideration as the vendor and the purchaser have, in writing, agreed to be the price paid for the property so sold shall be deemed, both for the purpose of computing income from the business of the vendor and for the purpose of computing income from the business of the purchaser, to be the price so paid; and

(b) where an agreement as contemplated by paragraph *(a)* has not been filed with the Minister within 60 days after notice in writing by the Minister has been forwarded to the vendor and the purchaser that such an agreement is required for the purpose of any assessment of tax under this Part, such part of the consideration paid as is fixed by the Minister shall be deemed to be the price agreed upon by them as the price paid for the property so sold.

Reference to property included in inventory.

(3) A reference in this section to property that was included in the inventory of a business shall be deemed to include a reference to property that would have been so included if the income from the business had not been computed in accordance with the method authorized by subsection (1) of section 85F.

Election.

(4) Where any amount is included in computing the income of a taxpayer for a taxation year by virtue of this section, the taxpayer may elect to pay, as tax for the year under this Part, in lieu of the amount that would otherwise be payable, an amount equal to the aggregate of

(a) the tax that would be payable by him for the year under this Part if no amount were included in computing his income for the year by virtue of this section, and

(b) the aggregate of the amounts by which his taxes under this Part would have been increased if 1/3 of the amount so included by virtue of this section had been included in computing his income for each of the 3 taxation years ending with the last taxation year in which he carried on the business or the part of the business referred to in subsection (1);

and, in any such case, the election is not valid unless the taxpayer was, during each of those 3 years, carrying on that business.

Special Method of Computing Income: Sale of Accounts Receivable.

Special method of computing income.

85F. (1) For the purpose of computing the income of a taxpayer for a taxation year from a business of the following description, namely:

The new section 85F permits a special method of computing income from a business where that business is farming or a profession. It also provides that proceeds from accounts receivable received by a taxpayer upon or after disposing of his business or after ceasing to carry on his business must be taken into the computation of income. An amount included in income by virtue of subsection (4) of this section may be taxed as if 1/3 of the amount had been received in each of the three years ending with the year in which the disposition was made.

(a) farming, or

(b) a profession,

the income from the business for that taxation year may, if the taxpayer so elects, be computed in accordance with a method (hereinafter in this section referred to as the "cash" method) whereby the income therefrom for that year shall be deemed to be an amount equal to

(d) the aggregate of all amounts that

(i) were received in the year, or are deemed by this Act to have been received in the year, in the course of carrying on the business, and

(ii) were in payment of or on account of an amount that would, if the income from the business were not computed in accordance with the cash method, be included in computing income therefrom for that or any other year,

minus

(e) the aggregate of all amounts that

(i) were paid in the year, or are deemed by this Act to have been paid in the year, in the course of carrying on the business, and

(ii) were in payment of or on account of an amount that would, if the income from the business were not computed in accordance with the cash method, be deductible in computing income therefrom for that or any other year;

and minus any deduction for the year permitted by paragraph *(a)* of subsection (1) of section 11.

Idem. (2) Subsection (1) does not apply for the purpose of computing the income of a taxpayer for a taxation year from a business carried on by him jointly with one or more other persons, unless each of the other persons by whom the business is jointly carried on has elected to have his income from the business for that year computed in accordance with the method authorized by that subsection.

Concurrence of Minister. (3) Where a taxpayer has filed a return of income under this Part for a taxation year wherein his income for that year from a business described in subsection (1) has been computed in accordance with the method authorized by that subsection, income from the business for a subsequent taxation year shall, subject to the other provisions of this Part, be computed in accordance with that method unless the taxpayer, with the concurrence of the Minister and upon such terms and conditions as are specified by the Minister, adopts some other method.

Accounts receivable. (4) There shall be included in computing the income of a taxpayer for a taxation year such part of an amount received by him in the year, upon or after disposing of or ceasing to carry on a business or a part of a business, for, on account or in lieu of payment of, or in satisfaction of debts owing

These new sections 85E and 85F, among other things, implement paragraph 8 of the Income Tax Resolution which reads as follows:

> "8. That for the 1955 and subsequent taxation years proceeds of a sale or realization of inventory or accounts receivable of a taxpayer upon or after selling or ceasing to carry on a business be included in computing income, but that the taxpayer be given the option of paying tax in respect thereof at his average rate of tax for the three taxation years immediately preceding the year in which he sold or ceased to carry on the business."

to the taxpayer that arose in the course of carrying on the business as would have been included in computing the income of the taxpayer for the year had the amount so received been received by him in the course of carrying on the business.

Election.

(5) Subsection (4) of section 85E is applicable mutatis mutandis where any amount is included in computing the income of a taxpayer for a taxation year by virtue of subsection (4) of this section.

MORTGAGE RESERVES.

Special mortgage reserve.

85G. In computing the income for a taxation year of a taxpayer whose business includes the lending of money on the security of a mortgage, hypothec or agreement of sale of real property,

(a) there may be deducted as a reserve, in lieu of any deduction under paragraph *(e)* of subsection (1) of section 11, the lesser of

(i) 3% of the aggregate of

(A) each amount outstanding at the end of the year as or on account of the principal amount of loans made by the taxpayer on the security of a mortgage, hypothec or agreement of sale of real property,

(B) each amount due and unpaid at the end of the year as or on account of interest payable to the taxpayer under a mortgage, hypothec or agreement of sale of real property, and

(C) each amount that has been taken into account in computing the income of the taxpayer for the year as or on account of the value of real property of the taxpayer that was included in the inventory of the taxpayer at the end of the year and that was acquired, by foreclosure or otherwise, after default made under a mortgage, hypothec or agreement of sale of real property (otherwise than as or on account of the value of real property in respect of which any amount for the year has been included under clause (A) or (B));

or

(ii) the amount, if any, deducted under this paragraph as a reserve in computing the taxpayer's income for the immediately preceding taxation year, plus 1/12 of the amount determined under subparagraph (i);

but no deduction may be made under this paragraph as a reserve in respect of loans made on the security of a mortgage or hypothec under the *National Housing*

The new section 85G provides that taxpayers whose business includes the lending of money on the security of a mortgage, hypothec or agreement of sale of real property may set up a special reserve in lieu of the reserve for doubtful debts now provided by section 11 (1) *(e)* of the *Income Tax Act*.

Act, 1954 or any of the Housing Acts as defined in paragraph *(e)* of section 2 of the *Central Mortgage and Housing Corporation Act*; and

(b) there shall be included the amount deducted under paragraph *(a)* as a reserve in computing the taxpayer's income for the immediately preceding taxation year."

(2) Section 85E of the said Act as enacted by this section is applicable in respect of sales made in the 1955 and subsequent taxation years of property referred to in section 85E thereof as included in the inventory of a business, and sections 85F and 85G of the said Act as enacted by this section are applicable to the 1955 and subsequent taxation years.

28. (1) Subsection (1) of section 105A of the said Act as enacted by section 80 of chapter 40 of the statutes of 1952-53 is repealed.

(2) Subsection (1) of section 105A of the said Act as enacted by section 26 of chapter 57 of the statutes of 1953-54 is repealed and the following substituted therefor:

Tax.

"**105A.** (1) Where a corporation other than a non-resident-owned investment corporation has in a taxation year redeemed or acquired any of its shares, other than a common share, at a premium, the corporation shall, on or before the day on or before which it is required to file its return of income under Part I for the taxation year in which the share was redeemed or acquired,

(a) in the case of any such redemption or acquisition where

(i) the share was issued on or before February 19, 1953, and

(ii) the maximum amount payable by the corporation in respect of the redemption or acquisition of the share was fixed, by or in accordance with the law under which the corporation was incorporated, on or before February 19, 1953, and has not been increased since that date,

pay a tax of 20% on the amount of the premium, and

(b) in the case of any other such redemption or acquisition, pay

(i) a tax of 20% on the amount of the premium, if the amount of the premium on the share was not more than 10% of the amount referred to in paragraph *(a)* or *(b)*, as the case may be, of subsection (2), and

(ii) a tax of 30% on the amount of the premium, if the amount of the premium on the share was more than 10% of the amount referred to in paragraph *(a)* or *(b)*, as the case may be, of subsection (2)."

Clause 28. (1) and (2) This amendment is only for clarification. It consolidates subsection (1) of section 105A as originally enacted in 1953 with the amendment to this subsection enacted in 1954.

(3) Paragraph *(b)* of subsection (2) of section 105A of the said Act is repealed and the following substituted therefor:

"*(b)* if the share had no par value, the proportion of the paid-up capital of the corporation, immediately prior to the redemption or acquisition of the share, with respect to the class of shares to which the share belongs that one is of the number of issued shares in the class immediately prior to the redemption or acquisition of the share,"

29. (1) The said Act is further amended by adding thereto, immediately after section 105A thereof, the following heading and section:

"PART IIB

TAX IN RESPECT OF DIVIDENDS PAID OUT OF DESIGNATED SURPLUS.

Tax.

105B. (1) Where a corporation other than a non-resident-owned investment corporation has in a taxation year paid a dividend the whole or any part of which would, if section 28 were applicable, be regarded as having been paid out of designated surplus of the corporation as determined under that section, and the corporation was, at the time the dividend was paid, controlled by

(a) a non-resident corporation,

(b) a person exempt from tax under section 62, or

(c) a trader or dealer in securities,

the corporation shall, on or before the day on or before which it is required to file a return of income under Part I for the taxation year in which the dividend was paid, pay a tax equal to

(d) 15%, in any case where paragraph *(a)* or *(b)* applies, or

(e) 20%, in any other case,

of the amount of the dividend or, as the case may be, the part thereof that would, if section 28 were applicable, be regarded as having been so paid.

Determination of payment of dividend.

(2) For the purpose of determining whether or not a dividend or any part thereof would, if section 28 were applicable, be regarded as having been paid out of designated surplus of the corporation as determined under that section, if the corporation was controlled by a person described in paragraph *(b)* or *(c)* of subsection (1), such person shall, at all times relevant to that determination, be deemed to have been a corporation.

Dividends deemed to have been paid.

(3) For the purposes of this section, dividends deemed by this Act to have been received from the payer corporation and required by this Act to be included in computing the recipient's income shall be deemed to have been paid by the payer corporation.

(3) This amendment adds the underlined words.

Clause 29. This new section provides for a tax of 15% on corporations the control of which has been acquired by non-resident corporations or tax exempt organizations and for a tax of 20% where control has been acquired by a trader or dealer in securities. The tax is to be calculated with reference to the amount of dividends paid by such corporations out of designated surplus. This implements paragraph 9 of the Income Tax Resolution which reads as follows:

> "9. That a corporation resident in Canada that pays a dividend out of its designated surplus to a non-resident corporation or a person exempt from tax by whom the payer corporation was controlled, be subject to a tax of 15% computed by reference to the amount of the dividend, where control of the payer corporation was acquired after December 31, 1954."

Controlled corporation.

(4) For the purposes of this section, a corporation is controlled by a person described in paragraph *(a)*, *(b)* or *(c)* of subsection (1) if more than 50% of its issued share capital (having full voting rights under all circumstances) belongs to that person, or to that person and to persons with whom that person does not deal at arm's length.

Idem.

(5) For the purposes of subsection (4),

(a) issued share capital of a corporation belonging to or held by a trustee or one or more other persons beneficially for owners or members of an organization, club, society or other unincorporated association that is a person exempt from tax under section 62 shall be deemed to be issued share capital of the corporation belonging to the organization, club, society or other association, as the case may be, as a person so exempt; and

(b) members of a partnership shall be deemed not to deal with each other at arm's length.

Exception where shares acquired by gift or bequest.

(6) No tax is payable under subsection (1) where the payer corporation was, at the time a particular dividend was paid by it, controlled by a person exempt from tax under section 62, if all of the issued share capital of the corporation (having full voting rights under all circumstances) that, during the period defined in subsection (4) of section 28 as the "control period", belonged to that person or to that person and persons with whom that person did not deal at arm's length, was acquired by that person (or by that person and persons with whom that person did not deal at arm's length) by way of unconditional gift or unconditional bequest.

Interest.

(7) Where a corporation is liable to pay tax under subsection (1) and has failed to pay all or any part thereof on or before the day on or before which it was required to pay the tax, it shall, on payment of the amount in default, pay interest at 6% per annum from the day on or before which it was required to make the payment to the day of payment.

Return.

(8) Every corporation that is liable to pay tax under subsection (1) shall, on or before a day on or before which it is required to pay the tax, file a return of information in prescribed form relevant to the transaction or transactions giving rise to such tax.

(9) Section 46 and sections 55 to 61 are applicable mutatis mutandis to this Part."

(2) This section is applicable to dividends paid or deemed to have been paid after April 5, 1955, where control of the payer corporation was acquired after 1954.

Timber royalties.

30. (1) Subsection (1) of section 106 of the said Act is amended by adding thereto, immediately after paragraph *(d)* thereof, the following paragraph:

"*(da)* a timber royalty (which, for the purposes of this Part, includes any consideration for a right under or pursuant to which a right to cut or take timber from a timber limit in Canada is obtained or derived, to the extent that such consideration is dependent upon, or computed by reference to, the amount of timber cut or taken);"

(2) This section is applicable to timber royalties paid after April 5, 1955.

Alternative re rents and timber royalties.

31. (1) All that portion of subsection (1) of section 110 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

"**110.** (1) Where an amount has been paid during a taxation year to a non-resident person as, on account or in lieu of payment of, or in satisfaction of, rent on real property in Canada or a timber royalty, he may, within 2 years from the end of the taxation year, file a return of income under Part I in the form prescribed for a person resident in Canada for that taxation year and he shall, without affecting his liability for tax otherwise payable under Part I, thereupon be liable, in lieu of paying tax under this Part on that amount, to pay tax under Part I for that taxation year as though"

(2) Paragraph *(b)* of subsection (1) of section 110 of the said Act is repealed and the following substituted therefor:

"*(b)* his interest in real property in Canada or timber limits in Canada were his only source of income, and"

(3) Subsection (2) of section 110 of the said Act is repealed and the following substituted therefor:

Idem.

"(2) Where a non-resident person has filed a return of income under Part I as permitted by this section, the amount deducted under this Part from rent payments to him or from timber royalties paid to him and remitted to the Receiver General of Canada shall be deemed to have been paid on account of tax under this section and any portion of the amount so remitted to the Receiver General of Canada in a taxation year in excess of the tax under this section for the year shall be refunded to him."

(4) All that portion of subsection (4) of section 110 of the said Act preceding paragraph *(b)* thereof is repealed and the following substituted therefor:

Optional method of payment.

"(4) Where a non-resident person has filed with the Minister an undertaking in prescribed form to file a return of income under Part I for a taxation year as permitted by this section, a person who is otherwise required by subsection (3) of section 109 to remit in the year an amount to

Clause 30. This new paragraph implements paragraph 12 of the Income Tax Resolution which reads as follows:

> "12. That payments made after April 5, 1955, to a non-resident, computed by reference to the amount of timber cut or taken from a timber limit in Canada be subject to the 15% tax on income from Canada of non-residents."

Clause 31. (1) This amendment adds the underlined words. This change, which is consequential upon the amendment enacted by Clause 30, allows a non-resident receiving a timber royalty the same option as is allowed to a non-resident receiving rents on real property in Canada. That is, he has the option of filing a return and paying tax on the net income from these payments at the rate of tax applicable to a corporation or individual resident in Canada.

(2) This amendment adds the underlined words. This addition is consequential upon the amendment explained in (1) above.

(3) This amendment adds the underlined words. This addition is consequential upon the amendment explained in (1) above.

(4) This amendment adds the underlined words. This addition is consequential upon the amendment explained in (1) above.

the Receiver General of Canada in payment of tax on rent on real property or in payment of tax on a timber royalty may elect, by virtue of this section, not to remit under that subsection but if he does so elect

(a) he shall, when any amount is available out of the rent or royalty received for remittance to the non-resident person, deduct therefrom 15% thereof and remit the amount deducted to the Receiver General of Canada on behalf of the non-resident person on account of the tax under this Part, and"

(5) Section 110 of the said Act is further amended by adding thereto the following subsections:

Disposition by non-resident of interest in real property or timber limit.

"(5) Where a non-resident person has filed a return of income under Part I for a taxation year as permitted by this section and has, in computing his income under Part I for that year, deducted an amount under paragraph *(a)* of subsection (1) of section 11 in respect of real property in Canada or a timber limit in Canada, he shall, within the time prescribed by section 44 for filing a return of income under Part I, file a return of income under Part I, in the form prescribed for a person resident in Canada, for any subsequent taxation year in which that real property or timber limit or any interest therein is disposed of, within the meaning of section 20, by him, and he shall, without affecting his liability for tax otherwise payable under Part I, thereupon be liable, in lieu of paying tax under this Part on any amount paid to him or deemed by this Part to have been paid to him in that subsequent taxation year in respect of any interest of that person in real property in Canada or timber limits in Canada, to pay tax under Part I for that subsequent taxation year as though

(a) he were a person resident in Canada,

(b) his interest in real property in Canada or timber limits in Canada were his only source of income, and

(c) he were not entitled to any deduction from income in computing his taxable income.

Saving provision.

"(6) Subsection (5) does not apply to require a non-resident person to file a return of income under Part I for a taxation year unless, by filing that return, there would be included in computing his income under Part I for that year an amount by virtue of subsection (1) of section 20.

Election.

"(7) Where, by virtue of subsection (5), a non-resident person is liable to pay tax under Part I for a taxation year, no election may be made by that person under subsection (1) of section 43 unless that person has, within the time prescribed by subsection (1) for filing a return of income under Part I, filed a return of income under Part I, in the form prescribed for a person resident in Canada, for each of

(5) The new subsections (5) and (6) apply to non-residents who receive rents on real property in Canada or timber royalties who have taken the option of filing a return and paying tax on the net income from these payments at the rates of tax applicable to a resident of Canada and have claimed capital cost allowances in computing their net income from these payments. These new subsections provide that if such a non-resident disposes of all or part of his real property or timber limit in Canada for an amount in excess of the undepreciated capital cost he must file a return in the year of disposition and pay tax on this excess.

The new subsection (7) provides that a non-resident who is required to pay tax on the excess of the proceeds of disposition over undepreciated capital cost may not take advantage of the privilege of spreading the amount taxable over five years provided by section 43 of the *Income Tax Act* unless he has filed a return for each of the five years preceding the taxation year.

the 5 taxation years immediately preceding the taxation year, in which latter case he shall be deemed, for the purposes of section 43, to have been resident in Canada or to have carried on business in Canada, as the case may be, during each of those 5 years immediately preceding the taxation year."

(6) Subsections (1) to (4) are applicable to payments made to non-residents after April 5, 1955, and subsection (5) is applicable in respect of dispositions made by non-residents after that date.

32. (1) Subsection (1) of section 110A of the said Act is repealed and the following substituted therefor:

Loan to wholly-owned subsidiary.

"**110A.** (1) For the purposes of this Act, where

(a) a non-resident corporation (hereinafter in this section referred to as the "parent corporation") is indebted to

(i) a person resident in Canada, or

(ii) a non-resident insurance corporation carrying on business in Canada,

(hereinafter in this section referred to as the "creditor") under an arrangement whereby the parent corporation is required to pay interest in Canadian currency, and

(b) the parent corporation has loaned the money in respect of which it is so indebted, or a part thereof, to a subsidiary wholly-owned corporation resident in Canada whose principal business is the making of loans (hereinafter in this section referred to as the "subsidiary corporation") under an arrangement whereby the subsidiary corporation is required to repay the loan to the parent corporation with interest at the same rate as is payable by the parent corporation to the creditor,

the amount so loaned by the parent corporation to the subsidiary corporation shall be deemed to have been borrowed by the parent corporation as agent of the subsidiary corporation and interest paid by the subsidiary corporation to the parent corporation that has been paid by the parent corporation to the creditor shall be deemed to have been paid by the subsidiary corporation to the creditor and not by the subsidiary corporation to the parent corporation or by the parent corporation to the creditor."

(2) Subsection (3) of section 110A of the said Act is repealed and the following substituted therefor:

Election.

"(3) This section does not apply in respect of any payment of interest unless the parent corporation and the creditor have executed, and filed with the Minister, an election in prescribed form."

(3) This section is applicable in respect of payments of interest made after 1953.

33. Section 136 of the said Act is amended by adding thereto the following subsection:

Clause 32. This is a technical amendment substituting the word "creditor" for the expression "original lender". This is done to cover the situation where the original lender may have transferred the indebtedness to another person who continues the arrangement. The subsections being repealed read as follows:

110A. (1) For the purposes of this Act, where

(a) a non-resident corporation (hereinafter in this section referred to as the "parent corporation") has borrowed money from
(i) a person resident in Canada, or
(ii) a non-resident insurance corporation carrying on business in Canada,
(hereinafter in this section referred to as the "original lender") under an arrangement whereby the parent corporation is required to pay interest in Canadian currency, and

(b) the parent corporation has loaned the money so borrowed, or a part thereof, to a subsidiary wholly-owned corporation resident in Canada whose principal business is the making of loans (hereinafter in this section referred to as the "subsidiary corporation") under an arrangement whereby the subsidiary corporation is required to repay the loan to the parent corporation with interest at the same rate as is payable by the parent corporation to the original lender,

the amount so loaned by the parent corporation to the subsidiary corporation shall be deemed to have been borrowed from the original lender by the parent corporation as agent of the subsidiary corporation and interest paid by the subsidiary corporation to the parent corporation that has been paid over by the parent corporation to the original lender shall be deemed to have been paid by the subsidiary corporation to the original lender and not by the subsidiary corporation to the parent corporation or by the parent corporation to the original lender."

"(3) This section does not apply in respect of any payment of interest unless the parent corporation and the original lender have executed, and filed with the Minister, an election in prescribed form."

Clause 33. This new subsection adds a further rule in connection with evidence produced in prosecutions for offences under the Act.

Proof of return.

"(14) In any prosecution for an offence under this Act, the production of a return, certificate, statement or answer required by or under this Act or a regulation, purporting to have been filed or delivered by or on behalf of the person charged with the offence or to have been made or signed by him or on his behalf shall be received as *prima facie* evidence that such return, certificate, statement or answer was filed or delivered by or on behalf of that person or was made or signed by him or on his behalf."

34. (1) Paragraph *(r)* of subsection (1) of section 139 of the said Act is repealed and the following substituted therefor:

"Fiscal period."

"*(r)* "fiscal period" means the period for which the accounts of the business of the taxpayer have been ordinarily made up and accepted for purposes of assessment under this Act and, in the absence of an established practice, the fiscal period is that adopted by the taxpayer (but no fiscal period may exceed

(i) in the case of a corporation, 53 weeks, and

(ii) in the case of any other taxpayer, 12 months,

and no change in a usual and accepted fiscal period may be made for the purposes of this Act without the concurrence of the Minister);"

(2) Subsection (1) of section 139 of the said Act is further amended by adding thereto, immediately following paragraph *(s)* thereof, the following paragraph:

"Gross revenue."

"*(sa)* "gross revenue" means the aggregate of all amounts received in a taxation year or receivable in the year (depending on the method regularly followed by the taxpayer in computing his profit) otherwise than as or on account of capital;"

(3) Paragraph *(w)* of subsection (1) of section 139 of the said Act is repealed and the following substituted therefor:

"Inventory."

"*(w)* "inventory" means a description of property the cost or value of which is relevant in computing a taxpayer's income from a business for a taxation year;"

(4) Paragraph *(ba)* of subsection (1) of section 139 of the said Act is repealed and the following substituted therefor:

Tax under Part I, II, IIA or IIB.

"*(ba)* the tax payable by a taxpayer under Part I, II, IIA or IIB means the tax payable by him as fixed by assessment or re-assessment subject to variation on objection or appeal, if any, in accordance with the provisions of Part I, II, IIA or IIB, as the case may be."

(5) Subsection (9) of section 139 of the said Act is amended by adding thereto, immediately after paragraph *(a)* thereof, the following paragraph:

"Parent."

"*(aa)* "parent" includes mother-in-law and father-in-law,"

Clause 34. (1) This amendment permits a corporation to have a fiscal period as long as 53 weeks in order to accommodate those corporations which regularly follow the practice of ending their fiscal period on a chosen day of the week that is nearest to a certain dayin the year. The paragraph being repealed reads as follows:

> "*(r)* "fiscal period" means the period for which the accounts of the business of the taxpayer have been ordinarily made up and accepted for purposes of assessment under this Act and, in the absence of an established practice, the fiscal period is that adopted by the taxpayer, (but no fiscal period may exceed a period of 12 months and a change in a usual and accepted fiscal period may not be made for the purpose of this Act without the concurrence of the Minister);"

(2) This new paragraph defines "gross revenue".

(3) This amendment adds the underlined words.

(4) This amendment adds the underlined words. Part IIA imposes a tax on premiums paid on redemption or acquisition of capital stock. Part IIB imposes a tax in respect of dividends paid out of designated surplus by corporations control of which has been acquired by non-residents, tax exempt organizations or traders or dealers in securities.

(5) It was believed that the present law provided that the word "parent" included mother-in-law and father-in-law but the Income Tax Appeal Board has held otherwise. This new paragraph is added for clarification.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 418.

An Act to amend the Excise Tax Act.

First reading, June 2, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 418.

An Act to amend the Excise Tax Act.

R.S. cc. 100, 320; 1952-53, c. 35; 1953-54, c. 56.

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

1953-54, c. 56, s. 14.

1. (1) Section 1 of Schedule I to the *Excise Tax Act*, chapter 100 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"1. Automobiles adapted or adaptable for passenger use, with seating capacity for not more than ten persons each.....ten per cent;

the tax on automobiles applies on the total price charged for such automobiles, which price shall include all charges for accessories, optional equipment, or any other charges contracted for at the time of sale, whether charged for separately or not; the tax does not apply to automobiles imported under *Customs Tariff* items 702, 705a, 706 and 707."

(2) Section 11 of the said Schedule I is repealed.

1953-54, c. 56, s. 14.

2. Schedule III to the said Act is amended as follows:

(a) by inserting under the heading "FARM AND FOREST", immediately below the words "Beet pulp, dried;" the following:

"Creosote oil and other wood preservatives when for use exclusively in the treatment of timber, poles or lumber;"

(b) by repealing the words

"Milk albumen, when for use exclusively in the production of animal or poultry feeds;"

under the heading "FARM AND FOREST" and substituting therefor the following:

"Materials to be used exclusively in the manufacture of feeds for poultry, cattle and other stock and fur-bearing animals;"

Explanatory Note.

The purpose of this Bill is to give effect to the Budget Resolutions on the *Excise Tax Act*.

(c) by inserting under the heading "CHARITABLE, HEALTH, ETC." immediately before the words "War Veterans' badges" the following:

"Vaccine for use in the prevention of poliomyelitis;"

(d) by repealing the list of articles and materials under the heading "CERTAIN BUILDING MATERIALS" and substituting therefor the following:

"Bricks, building tile, floor tile, building blocks and building stone;

Plaster; lime; cement;

Lumber; sash; doors; shingles; lath; siding; stairways;

Plaster boards, fibreboard, wall panels, building paper, wallpaper and materials, manufactured wholly or in part of vegetable or mineral substances, for walls, wall coverings or building insulation;

Paints, varnishes, white lead and paint oil;

Prepared roofings;

Shower baths, bath tubs, basins, faucets, closets, lavatories, sinks and rims therefor and laundry tubs, not including repair parts therefor, nor pipes and pipe fittings;

Cast iron soil pipe and cast iron fittings therefor;

Glass for buildings;

Furnaces, stokers, oil or gas burners, hot water and steam radiators not including fittings, for the heating of buildings;

Locks and lock sets;

Materials to be incorporated in terrazzo flooring;

Structural steel to be used exclusively for the framework and support of buildings;

Articles and materials to be used exclusively in the manufacture or production of the aforementioned building materials;"

(e) by inserting under the heading "MISCELLANEOUS" immediately before the word "Electricity" the following:

"Perforated bituminized fibre pipe for drainage purposes not exceeding four inches in inside diameter;"

Coming into force.

3. This Act shall be deemed to have come into force on the 6th day of April, 1955, and to have applied to all goods mentioned therein, imported or taken out of warehouse for consumption on or after that day and to have applied to goods previously imported for which no entry for consumption was made before that day.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 449.

An Act to amend the Transport Act.

First reading, June 6, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 449.

An Act to amend the Transport Act.

R.S., 1952, c. 271.

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

1. Sections 32 and 33 of the *Transport Act*, chapter 271 of the Revised Statutes of Canada, 1952, are repealed and the following substituted therefor:

Agreement for charges.

"**32.** (1) Notwithstanding anything in the *Railway Act* or in this Act, a carrier may make such charges for the transport of goods of a shipper as are agreed between the carrier and the shipper.

Competing carriers.

(2) No agreement for an agreed charge for the transport by rail from or to a competitive point, or between competitive points, on the lines of two or more carriers by rail shall be made unless the competing carriers by rail join in making it.

Not applicable to United States carriers.

(3) Subsections (1) and (2) do not apply to a railway company incorporated in the United States and owning, or operating on, a railway line in Canada (in this section called a "United States carrier") except as between points on its lines in Canada served exclusively by such carrier.

Exception.

(4) Notwithstanding subsection (3), where an agreement for an agreed charge has been made by a carrier by rail, whether before or after the coming into force of this subsection, and the railway of a United States carrier

(a) operates at a point of origin or destination named in the agreement for an agreed charge or between such points, and

(b) constitutes, or forms part of, a continuous route by rail established between such points, entirely in Canada or partly in Canada and partly in the United States,

Explanatory Notes.

The purpose of this Bill is to implement the Report of the Royal Commission on Agreed Charges.

The present sections 32 and 33, Part IV, of the *Transport Act*, chapter 271, Revised Statutes of Canada, 1952, are as follows:

"**32.** (1) Notwithstanding anything in the *Railway Act*, or in this Act, but subject to this section, a carrier may make such charge or charges for the transport of the goods of any shipper or for the transport of any part of his goods as may be agreed between the carrier and that shipper.

(2) Any such agreed charge requires the approval of the Board, and the Board shall not approve such charge if, in its opinion, the object to be secured by the making of the agreement can, having regard to all the circumstances, adequately be secured by means of a special or competitive tariff of tolls under the *Railway Act* or this Act.

(3) When the transport is by rail from or to a competitive point or between competitive points on the lines of two or more carriers by rail the Board shall not approve an agreed charge unless the competing carriers by rail join in making the agreed charge.

(4) Particulars of an agreed charge, including a duplicate original of the agreement, shall be lodged with the Board within seven days after the date of the agreement and notice of an application to the Board for its approval of the agreed charge shall be given at least thirty days before the hearing by publication in the *Canada Gazette* and in such other manner as the Board may direct.

the United States carrier is entitled to become a party to the agreement if all the railway companies over whose lines the continuous route is established concur, and the United States carrier files with the Board a notice of intention to become a party to the agreement.

Water carriers.

(5) Where an agreement for an agreed charge has been made by a carrier by rail, a carrier by water that has established through routes and interchange arrangements with the carrier by rail is entitled to become a party to the agreement for an agreed charge and to establish tariffs, maintaining established differentials, in respect of the transport from or to a competitive point or between competitive points served by the carrier by water, of goods to which the agreed charge relates and with regard to which the carrier by water is required to file tariffs of tolls with the Board.

Basis of agreed charges.

(6) An agreed charge shall be made on the established basis of rate making and shall be expressed in cents per hundred pounds or such other unit of weight or measurement as is appropriate; and the car-load rate for one car shall not exceed the car-load rate for any greater number of cars.

Filed with Board.

(7) An agreement for an agreed charge shall be prepared and executed in tariff form, and a duplicate original thereof shall, in accordance with regulations prescribed by the Board, be filed with the Board within seven days after the day the agreement was made, and the agreed charge takes effect twenty days after the day the agreement therefor was so filed.

Publication.

(8) The agreement for an agreed charge, after it has been filed with the Board, shall be published in the manner provided by subsection (1) of section 333 of the *Railway Act*.

Other shippers may become parties.

(9) Where an agreement for an agreed charge has been made between a carrier and a shipper, any other shipper may with the consent of the carrier become a party to the agreement by filing a notice of intent with the Board in accordance with regulations prescribed by the Board, and the agreed charge takes effect in relation to such other shipper on such day, not earlier than the day the agreement was made, as the carrier and such other shipper may agree upon.

Board may fix charges for other shippers.

(10) Any shipper who considers that his business is or will be unjustly discriminated against by an agreed charge may at any time apply to the Board for a charge to be fixed for the transport by the same carrier with which the agreed charge was made of goods of the shipper that are the same as or similar to, and are offered for carriage under substantially similar circumstances and conditions as, the goods to which the agreed charge relates, and, if the Board is satisfied that the business of the shipper is or will be unjustly discriminated against by the agreed charge, it may fix a charge, including the conditions to be attached thereto, to

(5) An agreed charge shall be made on the established basis of rate making and shall be expressed in cents per hundred pounds or such other unit as the Board may approve; and the car-load rate for one car shall not exceed the car-load rate for any greater number of cars.

(6) The Board may approve an agreed charge either for such period as it thinks fit or without restriction of time, and the date on which the charge shall become operative, or as from which it shall be deemed to have become operative, shall be such date, not being earlier than the date on which application for approval was lodged, as may be fixed by the Board.

(7) On an application to the Board for the approval of an agreed charge,

(a) any shipper who considers that his business will be unjustly discriminated against if the agreed charge is approved and is made by the carrier, or that his business has been unjustly discriminated against as a result of the making of the charge by virtue of a previous approval;

(b) any representative body of shippers; and

(c) any carrier,

is, after giving such notice of objection, as may be prescribed by the Board, entitled to be heard in opposition to the application.

(8) Any shipper who considers that his business will be unjustly discriminated against if an agreed charge is approved and is made by the carrier, or that his business has been unjustly discriminated against as a result of the making of an agreed charge, may at any time apply to the Board for a charge to be fixed for the transport of his goods (being the same goods as or similar goods to and being offered for carriage under substantially similar circumstances and conditions as the goods to which the agreed charge relates) by the same carrier with which the agreed charge is proposed to be made, or is being made, and if the Board is satisfied that the business of the shipper will be or has been so unjustly discriminated against, it may fix a charge (including the conditions to be attached thereto) to be made by such carrier for the transport of such goods.

(9) The Board, in fixing a charge, may fix it either for such period as it thinks fit or without restriction of time, and may appoint the date on which it is to come into operation, but no such charge shall be fixed for a period beyond that for which the agreed charge complained of by the shipper has been approved.

(10) An application under this section may, if it is convenient, be combined with an objection by the shipper to the application for the approval of the agreed charge of which he complains.

be made by the carrier for the transport of such goods of the shipper, and may fix the day on which such charges shall be effective, not being earlier than the day on which the agreement for the agreed charge was made.

Agreed charges deemed lawful charges.

(11) Where an agreement for an agreed charge or any amendment thereto has been filed and notice of the issue of the charge has been given in accordance with this Act and the regulations, orders and directions of the Board, the charge shall conclusively be deemed to be the lawful charge in respect of the transport of the goods referred to in the agreement until it expires or is otherwise terminated, and after the day on which the agreement takes effect, until it expires or is otherwise terminated, the carrier shall make the charge as specified therein.

Withdrawal.

(12) Notwithstanding anything in an agreement for an agreed charge, any party to the agreement, if it has been in effect at least one year, may withdraw from the agreement by giving written notice of withdrawal to all the other parties thereto at least ninety days before the day upon which the withdrawal is to become effective.

Complaints.

33. (1) Where an agreed charge has been in effect for at least three months

(a) any carrier, or association of carriers, by water or rail, or

(b) any association or other body representative of the shippers of any locality

may complain to the Minister that the agreed charge is unjustly discriminatory against it or places its business at an unfair disadvantage, and the Minister may, if he is satisfied that in the public interest the complaint should be investigated, refer the complaint to the Board for investigation; if the Board, after a hearing, finds that the effect of the agreed charge upon the business of the complainant is undesirable in the public interest, the Board may make an order varying or cancelling the agreed charge complained of or may make such other order as in the circumstances it considers proper.

Consideration of complaints.

(2) In dealing with a complaint referred to it under this section the Board shall have regard to all considerations that appear to it to be relevant and, in particular, to the effect that the making of the agreed charge has had or is likely to have on the net revenue of the carriers who are parties to it and on the business of the person making the complaint.

Effect of cancellation or variation on charges fixed under ss. (10) of s. 32.

(3) Where under this section the Board cancels or varies an agreed charge, any charge fixed under subsection (10) of section 32 in favour of a shipper complaining of that agreed charge ceases to operate, or is subject to such corresponding modifications as the Board determines."

(11) Where the Board has approved an agreed charge without restriction of time,

(a) any shipper who considers that his business has been unjustly discriminated against as a result of the making of the agreed charge,

(b) any representative body of shippers, and

(c) any carrier,

may, at any time after the expiration of one year from the date of the approval, apply to the Board for the withdrawal of its approval of the agreed charge, and, upon any such application, the Board may withdraw, or refuse to withdraw, its approval, or may continue its approval subject to such modifications being made in the charge as it thinks proper and as the carrier and the shipper to whose goods the charge is applicable are prepared to agree to; but where the Board has fixed a charge in favour of a shipper complaining of an agreed charge, such shipper is not entitled to make an application under this subsection in respect of that agreed charge in so far as it relates to goods that are the same as or similar to any goods to which the charge so fixed relates.

(12) All agreed charges shall, when approved, be published in the manner provided by section 333 of the *Railway Act*.

(13) Where under this section the Board withdraws its approval of an agreed charge or continues its approval of an agreed charge, subject to modifications, any charges fixed under subsection (7) in favour of a shipper complaining of that agreed charge shall cease to operate, or shall be subject to such corresponding modifications as the Board may determine.

(14) For the purpose of applications under this section a decision of the Board continuing its approval of a charge subject to agreed modifications shall be deemed to be the approval of an agreed charge.

(15) On any application under this section, the Board shall have regard to all considerations that appear to it to be relevant and, in particular, to the effect that the making of the agreed charge or the fixing of a charge is likely to have, or has had, on

(a) the net revenue of the carrier, and

(b) the business of any shipper by whom, or in whose interests, objection is made to approval being given to an agreed charge, or application is made for approval to be withdrawn.

33. (1) Upon complaint to the Minister by any representative body of carriers that, in the opinion of the Minister, is properly representative of the interests of persons engaged in the kind of business (transport by water or rail, as the case may be), represented by such body that any existing agreed charge places such kind of business at any undue or unfair disadvantage, the Minister may, if satisfied that in the national interest the complaint should be investigated, refer such complaint to the Board for investigation and if the Board after hearing finds that the effect of such agreed charge upon such kind of business is undesirable in the national interest the Board may make an order varying or cancelling the agreed charge complained of or may make such other order as in the circumstances it deems proper.

(2) Where under this section the Board cancels or varies an agreed charge, any charge fixed under this Part in favour of a shipper complaining of that agreed charge shall cease to operate, or shall be subject to such corresponding modifications as the Board may determine."

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 450.

An Act respecting Canadian National Railways and to provide for the refunding of matured, maturing and callable financial obligations.

First reading, June 6, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

54122

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 450.

An Act respecting Canadian National Railways and to provide for the refunding of matured, maturing and callable financial obligations.

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

Short title.

1. This Act may be cited as the *Canadian National Railways Refunding Act, 1955.*

Power for refunding.

2. The Governor in Council may provide for the refunding of matured, maturing and callable bonds, debentures, stocks, notes, railway equipment trust certificates, principal instalments payable under hire purchase agreements, obligations and other securities, or any one or more of them, (in this Act called "original securities") of Canadian National Railway Company (in this Act called the "National Company") and of any one or more of the companies comprised in the National Railway System as defined in the *Canadian National Railways Capital Revision Act,* and of the companies controlled by the National Company through stock ownership.

Issue of substituted securities.

Amount.

Guarantee.

3. Subject to the provisions of this Act, the National Company may issue notes, obligations, bonds, debentures, or other securities (in this Act called "substituted securities") in respect of any refunding pursuant to this Act, to an aggregate principal amount not exceeding two hundred million dollars, and the Governor in Council may authorize the guarantee by Her Majesty in right of Canada, of the principal and interest of the substituted securities.

Terms and conditions prescribed by Governor in Council.

4. (1) Subject to the provisions of this Act, the Governor in Council may, with respect to any refunding pursuant to this Act, approve or decide

(a) the kinds of substituted securities to be issued and guaranteed, and the forms and terms thereof;

(b) the currencies in which any issue or parts thereof may be made;

(c) the form and manner of the guarantees;

(d) the times, manner and amount of the issues;

(e) the method or manner of refunding, whether by exchange or substitution of the substituted securities for the original securities, or by payment of the original securities at maturity or when callable by means of the proceeds of the sale, pledge or other disposition of the substituted securities;

(f) the terms and conditions of any such exchange or substitution, or of any such sale, pledge or other disposition of the substituted securities;

(g) the securing, if deemed desirable, of the substituted securities by mortgage, deed of trust or other instrument, and the manner, form, terms and trustees thereof; and

(h) the manner, terms and conditions of any temporary financing and the expediency thereof.

Guarantees.

(2) A guarantee under this Act may be signed on behalf of Her Majesty by the Minister of Finance or by such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the relative provisions of this Act have been complied with.

Deposit and release of proceeds.

5. The proceeds of any sale, pledge or other disposition of the substituted securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance, in trust for the National Company, in one or more banks designated by him, and upon applications made to the Minister of Finance by the National Company and approved by the Minister of Transport, shall be paid to the National Company by the Minister of Finance out of the Consolidated Revenue Fund, or on instructions from the Minister of Finance by the bank in which they are deposited, as the case may be.

Cancellation and cremation of original securities.

6. Original securities coming into the possession of the National Company by means of any refunding pursuant to this Act may be cancelled and cremated in the presence of representatives of the Minister of Finance and the National Company and of any trustees affected who desire to be represented, and certificates of such cremation, signed by such representatives, shall be filed with the Minister and the National Company and with any trustees affected who desire the certificates, and any such certificate is conclusive evidence for all purposes of the cancellation and cremation of the original securities to which the certificate relates.

Temporary loans authorized to National Company.

7. (1) The Minister of Finance, upon applications made to him by the National Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the National Company out of the Consolidated Revenue Fund for the purpose of paying outstanding securities at maturity or when called of any company referred to in section 2, repayable on such terms and at such rates of interest as the Minister of Finance, with the approval of the Governor in Council, may determine and secured by any one of the forms of securities that the National Company is authorized to issue pursuant to section 3.

Substituted securities.

(2) Substituted securities may be issued and guaranteed under the provisions of this Act to repay loans, or any part thereof, made pursuant to subsection (1).

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 451.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1955, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company.

First reading, June 6, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

57144

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 451.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1955, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company.

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

Short Title.

Short title.

1. This Act may be cited as *Canadian National Railways Financing and Guarantee Act, 1955.*

Interpretation.

Definitions.

2. In this Act

"National Company."

(a) "National Company" means the Canadian National Railway Company;

"National System."

(b) "National System" means the National System as defined in the *Canadian National Railways Capital Revision Act* and any companies controlled by the National Company through stock ownership; and

"Securities."

(c) "securities" means the notes, equipment trust certificates, bonds, debentures and other securities described in subsection (1) of section 4.

Capital expenditures authorized.

3. (1) The National System is authorized,

(a) to make capital expenditures in the calendar year 1955 in the following amounts and for the following purposes:

Explanatory Note.

The amount of $115,999,000 appearing in Clauses 4(3) and 6(2) is computed as follows:

Additions and betterments (excluding new equipment)		$ 44,758,334
Branch line construction		12,160,000
New equipment		60,897,000
Acquisition of securities		5,693,000
Capital expenditures, January 1, 1956 to June 30, 1956, incurred prior to January 1, 1956		40,000,000
		$ 163,508,334
Less:		
Amount available from Depreciation Reserves	$ 12,394,000	
Retirement of equipment	20,115,334	
Working capital available for capital expenditures	15,000,000	
		47,509,334
		$ 115,999,000

Additions and Betterments (excluding new equipment)—		
Obligations incurred prior to 1955 that become due and payable in 1955	$ 33,710,382	
Obligations incurred in 1955 that become due and payable in 1955	11,047,952	
		$ 44,758,334
Branch Line Construction—		
Terrace-Kitimat	2,410,000	
Hillsport—Manitouwadge	2,750,000	
Beattyville—Chibougamau	7,000,000	
		12,160,000
New Equipment—		
Obligations incurred prior to 1955 that become due and payable in 1955	22,490,500	
Obligations incurred or to be incurred in 1955 that become due and payable in 1955	38,406,500	
		60,897,000
Acquisition of Securities		5,693,000
Total		$ 123,508,334;

Capital expenditures in 1956.

(b) to make capital expenditures not exceeding in the aggregate forty million dollars in the calendar year 1956 prior to the first day of July of that year, to acquire securities of Trans-Canada Air Lines to enable Trans-Canada Air Lines to discharge obligations incurred prior to that year that have become due and payable before that day and to discharge obligations incurred by the National Company for new equipment and for general additions and betterments prior to that year that have become due and payable before that day; and

Contracts for new equipment, additions and betterments prior to July 1, 1956.

(c) to enter into contracts prior to the first day of July, 1956, for the acquisition of new equipment and for general additions and betterments that will come in course of payment after the calendar year 1955, in amounts not exceeding in the aggregate $45,681,498.

Power to borrow money.

(2) The National Company, with the approval of the Governor in Council, is authorized

(a) at any time prior to the first day of July, 1956, to borrow money by the issue and sale of securities or by way of loan from the Minister of Finance to provide the amounts required for the purposes of paragraphs *(a)* and *(b)* of subsection (1); and

(b) by the issue and sale of securities, to borrow money to repay loans made under section 6.

Statement of amounts borrowed.

(3) A statement of the amounts borrowed by the National Company pursuant to this section shall be included in the annual report of the Company.

Estimate of amounts required.

(4) An estimate of the amounts required for the purposes of paragraph *(b)* of subsection (1) shall be included in the annual budget of the National System for the calendar year 1956.

Amount payable included in budget.

(5) Any amount payable under a contract entered into pursuant to paragraph *(c)* of subsection (1) shall be included in the annual budget of the National System for the year in which it will become due and payable.

Limitation.

(6) No amount shall be spent for a purpose mentioned in this section in excess of the amount authorized by this section in respect of that purpose and for the purposes of this subsection any expenditure made under paragraph *(c)* of subsection (1) of section 3 of the *Canadian National Railways Financing and Guarantee Act, 1954*, shall be deemed to be an expenditure under paragraph *(a)* of subsection (1) of this section.

Issue of securities.

4. (1) Subject to the provisions of this Act and with the approval of the Governor in Council, the National Company may issue notes, equipment trust certificates, bonds, debentures or other securities, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve, to provide amounts required for the purposes of section 3.

Application of amounts available.

(2) Amounts available from equipment retirement, working capital and reserves for depreciation and debt discount amortization shall be applied towards meeting the expenditures authorized by section 3.

Maximum amount of securities.

(3) The aggregate principal amount of securities issued under this section outstanding at any one time shall not exceed the amount necessary to provide the National Company with the net amount of $115,999,000 less the amount that the National Company receives in respect of the whole calendar year 1955 from the sale to the Minister of Finance of preferred stock of the National Company, and for the purposes of this subsection any securities issued under paragraph *(b)* of subsection (2) of section 3 of the *Canadian National Railways Financing and Guarantee Act, 1954*, shall be deemed to have been issued under this section.

Guarantee.

5. (1) The Governor in Council may authorize the guarantee by Her Majesty in right of Canada of the principal and interest of the securities and may approve or decide the form, manner and conditions of such guarantees.

Signature of guarantee.

(2) A guarantee under this Act may be signed on behalf of Her Majesty by the Minister of Finance or by such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the relative provisions of the Act have been complied with.

Minister may make loans to National Company.

6. (1) The Minister of Finance, upon application by the National Company approved by the Minister of Transport, may, with the approval of the Governor in Council, make loans to the National Company out of the Consolidated Revenue Fund of amounts required for the purposes of section 3 at such rates of interest and subject to such other terms and conditions as the Minister of Finance, with the approval of the Governor in Council, may determine, and secured by securities that the National Company is authorized to issue pursuant to this Act.

Maximum aggregate principal amount of loans.

(2) The aggregate principal amount of loans made pursuant to subsection (1) shall not exceed $115,999,000 less the amount that the National Company receives in respect of the whole calendar year 1955 from the sale to the Minister of Finance of preferred stock of the National Company.

Securities for repayment.

(3) Securities issued to secure a loan made by the Minister of Finance under this section are deemed not to be included in the amount specified in subsection (3) of section 4 if securities have been issued and sold to repay that loan.

Power to aid other companies.

7. The National Company may aid and assist, in any manner not inconsistent with section 3, any others of the companies and railways comprised in the National System and, without limiting the generality of the foregoing, may for its own requirements and also for the requirements of any others of the said companies and railways

(a) apply the proceeds of any issue of securities towards meeting expenditures authorized by section 3 on its own account or on account of any others of the said companies and railways, and

(b) make advances of amounts required for meeting expenditures authorized by section 3 to any others of the said companies and railways upon or without any security, at discretion.

Proceeds paid to credit of Minister of Finance in trust.

8. The proceeds of any sale, pledge or other disposition of any guaranteed securities shall, in the first instance, be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance, in trust for the National Company, in one or more banks designated by him, and upon application to the Minister of Finance by the National Company approved by the Minister of Transport, shall be paid to the National Company by the Minister of Finance out of the Consolidated Revenue Fund, or on instructions from the Minister of Finance by the banks in which they are deposited, as the case may be, for the purposes stated in such application.

Minister may place amounts at disposal of Company.

9. (1) Where, at any time before the first day of July, 1956, the available revenues of the National System are not sufficient to pay all the operating and income charges of the National System as and when due, the Minister of Finance, upon application by the National Company approved by the Minister of Transport, may, with the approval of the Governor in Council, place at the disposal of the National Company such amounts as may be required to enable the National Company to meet all such charges.

Amounts reimbursed to Minister from annual revenues.

(2) All amounts placed at the disposal of the National Company pursuant to subsection (1) shall be reimbursed to the Minister of Finance from the annual revenues of the National System in so far as such revenues are sufficient and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

Trans-Canada Air Lines.

10. (1) Where, at any time before the first day of July, 1956, the available revenues of Trans-Canada Air Lines are not sufficient to pay all the operating and income charges thereof as and when due, the Minister of Finance, upon application by Trans-Canada Air Lines approved by the Minister of Trade and Commerce, may, with the approval of the Governor in Council, place at the disposal of Trans-Canada Air Lines such amounts as may be required to enable Trans-Canada Air Lines to meet all such charges.

Amounts reimbursed from annual revenues.

(2) All amounts placed at the disposal of Trans-Canada Air Lines pursuant to subsection (1) shall be reimbursed to the Minister of Finance from the annual revenues of Trans-Canada Air Lines in so far as such revenues are sufficient and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

Auditors.

11. Notwithstanding section 13 of the *Canadian National-Canadian Pacific Act*, George A. Touche and Company, of the cities of Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1955, to make a continuous audit of the accounts of National Railways as defined in that Act.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 452.

An Act respecting Loans to assist Fishermen engaged in a Primary Fishing Enterprise.

First reading, June 6, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

58407

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 452.

An Act respecting Loans to assist Fishermen engaged in a Primary Fishing Enterprise.

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

Short Title.

Short title.

1. This Act may be cited as the *Fisheries Improvement Loans Act.*

Interpretation.

Definitions.

2. In this Act,

"Application."

(a) "application" means an application for a guaranteed loan;

"Bank."

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

"Borrower."

(c) "borrower" means a fisherman to whom a guaranteed loan has been made;

"Engine."

(d) "engine" means a steam or internal combustion engine and includes the clutch, reduction gears, shaft, propellor, control and such accessories as properly form part of a mechanism for the propulsion of a fishing vessel;

"Fish."

(e) "fish" includes shell fish, crustaceans and all forms of aquatic life whether animal or vegetable;

"Fisherman."

(f) "fisherman" means a person who has a prescribed interest in,

(i) a fishing vessel,

(ii) a weir, or similar fish catching or trapping device, that is affixed to the ground, or

(iii) a proprietory share in a fishing vessel or in a weir or fish catching or trapping device described in subparagraph (ii),

and whose principal occupation is participation in a primary fishing enterprise;

Explanatory Notes.

The purpose of this Bill is to enable fishermen (as defined in the Bill) to obtain loans from a bank under terms and conditions which will make it easier to finance the purchase, construction and repair of specified capital items and improvements for use by such fishermen in the pursuit of their occupation. The Bill provides that loans may be made for an amount not exceeding $4,000 and for a maximum term of eight years. The rate of interest will be five per cent simple interest per annum. It is intended to require the taking of suitable security.

If a loan is made in accordance with the provisions of the Bill, the loan is guaranteed by the Government of Canada. The guarantee follows the pattern of the *Farm Improvement Loans Act* and the *Veterans' Business and Professional Loans Act*, the Government paying any losses suffered by a bank up to fifteen per cent of the first $500,000 of loans, plus ten per cent of any additional loans made by that bank. This limited guarantee is available in respect of $15 million of loans made by all banks within a three-year period commencing on the date this Bill comes into force.

"Fishing equipment."

(g) "fishing equipment" means equipment of a prescribed class or kind used in connection with a primary fishing enterprise but does not include a shore installation;

"Fishing vessel."

(h) "fishing vessel" means any ship or boat or any other description of a vessel for use in a primary fishing enterprise, that has an engine for its propulsion, and includes the equipment affixed thereto for use in the operation thereof but does not include prescribed electronic equipment;

"Guaranteed loan."

(i) "guaranteed loan" means a loan that complies with all the requirements of paragraphs *(a)* to *(j)* of subsection (1) of section 3;

"Minister."

(j) "Minister" means the Minister of Finance;

"Prescribed.

(k) "prescribed" means prescribed by regulation;

"Primary fishing enterprise."

(l) "primary fishing enterprise" means an enterprise that

(i) is carried on for the purpose of catching or trapping fish for sale, and

(ii) does not include the processing of fish except as prescribed; and

"Shore installation."

(m) "shore installation" means structures, appliances or machinery affixed to the ground of a prescribed class or kind used in connection with a primary fishing enterprise, but does not include fishing equipment.

Minister to pay losses of banks under certain conditions.

3. (1) The Minister shall, subject to the provisions of this Act, pay to a bank the amount of loss sustained by it as a result of a loan made to a fisherman pursuant to an application by such fisherman in any case where

(a) the application stated that the loan was required by the fisherman for any of the following purposes, namely,

(i) the purchase or construction of a fishing vessel,

(ii) the purchase or construction of fishing equipment,

(iii) the major repair or major overhaul of a fishing vessel or its hull, superstructure or engine,

(iv) the purchase or construction of a shore installation,

(v) the purchase, construction, repair or alteration of or making of additions to any building used or to be used in carrying on a primary fishing enterprise, or

(vi) any prescribed development or improvement of a primary fishing enterprise;

(b) the application was in prescribed form and was signed by the fisherman making the application;

(c) a responsible officer of the bank certified that he had scrutinized and checked the application for the loan with the care required of him by the bank in the conduct of its ordinary business;

(d) the sum of the principal amount of the loan and the amount that

(i) is owing in respect of previous guaranteed loans that were made to the borrower, or to the borrower and all other fishermen with whom the borrower is associated in the same primary fishing enterprise, if made in respect of that primary fishing enterprise, and

(ii) is disclosed in the application, or of which the bank had knowledge,

did not exceed four thousand dollars;

(e) the loan was repayable in full by the terms thereof in not more than eight years;

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

(g) no fee, service charge or charge of any kind other than interest, except a prescribed charge for insurance, was, by the terms of the loan, payable to the bank in respect of the loan so long as the fisherman was not in default on the loan;

(h) repayment of the loan was secured in prescribed manner;

(i) the loan was made on such terms and in accordance with such provisions in addition to those specified in the preceding paragraphs as may be prescribed; and

(j) the loan was made prior to the termination of the liability of the Minister under sections 4 or 5.

Time within which liability may arise.

(2) The Minister is not liable under this Act to make a payment to a bank in respect of a guaranteed loan unless the loan is made within a period of three years from the day on which this Act comes into force.

Termination of liability to a bank.

4. The Minister may, with the approval of the Governor in Council, by notice in writing to the head office of a bank terminate his liability to such bank under this Act with respect to guaranteed loans made by such bank after a day fixed by the notice, being a day not less than fourteen days after the date of dispatch of the notice, but such termination does not relieve the Minister of any liability imposed on him under this Act in respect of a guaranteed loan made by the bank before the termination.

Termination of liability.

5. (1) The Governor in Council may by proclamation terminate the liability of the Minister in respect of guaranteed loans made in any locality for any of the purposes

specified by or under this Act after a day fixed by the proclamation, being a day not less than fourteen days after the publication of the proclamation in the *Canada Gazette*, but the termination of liability does not relieve the Minister of any liability imposed on him under this Act in respect of guaranteed loans mentioned in the proclamation that are made before the termination of liability.

Revocation of termination.

(2) Where a proclamation has been issued under subsection (1) terminating the liability of the Minister in respect of any guaranteed loans, the Governor in Council may by further proclamation revoke the termination in respect of any such loans.

Extent of Minister's liability.

6. The Minister is not liable under this Act,

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

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

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

and

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

Regulations.

Regulations.

7. (1) The Governor in Council may, on the recommendation of the Minister, make regulations,

(a) prescribing anything that, by this Act, is to be prescribed by regulation;

(b) defining for the purposes of this Act the expressions

(i) "principal occupation",

(ii) "hull" and "superstructure",

(iii) "repair," "alteration" and "additions", and "major" in relation to "repair" and "overhaul", and

(iv) "responsible officer of the bank";

(c) prescribing the forms of receipts, notes and documents to be used in connection with the guaranteed loans or for the effective operation of this Act;

(d) providing, notwithstanding anything to the contrary in this Act, that in the event of an impending or actual default in the repayment of a guaranteed loan the

bank may with the approval of the borrower alter or revise such of the terms of the guaranteed loan or any document connected therewith as are prescribed;

(e) prescribing in the event of default in the repayment of a guaranteed loan, the legal or other measures to be taken by the bank, and the procedure to be followed for the collection of the amount of the loan outstanding and the disposal or realization of any security for the repayment thereof held by the said bank;

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

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

(h) requiring reports to be made periodically to the Minister by a bank in respect of guaranteed loans; and

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

Effect of alteration on Minister's liability.

(2) Where any of the terms of a guaranteed loan or any document connected therewith have been altered or revised under paragraph *(d)* of subsection (1), such alteration or revision does not discharge the liability of the Minister in respect of the guaranteed loan.

Special Powers of a Bank.

Bank security.

8. (1) Notwithstanding anything in the *Bank Act* or any other statute, if a bank makes a guaranteed loan in respect of which it is required by regulation to take security on real or personal, immovable or movable property, the bank may at the time of making the loan take as security for the repayment thereof and the payment of interest thereon,

(a) a mortgage or hypothec upon real or personal, immovable or movable property whether or not all or part of the proceeds of the guaranteed loan are to be expended in respect thereof, or

(b) an assignment of the rights and interest of a purchaser under

(i) an agreement for sale of real or personal, immovable or movable property, or

(ii) a lien or conditional sale contract for personal or movable property,

whether or not all or part of the proceeds of the guaranteed loan are to be expended in respect thereof.

Rights in respect of security.

(2) A bank has and may exercise, in respect of any mortgage, hypothec or assignment taken under this Act and the real or personal, immovable or movable property affected thereby, all rights and powers that it would have or might exercise if the mortgage, hypothec or assignment had been taken by the bank by way of subsequent security under the *Bank Act*.

Offences.

False statement in application for loan or misuse of loan.

9. (1) Every person who

(a) makes in an application a statement that is false in any material respect,

(b) uses the proceeds of a guaranteed loan for a purpose other than that stated in his application, or

(c) while indebted to a bank under a guaranteed loan, without the consent in writing of the bank, encumbers or disposes of any property in respect of which the proceeds of the loan were expended,

Offence.

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

Penalty.

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

General.

Subrogation.

10. (1) Where under this Act the Minister has paid to a bank the amount of any loss sustained by the bank as a result of a guaranteed loan, the bank shall execute a receipt in favour of the Minister in prescribed form and the Minister

is thereupon subrogated in and to all rights of the bank in respect of the guaranteed loan and, without limiting the generality of the foregoing, all rights and powers of the bank in respect of

(a) the guaranteed loan,

(b) any judgment obtained by the bank in respect of the loan, and

(c) any security taken by the bank for the repayment of the loan,

are thereupon vested in the Minister, and the Minister is entitled to exercise all the rights, powers and privileges that the bank had or might exercise in respect of the loan, judgment or security, including the right to commence or continue any action or proceeding, to execute any release, transfer, sale or assignment or in any way to collect, realize or enforce the loan, judgment or security.

Receipt evidence of payment.

(2) Any document purporting to be a receipt in prescribed form and purporting to be signed on behalf of the bank is evidence of the payment by the Minister to the bank under this Act in respect of the guaranteed loan therein mentioned and of the execution of such document on behalf of the bank.

Payment out of C.R.F.

11. The Minister may pay any amount payable to a bank under this Act out of the Consolidated Revenue Fund.

Annual report.

12. (1) The Minister shall, as soon as possible after the termination of each fiscal year, and in any event within three months thereafter, prepare a report with regard to the administration of this Act during that fiscal year.

Report to be laid before Parliament.

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

Canadian Fisherman's Loan Act.

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

Coming into force.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 481.

An Act to amend the Prairie Farm Assistance Act.

First reading, June 14, 1955.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 481.

An Act to amend the Prairie Farm Assistance Act.

R.S., c. 213; 1952-53, c. 46.

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

1. Paragraph *(d)* of subsection (1) of section 2 of the *Prairie Farm Assistance Act*, chapter 213 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

"Cultivated land."

"*(d)* 'cultivated land' means land that in the year of award was seeded to crop or was in summerfallow and includes

(i) land that was seeded to grass in any year if the productivity thereof was maintained in the year of award, and

(ii) land of a farmer that in three out of the five years immediately preceding the year of award had been seeded or summerfallowed, but owing to natural causes beyond his control could not be seeded or summerfallowed in the year of award;"

2. (1) Subsection (2) of section 3 of the said Act is amended by striking out the word "and" at the end of paragraph *(b)* thereof, by inserting the word "and" at the end of paragraph *(c)* thereof and by adding thereto the following:

"*(d)* if the cultivated land in an area of not less than one-sixth of a township could not be seeded or summerfallowed in the year of award owing to natural causes beyond the control of the farmers of such land, the award with respect to such area shall be two dollars and fifty cents per acre."

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

"*(a)* with respect to more than one-half of the cultivated land of the farmer in any eligible area;"

Explanatory Notes.

1. Paragraph *(d)* of subsection (1) of section 2 reads as follows:

> " *(d)* 'cultivated land' means land that in the year of award was seeded to crop or in summerfallow and includes land seeded to grass in any year if the productivity thereof was maintained in the year of award;"

The purpose of the change is to amend the definition of cultivated land to include land which could not be seeded or summerfallowed in the year of award owing to natural causes beyond the control of the farmer.

2. It is proposed to add a new paragraph *(d)* to subsection (2) of section 3 to provide a basis of computation of award for cultivated land which as a result of natural causes beyond the control of the farmers could not be seeded or summerfallowed, irrespective of whether such land qualifies for an award under paragraphs *(a)* to *(c)*.

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

"**6.** (1) Notwithstanding anything in this Act but subject to subsection (2)

Blocks ineligible for award.

(a) where a rectangular block of sections of land within an eligible township having an area of not less than one-sixth of the township and a side that lies along the boundary of an ineligible area is determined by the Board to have an average yield of more than ten bushels of wheat per acre, such block of sections of land shall be ineligible for award;

Blocks eligible.

(b) where a rectangular block of sections of land within an ineligible township having an area of not less than one-sixth of the township and a side that lies along the boundary of an eligible township is determined by the Board to have an average yield of eight bushels of wheat or less per acre, such block of sections of land shall be eligible for award as though it were a complete township; and

Idem.

(c) where the Board has determined that an area is eligible for award and a rectangular block of sections of land outside such area having an area of not less than one-half a township is determined by the Board to have an average yield of eight bushels of wheat or less per acre, such block of sections of land is eligible for award as though it were a complete township.

Lands not seeded or summer-fallowed, in blocks.

(2) Where a block of sections of land referred to in subsection (1) includes an area of cultivated land that could not be seeded or summerfallowed in the year of award owing to natural causes beyond the control of the farmers of such cultivated land, the area of cultivated land is not ineligible for award by reason of anything in this section and all the other provisions of this Act respecting awards are applicable to such area."

3. Section 6 reads as follows:

"**6.** Notwithstanding anything in this Act

(a) where a block of *contiguous* sections of land within an eligible township having an area of not less than one-sixth of the township and a side that lies along the boundary of an ineligible *township* is determined by the Board to have an average yield of more than ten bushels of wheat per acre, such block of sections of land is ineligible for award;

(b) where a block of *contiguous* sections of land within an ineligible township having an area of not less than one-sixth of the township and a side that lies along the boundary of an eligible township is determined by the Board to have an average yield of eight bushels of wheat or less per acre, such block of sections of land is eligible for award as though it were a complete township; and

(c) where the Board has determined that an area is eligible for award and rectangular block of sections of land outside such area having an area of not less than one-half a township is determined by the Board to have an average yield of eight bushels of wheat or less per acre, such block of sections of land is eligible for award as though it were a complete township."

The purpose of the change in subsection (1) is to provide for blocks of sections which are excluded from payment in eligible townships, and similar blocks which are brought into payment in ineligible townships, to be rectangular instead of irregular in shape.

The purpose of subsection (2) is to provide that cultivated land which owing to natural causes beyond the control of the farmers could not be seeded or summerfallowed, may form part of a block and that such cultivated land shall not as a result of being part of such block be ineligible for award.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 482.

An Act respecting Quartz Mining in the Yukon Territory.

First reading, June 14, 1955.

THE MINISTER OF NORTHERN AFFAIRS AND NATIONAL RESOURCES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 482.

An Act respecting Quartz Mining in the Yukon Territory.

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 *Yukon Quartz Mining Act.*

Interpretation.

Definitions.

2. (1) In this Act

"Active operation."

(a) "active operation" when used with reference to a mine means a mine from which ore, mineral or mineral-bearing substances are being taken;

"Adjoining claims."

(b) "adjoining claims" means claims that come into contact at some point on their boundary lines or that share a common boundary line;

"Claim year."

(c) "claim year" means a year beginning on the day a claim is recorded or on an anniversary of that day and ending on the day preceding the anniversary of that day in the following year;

"Court."

(d) "Court" means the Territorial Court of the Yukon Territory;

"Discovery claim."

(e) "discovery claim" means a claim in a mineralized area that

(i) is at least fifty miles from any claim recorded within the ten years preceding the staking of such claim, and

(ii) is not a continuation of any previously known geological structure;

"District."

(f) "district" means a mining district established under this Act;

"Insane."

(g) "insane" means declared insane by a court of competent jurisdiction;

Explanatory Notes.

The *Yukon Quartz Mining Act* has been in force since 1924. It has been amended a number of times but there never has been a general revision of the laws relating to the administration and disposition of mineral rights in the Yukon Territory since the Act was passed. The purpose of this Bill is to effect a complete revision of the law through the passage of a new Act which will contain the substantive rights to stake and acquire mineral claims and leases, as well as other provisions of a substantive character, but will give authority to the Governor in Council to pass regulations in respect to administrative procedures.

The references below are to corresponding sections of the present Act R.S.C. 1952, c. 301.

1. Section 1 *Yukon Quartz Mining Act,* Cap. 301 R.S.C. 1952.

2. (1) Section 2.

(a) New.

(b) Section 2 *(a)*.

(c), *(d)* and *(e)* New.

(f) Section 2 *(q)*.

(g) to *(l)* New.

"Lease." *(h)* "lease" means a valid and subsisting lease issued under this Act, and includes a renewal thereof;

"Lessee." *(i)* "lessee" means a person to whom a lease is issued or transferred under this Act;

"Licence." *(j)* "licence" means a valid and subsisting miner's licence issued under this Act, and includes a renewal thereof and a duplicate licence;

"Licence year." *(k)* "licence year" means the period beginning on the 1st day of April in any year and ending on the 31st day of March in the following year;

"Licensee." *(l)* "licensee" means a person who holds a licence under this Act;

"Mine." *(m)* "mine" means any land that is mined or worked for its mineral content and was acquired under the provisions of this Act or of any Act or regulations respecting quartz mining in force in the Territory before the coming into force of this Act;

"Mineral." *(n)* "mineral" means all minerals, including gold and silver, but does not include minerals found in placer deposits, peat, coal, petroleum, natural gas, bitumen, oil shales, clay, gypsum, limestone, marble, building stone, earth, ash, marl, sand and gravel and any substance that forms a portion of the agricultural surface of land;

"Minister." *(o)* "Minister" means the Minister of Northern Affairs and National Resources;

"Owner." *(p)* "owner" when used with reference to a claim means a licensee who has acquired a claim or any interest therein by staking or transfer under this Act or any Act or regulations respecting quartz mining in force in the Territory before the coming into force of this Act;

"Prescribed." *(q)* "prescribed" means prescribed in the regulations;

"Recorded." *(r)* "recorded" means recorded under this Act;

"Recorder." *(s)* "recorder" means the mining recorder of the district where a claim is situated, and includes a person authorized by the Minister to act on such recorder's behalf;

"Representation work." *(t)* "representation work" means

(i) stripping or opening up of mines, sinking shafts, boring, drilling or other exploration or mining operations on a claim,

(ii) geological or geophysical investigations or other preliminary operations on or near a claim to the extent that in the opinion of the Minister is necessary or expedient in locating commercial ore bodies,

(iii) surveying a claim under this Act to the extent provided for by subsection (4) of section 24, and

(iv) constructing roads or runways to the extent provided for by subsection (5) of section 24,

and includes such other work whether on or off a claim as may be prescribed; and

"Territory." *(u)* "Territory" means the Yukon Territory.

(m) Section 2 *(n)*.

(n) Section 2 *(o)*.

(o) Section 2 *(t)*.

(p) to *(r)* New.

(s) Section 2 *(s)*.

(t) Section 2 *(v)*.

(u) Section 2 *(y)*.

When claim lease, etc., deemed to be recorded.

(2) Any claim, lease or transfer thereof or statement that may be recorded under this Act shall, for the purposes of this Act, be deemed to be recorded when an application therefor is received at the recorder's office and all the requirements of this Act respecting the recording of such claim, lease, transfer or statement have been complied with by the person who makes the application, notwithstanding that the claim, lease, transfer or statement is not entered in the records.

ADMINISTRATION.

Mining districts.

3. There shall be such mining districts in the Territory as may be prescribed.

Designation of mining recorders and other officers and employees to administer Act.

4. The Minister may, from the persons employed with the Department of Northern Affairs and National Resources, designate a mining recorder for each district and may designate any persons so employed to perform such duties or functions as he considers necessary or expedient to administer this Act.

Records.

5. (1) Each recorder shall keep such records in such manner as may be prescribed.

Examination of records and recorded documents.

(2) During the hours when the recorder's office is open to the public, any person may, on paying the prescribed fees,

(a) examine any entry in any records kept by the recorder or any recorded document, and

(b) secure from the recorder a certified copy of any such document.

Evidence of records.

(3) Every copy of or extract from an entry in any record kept under this Act and of any recorded document, certified to be a true copy or extract by the recorder, shall be received in court as prima facie proof of the matter certified by him without proof of his appointment, authority or signature.

No Crown employee to acquire claim or lease.

6. (1) No officer or employee of or under the Government of Canada shall, directly or indirectly, in his own name or in that of any other person, purchase or acquire a claim or lease or any interest therein under this Act, except by or under authority of an order of the Governor in Council.

Liable to dismissal.

(2) Every person who violates this section is liable to summary dismissal, but his dismissal does not affect the right that any person may have to bring against him any civil or criminal proceedings.

(2) This subsection takes the place of section 62.

3. See section 2 *(q)*.

4. Section 2(1)*(s)*.

5. (1) Section 3.

(2) Section 5. It is now proposed to charge for searches. Fees for copies of documents are presently charged.

(3) New.

6. New. See section 23 of the *Territorial Lands Act*.

LICENCES.

Who entitled to licence.

7. (1) A person of the age of eighteen years or over, or a corporation incorporated in Canada or a province or territory thereof or licensed under the law of Canada, is entitled to obtain a miner's licence if application is made therefor in the manner prescribed and the prescribed fee is paid.

Licensee under twenty-one years of age.

(2) A licensee under the age of twenty-one years has, in respect of claims, leases, mining lands and mining rights and all matters and transactions relating thereto, the same rights and is subject to the same obligations and liabilities as if he were of full age.

Expiration and renewal of licences.

8. A licence expires on the 31st day of March in each year, but a licensee is entitled to obtain a renewal of his licence from year to year

(a) if an application to the recorder is made for the renewal prior to the expiration of the licence and the prescribed fee is paid, or

(b) if an application to the recorder is made for the renewal after the expiration of the licence but before the 1st day of May next following and the prescribed fee and a penalty of twenty-five dollars is paid.

Issue of licence to person who has owned claim for twenty-five years without fee.

9. (1) Upon receiving an application therefor in the manner prescribed at any time before the expiration of six months after this Act comes into force, the Minister may, without charging a fee, issue a licence to any person, other than a corporation, who, in each of the twenty-five years preceding the day the application was received, was the owner of a claim.

Renewal of licence of person who has been owner of a claim or licensee for twenty-five years.

(2) Upon receiving an application therefor in the manner prescribed before the expiration of the licence of a licensee, other than a corporation, who in each of the twenty-five years preceding the day the application was received was the owner of a claim or a licensee or either of these, the Minister may, without charging a fee, issue a renewal of such licensee's licence.

Claims lapse when licence expires.

10. All claims owned by a licensee shall be deemed to have lapsed when his licence expires unless it is renewed pursuant to this Act.

Cancellation of licence and order that claims lapse for wilful contravention of Act.

11. (1) Upon being satisfied that a licensee has wilfully contravened any provision of this Act or the regulations, the Minister may

(a) cancel his licence and order that no licence be issued to him for such period as the Minister may direct; and

(b) order that any claim acquired as a result of any such contravention lapses, and such claim thereupon lapses.

7. New. Licences may be issued to the same persons who under the present Act may stake.

8. New.

9. New.

10. New.

11. (1) New, but see section 53(6). The power previously given to the recorder is now given to the Minister.

Effect of cancellation.

(2) A licensee whose licence is cancelled under paragraph *(a)* of subsection (1) is not entitled to acquire any claim or any interest therein until he obtains a new licence at the expiration of the period mentioned in that paragraph, and during that period he has no rights in respect of any claim previously acquired by him other than the rights to hold and transfer such claim or interest, if no order under paragraph *(b)* of subsection (1) has been made in respect thereof, to other licensees, and if such period continues until the expiration of the current licence year and the licensee has failed to transfer any such claim or interest, such claim lapses and such interest vests in the other co-owners of the claim in proportion to their interests.

Duplicate licences.

12. A licensee whose licence is destroyed or lost is entitled to a duplicate of such licence if an application is made to the recorder therefor and the prescribed fee is paid.

Production of licence to recorder, etc.

13. A licensee shall upon demand produce his licence to the recorder or any person designated by the Minister to administer this Act.

Staking of Claims.

Licensee may prospect and stake twelve claims for the mining of any mineral and twelve claims for the mining of iron only.

14. (1) During any licence year, a licensee may prospect for minerals on lands that are open for staking under this Act and, in accordance with the requirements of this Act and the regulations respecting staking, stake or have another licensee or licensees stake for him thereon not more than twelve claims for the mining of any mineral and twelve claims for the mining of iron only in each district in the Territory.

Licensee may stake claims for other licensees.

(2) During any licence year, a licensee may, in each district in the Territory, stake for any other licensee or licensees not more than twelve claims for the mining of any mineral and twelve claims for the mining of iron only on lands that are open for staking under this Act in accordance with the requirements of this Act and the regulations respecting staking.

Compensation for loss or damage to surface rights of claim due to staking.

(3) A licensee who prospects for minerals or stakes a claim on land, any surface rights in which are vested in a person other then Her Majesty, shall compensate such person for any loss or damage caused to such surface rights by the prospecting or staking, and if the licensee and such person cannot agree on the amount of such compensation, it may be determined in the manner provided in section 32 for the determination of disputes.

(2) New. Permits licensee to hold claims not affected by wilful contravention.

12. New.

13. New.

14. (1) and (2) See section 12(2). It will be possible to stake 24 claims in each mining district. Presently only 8 claims may be staked in ten mile radius. The number of claims which may be staked for iron is increased from 1 to 24 in each district. See section 17 (1).

(3) New. See sections 14 and 100–107.

Lands open for staking.

15. (1) Subject to this section and section 16, lands in the Territory

(a) the mineral rights in which are vested in Her Majesty,

(b) that are under the control of the Minister, and

(c) on which no valid claim exists,

are open for staking under this Act.

When claim that has lapsed open for staking.

(2) Lands comprised in a claim that has lapsed are open for staking at noon on the day following thirty days from the day that the claim lapsed.

When lease that has expired open for staking.

(3) Lands comprised in a lease that has expired are open for staking at noon on the day following thirty days from the day that the lease expired.

Reserved area open for staking on behalf of person for whom reserved only.

(4) Lands that are reserved from staking under subsection (3) of section 20 or subsection (1) or (2) of section 21 are not open for staking until the termination of the period of reservation, otherwise than by or on behalf of the person for whom they are reserved.

Where claims not to be staked.

16. (1) No claim shall be staked

(a) in a cemetery;

(b) in a municipality created under an Ordinance of the Territory or such portion of any unincorporated settlement as may be prescribed;

(c) on lands set apart or reserved for an Indian Reserve, a national park, game sanctuary or any military or other public purpose; or

(d) on lands reserved under the *Dominion Water Power Act*.

Claims subject to certain rights.

(2) All rights and privileges acquired under this Act are subject to

(a) the rights of Her Majesty under the provisions of the *Atomic Energy Control Act* and regulations made thereunder;

(b) regulations respecting timber under the *Territorial Lands Act*, notwithstanding section 3 of that Act;

(c) the rights of officers and employees of Her Majesty to enter upon or into and examine any claim in the course of their employment; and

(d) the rights of any person authorized by Her Majesty to use all or any portion of any claim for the purpose of laying out, constructing, maintaining, repairing. altering or removing an electrical transmission line, telephone line, oil or gas pipeline, airport, road or any other public utility.

Compensation for loss or damage to owner of claim used pursuant to subsection (2) *(d)*.

(3) An owner of a claim who suffers any loss or damage because all or any portion of a claim is used for a purpose described in paragraph *(d)* of subsection (2) is entitled to compensation for such loss or damage, and if such owner and the person so using the claim cannot agree on the amount of compensation, it may be determined in the manner provided in section 32 for the determination of disputes.

15. (1) Section 12(1). Substantially the same.

(2) New.

(3) New.

(4) See section 13.

16. (1) Section 13(1). Substantially the same.

(2) Sections 72(1) and (2), 123, 125, 126.

(3) New.

Claims to be staked in form of square; size of claims.

17. (1) Subject to subsection (2), a claim shall be staked, in the manner prescribed, in the form of a square, the sides of which shall run north and south and east and west astronomically, and each such side when measured horizontally, without regard to the irregularities of the ground, shall be

(a) in the case of a claim for the mining of any mineral, one thousand three hundred and twenty feet, and

(b) in the case of a claim for the mining of iron only, two thousand six hundred and forty feet.

Exception.

(2) Notwithstanding subsection (1), an area not exceeding forty acres lying between claims previously staked may be staked as a claim whether or not it is in the form of a square, but such claim shall conform as nearly as practicable to the form described in subsection (1).

Priority of claims.

18. (1) Where a dispute arises as to which of two or more claims was first staked, priority shall be given to the claim on which the northeast corner was first completely marked in the manner prescribed.

Where claim partly situated on another claim.

(2) Where a licensee inadvertently stakes a claim that is situated in part upon another claim, he is entitled, unless at the time of recording the recorder determines that the claim was not staked in accordance with the requirements of this Act and the regulations respecting staking, to that part of the claim that is not situated upon the other claim.

Substantial compliance sufficient.

19. It is a sufficient compliance with the requirements of this Act and the regulations respecting staking if, in the opinion of the recorder,

(a) a licensee who staked a claim has made a bona fide attempt to comply with those requirements;

(b) the claim has been staked as nearly as possible in accordance with those requirements; and

(c) any non-compliance with those requirements is not likely to mislead other licensees.

Recording of Claims.

Recording of claim.

20. (1) A licensee by or on behalf of whom a claim has been staked under this Act is entitled to have the claim recorded at the office of the recorder of the district where the claim is situated, if

(a) the requirements of this Act and the regulations respecting staking have been complied with in respect of the claim;

(b) an application, verified by a statutory declaration, is made therefor in the manner prescribed at the office of such recorder

17. (1) Sections 15(1) and (5), 17, 20-32. Each side of the claim is reduced from 1500′ to 1320′ thereby reducing the area from 51.65 acres to 40 acres.

(2) Section 16.

18. (1) See section 15(2) and (3).

(2) New, but see section 36.

19. Section 32.

20. (1) Section 38 (1) and (2).

(i) if the distance between such office and the nearest corner of the claim does not exceed ten miles, within fifteen days of the day when the northeast corner of the claim was completely marked in the manner prescribed, and

(ii) if the distance between such office and the nearest corner of the claim exceeds ten miles, within fifteen days of the day when the northeast corner was so marked plus one day for each ten miles or fraction thereof by which such distance exceeds ten miles; and

(c) the prescribed fee is paid.

When recorder's office not open on last day for recording.

(2) Where the last day for recording a claim under subsection (1) falls on a day when the office of the recorder is closed, the application may be recorded on the next day that such office is open.

Where staking not in substantial compliance with requirements but not likely to mislead, recorder may reserve land.

(3) Where the recorder is of opinion that there has not, in respect of a claim, been a sufficient compliance with the requirements of this Act and the regulations respecting staking but such non-compliance is not likely to mislead other licensees, he may reserve the land in question from staking otherwise than by or on behalf of such licensee for such period as in his opinion is required for the licensee to comply with those requirements.

When reserved land properly staked, deemed to be recorded when application made.

(4) Where a claim referred to in subsection (3) is staked in accordance with the requirements of this Act and the regulations respecting staking within the period specified under that subsection, the claim shall be deemed to have been recorded at the time the application was made.

Recording of claim situated in two districts.

(5) Where an application is made under subsection (1) at the office of a recorder to record a claim that, in the opinion of the recorder or the person who staked the claim, is or may be situated partly in the recorder's district and partly in one or more other districts, the application shall, for the purposes of this section, be deemed to have been made at the office of the recorder of each district where the claim is situated, and for the purposes of section 14 the claim shall be deemed to have been staked in the district where the application is made.

Recording of other documents affecting claim situated in two districts.

(6) Upon receiving an application to record a claim described in subsection (5), a recorder shall transmit a copy thereof to the recorder of every other district concerned and each such recorder shall enter the claim in the records at his office, and any person who desires to record any document affecting such a claim may do so at the office where the application was made or at any office where the claim is so entered, but if the district or districts where the claim is situated is ascertained by the recorder or by a survey of the claim under this Act, then any such document may only

(2) New.

(3) and (4) Section 42.

(5) and (6) New.

be recorded at the office of the recorder of the district or districts where the claim is situated.

Claim lapses unless recorded within time set out in this section.

(7) A claim that is not recorded within the time required by this section lapses at the expiration of that time.

DISCOVERY CLAIM.

Reservation for licensee who records a discovery claim.

21. (1) Where in an application to record a claim it is alleged that the claim is a discovery claim and a prescribed fee is paid, the recorder shall, if he is of opinion that the claim is a discovery claim and that the licensee has complied with the requirements of this Act and the regulations respecting the staking of such claims, reserve from staking, for a period of six months, otherwise than by or on behalf of the licensee for whom the application is made, a rectangular area

(a) that includes the claim,

(b) that does not exceed nine square miles, and

(c) no side of which exceeds nine miles in length.

Extension of period of reservation.

(2) Upon receiving an application therefor at least thirty days before the expiration of the period of reservation mentioned in subsection (1), the Minister may extend such period for additional periods not exceeding six months in all.

Twenty-four claims may be staked for licensee in reserved area.

(3) During a period of reservation described in this section, a licensee of a discovery claim may, in addition to the claims that may be staked under section 14, stake for himself or have another licensee or licensees stake for him twenty-four claims for the mining of any mineral, if the discovery claim is one for the mining of any mineral, or twenty-four claims for the mining of iron only, if the discovery claim is one for the mining of iron only.

Minister may cancel reservation.

(4) Where the Minister is of opinion that a claim in respect of which an area was reserved under this section is not a discovery claim, he may so declare, and upon such declaration, all claims staked for the licensee for whom the area was reserved during a licence year in excess of those that may be staked for him under section 14 immediately lapse.

RIGHT TO MINE ON CLAIM.

Right to conduct mining operations on claim.

22. The owner of a claim is entitled

(a) if the claim is for the mining of any mineral, to all the mineral, and

(b) if the claim is for the mining of iron only, to all the iron,

that lies within the boundaries of the claim continued vertically downwards, together with the right, if all the surface rights where the claim is situated are vested in

(7) Section 38 (5).

21. New.

22. Section 72 (1) in part and section 74.

Her Majesty, to enter upon, use and occupy such portion of the surface of the claim as the Minister considers necessary or expedient to conduct mining operations on the claim.

Owner of claim not to conduct mining operations unless consent of person owning surface rights given and recorded.

23. (1) Subject to this section, the owner of a claim shall not enter or conduct mining operations on the surface of a claim or in any way cause loss or damage to any person in whom any surface rights therein are vested, unless such person has consented thereto in writing, a copy of that consent has been recorded and the prescribed fee has been paid for such recording.

Where consent unobtainable, Minister may permit mining operations on claim where surface rights belong to another.

(2) Where the owner of a claim is unable to obtain the consent required by subsection (1), the Minister may, for such period as he deems advisable, permit such owner to enter and conduct mining operations on the surface of the claim, if such owner

(a) undertakes to submit the matter for hearing by the Court under this section, and

(b) deposits with the Minister such security as the Minister deems advisable for any loss or damage that may be caused to any person in whom any surface rights in the claim are vested and for the costs of the hearing and to any such person,

and thereupon the owner of the claim may enter and conduct mining operations on such surface during that period, but he is liable for any loss or damage arising therefrom that may be caused to any person in whom any surface rights in the claim are vested, and the Minister may pay all or any portion of the security deposited with him in payment of such loss or damage and the costs of the hearing and to any such person.

Where consent unobtainable, owner may apply to Court for permission to enter on surface rights of claim and for determination of compensation.

(3) The owner of a claim who is unable to obtain the consent required by subsection (1) may apply to the Court

(a) for permission to enter and conduct mining operations on the surface of a claim, and

(b) to have the compensation to be paid for any loss or damage resulting to any person in whom any surface rights in the claim are vested determined by the Court,

and such owner shall have a copy of the application served upon every person in whom any surface rights are vested and such other persons as the Court deems advisable in such manner as may be determined by the Court at least fifteen days before the day set for the hearing.

Court may permit owner of claim to conduct mining operations on claim and determine compensation.

(4) The Court may set a day for a hearing to determine the matters mentioned in subsection (3), and on that day or such later day as it may set the Court shall, if it is satisfied that the persons mentioned in subsection (3) have been served in the manner determined by the Court, hear the matter and may, by order

23. Replaces sections 14 and 100 to 107.

(a) permit the person applying therefor to enter and conduct mining operations on such portion of the surface of the claim upon such terms and conditions as the Court deems advisable if such person pays compensation in accordance with paragraph *(b)*; and

(b) determine the amount of compensation, if any, required to reimburse any person in whom any surface rights in the claim are vested for any loss or damage that has been or may be caused to such person by entering and conducting the mining operations on the claim, and order that such compensation be paid to any person that the Court deems advisable.

Factors that must be considered in determining compensation.

(5) In determining the amount of compensation under this section, the Court shall consider

(a) the value of the land,

(b) the nature of the surface rights thereto,

(c) the amount of land that may be permanently damaged by the mining operations in question,

(d) the adverse effect of the permission to enter with respect to adjoining lands vested in the same person and any loss due to severance,

(e) any nuisance, inconvenience or noise that may arise in connection with the mining operations, and

(f) such other factors as to the Court may appear proper or relevant.

Review of order under subsection (4).

(6) Where an application is made therefor by either party, the Court may review any order made under subsection (4) and may vary any such order.

Rules of practice and procedure.

(7) The Court may make rules of practice and procedure, including the fixing of fees and costs and security for costs, to be followed in matters arising under this section.

Representation Work.

Amount of representation work to be performed and recorded or sum payable in lieu thereof.

24. (1) Subject to this section and section 25, a claim shall be deemed to have lapsed at the expiration of a claim year unless

(a) representation work that in the opinion of the recorder is of the value of

(i) two hundred dollars, in the case of a claim for the mining of any mineral, and

(ii) four hundred dollars, in the case of a claim for the mining of iron only,

has been performed in respect of the claim during the claim year and within one month of the expiration of the claim year a statement of such representation work has been recorded in the manner prescribed and the prescribed fee has been paid at the office of the recorder; or

24. (1) *(a)* Sections 53 (1) in part and 55 (1).

(*b*) a sum equivalent to the value of the representation work required to be performed by paragraph (*a*) has been paid to the recorder within one month of the expiration of the claim year.

Representation work performed before claim recorded.

(2) Representation work performed on a claim after it has been staked but before it has been recorded may be credited against representation work required to be done during the first two claim years following the recording of the claim if during the first claim year following the recording of the claim a statement of that representation work is recorded in the manner prescribed and the prescribed fee is paid.

Where value of representation work in any claim year exceeds that required by this section.

(3) Where the value of representation work performed in respect of a claim during any claim year exceeds the value of the representation work required by this section, the excess may be credited against the representation work required to be performed during any subsequent claim year or claim years if within one month of the expiration of the claim year during which it was performed a statement of the excess representation work is recorded in the manner prescribed and the prescribed fee is paid.

Survey of claim may be credited as representation work.

(4) Where a survey of a claim or the perimeter of a group of claims is completed under this Act, the work in connection with such suvey may be credited as representation work to the value of

(*a*) four hundred dollars, in the case of a claim for the mining of any mineral, and

(*b*) eight hundred dollars, in the case of a claim for the mining of iron only,

in respect of every claim comprised in the survey, and for the purposes of this section the work shall be deemed to have been performed during the claim year when the survey was completed.

Roads or runways.

(5) Where roads or runways are constructed

(*a*) on a claim, or

(*b*) near a claim if in the opinion of the Minister the construction is necessary or expedient to conduct mining operations on the claim,

the work in connection with such construction may be credited as representation work in respect of the claim, but no such work shall be credited against more than half the representation work required to be performed in respect of any claim during a claim year.

(b) Section 54.

(2) New.

(3) Section 53 (3).

(4) Section 80.

(5) See section 53 (2).

Grouping of claims for purpose of performing representation work.

25. (1) The recorder shall permit any owner or owners of adjoining claims to group not more than thirty-six such claims for the performance of representation work if an application in writing signed by the owner or owners is made to him therefor and the prescribed fee is paid at any time before a statement of the representation work is required to be recorded in respect of the current claim year of any of such claims.

Varying of groups.

(2) The recorder shall permit any owner or owners of claims grouped under subsection (1) to vary the claims in a group if an application in writing signed by the owner or owners is made to him therefor and the prescribed fee is paid at any time before a statement of the representation work is required to be recorded in respect of the current claim year of any of such claims.

Representation work on any claim in a group may be credited against any other claim.

(3) Where adjoining claims have been grouped as provided in this section, representation work performed in respect of any one or more of the claims may be credited against the work required to be performed in respect of any or all of such claims.

Claims for the mining of any mineral not to be grouped with claims for the mining of iron only.

(4) Claims for the mining of any mineral and claims for the mining of iron only shall not be included in the same group.

SURVEY.

No lease to be issued unless survey made and the plan thereof recorded and approved by the Surveyor General.

26. (1) No lease of a claim shall be issued under this Act unless

(a) a survey thereof has been completed by a Dominion Land Surveyor,

(b) a plan of that survey has been recorded under subsection (5) of section 28, and

(c) that plan has been approved by the Surveyor General under that section.

Perimeter survey of adjoining claims.

(2) A survey of the perimeter of two or more adjoining claims owned by one licensee may, with the consent of the Minister, be made in lieu of a survey of each such claim, but no such survey shall be made unless the claims consist solely of claims for the mining of any mineral or solely of claims for the mining of iron only.

Surveyor General to prescribe manner of survey; survey deemed completed only when Surveyor General has noted his acceptance on plan thereof.

(3) The Surveyor General may prescribe the steps to be taken by a Dominion Land Surveyor in surveying claims under this Act before, during and after the survey, and a survey shall be deemed to be completed only when the Surveyor General has noted his acceptance thereof on the plan of survey.

25. (1) Section 52 (1).

(2) New.

(3) Section 52 (2).

(4) New.

26-28. Sections 64, 60-70, 80-81, 84-87.

NOTE: Section 26 (2) new.
Section 27 (2) new.

Excess acreage fees on claim for mining of any mineral.

27. (1) Where a survey under this Act of a claim for the mining of any mineral discloses that the claim exceeds forty acres in area, the excess acreage shall be included in the area surveyed and vests in the owner of the claim, but there shall be paid in respect thereof the following excess acreage fees:

(a) on the acreage in excess of forty acres up to forty-five acres, five dollars for each acre or fraction thereof;

(b) on the acreage in excess of forty-five acres up to fifty acres, ten dollars for each acre or fraction thereof; and

(c) on the acreage in excess of fifty acres, twenty dollars for each acre or fraction thereof.

Excess acreage fees on claim for mining of iron only.

(2) Where a survey under this Act of a claim for the mining of iron only discloses that the claim exceeds one hundred and sixty acres in area, the excess acreage shall be included in the area surveyed and vests in the owner of the claim, but there shall be paid in respect thereof the following excess acreage fees:

(a) on the acreage in excess of one hundred and sixty acres up to one hundred and eighty acres, one dollar and twenty-five cents for each acre or fraction thereof;

(b) on the acreage in excess of one hundred and eighty acres up to two hundred acres, two dollars and fifty cents for each acre or fraction thereof; and

(c) on the acreage in excess of two hundred acres, five dollars for each acre or fraction thereof.

Computation of excess acreage fee where perimeter survey made.

(3) Where a survey of the perimeter of adjoining claims is made under subsection (2) of section 26, the acreage of each such claim shall, for the purpose of computing excess acreage fees, be deemed to be the quotient obtained by dividing the total acreage of the claims by the number of claims.

Issue of survey notice.

28. (1) Where the Surveyor General has noted his acceptance on a plan of survey and an application is made for a survey notice in the manner prescribed and the prescribed fee and any excess acreage fees due are paid to the recorder, the recorder shall issue to the person making the application two copies of a survey notice in the form prescribed.

Posting and publication of survey notice.

(2) At any time after a survey notice has been issued under subsection (1), the owner of the claim in respect of which it is issued may

(a) post such notice in the office of the recorder and attach thereto a plan of the survey on which the Surveyor General has noted his acceptance, and

(b) for four consecutive weeks publish an advertisement setting forth the terms of the survey notice in a newspaper approved by the recorder.

Owner who thinks his claim adversely affected by survey may bring dispute.

(3) Any owner of a claim who believes that a survey of a claim of which a survey notice is posted and published under subsection (2) may adversely affect his claim may, within sixty days of the day the survey notice was posted or within thirty days of the day when the advertisement was published the fourth time, whichever is the later, bring the matter before the recorder as a dispute, and thereupon the matter may be determined in the manner provided in section 32 for the determination of disputes.

Recording of plan of survey.

(4) Where

(a) no dispute has been brought pursuant to subsection (3) within the period set out in that subsection,

(b) a dispute has been so brought but has been decided against the person who brought it and the time for appealing therefrom has expired, or

(c) a dispute has been so brought, has been decided against the person who brought it and an appeal therefrom has been dismissed,

a copy of the plan of survey on which the Surveyor General has noted his acceptance may be recorded at the office of the recorder if an application is made therefor in the manner prescribed accompanied by an affidavit or affidavits of a person or persons having knowledge thereof stating that the provisions of subsection (2) have been complied with in respect of the claim.

Approval of plan of survey.

(5) When a copy of a plan of survey has been recorded as provided in subsection (1), the recorder shall transmit it to the Surveyor General who shall note his approval thereon, and thereupon the boundaries of the claim or the perimeter of a group of claims shall for all purposes be deemed to be as shown on the plan of survey.

Minister may require a claim to be surveyed after it has been recorded one year.

29. The Minister may, at any time after the expiration of one year following the recording of a claim, order the owner or owners of the claim to have the claim surveyed by a Dominion Land Surveyor, and if such survey is not made and approved by the Surveyor General under subsection (5) of section 28 within one year of the order, the Minister may at any time thereafter declare that the claim lapses, and upon such declaration the claim lapses.

LEASES.

Claim lapses at expiration of ten years unless requirements for obtaining a lease are complied with.

30. (1) A claim lapses ten years from the day it was recorded unless before the expiration of that time the requirements for obtaining a lease thereof set out in paragraphs *(a)*, *(b)* and *(c)* of subsection (3) are complied with in respect of the claim.

29. Section 79.

30. (1) New.

Claim lapses at end of claim year when output averages ten tons per day unless a lease thereof issued.

(2) A claim from which an average daily gross output of ten tons of mineral, ore or mineral-bearing substances is produced in any claim year lapses at the expiration of that claim year unless before the expiration of that claim year the requirements for obtaining a lease set out in paragraphs *(a)*, *(b)* and *(c)* of subsection (3) are complied with in respect of the claim.

Issue of lease.

(3) Where

(a) a claim or the perimeter of two or more adjoining claims has been surveyed in accordance with this Act and the plan of such survey has been approved by the Surveyor General under subsection (5) of section 28,

(b) representation work required by section 24 for three claim years has been performed in respect of such claim or claims in addition to the survey and a statement thereof has been recorded under that section, and

(c) an application for a lease of such claim or claims is made in the manner prescribed and the prescribed fee is paid,

the Minister shall issue a lease of such claim or claims.

Lease of area under forty acres lying between claims.

(4) Where a survey under this Act shows that an area of less than forty acres lies between two or more claims, the Minister may lease such area to the owner of one of those claims, and where the owners of more than one of those claims are desirous of leasing the area, priority shall be given to the owner of the claim that was first staked, and for the purposes of this Act an area so leased shall be deemed to be a claim.

Rental.

(5) A lessee shall pay in advance a yearly rental of twenty-five cents for each acre, or part thereof, comprised in a lease, and any lease in respect of which any rental due thereon is not so paid expires on the day preceding the commencement of the year in respect of which such rental is not paid.

Surrender of lease.

(6) A lessee may, with the approval of the Minister, surrender any part of a lease and retain any other part if

(a) the rent due in respect of the lease up to that time has been paid,

(b) the line dividing the part surrendered and the part retained has been surveyed by a Dominion Land Surveyor in accordance with the requirements of this Act respecting the survey of claims, and

(c) the Surveyor General has noted his approval on the plan of such survey as provided in subsection (5) of section 28 after the other requirements of this Act respecting the survey of claims have been complied with.

(2) New.

(3) Section 68.

(4) See sections 82 and 83.

(5) Section 97.

(6) New.

Representation work may be credited against rental.

(7) No representation work need be performed in respect of claims comprised in a lease, but the value of representation work performed in respect of any such claim may be credited against half the rental due on the lease in any subsequent year or years if an application is made therefor in the manner prescribed before the rental for the next succeeding year becomes due, but at no time shall there be a credit of representation work against more than half the rental due in the next succeeding ten years.

Grouping of leases for purpose of representation work.

(8) The recorder shall permit a lessee of leases

(a) that were acquired under this Act or under any Act or regulations respecting quartz mining in force in the Territory before the coming into force of this Act, and

(b) that come into contact on some point on their boundary lines or that share a common boundary line,

to group such leases for the purpose of representation work if an application in writing signed by the lessee is made to him therefor and the prescribed fee is paid at any time before the next instalment of rental is due in respect of any such lease, but leases that comprise more than thirty-six claims shall not be grouped under this section.

Varying of groups.

(9) The recorder shall permit a lessee of leases grouped under subsection (8) to vary the leases in a group if an application in writing signed by the lessee is made to him therefor at any time before the next instalment of rental is due in respect of any such lease.

Representation work on any claim in group may be credited as rental against any lease in the group.

(10) Where adjoining leases have been grouped under subsection (8), representation work performed in respect of any one or more of the claims comprised therein may be credited against rental on any or all of such leases.

Leases for mining of any mineral not to be grouped with leases for mining of iron only.

(11) Leases comprising claims for the mining of any mineral and leases comprising claims for the mining of iron only shall not be included in the same group.

Expiration and renewal of lease.

(12) A lease expires ten years from the day it was issued, but a lessee is entitled to a renewal thereof for further periods of ten years if an application is made therefor before the expiration of the lease and the prescribed fee is paid.

Transfer of Claims and Leases.

Transfer of claims and interests therein.

31. (1) A claim or any interest therein is transferable to any licensee.

Transfer of leases and interests therein.

(2) A lease or any interest therein is transferable to any person or corporation described in subsection (1) of section 7.

(7)-(11) New.

(12) Section 96.

31. Sections 88, 91.

Recording of transfers.

(3) A transfer of a claim or lease or any interest therein may be recorded in the office of the recorder in the manner prescribed on payment of the prescribed fee, and no transfer of a claim or lease is valid against an innocent purchaser for value without notice unless it is so recorded.

DISPUTES.

Recorder may hear disputes.

32. (1) A recorder has power to hear and determine any dispute arising in his district respecting claims or any matter arising under this Act previous to the issue of a lease, and for that purpose he may

(a) summon and bring before him any person whose attendance he considers necessary or desirable to enable him properly to enquire into the matter of the dispute;

(b) swear and examine all such persons under oath;

(c) compel the production of documents; and

(d) do all things necessary to provide a full and proper enquiry of the matter in dispute.

How dispute brought.

(2) A dispute shall be brought before the recorder by making an application in writing in a form satisfactory to him setting out the matter in dispute and by serving a copy of the application to the opposite party and to such other parties as the recorder deems advisable not less than seven days before the hearing of the dispute or such longer period as the recorder deems advisable.

No formal proceedings required.

(3) No formal proceedings are required in the determination of disputes.

Security.

(4) A recorder may direct that a person who makes an application to have a dispute determined shall deposit with the recorder, as security for the costs of the hearing and to the person complained against, a bond in such amount, not exceeding fifty dollars, as the recorder deems advisable.

Disposal of security.

(5) Where a recorder finds that a dispute is not well founded, he may, out of the deposit mentioned in subsection (4), retain such portion of the costs of the enquiry and pay to the person complained against such portion of his costs as the recorder deems advisable, and where the recorder finds that the dispute was well founded or where there is any balance of the deposit remaining, he shall return the deposit or balance to the person who deposited it.

Where investigation, measurement or survey required.

(6) Where a recorder is of opinion that it is necessary to the proper decision of a matter in dispute to have an investigation of a claim, or in case of disputed boundaries or measurements, to employ a Dominion Land Surveyor to measure or survey a claim, the recorder may order such investigation, measurement or survey to be made at

32-33. New. These sections take the place of the Arbitration sections 100-107.

the expense of the litigants, who shall before it takes place pay to the recorder in equal parts such sum as he considers sufficient therefor; if any party refuses to pay such sum the recorder may order that his claim lapses, and such claim thereupon lapses; subsequently the recorder shall decide in what proportion the expense shall be borne by each party, and the surplus if any shall be returned to the parties in such manner as he may order.

Offences and penalties.

(7) Every person who

(a) fails without valid excuse to attend a hearing of a dispute when summoned under this section,

(b) fails to produce any document, book or paper in his possession or under his control as required under this section, or

(c) at a hearing under this section

(i) refuses to be sworn or to affirm, or to declare, as the case may be, or

(ii) refuses to answer any proper question put to him by the recorder,

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

Appeal to Court from recorder's decision.

33. (1) A person who is dissatisfied with any decision made by a recorder in a dispute under this Act may, within fifteen days of the day when the decision was made or such longer period as the recorder may allow, appeal from such decision to the Court.

Disposition of appeal.

(2) The Court may hear the appeal at such time and in such manner as it deems just, and it may, by order, quash or alter the decision of the recorder or dismiss the appeal.

Practice and procedure.

(3) The Court may make rules of practice and procedure, including the fixing of fees and costs and security for costs, regulating appeals under this section.

CANCELLATION FOR MISREPRESENTATION.

Cancellation of claim.

34. (1) Where a dispute is brought before a recorder alleging that an owner of a claim has been guilty of misrepresentation in any statement required by this Act in respect of the claim, the recorder may, if he is satisfied after hearing the matter that such misrepresentation was made, cancel the claim.

Effect of cancellation.

(2) A claim that is cancelled under subsection (1) lapses

(a) at the end of the time when an appeal may be taken from the decision of the recorder, if no appeal is taken, and

(b) on the day of the dismissal or withdrawal of the appeal, if such appeal is taken.

34. See section 53 (6) *(a)*.

Co-owners and Co-lessees.

Co-owners to contribute to requirements of section 24.

35. (1) Where there are two or more co-owners of a claim, each such co-owner shall contribute in proportion to his interest in the claim or as may be agreed among them to the requirements of section 24 in respect of the claim, and where a dispute is brought under section 32 alleging that any such co-owner has not so contributed and the recorder is satisfied after hearing the matter that any such co-owner has not so contributed, he may order that the interest of such co-owner vests in the co-owners who so contributed in proportion to their interests.

Co-owners to contribute to requirements for obtaining lease.

(2) Where one or more co-owners of a claim are desirous of obtaining a lease of the claim, each such co-owner shall contribute in proportion to his interest in the claim or as may be agreed between them to the requirements of this Act for obtaining such lease notwithstanding that any such co-owner or co-owners are not desirous of obtaining such lease, and where a dispute is brought under section 32 alleging that any such co-owner has not so contributed and the recorder is satisfied after hearing the matter that any such co-owner has not so contributed, he may order that the interest of such co-owner vests in the co-owners who so contributed in proportion to their interests.

Co-lessees to contribute to rental and renewal fees.

(3) Where there are two or more lessees of a lease, each such lessee shall contribute in proportion to his interest in the lease or as may be agreed among them to payment of rental for such lease and the fees for the renewal thereof, and where a dispute is brought under section 32 alleging that such a lessee has not so contributed and the recorder is satisfied after hearing the matter that any such lessee has not so contributed, he may order that the interest of such lessee vests in the lessees who so contributed in proportion to their interests.

Deceased and Insane Persons.

Exemption from provisions of this Act in favour of deceased and insane persons.

36. (1) Notwithstanding anything in this Act, upon receiving an application therefor and being satisfied that an owner of a claim has died or has been declared insane by a court of competent jurisdiction in the eighteen months immediately preceding the application, the recorder may, by order,

(a) if the claim has lapsed during the six months immediately preceding the application and has not during that period been restaked, declare that the claim be revested in the estate of such owner,

35. Sections 58 and 78.

36. Sections 108 to 116 modified and clarified.

(b) if the claim has lapsed during the six months immediately preceding the application and has been restaked, declare that the claim be revested in the estate of such owner upon being satisfied that any expenses undertaken under this Act by the person who was the owner of the claim at the time of the application and his predecessors in title were repaid to such person,

(c) exempt the claim from the provisions of section 24 for the claim year during which the death occurred or the declaration of insanity was made and the claim year next following that claim year, and

(d) extend the time within which an application for a lease of a claim is required to be made under section 30 for a period of two years.

Requirements respecting representation work or sum in lieu thereof to be complied with by other co-owners.

(2) The benefit of an order under subsection (1) does not apply to co-owners of a claim with the deceased or insane co-owner for the benefit of whose estate the order is made, but where an order is made under paragraph *(c)* of subsection (1) respecting a claim so owned, it shall be a sufficient compliance with the requirements of subsection (1) of section 24 if during the continuance of the order

(a) that proportion of the representation work required to be performed by paragraph *(a)* of subsection (2) of section 24 that the interests of such co-owners bear to the claim is performed in respect of such claim during each claim year and within the expiration of each claim year a statement of such representation work is recorded in the manner prescribed and the prescribed fee is paid, or

(b) that proportion of the sum required to be paid by paragraph *(b)* of subsection (2) of section 24 that the interests of such co-owners bear to the claim is paid to the recorder in respect of such claim within one month of the expiration of each claim year,

and where any requirement of this subsection is not complied with within the time required by this subsection, the interest of every co-owner of the claim vests in the estate of the deceased or insane co-owner at the time that, but for this section, the claim would have lapsed.

Where other co-owners do not obtain lease within time required in section 30.

(3) Where

(a) a deceased or insane person owns a claim with one or more other co-owners,

(b) an order under paragraph *(d)* of subsection (1) has been made in respect of the claim, and

(c) the time has elapsed within which an application for a lease of such claim is required by section 30 to be made and such application has not been made,

the interest in the claim of every co-owner of the claim vests in the estate of the deceased or insane co-owner at the time that, but for this section, it would have lapsed.

Co-owners to contribute to requirements of sub-section (2).

(4) Where in addition to any deceased or insane co-owner for the benefit of whose estate an order is made under subsection (1) there are two or more co-owners of a claim, each such co-owner shall contribute in proportion to his interest in the claim or as may be agreed among them to the requirements of subsection (2), and where a dispute is brought under section 32 alleging that any such co-owner has not so contributed and the recorder is satisfied after hearing the matter that any such co-owner has not so contributed, he may declare that the interest of such co-owner vests in the co-owners who so contributed and the estate of the deceased or insane co-owner in proportion to their interests.

Lease of claim to deceased or insane co-owner and other co-owners.

(5) A co-owner or co-owners of a claim in respect of which an order has been made under subsection (1) for the benefit of the estate of another co-owner who is deceased or insane may, during the continuance of the order, obtain a lease under this Act in their names and that of the persons managing the estate of the deceased or insane co-owner, and where a lease is so obtained, such estate shall, within two years of the death or declaration of insanity, contribute in proportion to its interest in the claim or as may be agreed between such estate and the other co-owners to the cost of representation work and survey required by this Act to obtain the lease and any fee or rental that has become due, and where a dispute is brought under section 32 at any time after the expiration of such two years alleging that such estate has not so contributed and the recorder is satisfied after hearing the matter that the estate has not so contributed, he may order that the interest of such estate vests in the co-owner or co-owners who obtained the lease in proportion to their interests.

Contribution by co-owners in obtaining lease.

(6) Where one or more of the co-owners of a claim in respect of which an order under subsection (1) has been made are desirous of obtaining a lease of the claim, each of the co-owners, other than a deceased or insane co-owner for whose benefit the order was made, shall contribute to the cost of the representation work and survey required to obtain a lease in proportion to his interest in the claim or as may be agreed among them, and where a dispute is brought under section 32 alleging that any such co-owner has not so contributed and the recorder is satisfied after hearing the matter that any such co-owner has not so contributed, he may order that the interest of such co-owner vests in the co-owners who so contributed and the estate of the deceased or insane co-owner in proportion to their interests.

Transfer of claim or interest of deceased or insane person.

(7) Where during the continuance of an order under paragraph *(c)* or *(d)* of subsection (1) for the benefit of a claim or interest in a claim of a deceased or insane person such claim or interest is transferred to another licensee, the benefit of that order continues to apply to that claim or interest until the expiration of the claim year during which the transfer is made if the transfer is recorded with the recorder within two months of the time it was made and the prescribed fee is paid.

Mineral to be Treated in Canada.

Mineral, etc., to be treated in Canada.

37. (1) Except as permitted in writing by the Minister, any ore, mineral or mineral-bearing substances mined on a claim shall be treated and refined in Canada.

Failure to comply with subsection (1).

(2) Where an owner or lessee of a claim fails to comply with subsection (1), the Minister may give him written notice to so comply, and if such owner or lessee fails within a period of three months to do so, the claim lapses or the lease expires at any time the Minister so declares.

Waste.

Renting of lands for waste.

38. The Minister may, subject to such terms and conditions as he considers advisable and as may be prescribed, rent lands for the deposit of tailings, leavings and other waste from mining operations at such rental as may be prescribed.

Permit to run adit or tunnel.

39. (1) The recorder may, upon such terms and conditions, including security for any damage done thereby, as he deems advisable, permit the owner of a claim or a lessee to run an adit or tunnel for the drainage of, or access to, a mine through lands that are vested in Her Majesty and are under the control of the Minister whether or not there are any claims thereon.

Permit must be recorded.

(2) No permit granted under subsection (1) is valid until it is recorded in the manner prescribed and the prescribed fee is paid.

Royalty.

Annual royalty payable.

40. (1) On or before the 1st day of April in each year, there shall be paid to Her Majesty in respect of every mine in the Territory by the owner, manager, holder, tenant, lessee, occupier or operator thereof a royalty on the profits of the mine during the year ending on the 31st day of December last preceding determined as follows:

37. New.

38. New, but see section 9.

39. (1) Section 120.

(2) New.

40. Section 95. A number of new items allowed as deductions for the purpose of determining profits.

(a) on the amount of such profits above $10,000 and up to $1,000,000, three per cent;

(b) on the amount of such profits above $1,000,000 and up to $5,000,000, five per cent;

(c) on the amount of such profits above $5,000,000 and up to $10,000,000, six per cent; and

(d) on the amount of such profits above $10,000,000, a proportional increase of one per cent for each additional $5,000,000.

Mines under same management.

(2) All mines in the Territory that are occupied, worked or operated by the same person or under the same general management or control, or the profits of which accrue to the same person, shall, for the purpose of determining royalty under this section, be deemed to be and shall be dealt with as one and the same mine, and not as separate mines.

How profits ascertained.

(3) In order to ascertain the profits of a mine during a year for the purposes of this section, the gross receipts from the year's output from the mine of ore, mineral or mineral-bearing substances, or if the ore, mineral or mineral-bearing substances from the mine or any part thereof are not sold but are treated by or for the owner, holder, tenant, lessee, occupier or operator of the mine upon the premises or elsewhere, then the actual market value of such output, or if there is no means of ascertaining the market value or there is no such established market value, the value of such output as appraised by a person designated by the Minister, shall be ascertained, and from the amount so ascertained the following and no other expenses, payments, allowances or deductions shall be deducted and made:

(a) the cost paid or borne by the owner, holder, tenant, lessee, occupier or operator for transporting and marketing any such output that is sold;

(b) the working expenses of the mine, both underground and above-ground, including salaries and wages of necessary superintendents, foremen, workmen, firemen, enginemen, labourers and employees of all sorts employed at or about the mine, together with the salaries and office expenses for necessary office work done at the mine or in connection with the operation thereof;

(c) the cost of supplying power, light and transportation used in the mining operation or in handling the ore, mineral or mineral-bearing substances;

(d) the cost of food and provisions for all employees described in paragraph *(b)* whose salaries or wages are made less by reason of being furnished therewith;

(e) the cost of explosives, fuel and any other supplies necessarily used in mining operations in connection with the mine;

(f) any outlay incurred in safeguarding and protecting the mine or mineral product therefrom;

(g) the cost of insurance paid or borne by the owner, holder, tenant, lessee, occupier or operator upon such output and upon the mining plant, machinery, equipment and buildings used for or in connection with mining operations in connection with the mine, or for storing the ore, mineral or mineral-bearing substances;

(h) an allowance of a sum for annual depreciation by ordinary wear and tear of the plant, machinery, equipment and buildings based upon the probable annual average cost of repairs and renewals necessary to maintain the same in a condition of efficiency, but this allowance is in no case to exceed for any year fifteen per cent of the value thereof, as appraised by an officer designated by the Minister, at the commencement of such year;

(i) the cost of work done in sinking new shafts, making new openings, workings or excavations of any kind or of stripping, trenching or diamond drilling in or upon the land upon which the mine is situated, or the cost of any work that, in the opinion of the Minister, has for its object the opening up of mines or testing for ore, mineral or mineral-bearing substances;

(j) expenses incurred in prospecting or exploring for minerals or in developing property for minerals in the Territory to the extent that such expenses are, by subsection (3) of section 83 of the *Income Tax Act*, excluded from the income of a person for a taxation year for the purposes of that Act;

(k) expenditures on scientific research in the Territory to the extent that such expenditures may, by paragraph *(j)* of subsection (1) of section 11 of the *Income Tax Act*, be deducted in computing the income of a person for a taxation year for the purposes of that Act;

(l) gifts to charities in the Territory to the extent that such gifts may, by paragraph *(a)* of subsection (1) of section 27 of the *Income Tax Act*, be deducted in computing the income of a person for a taxation year for the purposes of that Act; and

(m) where capital is employed by the owner, manager, holder, tenant, lessee, occupier or operator of a mine in processing ore, mineral or mineral-bearing substances, an amount calculated in accordance with subsection (4) or (5).

Manner of computing amount under subsection (3) *(m)*.

(4) Subject to subsection (5), the amount mentioned in paragraph *(m)* of subsection (3) shall be whichever is the lesser of

(a) eight per cent of the original cost of depreciable assets, including machinery, equipment, plants, buildings, works and improvements, used in processing the output of the mine of ore, mineral or mineral-bearing substances; or

(b) sixty-five per cent of the amount derived by subtracting the amounts mentioned in paragraphs *(a)* to *(l)* of subsection (3) from the gross receipts from the year's output of the mine of ore, mineral or mineral-bearing substances, or the market value of such output, or the value thereof as appraised by a person designated by the Minister, whichever is ascertained for the purposes of subsection (3).

Idem.

(5) The amount mentioned in paragraph *(m)* of subsection (3) shall be whichever is the greater of

(a) the amount calculated under subsection (4); or

(b) the following percentages of the amount derived by subtracting the amounts mentioned in paragraphs *(a)* to *(l)* of subsection (3) from the gross receipts from the year's output of the mine of ore, mineral or mineral-bearing substances, or the market value of such output, or the value thereof as appraised by a person designated by the Minister, whichever is ascertained for the purposes of subsection (3):

(i) in the case of a mine from which the value of the output of uranium products exceeds five per cent of the value of the total output of metals from the mine, fifty per cent;

(ii) in the case of a mine from which the value of the output of copper and nickel each exceeds five per cent of the value of the total output of metals from the mine, forty per cent;

(iii) in the case of a mine from which the value of the output of lead and zinc each exceeds five per cent of the value of the total output of metals from the mine, thirty per cent;

(iv) in the case of a mine from which the value of the output of copper and zinc each exceeds five per cent of the value of the total output of metals from the mine, twenty per cent; and

(v) subject to subparagraphs (i) to (iv), in the case of a mine from which the value of the output of any metal or metals, other than gold, silver or platinum, exceeds five per cent of the value of the total output of metals from the mine, fifteen per cent.

Certain deductions not to be made.

(6) No allowance or deduction shall be made for

(a) interest on money borrowed or interest or dividends upon capital, stock or investment, or

(b) depreciation in the value of the mine or mining property by reason of the exhaustion or partial exhaustion of the ore, mineral or mineral-bearing substances.

Notice of active operation to be given.

(7) The owner, manager, holder, tenant, lessee, occupier or operator of every mine in active operation in the Territory shall, within ten days after the commencement of such operations, notify the Minister thereof and give in such notice the name of the mine and the name and address of the owner, manager, holder, tenant, lessee, occupier and operator of such mine, and the name and address of the manager or of some other person to whom notice may be sent, and forthwith notify the Minister of every change in the name and address of such manager or person, of every change in the ownership, holding, tenancy, management, occupation or operation of such mine, of every discontinuance of active operations and of every resumption thereof after discontinuance.

Statement to be furnished.

(8) On or before the 1st day of April in each year, the owner, manager, holder, tenant, lessee, occupier or operator of every mine in active operation in the Territory shall, without any notice or demand to that effect, deliver to the Minister, together with any other statements that may be required by the Minister, a detailed statement, under affidavit, that sets forth

(a) the name and description of the mine;

(b) the name and address of the person or persons owning, managing, holding, leasing, occupying and operating the mine;

(c) the quantity of ore, mineral and mineral-bearing substances shipped or sent from or treated on the mining property during the year ending on the 31st day of December last preceding;

(d) the name of every smelter, refinery or mill where ore, mineral or mineral-bearing substances from the mine are treated, and the locality to which the ore, mineral or mineral-bearing substances, or any part thereof, were sent;

(e) the cost per ton for transportation to the smelter, refinery or mill and the actual, proper and necessary expenses of making the sale, if any, and by whom paid or borne;

(f) the cost per ton for smelter, refinery and mill charges, and by whom paid or borne;

(g) the quantity of ore, mineral or mineral-bearing substances treated on the mining property during such year;

(*h*) the value of the ore, mineral and mineral-bearing substances shipped or sent after deducting the charges for making sales and for transportation or for treatment; and

(*i*) the value of the ore, mineral and mineral-bearing substances treated on the mining property;

and such statement shall show in other columns, with reasonable detail, the various expenses, payments, allowances and deductions that may properly be made under subsection (3), and such statement shall also show by way of summary the total receipts or market value of the year's output of ore, mineral or mineral-bearing substances, the total amount of the expenses, payments, allowances and deductions to be deducted therefrom and the balance of profits for the year within the meaning of this section.

Additional statement.

(9) In addition to the statement required by subsection (8), the Minister may at any time require from any person connected with the operation or management of any mine, refinery, smelter or mill in the Territory a statement, under affidavit, containing such information or particulars as the Minister may think proper to exact.

Extension of time.

(10) The Minister may extend the time for making any return or statement under this section.

Books to be kept.

(11) The owner, manager, holder, tenant, lessee, occupier or operator of any mine in active operation in the Territory shall keep or cause to be kept at or near such mine such books of account in such manner as may be approved by the Minister showing the quantity, weight, value and other particulars of the ore, mineral or mineral-bearing substances taken from such mine, the returns from any smelter, mill or refinery where such ore, mineral or mineral-bearing substances are treated and other returns of the amounts derived from the sale of such ore, mineral and mineral-bearing substances; and no ore, mineral or mineral-bearing substances taken out of any mine shall be removed therefrom or treated at any smelter, mill or refinery until the weight thereof has been correctly ascertained and entered in such books of account; and such owner, manager, holder, tenant, lessee, occupier or operator shall also keep proper books showing each of the several expenses, payments, allowances or deductions mentioned in subsection (3) and all other facts and circumstances necessary or proper for ascertaining the amount of the royalty payable under this section.

Inspection of mines.

(12) The recorder or any person designated by the Minister may at any time enter in or upon a mine or mining property for the purpose of making an inspection and obtaining information as to the amount and value of the output of the mine, and for that purpose the recorder or

such person may descend any pit or shaft and use all such tackle, machinery and appliances belonging to the mine as he deems necessary or expedient, and he shall have free ingress and egress to, from and over all buildings, erections and vessels used in connection with the mine, and he shall be allowed to take from the mine and mining property such samples or specimens as he may desire for the purpose of determining by assay or otherwise the value of the ore, mineral or mineral-bearing substances being taken therefrom, or any product thereof, and he shall have full and complete access to all books of account, correspondence and documents maintained or used for or in connection with the operation and business of such mine, and may examine the same and take copies thereof or extracts therefrom, but any information of a private or confidential nature acquired pursuant to this subsection shall not be disclosed to anyone except so far as may be necessary for the purposes of this section.

Percentage to be added for default.

(13) Where a statement under subsection (8) has been furnished as provided in that subsection but any royalty imposed by this section is not paid within the period required by this section, ten per cent of such royalty shall forthwith be added thereto, and ten per cent thereof shall be added at the expiration of each year thereafter that the royalty remains unpaid, and such increased amounts shall, for all purposes, be the royalty due and payable under this section.

Special lien and priority of the royalty.

(14) All royalty and costs payable under this section constitute a special lien on the mine, mining property, mineral claim or mining rights and upon all ore, mineral, or mineral-bearing substances taken therefrom and upon all machinery on or connected with the mine in priority to every claim, privilege, lien, or encumbrances of any person, whether the right or title of such person has accrued before or accrues after the attaching of such lien, and its priority is not lost or impaired by any neglect, omission or error of any official, officer or person or by want of registration, and the same may be realized by action for sale of any or all property, leases and rights subject to such lien.

Injunction or receiver for collection of royalty.

(15) In addition to any other remedies for the recovery of the royalty imposed by this section, an injunction or order in the nature of an injunction or the appointment of a receiver with all necessary powers, or such other relief or remedy as may to the Court seem necessary or expedient for securing payment of the royalty may, in any case where the royalty is overdue or where the payment of the royalty seems endangered, be obtained in the Court to prevent the removal, transportation, or transmission of any ore, mineral or mineral-bearing substances or to prevent or restrict mining operations or to provide for such operations upon such terms and conditions as may seem proper.

Distress.

(16) Where default occurs in the payment of royalty imposed by this section, the same, together with costs, may be levied and collected by distress, together with costs of distress upon the goods and chattels wherever found of any person liable therefor, under warrant signed by a person authorized by the Minister directed to the sheriff, and in such case the sheriff shall realize the amount directed to be realized by the warrant and all costs by a sale of such goods, or so much thereof as may be necessary to satisfy the amount directed to be levied by such warrant.

Offences and penalties.

(17) Any person who

(*a*) fails to keep any book, make any statement or give any information required by this section;

(*b*) with intent to deceive makes or signs any false or incorrect statement under this section;

(*c*) with intent to deceive furnishes any false or incorrect information to the recorder or any person designated by the Minister to administer this Act in respect of any matter or thing required under this section;

(*d*) with intent to deceive keeps or causes to be kept any false or incorrect book or account respecting anything required under this section; or

(*e*) prevents or interferes with an inspection under subsection (12);

is guilty of an offence and is liable on summary conviction, in addition to any other liability, to a fine not exceeding two hundred dollars.

Penalty for not furnishing statement.

(18) Where a person fails to make or furnish the statement required by subsection (8) in accordance with the provisions of that subsection, the royalty imposed by this section shall be doubled and in addition a penalty of twenty dollars per day for each day during which he fails to do so shall be added to such royalty, and such double royalty and any such penalty shall, for all purposes, be the royalty due and payable under this section.

Regulations.

Regulations.

41. The Governor in Council may make regulations for carrying out the purposes and provisions of this Act, and, without limiting the generality of the foregoing, may make regulations

(*a*) establishing districts for the purposes of this Act;

(*b*) specifying the records to be kept by recorders for the purposes of this Act and the manner of keeping them;

(*c*) prescribing the fees payable for examining any entry in the records or any recorded documents and for securing copies of documents recorded;

41. New.

(*d*) the manner in which applications to record claims, documents or any other things shall be made and the fees payable on making any such application;

(*e*) prescribing the manner in which applications for licences shall be made, the fees payable on making any such application and the form of licences;

(*f*) subject to this Act, respecting the manner in which claims and discovery claims shall be staked;

(*g*) prescribing that no claims shall be staked in any portion of any unincorporated settlement;

(*h*) subject to this Act, designating work that shall, for the purposes of this Act, be included as representation work;

(*i*) prescribing the fees payable on making applications for the grouping of claims and leases for the purpose of performing representation work and for varying such groups;

(*j*) prescribing the manner of applying for a survey notice, the fee payable therefor and the form of survey notices;

(*k*) prescribing the manner in which applications for leases shall be made, the fees payable on making any such application and the form of leases;

(*l*) prescribing the manner in which applications to credit representation work against rental payable on a lease shall be made;

(*m*) prescribing terms and conditions upon which lands may be reserved for waste and the rental payable therefor;

(*n*) providing for free assays of minerals found on claims;

(*o*) providing for the examination of claims and the manner in which any mining operations thereon are conducted;

(*p*) prescribing forms for the purposes of this Act and the regulations;

(*q*) prescribing fees for any services rendered under this Act and the regulations; and

(*r*) prescribing any other thing that may be prescribed under this Act.

Offences and Penalties.

Offences and penalties.

42. A person who

(*a*) not being a licensee, prospects or stakes claims on land, the mineral rights in which are vested in Her Majesty;

(*b*) defaces, alters, removes or alters the position of any prescribed markings of a claim;

42. New.

(c) being an officer or employee of the Government of Canada, acquires a claim or lease or any interest therein under this Act, except by or under the authority of an order of the Governor in Council;

(d) interferes with the recorder or any person designated by the Minister to adminster this Act in performing his duties under this Act;

(e) being a licensee, refuses to present his licence to the recorder or any person designated by the Minister to administer this Act;

(f) with intent to deceive represents to the recorder that more representation work has been done in respect of a claim than is actually the case;

(g) throws or dumps earth, clay, stone or other material on a claim of which he is not the owner or pumps or bails water from his claim onto the claim of another unless he has received the consent of the owner of the claim and the person in whom any surface rights thereto are vested and has recorded those consents at the office of the recorder; or

(h) except as provided in section 23, mines on any claim or lease without the consent of the owner of the claim or the lessee and the person in whom any surface rights thereto are vested;

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

TRANSITIONAL, REPEAL AND COMING INTO FORCE.

Claim staked but not recorded before the coming into force of this Act.

43. (1) A person, who before the coming into force of this Act has staked a claim pursuant to the *Yukon Quartz Mining Act*, chapter 301 of the Revised Statutes of Canada, 1952, but has not at the time this Act comes into force recorded that claim under that Act, may after this Act comes into force record the claim under the provisions of that Act as if it had not been repealed.

Representation work or sum in lieu thereof.

(2) The requirements of section 24 of this Act shall be complied with in respect of a claim staked pursuant to any statute or regulations respecting quartz mining in force in the Territory before the coming into force of this Act (in this section called "previous law") in lieu of the requirements of the previous law respecting representation work or the sum payable in lieu thereof, and any such claim, in respect of which those provisions are not complied with for any claim year, lapses at the expiration of that claim year, but no representation work need be performed in respect of a claim staked pursuant to the previous law in any

43. New.

claim year for which a certificate of work has been issued under the previous law, and any representation work in respect of which under the previous law a statement has been recorded but a certificate of work has not been issued may be credited as representation work under this Act.

Lease of claim under previous law must be obtained under this Act.

(3) Notwithstanding anything in the previous law,

(a) a claim staked pursuant to the previous law lapses at the expiration of ten years from the coming into force of this Act unless a lease of the claim is obtained under this Act,

(b) no lease of a claim shall be given or renewed under the previous law, but a lease may be issued pursuant to this Act of a claim staked pursuant to the previous law, and

(c) a lease acquired under the previous law may, before its expiration, be renewed pursuant to this Act.

Excess acreage fees on claims for mining of any mineral staked under previous law.

(4) Where a survey under this Act of a claim staked pursuant to the previous law, other than a claim described in subsection (5), discloses that the claim exceeds 51.65 acres, there shall be paid in respect of the excess acreage the following excess acreage fees:

(a) on the acreage in excess of 51.65 acres up to 56.65 acres, five dollars for each acre or fraction thereof;

(b) on the acreage in excess of 56.65 acres up to 61.65 acres, ten dollars for each acre or fraction thereof; and

(c) on the acreage in excess of 61.65 acres, twenty dollars for each acre or fraction thereof.

Excess acreage fees on claims for mining of iron and mica staked under previous law.

(5) Where a survey under this Act of a claim for the mining of iron and mica staked pursuant to the previous law discloses that the claim exceeds 160 acres in area, there shall be paid in respect of the excess acreage the same excess acreage fees as would be payable under this Act if the claim were a claim staked under this Act for the mining of iron only.

Repeal.

44. The *Yukon Quartz Mining Act*, chapter 301 of the Revised Statutes of Canada, 1952, is repealed.

Coming into force.

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

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 504.

An Act to amend the Criminal Code. (Race Meetings.)

First reading, June 21, 1955.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 504.

An Act to amend the Criminal Code. (Race Meetings.)

1953-54, c. 51; 1955, c. 2.

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

1. (1) Subparagraph (ii) of paragraph *(d)* of subsection (1) of section 178 of the *Criminal Code*, chapter 51 of the statutes of 1953-54, is repealed and the following substituted therefor:

"(ii) no more than eight races or dashes, or two dashes and four heat races of two heats each, or four heat races of three heats each, or six heat races of two heats each, shall be held during any twenty-four hour period, and".

(2) Subsection (3) of the said section 178 is repealed and the following substituted therefor:

Operation of pari-mutuel system.

"(3) No pari-mutuel system of betting shall be used upon any race course unless the system has been approved by and its operation is carried on under the supervision of an officer appointed by the Minister of Agriculture, whose duty it shall be to stop the betting before each race and to see that no further amounts are deposited; and the person or association conducting a race meeting shall pay to the Receiver General of Canada one-half of one per cent of the total amount of bets, made through the agency of a pari-mutuel system operated under such supervision, on any race run at such meeting."

Explanatory Notes.

1. (1) The present subparagraph (ii) of section 178 (1) *(d)* reads as follows:

"(ii) no more than eight races or dashes, or four heat races of three heats each, or six heat races of two heats each shall be held during any twenty-four hour period, and".

The purpose of the amendment is to permit an additional combination of heat races and dashes.

(2) The present subsection (3) reads as follows:

"(3) No pari-mutuel system of betting shall be used upon any race course unless the system has been approved by and its operation is carried on under the supervision, at the expense of the association, of an officer appointed by the Minister of Agriculture, whose duty it shall be to stop the betting before each race and to see that no further amounts are deposited."

At the present time the costs of supervision at a race track are charged against the revenues of that track. This works a hardship on the smaller associations because costs of supervision are taking a considerable proportion of the maximum return permitted. Under the proposed amendment a levy will be made on each supervised track, thus providing a sufficient fund to ensure uniform and adequate supervision at each track, without unduly burdening the smaller associations.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 505.

HOUSE COPY

An Act to amend the Judges Act, and the Judicature provisions of the Yukon Act and the Northwest Territories Act.

First reading, June 21, 1955.

First Reading.....*195*

Second Reading.....*195*

In Committee of the whole and reported.....*195*

Third Reading and passed.....*195*

Clerk Assistant
House of Commons.

THE MINISTER OF JUSTICE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

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2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 505.

An Act to amend the Judges Act, and the Judicature provisions of the Yukon Act and the Northwest Territories Act.

R.S. c. 159, 1952-53, c. 4, 1953-54, c. 58.

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

1. Sections 4 and 5 of the *Judges Act*, chapter 159 of the Revised Statutes of Canada, 1952, are repealed and the following substituted therefor:

Salaries of judges of Supreme Court of Canada.

"**4.** The salaries of the judges of the Supreme Court of Canada are as follows:

	Per annum
(a) The Chief Justice of Canada	$27,500.00
(b) Eight puisne judges, each	22,500.00

Salaries of judges of Exchequer Court.

5. The salaries of the judges of the Exchequer Court of Canada are as follows:

	Per annum
(a) The President of the Exchequer Court of Canada	$18,500.00
(b) Four puisne judges, each	16,900.00"

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

Salaries of judges of Supreme Court of Ontario.

"**7.** The salaries of the judges of the Supreme Court of Ontario are as follows:

	Per annum
(a) The Chief Justice of Ontario	$18,500.00
(b) Nine Justices of Appeal, each	16,900.00
(c) The Chief Justice of the High Court	18,500.00
(d) Eighteen other Judges of the High Court, each	16,900.00"

Explanatory Notes.

1, 2, 3. These clauses of the Bill provide an increase of $2,500.00 in the salaries of judges of the Supreme Court of Canada, the Exchequer Court of Canada and the superior and county courts of the provinces.

In the proposed new section 13, provision is made for increasing the number of judges for the British Columbia Court of Appeal and the Supreme Court each by one.

The proposed new section 18 provides for a judge of the Northwest Territories. At present the judge of the Yukon Territorial Court is *ex officio* judge of the Territorial Court of the Northwest Territories, but it is intended now to provide the Northwest Territories with its own judge.

3. Sections 9 to 19 of the said Act are repealed and the following substituted therefor:

Salaries of judges of Court of Queen's Bench and of Superior Court of Quebec.

"**9.** The salaries of the judges of the Court of Queen's Bench and of the Superior Court in and for the Province of Quebec are as follows:

	Per annum
(a) The Chief Justice of the Court of Queen's Bench	$18,500.00
(b) Eleven puisne judges of the Court of Queen's Bench, each	16,900.00
(c) The Chief Justice of the Superior Court	18,500.00
(d) The Associate Chief Justice	18,500.00
(e) Forty-four puisne judges of the Superior Court, each	16,900.00

Salaries of judges of Supreme Court of Nova Scotia.

10. The salaries of the judges of the Supreme Court of Nova Scotia are as follows:

	Per annum
(a) The Chief Justice of the Court	$18,500.00
(b) The Judge in Equity	$16,900.00
(c) Five other judges of the Court, each	16,900.00

Salaries of judges of Supreme Court of New Brunswick.

11. The salaries of the judges of the Supreme Court of New Brunswick are as follows:

	Per annum
(a) The Chief Justice of New Brunswick	$18,500.00
(b) Two other judges of the Appeal Division, each	16,900.00
(c) The Chief Justice of the Queen's Bench Division	18,500.00
(d) Three other judges of the Queen's Bench Division, each	16,900.00
(e) The judge of the Court of Divorce and Matrimonial Causes	500.00

Salaries of judges of Court of Appeal and Court of Queen's Bench for Manitoba.

12. The salaries of the judges of the Court of Appeal for Manitoba and of Her Majesty's Court of Queen's Bench for Manitoba are as follows:

	Per annum
(a) The Chief Justice of Manitoba	$ 18,500.00
(b) Four Judges of Appeal, each	16,900.00
(c) The Chief Justice of the Court of Queen's Bench	18,500.00
(d) Five puisne judges of the Court of Queen's Bench, each	16,900.00

Salaries of judges of Court of Appeal and Supreme Court of British Columbia.

13. The salaries of the judges of the Court of Appeal for British Columbia and of the Supreme Court of British Columbia are as follows:

	Per annum
(a) The Chief Justice of British Columbia..	$18,500.00
(b) Six Justices of Appeal, each.....	16,900.00
(c) The Chief Justice of the Supreme Court.	18,500.00
(d) Nine Judges of the Supreme Court, each	16,900.00

Salaries of judges of Supreme Court of Prince Edward Island.

14. The salaries of the judges of the Supreme Court of Judicature of Prince Edward Island are as follows:

	Per annum
(a) The Chief Justice of the Court.....	$18,500.00
(b) One judge of the Court, being also Master of the Rolls of the Court of Chancery.....	16,900.00
(c) One judge of the Court, being also Vice-Chancellor.....	16,900.00

Salaries of judges of Court of Appeal and Queen's Bench for Saskatchewan.

15. The salaries of the judges of the Court of Appeal for Saskatchewan and of Her Majesty's Court of Queen's Bench for Saskatchewan are as follows:

	Per annum
(a) The Chief Justice of Saskatchewan.....	$18,500.00
(b) Four Judges of Appeal, each.....	16,900.00
(c) The Chief Justice of the Court of Queen's Bench.....	18,500.00
(d) Six other judges of the Court of Queen's Bench, each.....	16,900.00

Salaries of judges of Supreme Court of Alberta.

16. The salaries of the judges of the Supreme Court of Alberta are as follows:

	Per annum
(a) The Chief Justice of Alberta.....	$ 18,500.00
(b) Four Justices of Appeal, each.....	16,900.00
(c) The Chief Justice of the Trial Division..	18,500.00
(d) Six Justices of the Supreme Court of Alberta, each.....	16,900.00

Salaries of judges of Supreme Court of Newfoundland.

17. The salaries of the judges of the Supreme Court of Newfoundland are as follows:

	Per annum
(a) The Chief Justice.....	$18,500.00
(b) Two other Judges.....	16,900.00

Salary of judge of Territorial Court of Yukon Territory.

Northwest Territories.

18. (1) The salary of the judge of the Territorial Court of the Yukon Territory is sixteen thousand nine hundred dollars per annum.

(2) The salary of the judge of the Territorial Court of the Northwest Territories is sixteen thousand nine hundred dollars per annum.

Salaries of judges of county and district courts.

19. The salaries of the judges of the county and district courts are as follows:

	Per annum
Ontario.	
(*a*) Sixty-three judges and junior judges of the County and District Courts, each..	$10,500.00
Nova Scotia.	
(*b*) Seven County Court judges, each.....	10,500.00
New Brunswick.	
(*c*) Six County Court judges, each.....	10,500.00
Manitoba.	
(*d*) Ten judges and junior judges of the County Courts, each.....	10,500.00
British Columbia.	
(*e*) Fifteen judges and junior judges of the County Courts, each.....	$10,500.00
Prince Edward Island.	
(*f*) Three County Court judges, each.....	10,500.00
Saskatchewan.	
(*g*) Eighteen District Court judges, each..	10,500.00
Alberta.	
(*h*) Twelve chief judges and judges of the District Courts, each.....	10,500.00
Newfoundland.	
(*i*) Five District Court judges, each.....	10,500.00".

4. Subparagraphs (i) to (iv) of paragraph *(b)* of subsection (1) of section 21 of the said Act are repealed and the following substituted therefor:

"(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."

5. Section 24 of the said Act is repealed and the following substituted therefor:

Annuity upon retirement at age 75 years, judges of federal courts.

"**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.

"Federal court" defined.

(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."

6. Section 27 of the said Act is repealed and the following substituted therefor:

Annuity to widows.

"**27.** (1) Subject to this section,

(a) where, after the coming into force of this section, a judge dies while holding office, the Governor in Council may grant to the widow of the judge an annuity not exceeding two-ninths of the salary of the judge at the date of his death, to commence immediately after the death of the judge and to continue thenceforth during her natural life, and

(b) where a judge who, before or after the coming into force of this section, was granted a pension or annuity under this Act or any other Act of Parliament providing for the grant of pensions or annuities to judges, dies after the coming into force of this section, the Governor in Council may grant to the widow of the judge an annuity not exceeding one-third of the pension or annuity granted to the judge, to commence immediately after the death of the judge and to continue thenceforth during her natural life.

4. The present subparagraphs read as follows:

"(i) the sum of twelve dollars if that place is a city;
(ii) the sum of eight dollars if that place is not a city;
(iii) the sum of twelve dollars if during the time he so attends he is accommodated at a city and the Minister of Justice is satisfied that suitable accommodation is not available at the place at which he attends; and
(iv) the sum of twelve dollars if he attends at a place where, in the opinion of the Minister of Justice, suitable accommodation is not available for eight dollars a day."

The purpose of the amendment is to permit an increase of the twelve dollar allowance in special cases.

5. The present section 24 reads as follows:

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

(a) the Supreme Court of Canada or the Exchequer Court of Canada for at least ten years, or

(b) the Supreme Court of Canada or the Exchequer Court of Canada 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 the Supreme Court of Canada or the Exchequer Court of Canada 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) The Governor in Council may grant to a person who held office as a judge of the Supreme Court of Canada on the 31st day of March, 1927, and who continues in office until he attains the age of seventy-five years, an annuity not exceeding three-fourths of the salary annexed to the office held by him at the time he ceases to hold office, to commence at that time and to continue thenceforth during his natural life."

The purpose of the amendment to subsection (1) is to extend the section to judges of the Territorial Courts; provision is made in clauses 9 and 10 of this Bill for retirement at age seventy-five.

Subsection (2) of the present clause 24 is spent; there are no judges in office to whom the section could apply.

6. The present section 27 reads as follows:

"**27.** (1) The Governor in Council may, in lieu of an annuity authorized by any other section of this Act, grant to a judge

(a) who elects in writing within ninety days of his first appointment as a judge to accept an annuity authorized by this section, or

(b) who, on or before the 1st day of November, 1944, or within ninety days of his first appointment as a judge, elected in writing to accept an annuity authorized by section 26A of the *Judges Act*, chapter 105 of the Revised Statutes of Canada, 1927, as amended by chapter 45 of the Statutes of Canada, 1944-45,

an annuity not exceeding two-thirds of the annuity that the Governor in Council might, but for the election, have granted to him pursuant to the provision of this Act other than this section.

(2) The Governor in Council may grant to the wife of a judge to whom an annuity is granted under subsection (1) an annuity not exceeding one-half of the annuity granted to the judge to commence with the first payment of the annuity to the judge and to continue thenceforth during her natural life.

(3) When a judge who has made an election mentioned in subsection (1) dies while holding office, the Governor in Council may grant to the widow of such judge an annuity not exceeding two-ninths of the salary of the judge at the date of his death, to commence immediately after the death of the judge and to continue thenceforth during her natural life."

This clause would abolish the provisions of the Act whereby judges may elect to divide their annuities with their wives, and substitute provisions whereby in all cases the full annuity will in the first instance be granted to the judge, and, in the event of his death, one-third thereof to the surviving widow.

Limitations.

(2) No annuity shall be granted under this section to the widow of a judge if

(a) at the date of the death of the judge, the widow was in receipt of an annuity granted under any of the Acts mentioned in paragraph *(b)* of subsection (1), or

(b) before or after the coming into force of this section, the widow married the judge after he ceased to hold office.

Remarriage.

(3) An annuity granted to the wife or widow of a judge under any of the Acts mentioned in paragraph *(b)* of subsection (1) shall cease on her remarriage."

Repeal.

7. Subsections (4), (5) and (6) of section 28 of the said Act are repealed.

Salary increases not to affect annuities.

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.

9. Section 20 of the *Northwest Territories Act*, chapter 331 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Territorial Court.

"**20.** (1) There shall be a superior court of record in and for the Territories to be called the Territorial Court, consisting of one judge appointed by the Governor in Council.

Tenure of office of judge.

(2) A judge of the Court holds office during good behaviour, but is removable by the Governor General on address of the Senate and House of Commons, and ceases to hold office upon attaining the age of seventy-five years."

10. Section 28 of the *Yukon Act*, chapter 53 of the statutes of 1952-53, is repealed and the following substituted therefor:

Tenure of office of judges.

"**28.** The judges of the Court hold office during good behaviour, but are removable by the Governor in Council on address of the Senate and House of Commons, and cease to hold office upon attaining the age of seventy-five years."

Coming into force.

11. Section 9 of this Act shall come into force on the 1st day of July, 1955.

Secondly, the amendment would authorize a grant in all cases of an annuity equal to two-ninths of salary to the widow where the judge dies in office.

7. The repeal of section 28(4), (5) and (6) is consequential upon the enactment of the proposed new section 27.

8. This clause provides that the increase in salaries under this Bill will not result in increased annuities to judges or their wives or widows.

9. This amendment to the *Northwest Territories Act* is necessary to provide a judge for the Territorial Court.

The proposed subsection (2) of section 20 is new.

10. This amendment would place the Yukon judge in the same position as the judge of the Northwest Territories Court.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 506.

An Act to amend the Customs Tariff.

First reading, June 21, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

59187

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 506.

An Act to amend the Customs Tariff.

R.S. cc. 60, 316; 1952-53, c. 31; 1953-54, c. 53.

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

1. The *Customs Tariff*, chapter 60 of the Revised Statutes of Canada, 1952, is amended by adding thereto, immediately after section 6 thereof, the following section:

Additional duty in respect of subsidized goods.

"**6A.** (1) Where in the opinion of the Governor in Council subsidized goods of a class or kind made or produced in Canada have been or may be directly or indirectly imported into Canada, he may declare such goods to be subject to an additional duty on their importation equal to the amount of the subsidy on those goods as determined by him.

Definitions. "Subsidized goods".

(2) In this section,

(a) "subsidized goods" means goods

(i) in respect of the production, manufacture, processing, purchase, sale, export or import of which a subsidy has been paid directly or indirectly by a government outside Canada, or any agency thereof, or

(ii) that have been disposed of at a loss by any such government or agency

and includes any goods obtained or derived therefrom by manufacture, assembly, processing or otherwise;

"Subsidy".

(b) "subsidy" does not include the amount of any internal tax imposed on the goods within the country of origin or export from which the goods have been exempted or have been or will be relieved by means of refund or drawback.

Explanatory Note.

The purpose of this Bill is to implement the Resolutions relating to the Customs Tariff tabled with the Budget and the further Resolutions relating to the Tariff tabled on June 2, 1955.

Exception.

(3) Notwithstanding anything in this section, where goods that are subject to additional duty under this section are also subject to special or dumping duty under section 6, the amount of the additional duty payable under subsection (1) of this section shall be reduced by the amount of the special or dumping duty payable under section 6.

Goods deemed of a class or kind not made in Canada.

(4) For the purposes of this section, goods may be deemed to be of a class or kind not made or produced in Canada where similar goods of Canadian production are not offered for sale to the ordinary agencies of wholesale or retail distribution or are not offered to all purchasers on equal terms under like conditions, having regard to the custom and usage of trade.

Regulations.

(5) The Governor in Council may make such regulations as are deemed necessary for carrying out the provisions of this section and for its enforcement."

Schedule A amended.

2. Schedule A to the said Act is amended by striking out tariff items 9*c*, 46*a*, 134, 135, 135*a*, 135*b*, 136, 136*a*, 137, 140, 157*a*, 181*b*, 237*a*, 238, 254, 254*b*, 326*c*(4), 364, 407, 409*e*(1) and (2), 409*f*, 409*m*(1), 410*k*, 410*p*, 410*t*, 418, 422*a*, 423, 427*b*, 438*b*, 438*c*, 438*i*, 440*l*, 440*m*(i) and (ii), 440*n*, 440*o*(i) and (ii), 443*c*, 446*k*, 447*b*, 476, 523*f*, 541, 557*b*, 663*i*, 695*a*, 696*a*, 703(*c*), 711, 756, 825, 901(*a*) and (*b*), 902, 905 and 921, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of the said items, and by inserting in Schedule A to the said Act the items, enumerations and rates of duty specified in Schedule A to this Act.

Schedule A further amended.

3. Schedule A to the said Act is further amended by striking out tariff items 95*a*, 106 and 208*h*, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of the said items, and by inserting in Schedule A to the said Act the items, enumerations and rates of duty specified in Schedule B to this Act.

Schedule B amended.

4. Schedule B to the said Act is amended by striking out tariff items 1044, 1052 and 1053, the enumerations of goods and the rates of drawback of customs duties set opposite each of the said items, and by inserting in Schedule B to the said Act the items, enumerations and rates of drawback of customs duties specified in Schedule C to this Act.

Schedule B further amended.

5. Schedule B to the said Act is further amended by inserting therein the item, enumeration of goods and the rate of drawback of customs duties specified in Schedule D to this Act.

Coming into force.

6. (1) Sections 2 and 4 of this Act and Schedules A and C to this Act shall be deemed to have come into force on the 6th day of April, 1955, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day and to have applied to goods previously imported for which no entry for consumption was made before that day.

(2) Sections 1 and 3 of this Act and Schedule B to this Act shall be deemed to have come into force on the 3rd day of June, 1955, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day and to have applied to goods previously imported for which no entry for consumption was made before that day.

(3) Section 5 of this Act and Schedule D to this Act shall be deemed to have come into force on the 7th day of April, 1954.

SCHEDULE—A

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
9c	Horse meat, tripe and other animal offal, ground or unground, unfit for human consumption; *whale meat;* feeds consisting wholly or in part of cereals but not including baked biscuits; all the foregoing when for use exclusively in the feeding of fur-bearing animals or in the manufacture of feeds for such purposes...	Free	Free	Free
82	*Sweet potato plants*.....	Free	Free	30 p.c.
134	All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, not covered by tariff item No. 135, when not exceeding eighty-eight degrees of polarization.....per one hundred pounds	83 cts.	$1.50	$1.50
	When exceeding eight-eight degrees but not exceeding eighty-nine degrees.....per one hundred pounds	85 cts.	$1.53	$1.53
	When exceeding eighty-nine degrees but not exceeding ninety degrees.....per one hundred pounds	87 cts.	$1.55	$1.55
	When exceeding ninety degrees but not exceeding ninety-one degrees.....per one hundred pounds	89 cts.	$1.58	$1.58
	When exceeding ninety-one degrees but not exceeding ninety-two degrees.....per one hundred pounds	91 cts.	$1.62	$1.62
	When exceeding ninety-two degrees but not exceeding ninety-three degrees.....per one hundred pounds	93 cts.	$1.65	$1.65
	When exceeding ninety-three degrees but not exceeding ninety-four degrees.....per one hundred pounds	95 cts.	$1.68	$1.68
	When exceeding ninety-four degrees but not exceeding ninety-five degrees.....per one hundred pounds	97 cts.	$1.70	$1.70
	When exceeding ninety-five degrees but not exceeding ninety-six degrees.....per one hundred pounds	99 cts.	$1.74	$1.74
	When exceeding ninety-six degrees but not exceeding ninety-seven degrees.....per one hundred pounds	$1.01	$1.77	$1.77
	When exceeding ninety-seven degrees but not exceeding ninety-eight degrees.....per one hundred pounds	$1.03	$1.80	$1.80
	When exceeding ninety-eight degrees but not exceeding ninety-nine degrees.....per one hundred pounds	$1.09	$1.89	$1.89
	When exceeding ninety-nine degrees.....per one hundred pounds	$1.09	$1.89	$1.89
	Refined sugar is entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions, and not otherwise.			
	Sugar imported under this item is not subject to special duty in excess of three-fourths of one cent per pound.			
135	Sugar above number sixteen Dutch standard in colour when imported or purchased in bond in Canada by a recognized sugar refiner, for refining purposes only, under regulations by the Minister, and sugar, n.o.p., not above number sixteen Dutch standard in colour, when not exceeding seventy-six degrees of polarization.....per one hundred pounds	Cts. 20·627	Cts. 70·851	Cts. 70·851
	When exceeding seventy-six degrees but not exceeding seventy-seven degrees.....per one hundred pounds	20·647	73·213	73·213
	When exceeding seventy-seven degrees but not exceeding seventy-eight degrees..per one hundred pounds	20·667	75·574	75·574
	When exceeding seventy-eight degrees but not exceeding seventy-nine degrees...per one hundred pounds	20·687	77·936	77·936
	When exceeding seventy-nine degrees but not exceeding eighty degrees.....per one hundred pounds	20·707	80·298	80·298

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	When exceeding eighty degrees but not exceeding eighty-one degrees.....per one hundred pounds	20·727	82·659	82·659
	When exceeding eighty-one degrees but not exceeding eighty-two degrees.....per one hundred pounds	20·747	85·021	85·021
	When exceeding eighty-two degrees but not exceeding eighty-three degrees.....per one hundred pounds	20·767	87·383	87·383
	When exceeding eighty-three degrees but not exceeding eighty-four degrees.....per one hundred pounds	20·857	90·040	90·040
	When exceeding eighty-four degrees but not exceeding eighty-five degrees.....per one hundred pounds	20·947	92·697	92·697
	When exceeding eighty-five degrees but not exceeding eighty-six degrees.....per one hundred pounds	21·036	95·353	95·353
	When exceeding eighty-six degrees but not exceeding eighty-seven degrees.....per one hundred pounds	21·126	98·010	98·010
	When exceeding eighty-seven degrees but not exceeding eighty-eight degrees....per one hundred pounds	21·512	$1·00963	$1·00963
	When exceeding eighty-eight degrees but not exceeding eighty-nine degrees.....per one hundred pounds	21·897	$1·03915	$1·03915
	When exceeding eighty-nine degrees but not exceeding ninety degrees.....per one hundred pounds	22·872	$1·07457	$1·07457
	When exceeding ninety degrees but not exceeding ninety-one degrees.....per one hundred pounds	23·848	$1·11000	$1·11000
	When exceeding ninety-one degrees but not exceeding ninety-two degrees.....per one hundred pounds	24·823	$1·14542	$1·14542
	When exceeding ninety-two degrees but not exceeding ninety-three degrees.....per one hundred pounds	25·799	$1·18085	$1·18085
	When exceeding ninety-three degrees but not exceeding ninety-four degrees.....per one hundred pounds	26·762	$1·21627	$1·21627
	When exceeding ninety-four degrees but not exceeding ninety-five degrees.....per one hundred pounds	27·737	$1·25170	$1·25170
	When exceeding ninety-five degrees but not exceeding ninety-six degrees.....per one hundred pounds	28·712	$1·28712	$1·28712
	When exceeding ninety-six degrees but not exceeding ninety-seven degrees.....per one hundred pounds	29·688	$1·32255	$1·32255
	When exceeding ninety-seven degrees but not exceeding ninety-eight degrees.....per one hundred pounds	30·664	$1·35798	$1·35798
	When exceeding ninety-eight degrees but not exceeding ninety-nine degrees.....per one hundred pounds	31·64	$1·47606	$1·47606
	When exceeding ninety-nine degrees.....per one hundred pounds	35·606	$1·47606	$1·47606
	Sugar imported under this item is not subject to special duty.			
135*a*	Invert sugar, and syrups the product of the sugar cane or beet, and all imitations thereof or substitutes therefor, *in which the percentage of the total of reducing sugars after inversion is seventy-one per cent or greater of the total solids by weight*, not including syrups in receptacles of such size that the gross weight of the receptacle and contents does not exceed sixty pounds:			
	When the total of reducing sugars after inversion is equivalent to not more than sixty-five per cent *by weight of the total syrup*.....per one hundred pounds	68 cts.	$1·23	$1·23
	When the total of reducing sugars after inversion is equivalent to more than sixty-five per cent, but not more than seventy per cent *by weight of the total syrup*.....per one hundred pounds	74 cts.	$1·33	$1·33
	When the total of reducing sugars after inversion is equivalent to more than seventy per cent *by weight* of the total syrup.....per one hundred pounds	83 cts.	$1·50	$1·50
136	*Syrups, the product of the sugar cane, in which the percentage of the total of reducing sugars after inversion is less than seventy-one per cent of the total solids by weight .....per gallon*	Free	1 ct.	1½ cts.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
137	*Molasses, produced by the evaporation and partial inversion of the juice of the sugar cane, in which the percentage of sulphated ash is not more than nine per cent by weight, for human consumption only*.....*per gallon*	Free	1 ct.	1½ cts.
140	Syrups, the product of the sugar cane or beet, and all imitations thereof or substitutes therefor, n.o.p. ..*per gallon*	5 cts.	6½ cts.	7 cts.
157*a*	Amyl alcohol	Free	Free	Free
181*b*	Processed paper, in single sheets, *punched or not*, printed *or not*, for use *as master units in offset* duplicating machines	Free	7½ p.c.	35 p c
219*h*	*Chemicals, except antibiotics, of a kind not produced in Canada, without admixture or mixed only with any necessary carrier or diluent, when for use in the manufacture of animal or poultry feeds*	Free	Free	25 p.c.
237*a*	*Deuterium oxide or heavy water;* uranium in the form of pigs, ingots, billets or bars On and after July 1, 1958	Free Free	Free 15 p.c.	25 p.c. 25 p.c.
238	*Activated carbon*	Free	Free	25 p.c.
254	Gums, namely: (1) Copal, damar, benzoin, Pontianac, nattakuching, barberry, elemi, gedda, Senegal, tragacanth, mastic and sandarac (2) Amber and Arabic (3) Australian and kauri; ambergris (4) Gums and blends consisting wholly or in chief part of gums, n.o.p	 Free Free Free	 Free Free 10 p.c.	 15 p.c. Free 15 p.c.
255	Lac, crude, seed, button, stick and shell	Free	10 p.c.	15 p.c.
255*a*	*Bleached shellac, including refined or dewaxed bleached shellac*	Free	10 p.c.	15 p.c.
255*b*	Lac, crude, seed or stick when imported by manufacturers of bleached shellac for use exclusively in the manufacture of bleached shellac in their own factories	Free	Free	Free
262	*Chemical compounds for removing water and salts from crude petroleum oils*	Free	Free	25 p.c.
326*c*	(4) Glass plates or discs *and glass prisms*, rough cut or unwrought, for use in the manufacture of optical instruments, when imported by manufacturers of optical instruments	Free	Free	Free
364	Diamond dust or bort and black diamonds, for borers; diamond dust mixed with a carrier, in cartridges *or in tubes*, the component material of chief value being diamond dust	Free	Free	Free
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over *or with* gears or sprockets *or radially grooved wheels* with machine cut teeth....	Free	20 p.c.	25 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
409*e*	(1) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus for the destruction of predatory animals by the discharge of poisonous cartridges and poisonous cartridges for such apparatus; *automatic explosive bird-scaring devices;* starter cartridges for diesel engines; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; dehorning instruments; parts of the foregoing.....	Free	Free	Free
	(2) Combination bagging and weighing machines, and grading, grating, washing and wiping machines, *for fresh fruits and fresh vegetables;* machines for topping vegetables; machines for bunching and/or tying cut flowers, vegetables and nursery stock; machines for making or lidding boxes for fruit or vegetables; egg-graders and egg-cleaners; silage caps; parts of the foregoing.....	Free	Free	Free
409*f*	Automatic stock watering bowls; Barn hay forks, carriage, pulleys and track; Barn litter carriers and track, Grain crushers; Grain or hay dryers; Grain or hay grinders; Hitches and couplings; Hydraulic hoists for unloading vehicles; *Machines and tools for use on tractors, including blades, loaders, rippers, rakes and related operating and controlling gear;* Milk coolers; Plough bolts; *Sodium metabisulphite;* Sprinkler irrigation systems; Steel stanchions for confining livestock either in pens or individually, *and* complete equipment for milking parlors; All the foregoing for use on the farm for farm purposes only; *Brooders for rearing young farm animals;* Ensilage cutters; Fodder or feed cutters; Grain loaders or elevators with a capacity not exceeding forty bushels per minute; Hay loaders; Hay tedders; Post hole diggers; Potato diggers; Potato planters; Snaths; Stumping machines; All other agricultural implements or agricultural machinery, n.o.p.; Parts of all the foregoing.....	Free	Free	Free
409*m*	(1) Internal combustion tractors other than highway truck-tractors; accessories for such tractors, *n.o.p.;* parts of all the foregoing.....	Free	Free	Free
409*s*	*Poultry processing equipment, namely: plucking, scalding, washing, singeing, eviscerating and packaging equipment; parts of the foregoing*.....	Free	7½ p.c.	35 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
410*k*	Machinery and apparatus, of a class or kind not made in Canada, for use exclusively in handling ore and other materials to be charged into a blast furnace *or an electric smelting furnace*, from the dock, car or stock pile, at the smelting works	Free	Free	Free
410*p*	Sundry articles of metal as follows, for use exclusively in metallurgical operations, namely: furnaces for the smelting of ores; converting apparatus for metallurgical processes in metals; apparatus for chemical conversion, extraction, reduction or recovery, n.o.p.; machinery for the extraction of precious metals by the chlorination or cyanide processes, not including pumps, vacuum pumps or compressors; blast furnace blowing engines for the production of pig iron; parts of the foregoing	Free	Free	Free
410*t*	Blowers, of iron or steel, of a class or kind not made in Canada, for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal, of a class or kind not made in Canada, for roasting ore, mineral, rock or clay; furnace slag trucks and slag pots, of a class or kind not made in Canada; and parts of all the foregoing	Free	Free	Free
418	Machinery and apparatus and parts thereof, for use exclusively in the manufacture of fish meal, liquid fish and fish solubles, stock and poultry food and fertilizers from fish and waste thereof	Free	10 p.c.	20 p.c.
422*a*	Concrete road-paving machines, self-propelling, end loading type, with a capacity of twenty-one cubic feet of wet concrete or more; concrete and asphalt road finishing machines; form graders; sub-graders; combination excavating and transporting scraper units; concrete mixers, transit type; dump wagons or trailers, having a capacity of ten cubic yards or over, not self-propelled; back-filling machines and equipment, mounted on self-propelling wheels or crawling traction, semi- or full-revolving boom and scraper type; steam or air driven pile hammers or extractors; well points, *well screens, well strainers;* truck turntables; all the foregoing of a class or kind not made in Canada, and complete parts thereof	Free	10 p.c.	12½ p.c.
423	*Dental chairs; dental units;* electric dental engines; *parts of the foregoing*	Free	Free	35 p.c.
427*b*	(1) Ball and roller bearings for the repair of agricultural implements and agricultural machinery specified in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409h, 409j, 409k, 409l, 409n, 409o, 409q *and the tractors provided for in tariff item 409m;* parts thereof.	Free	Free	Free
	(2) *Ball and roller bearings of a class or kind not made in Canada, n.o.p.; parts thereof*	Free	Free	35 p.c.
	(3) *Ball and roller bearings, n.o.p.; parts thereof*	Free	17½ p.c.	35 p.c.
427*m*	*Machines and tools, including blades, loaders, rippers, rakes and related operating and controlling gear; all the foregoing for use on internal combustion tractors, other than highway truck-tractors:*			
	(1) of a class or kind made in Canada; parts thereof	10 p.c.	22½ p.c.	35 p.c
	(2) of a class or kind not made in Canada; parts thereof	Free	7½ p.c.	35 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
432*f*	*Closures or caps, bearing the tax seal of a foreign government, to be used for capping receptacles holding liquid to be exported*	Free	Free	30 p.c.
438*b*	Bearings, ball or roller; Bearings, clutch release, *with or without collar attached;* Bearings, graphite; Bearings, steel or bronze backed, with non-ferrous metal lining, parts and materials therefor; Bearings, steering knuckle thrust; *Bushings or sleeve bearings of bronze or powdered metal;* Bushings, graphited or oil impregnated; Ceramic insulator spark plug cores not further manufactured than burned and glazed, printed or decorated or not, without fittings; Collars, crankshaft thrust; Compressors and parts thereof, air; Commutator copper segments; commutator insulating end rings; Tapered discs of hot rolled steel, with or without centre hole, for disc wheels; Diaphrams for fuel and vacuum pumps; Distributor rotors and cam assemblies; Door bumper shoes; Electric wiring terminals, sockets, fittings and connectors and parts and combinations thereof, including brackets and fittings permanently attached thereto, but not including battery terminals; Gaskets of any material except cork or felt, composite or not, parts and materials therefor; Ignition contact points; Keys for shafting; Auxiliary driving control kits, designed for attachment to motor vehicles to facilitate their operation by physically disabled persons, and parts thereof; Lenses of glass for motor vehicle lamps and for light reflectors; Lock washers; Magnetic plugs; Piston ring castings in the rough, with or without gates and fins removed: Propeller shaft tubes of steel bonded by rubber; Rails of lock seam section, corners, locks and catches, unplated ventilators and parts thereof, the foregoing being of metal other than aluminum, for the manufacture of window sashes for bus bodies; Steel bolts, studs, plugs, rivets or nuts, capped with stainless steel, and parts thereof; Switches, relays, circuit breakers and solenoids and combinations and parts thereof, including starter switch assemblies; Shift control, electric, for two speed rear axles; Vacuum, hydraulic or air control assemblies and parts thereof; Vulcanized fibre in sheets, rods, strips and tubings; Parts of all the foregoing; All of the foregoing for use in the manufacture or repair of goods enumerated in tariff items 424 and 438a, or for use in the manufacture of parts therefor:-			
	1. When of a class or kind not made in Canada..	Free	Free	30 p.c.
	2. When of a class or kind made in Canada.....	Free	17½ p.c.	30 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
438*c*	Ammeters; Arm rests and wheel housing lining of indurated fibre, pressed to shape; Axle housings, one piece welded, machined or not, including parts welded thereto; Carburetors; Chassis frames and steel shapes for the manufacture thereof; Cigar and cigarette lighters, whether in combination with a cigarette holder or not, including base; Control ventilator gear box; Cylinder lock barrels, with or without sleeves and keys thereof; Dash heat indicators; Engine speed governor units; External ornaments unplated, *including name plates, letters and numerals*, but not including finish or decorative mouldings; Fluid couplings with or without drive plate assemblies; Gauges, gasoline, oil or air; Grilles not plated, polished or not before assembly, and parts thereof not plated or polished *after final forming, casting or piercing*, not including added finish or decorative mouldings; Hinges, finished or not, for bodies; Horns; Instrument bezel assemblies; Instrument board lamps; Instrument panel, glove compartment, luggage compartment, hood compartment and door step lamps and wire assemblies; Locks, electric ignition, steering gear, transmission, or combinations of such locks; Mouldings of metal, with nails set in position, lead filled or not; Oil filter parts, namely:—perforated filter refill oil board bodies, refill end discs, and roll-seam perforated tubes; Ornaments and identification plates of metal, unplated, not including finished or decorative mouldings; Pipe lines of tubing, rigid, covered or not, with or without fittings, and tubing therefor; Purifiers for gasoline, including brackets and fittings therefor; Radiator shutter assemblies, automatic; Radiator water gauges; Radiator shells not plated nor metal finished in any degree; Shackles, bearing spring; Speedometers; Spring covers of metal and closing strips or shapes therefor; Steering wheels, rims and spiders therefor; Sun visor blanks of gypsum weatherboard; Tachometers, with or without tachographs, both electric and gear driven; Thermostatic controls; Throttle, spark, choke, and hood lock release assemblies, including buttons therefor; Torque convertors; Auxiliary transmission overdrive units and controls therefor; Universal joint ball assemblies; Windshield and window wipers; Parts of all the foregoing, including brackets, fittings and connections therefor;			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	Stampings, body, cowl, fender, front end, hood, instrument board, shields and baffles, of metal in the rough, trimmed or not, whether or not welded in any manner before final forming or piercing, but not metal finished in any degree;			
	All of the foregoing when for use in the manufacture or repair of the goods enumerated in the tariff items 410a(iii), 424 and 438a, or for use in the manufacture of parts therefor.....	Free	17½ p.c.	30 p.c.
	(1) If the above articles, when of a class or kind not made in Canada, are for use as original equipment by a manufacturer of passenger automobiles (having a seating capacity for not more than ten persons each) enumerated in tariff item 438a whose total factory output during the year in which importation is sought, does not exceed ten thousand such complete passenger automobiles, and if not less than forty per cent of the factory cost of production of such auotmobiles, not including duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(2) If the above articles, when of a class or kind not made in Canada, are for use as original equipment by a manufacturer of passenger automobiles (having a seating capacity for not more than ten persons each) enumerated in tariff item 438a, whose total factory output, during the year in which importation is sought, exceeds ten thousand, but does not exceed twenty thousand such complete passenger automobiles, and if not less than fifty per cent of the factory cost of production of such automobiles, not including duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(3) If the above articles, when of a class or kind not made in Canada, are for use as original equipment by a manufacturer of passenger automobiles (having a seating capacity for not more than ten persons each) enumerated in tariff item 438a, whose total factory output, during the year in which importation is sought, exceeds twenty thousand such complete passenger automobiles, and if not less than sixty per cent of the factory cost of production of such automobiles, not including duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(4) If the above articles, when of a class or kind not made in Canada, are for use as original equipment by a manufacturer of motor trucks, motor buses, electric trackless trolley buses, fire fighting vehicles, motor ambulances, and hearses, or chassis for same, as enumerated in tariff items 410a(iii), 438a and 424, whose total factory output of such vehicles during the year in which importation is sought, does not exceed ten thousand such vehicles, and if not less than forty per cent of the factory cost of production of such vehicles, not including duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be..	Free	Free	25 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	(5) If the above articles, when of a class or kind not made in Canada, are for use as original equipment by a manufacturer of motor trucks, motor buses, electric trackless trolley buses, fire fighting vehicles, motor ambulances and hearses, or chassis for same, as enumerated in tariff items 410a(iii), 438a and 424, whose total factory output of such vehicles during the year in which importation is sought, exceeds ten thousand units, and if not less than fifty per cent of the factory cost of production of such vehicles, not including duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(6) If the above articles are of a class or kind not made in Canada and are for use in the repair of the goods enumerated in tariff items 410a(iii), 424 and 438a, or are for use in the manufacture of repair parts therefor, the rates of duty under this item shall be.	Free	Free	25 p.c.
	(7) The Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item.			
438*i*	Body bottom cross members and steel shapes for the manufacture thereof; Bumpers, front and rear, including spring steel bumper plates; Casket tables or platforms for hearses; Destination and route sign assemblies, illuminated or not; Direction signals, illuminated or not; Door and step mechanism, hand, vacuum or air operated; Door locks and catches; Electric switches, buzzers, bells, push buttons, fuse assemblies; Forward drive control conversion assemblies; Lamps of all kinds, illuminating and indicating, including sockets, flanges, terminals, glassware, lenses and gaskets therefor, assembled or not, but not to include lamp bulbs, sealed beam units, and electric head lamps; Metal stampings and assemblies thereof, *whether or not coated with oil, primer or sound deadening compound;* Rubber fenders; Seat operating mechanisms; Ventilators, including motor driven fan type, and grilles; Window operating mechanisms; Parts of all the foregoing; All of the foregoing when imported to be used only in the manufacture or repair of motor truck bodies, motor bus bodies, electric trackless trolley bus bodies, fire fighting vehicles, ambulances and hearses.....	Free	Free	20 p.c.
439*g*	*Ships and other vessels, for use in the commercial fishing industry, over one hundred feet registered length*.....	Free	Free	25 p.c.
440*m*	Aircraft, not including engines, under such regulations as the Minister may prescribe:—			
	1. When of types *or* sizes not made in Canada....	Free	Free	27½ p.c.
	on and after July 1, 1958.....	Free	15 p.c.	27½ p.c.
	2. When of types and sizes made in Canada.....	Free	15 p.c.	27½ p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
440*n*	*Aircraft* engines, when imported for use in the equipment of aircraft:—			
	1. When of types *or* sizes not made in Canada....	Free	Free	27½ p.c.
	on and after July 1, 1958.....	Free	15 p.c.	27½ p.c.
	2. When of types and sizes made in Canada.....	Free	15 p.c.	27½ p.c.
440*p*	*Parts of aircraft, n.o.p.:*			
	1. *When of types or sizes not made in Canada*.....	Free	Free	27½ p.c.
	2. *When of types and sizes made in Canada*.....	Free	15 p.c.	27½ p.c.
440*q*	*Parts of aircraft engines, n.o.p.:*			
	1. *When of types or sizes not made in Canada*.....	Free	Free	27½ p.c.
	2. *When of types and sizes made in Canada*.....	Free	7½ p.c.	27½ p.c.
440*r*	*Auxiliary power units;*			
	Bars, tubes, extrusions of aluminum, aluminum alloys and magnesium alloys;			
	Batteries;			
	Bolts, cocks, *cotter pins*, *eyelets*, nuts, pins, *rivets*, *screws*, turnbuckles and clevis, *washers;*			
	Brakes, with related operating gear;			
	Carburettors;			
	Direct or inertia starters with or without related operating gear;			
	Distributors;			
	De-icing and anti-icing equipment;			
	Electric generators;			
	Electric lamps;			
	Exhaust gas analyzers;			
	Fuel pressure warning devices;			
	Forgings *and castings;*			
	Hinges;			
	Hydraulic jacks;			
	Hydraulic pumps;			
	Ignition coils;			
	Instruments;			
	Landing and navigation lights;			
	Magnetos;			
	Oil coolers;			
	Pressure fire extinguishers;			
	Primer pumps;			
	Propellers *and helicopter rotors;*			
	Radio for navigation and air traffic communication;			
	Seats;			
	Spark plugs;			
	Steel tubing;			
	Swaged wires and tie rods;			
	Tires and *tire inner* tubes;			
	Vacuum pumps with related operating gear;			
	Voltage control boxes;			
	Wheels;			
	Parts of all the foregoing;			
	All of the foregoing when of types or sizes not made in Canada and for use in aircraft, aircraft engines, airborne aircraft equipment, or parts of aircraft, aircraft engines, or airborne aircraft equipment.....	Free	Free	27½ p.c.
443*c*	Automatic pilots, thermostatic controls, thermostatically-operated controls, hydrostatically-operated controls and parts of the foregoing, of a class or kind not made in Canada, for use in the manufacture of gas water heaters.....	Free	5 p.c.	30 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
443*f*	*Fryers, equipped with automatic conveyors, for use in the commercial processing of food; parts of the foregoing*	Free	7½ p.c.	30 p.c.
446*k*	Tools, wholly or in part of iron or steel, n.o.p., for use in machines:			
	(1) of a class or kind not made in Canada	Free	7½ p.c.	35 p.c.
	(2) *of a class or kind made in Canada*	10 p.c.	22½ p.c.	35 p.c.
447*b*	Forged steel rolls, hardened and ground; *solid tungsten carbide rolls; steel rolls, faced with tungsten carbide on the rolling surface; any roll of iron or steel consisting of a forged or cast mandrel and a forged sleeve; all of the foregoing* for use exclusively in rolling ferrous or non-ferrous metals	Free	Free	Free
476	Surgical and dental instruments of any material; surgical needles; clinical thermometers and cases therefor; X-ray apparatus *and X-ray film;* microscopes valued at not less than fifty dollars each, retail; complete parts of the foregoing; *electric light lamps designed for use with the foregoing*	Free	Free	Free
476*d*	*Gloves, mittens and other wearing apparel; all of the foregoing when lead-impregnated or lead-lined, for the use of X-ray operators*	Free	Free	Free
481*a*	*Individual pairs of boots or shoes for defective or abnormal feet, when purchased on the written order of a registered medical practitioner*	Free	Free	40 p.c.
523*f*	Woven fabrics of cotton, not coloured, for use in the manufacture of typewriter ribbons	Free	12½ p.c.	15 p.c.
532*e*	*Fabrics wholly of cotton, coated or impregnated, for use in the manufacture of projection screens*	Free	Free	20 p.c.
541	Woven fabrics, wholly of jute, not bleached nor coloured, n.o.p.	Free	5 cts. per 100 lineal yards	15 p.c.
550*d*	*Garnetted material, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, in the natural or undyed state, but not containing silk, nor synthetic fibres or filaments, nor cotton, for use in Canadian manufactures*	Free	Free	Free
557*b*	Garnetted material wholly of silk or of synthetic textile fibres or filaments, obtained by disintegrating cocoons, yarns or fabrics, prepared for use; waste portions of unused fabrics, wholly of silk or of synthetic textile fibres or filaments, n.o.p., not including remnants nor mill ends	Free	7½ p.c.	10 p.c.
557*c*	*Synthetic staple fibres not exceeding twelve inches in length, not more advanced than in the form of sliver; continuous or uncut synthetic filaments imported for converting into lengths not exceeding twelve inches, for use in the manufacture of textile yarns or flock; n.o.p.*	Free	7½ p.c.	10 p.c.
561*d*	Woven cord tire fabric, wholly or in chief part by weight of synthetic textile fibres or filaments, not to contain silk nor wool, coated with a rubber composition, when imported by manufacturers of rubber, to be incorporated by them in pneumatic tires, in their own factories	Free	17½ p.c.	25 p.c.
	and, per pound		3½ cts.	4 cts.
604*c*	*Alum tanned horsehide leather for use in the manufacture of baseballs*	Free	7½ p.c.	27½ p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
663*i*	*Defluorinated calcium phosphates* for use in the manufacture of animal or poultry feeds	Free	Free	Free
671	Artificial abrasive grains, crushed or ground	Free	Free	Free
681*c*	*Cobalt-bearing scrap imported by refiners or smelters for the recovery of the cobalt and attendant by-products*	Free	Free	Free
695*a*	Paintings, *drawings* and pastels *by artists, all of the foregoing when* valued at not less than twenty dollars each; paintings and sculptures by artists domiciled in Canada but residing temporarily abroad for purposes of study, under regulations by the Minister	Free	Free	Free
696*a*	Moving picture films, sound or silent, separate sound film track, slides and slide films, positive or negative; sound discs, records and transcriptions; models, static and moving; wall charts, maps and posters; when certified by the Government or by a recognized representative authority of the Government of the country of production or by an appropriate representative of the United Nations Educational, Scientific and Cultural Organization as being of an international educational, scientific or cultural character; subject to such regulations as the Minister may prescribe	Free	Free	Free
696*d*	*Sound recordings for the use and by order of any society or institution incorporated or established solely for religious purposes, and not for sale or rental, under such regulations as the Minister may prescribe*	Free	Free	Free
696*e*	*Articles and materials designed for the training of mentally retarded children, when for the use and by order of any association, society or institution that trains mentally retarded children*	Free	Free	Free
703	*(c)* Goods (not including alcoholic beverages, cigars, cigarettes or manufactured tobacco) imported (1) by members of the Canadian Forces or by employees of the Canadian Government after an absence from Canada of not less than one year, *or* (2) *by former residents of Canada returning to Canada to resume residence therein after having been residents of another country for a period of not less than one year,* and acquired by them for personal or household use and actually owned abroad by them for at least six months before their return to Canada, under such regulations as the Minister may prescribe Any such goods that are sold or otherwise disposed of within twelve months after importation are subject to the duties and taxes otherwise prescribed.	Free	Free	Free
711	All goods not enumerated in this schedule as subject to any other rate of duty, and not otherwise declared free of duty, and not being goods the importation whereof is by law prohibited	15 p.c.	25 p.c.	25 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	Duty shall not be deemed to be provided for by this item upon dutiable goods mentioned as "n.o.p." in any *other* tariff item.			
	When the component material of chief value in any non-enumerated article consists of dutiable material enumerated in this schedule as bearing a higher rate of duty than is specified in this tariff item, such non-enumerated article shall be subject to the highest duty that would be chargeable thereon if it were composed wholly of the component material thereof of chief value, such "component material of chief value" being that component material which exceeds in value any other single component material in its condition as found in the article.			
901	*(a)* Synthetic resins without admixture, including scrap or waste:			
	1. Phenol-aldehyde type	7½ p.c.	7½ p.c.	17½ p.c.
	2. Amino-aldehyde type	Free	Free	10 p.c.
	3. Alkyd type	5 p.c.	5 p.c.	15 p.c.
	4. Polyamide type	Free	Free	10 p.c.
	5. Polystyrene type	7½ p.c.	7½ p.c.	17½ p.c.
	6. Vinyl type, except vinylidene	5 p.c.	5 p.c.	15 p.c.
	7. Resins derived from natural resin or tall oil, n.o.p.	Free	Free	10 p.c.
	8. *Polyethylene type*	7½ p.c.	7½ p.c.	17½ p.c.
	9. Other type	Free	Free	10 p.c.
	(b) Synthetic resins in the form of aqueous emulsions, aqueous dispersions or aqueous solutions, without admixture:			
	1. Phenol-aldehyde type	7½ p.c.	7½ p.c.	17½ p.c.
	2. Amino-aldehyde type	Free	Free	10 p.c.
	3. Alkyd type	5 p.c.	5 p.c.	15 p.c.
	4. Polyamide type	Free	Free	10 p.c.
	5. Polystyrene type	7½ p.c.	7½ p.c.	17½ p.c.
	6. Vinyl type, except vinylidene	5 p.c.	5 p.c.	15 p.c.
	7. Resins derived from natural resin or tall oil, n.o.p.	Free	Free	10 p.c.
	8. Other type	Free	Free	10 p.c.
902	Synthetic resins, compounded with other materials, in any form, including scrap or waste, for moulding, casting, extruding, calendering, pressing, (moulding compositions or materials for processing into moulding compositions); synthetic resins compounded with other materials in the form of not fully cured preforms or not fully cured blanks for compression moulding:—			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	(a) Phenol-aldehyde type	10 p.c.	15 p.c.	25 p.c.
	(b) Alkyd type	5 p.c.	5 p.c.	15 p.c.
	(c) Polystyrene type	10 p.c.	10 p.c.	20 p.c.
	(d) Vinyl type, except vinylidene	10 p.c.	10 p.c.	20 p.c.
	(e) Polyethylene type	10 p.c.	10 p.c.	20 p.c.
	(f) Other type	Free	Free	10 p.c.
905	Synthetic resin plates, sheets, film, sheeting or strips, not less than six inches in width, n.o.p.; synthetic resin lay-flat tubing, not less than six inches in circumference, n.o.p.:—			
	(a) Phenol-aldehyde type, not further manufactured than cast	Free	Free	10 p.c.
	(b) Acrylic type, not further manufactured than moulded or cast	Free	Free	10 p.c.
	(c) Polyethylene type:			
	1. Plain, uncoated, undecorated	12½ p.c.	12½ p.c.	20 p.c.
	2. Other	15 p.c.	15 p.c.	25 p.c.
	(d) Vinyl type, except vinylidene:			
	1. Plain, uncoated, undecorated	15 p.c.	15 p.c.	25 p.c.
	2. Other	15 p.c.	20 p.c.	30 p.c.
	(e) Vinyl type, vinylidene:			
	1. Plain, uncoated, undecorated	Free	Free	10 p.c.
	2. Other	Free	Free	10 p.c.
	(f) Other type:			
	1. Plain, uncoated, undecorated	Free	Free	10 p.c.
	2. Other	10 p.c.	10 p.c.	20 p.c.
921	Materials of a kind not produced in Canada for use only in the manufacture of goods enumerated in tariff items 901, 902, 903, 904, 905, 906, 907, 909, 910, 911, 912, 913, 914, 916, 917, 918 *(a)*, 918 *(b)*, 919 and *925*, but not including goods themselves enumerated in tariff items 901 to 920, inclusive	Free	Free	10 p.c.
925	*Phenol-aldehyde resins without admixture or in the form of aqueous emulsions, aqueous dispersions or aqueous solutions, without admixture, for use in the manufacture of plywood*	Free	Free	17½ p.c.

SCHEDULE—B

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
95*a*	Melons, n.o.p.....each	Free	Free	3 cts.
106	Fruits, prepared in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:—			
	(a) Peaches.....per pound	1½ cts.	2 cts.	5 cts.
	(b) Apricots and pears.....per pound	2 cts.	2 cts.	5 cts.
	(c) Pineapples.....per pound	1 ct.	2 cts.	5 cts.
	(d) Mixtures containing peaches, pears or apricots per pound	2 cts.	2 cts.	5 cts.
	(e) N.o.p.....per pound	1 ct.	1 ct.	5 cts.
207*b*	Ethylene glycol, for use in the manufacture of explosives.....	Free	Free	Free
207*c*	*Ethylene glycol, and mixtures of ethylene glycol and other glycols in which ethylene glycol predominates, for use in the manufacture of anti-freezing compounds*.....	10 p.c.	10 p.c.	25 p.c.
207*d*	*Anti-freezing compounds, ethylene glycol based*.....	15 p.c.	15 p.c.	25 p.c.

SCHEDULE—C

Item No.	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1018*a*	*Electric-welded pipe of iron or steel, more than sixteen inches in diameter, iron or steel couplings therefor and complete parts of such couplings.*	*When used in the transmission of natural gas under high pressure to points of distribution*.....	50 p.c.
1044	Fire brick.....	When used by producers *of ingots, blooms, slabs and billets of iron or steel,* in the construction or repair of blast furnaces, blast furnace stoves, open hearth furnaces (including checker chambers) and soaking pit furnaces.....	99 p.c.
1052	Machinery; precision instruments and apparatus for heat treating, welding, sorting, testing, inspecting or correcting; control panels *for use with the aforementioned machinery and precision instruments and apparatus;* all of the foregoing of a class or kind not made in Canada; accessories and attachments for use with the aforementioned machinery and precision instruments and apparatus; parts of all the foregoing, not including consumable tools.	When for use in the plants of manufacturers of automobiles and motor vehicles or of automobile or motor vehicle parts for the manufacture of automobiles and motor vehicles or of automobile or motor vehicle parts.....	99 p.c.
1053	Machinery; *precision instruments and apparatus for heat treating, welding, sorting, testing, inspecting, or correcting; control panels for use with the aforementioned machinery and precision instruments and apparatus; all of the foregoing of a class or kind not made in Canada; accessories and attachments for use with the aforementioned machinery and precision instruments and apparatus; parts of all the foregoing,* not including consumable tools.	When for use in the *manufacture* of aircraft, aircraft engines, *airborne* aircraft equipment, or of parts of the foregoing.....	99 p.c.
1071	*Materials of a class or kind not made in Canada.*	*When for use in the manufacture or repair of aircraft, aircraft engines, airborne aircraft equipment, or of parts of the foregoing*.....	99 p.c.

SCHEDULE—D

Item No.	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1019	*Bituminous coal*.....	*When imported by proprietors of coke ovens and converted at their coke ovens into coke for use in the smelting of metals from ores and in the melting of metals.*	99 p.c.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 507.

An Act to amend the Income Tax Act, the Railway Act and the Tariff Board Act in respect of salaries of certain public officials.

First reading, June 23, 1955.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

59724

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 507.

An Act to amend the Income Tax Act, the Railway Act and the Tariff Board Act in respect of salaries of certain public officials.

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

R.S. c. 148; 1952-53, c. 40, s. 74.

1. Subsection (7) of section 86 of the *Income Tax Act*, chapter 148 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Income Tax appeal Board.

"(7) The Chairman shall be paid a salary of $16,900 a year, the Assistant Chairman shall be paid a salary of $14,500 a year, and each of the other members shall be paid a salary of $13,500 a year."

R.S., c. 234.

2. Subsection (1) of section 26 of the *Railway Act*, chapter 234 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Transport Commissioners' salaries.

"**26.** (1) The Chief Commissioner shall be paid an annual salary equal to the salary of the President of the Exchequer Court; the Assistant Chief Commissioner shall be paid an annual salary of fifteen thousand five hundred dollars, the Deputy Chief Commissioner shall be paid an annual salary of fourteen thousand five hundred dollars, and each of the other Commissioners shall be paid an annual salary of thirteen thousand five hundred dollars."

Explanatory Notes.

The purpose of this Bill is to amend the *Income Tax Act*, the *Railway Act* and the *Tariff Board Act* to provide for increases in the salaries of the members of the Income Tax Appeal Board, the Board of Transport Commissioners and the Tariff Board.

1. Subsection (7) of section 86 of the *Income Tax Act* at present reads as follows:

"(7) The Chairman shall be paid a salary of *$14,400* a year, the Assistant Chairman shall be paid a salary of *$13,000* a year and each of the other members shall be paid a salary of *$11,000* a year."

2. Subsection (1) of section 26 of the *Railway Act* at present reads as follows:—

"**26.** (1) The Chief Commissioner shall be paid an annual salary equal to the salary of the President of the Exchequer Court; the Assistant Chief Commissioner shall be paid an annual salary of *fourteen thousand* dollars, the Deputy Chief Commissioner shall be paid an annual salary of *thirteen thousand* dollars, and each of the other Commissioners shall be paid an annual salary of *twelve thousand* dollars."

3. Section 8 of the *Tariff Board Act* at present reads as follows:—

"**8.** The following annual salaries shall be paid out of the Consolidated Revenue Fund, namely:

(a) to the Chairman of the Board, *fifteen thousand* dollars,

(b) to the Vice-Chairman of the Board, *twelve thousand* dollars, and

(c) to the other member of the Board, *eleven thousand* dollars."

R.S. cc. 261; 336.

3. Section 8 of the *Tariff Board Act*, chapter 261 of the Revised Statutes of Canada, 1952, is repealed and the following substituted therefor:

Salaries of Tariff Board members.

"**8.** The following annual salaries shall be paid out of the Consolidated Revenue Fund, namely:

(a) to the Chairman of the Board, sixteen thousand nine hundred dollars,

(b) to the Vice-Chairman of the Board, fourteen thousand five hundred dollars, and

(c) to the other member of the Board, thirteen thousand five hundred dollars."

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 508.

An Act to amend the St. Lawrence Seaway Authority Act.

First reading, June 24th, 1955.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

59929

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 508.

An Act to amend the St. Lawrence Seaway Authority Act.

R.S., c. 242; 1953-54, c. 44.

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

1. Section 18 of the *St. Lawrence Seaway Authority Act*, chapter 242 of the Revised Statutes of Canada, 1952, is amended by adding thereto the following subsection:

Indian lands.

"(5) For greater certainty it is hereby declared that the Authority, acting under this section, is a corporation empowered to take or to use lands or any interest therein without the consent of the owner, within the meaning of section 35 of the *Indian Act*."

Explanatory Note.

1. Section 18 of the *St. Lawrence Seaway Authority Act* at present reads as follows:

"18. (1) With the prior approval of the Governor in Council, the Authority may, without the consent of the owner, take or acquire lands for the purposes of this Act and, except as otherwise provided in this section, all the provisions of the *Expropriation Act* are, *mutatis mutandis*, applicable to the taking, acquisition, sale or abandonment of lands by the Authority under this section.

(2) For the purposes of section 9 of the *Expropriation Act* the plan and description may be signed by the President of the Authority.

(3) The Authority shall pay compensation for lands taken or acquired under this section or for damage to lands injuriously affected by the construction of works erected by it and all claims against the Authority for such compensation may be heard and determined in the Exchequer Court of Canada in accordance with sections 46 to 49 of the *Exchequer Court Act*.

(4) The Authority shall pay out of the funds administered by it the compensation agreed upon or adjudged by the Court to be payable."

509.

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 509.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

AS PASSED BY THE HOUSE OF COMMONS, 24th JUNE, 1955.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

59952

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 509.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1956, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 4, 1955.*

$257,705,895.34 granted for 1955-56.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and fifty-seven million, seven hundred and five thousand, eight hundred and ninety-five dollars and thirty-four cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being one-twelfth of the amount of each of the items to be voted set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1956, as laid before the House of Commons at the present session of Parliament.

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

3. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

Second Session, Twenty-Second Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 510.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

AS PASSED BY THE HOUSE OF COMMONS, 28th JULY, 1955.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1955

53140

2nd Session, 22nd Parliament, 3-4 Elizabeth II, 1955.

THE HOUSE OF COMMONS OF CANADA.

BILL 510.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1956, and for other purposes connected with the Public Service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 5, 1955.*

$2,055,741,-938.07 Main Estimates granted for 1955-56.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two billion, fifty-five million, seven hundred and forty-one thousand, nine hundred and thirty-eight dollars and seven cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being the amount of each of the items voted, set forth in Schedule A to this Act, less the amounts voted on account of the said items by the *Appropriation Act, No. 1, 1955*, the *Appropriation Act No. 3, 1955*, and the *Appropriation Act, No. 4, 1955.*

$147,724,276 Supplementary Estimates granted for 1955-56.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and forty-seven million, seven hundred and twenty-four thousand, two-hundred and seventy-six dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being the amount of each of the items voted, set forth in Schedule B to this Act.

$500,000 Further Supplementary Estimates (1) granted for 1955-56.

4. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole five hundred thousand dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being the amount of the item voted, set forth in Schedule C to this Act.

Power to raise loan of $500,000,000 for public works and general purposes. R.S., c. 116.

5. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of the *Financial Administration Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole, the sum of five hundred million dollars, as may be required for public works and general purposes.

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

6. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act*.

SCHEDULE A

Based on the Main Estimates, 1955–56. The amount hereby granted is $2,055,741,938.07, being the amount of each of the items in the Estimates (less reductions of $30,000 in Resolution No. 331, and $199,999 in Resolution No. 544) as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act, No. 1, 1955*, the *Appropriation Act, No. 3, 1955*, and the *Appropriation Act, No. 4, 1955*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION SERVICE		
1	Departmental Administration (including Advisory Committee on Agricultural Services)	496,998	
2	Information Service	457,771	
3	Contributions to Commonwealth Agricultural Bureaux in a total amount of £34,928, notwithstanding that payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of January, 1955, which is	93,979	
	SCIENCE SERVICE		
	Science Service Administration—		
4	Operation and Maintenance, including an amount of $126,215 for grants in aid of agricultural research in universities and other scientific organizations in Canada	747,762	
5	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,676,995	
6	Bacteriology	232,182	
	Botany and Plant Pathology—		
7	Operation and Maintenance	1,476,560	
8	Construction or Acquisition of Buildings, Works, Land and New Equipment	60,525	
9	Chemistry	768,448	
	Entomology—		
10	Operation and Maintenance	2,153,451	
11	Construction or Acquisition of Buildings, Works, Land and New Equipment	97,600	
	Forest Biology		
12	Operation and Maintenance	1,967,145	
13	Construction or Acquisition of Buildings, Works, Land and New Equipment	144,740	
14	Plant Protection	849,234	
	EXPERIMENTAL FARMS SERVICE		
15	Experimental Farms Service Administration	183,662	
	Central Experimental Farm including Research and Co-ordinating Divisions for the Experimental Farms Service—		
16	Operation and Maintenance	2,338,781	
17	Construction or Acquisition of Buildings, Works, Land and New Equipment	306,000	
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
18	Operation and Maintenance	6,668,649	
19	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,584,902	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Continued*		
	PRODUCTION SERVICE		
20	Production Service Administration	81,800	
	Animal Pathology—		
21	Operation and Maintenance	657,869	
22	Construction or Acquisition of Buildings, Works, Land and New Equipment	181,685	
	Health of Animals—		
23	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act	5,574,659	
24	Compensation for animals slaughtered, including compensation for eggs destroyed from infected premises under terms and conditions approved by the Governor in Council	303,350	
25	Live Stock and Poultry	1,701,103	
26	Plant Products—Seeds, Feeds, Fertilizers, Insecticides and Fungicides Control, including Grant of $40,000 to Canadian Seed Growers' Association	1,527,838	
27	To provide for Grants to Fairs and Exhibitions in accordance with Regulations of the Governor General in Council; for payments pursuant to agreements in force on March 31, 1955, with Exhibition Associations covering the construction of buildings and other major undertakings; and for a Grant of $50,000 to the Royal Agricultural Winter Fair, Toronto, and Freight Assistance on Livestock Shipments for exhibition thereat	840,500	
28	Grants to Agricultural Organizations, as detailed in the Estimates	160,400	
	MARKETING SERVICE		
29	Marketing Service Administration	354,217	
30	Agricultural Economics	656,860	
31	Dairy Products	802,513	
32	Subsidies for Cold Storage Warehouses under the Cold Storage Act, in the amounts detailed in the Estimates	529,235	
33	Fruit, Vegetables and Maple Products, and Honey, including Grant of $5,000 to the Canadian Horticultural Council	1,399,988	
34	Live Stock Products, Stockyard Supervision and Furs	763,583	
35	Poultry Products	751,402	
36	Marketing of Agricultural Products, including temporary appointments that may be required to be made notwithstanding anything contained in the Civil Service Act, the amount available for such appointments not to exceed $6,000	100,000	
	TERMINABLE SERVICES		
37	Freight Assistance on Western Feed Grains	15,500,000	
38	Agricultural Lime Assistance	500,000	
39	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs	5,700,000	
	SPECIAL		
40	Agricultural Products Board Administration	10,000	
41	To provide for grants and other assistance in accordance with the Cheese and Cheese Factory Improvement Act	1,100,000	
42	For assistance in construction of potato warehouses under terms and conditions to be approved by the Governor in Council.	10,000	
43	Prairie Farm Rehabilitaton Act and Water Storage	3,924,253	
44	Major Irrigation and Reclamation projects in the Prairie Provinces	7,048,340	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Concluded*		
	SPECIAL—*Concluded*		
45	Prairie Farm Assistance Act Administration	500,058	
46	Land Protection, Reclamation and Development in British Columbia under such terms and conditions as may be approved by the Governor in Council	90,281	
47	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council	924,000	
48	Maritime Marshland Rehabilitation Act	2,216,017	
49	Assiniboine River—Dyking and Cut-off	100,000	
50	To provide for Administrative Expenses, Agricultural Prices Support Act	89,700	
			76,405,035
	ATOMIC ENERGY		
	ATOMIC ENERGY CONTROL BOARD		
51	Administration Expenses of the Atomic Energy Control Board	45,650	
52	Grants for Researches and Investigations with respect to Atomic Energy	300,000	
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
53	Current Operation and Maintenance, including expendable research equipment	11,366,183	
54	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	6,983,465	
			18,695,298
	AUDITOR GENERAL'S OFFICE		
55	Salaries and Expenses of Office	.....	697,598
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
56	Maintenance and Operation including authority to credit to the Appropriation revenue from the rental of facilities in Radio-Canada Building and at Sackville, New Brunswick, to an amount of $215,000 and to re-expend these moneys for the purposes of the International Service	1,614,625	
57	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision	193,200	
			1,807,825
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
58	Salaries and Expenses of Office	.....	61,025

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
	A—Department		
59	Departmental Administration	493,651	
	Citizenship		
60	Citizenship Registration Branch	226,598	
61	Citizenship Branch	725,323	
	Miscellaneous Grants		
62	Canadian General Council of the Boy Scouts Association	15,000	
63	Canadian Council of the Girl Guides Association	12,000	
64	Boys' Clubs of Canada	10,000	
65	Canadian Writers' Foundation	4,000	
	Immigration Branch		
66	Administration of the Immigration Act	892,756	
67	Field and Inspectional Service, Canada, including $10,000 for Grants to Immigrant Welfare Organizations	5,648,955	
68	Field and Inspectional Service, Abroad	1,832,494	
69	To provide, subject to the approval of Treasury Board, for Trans-Oceanic and Inland Transportation Assistance for Immigrants, including care en route and while awaiting employment	500,000	
	Indian Affairs Branch		
70	Administration	444,602	
	Indian Agencies—		
71	Operation and Maintenance	2,321,336	
72	Construction or Acquisition of Buildings, Works, Land and New Equipment	576,448	
	Reserves and Trusts—		
73	Operation and Maintenance	257,676	
	Welfare of Indians—		
74	Operation and Maintenance	2,315,021	
75	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,022,865	
76	Grants to Agricultural Exhibitions and Indian Fairs	7,350	
77	Fur Conservation	332,155	
	Education—		
78	Administration, Operation and Maintenance	8,521,245	
79	Construction or Acquisition of Buildings, Works, Land and New Equipment	3,927,900	
80	Grant to provide Additional Services to Indians of British Columbia	100,000	
	B—National Gallery of Canada		
81	Administration, Operation and Maintenance, including Industrial Design Division	250,808	
82	Payment to the National Gallery Purchase Account for the purpose of acquiring works of art, in conformity with Section 8 of the National Gallery Act	130,000	
83	Grant to Royal Canadian Academy of Arts	4,025	
			30,572,208

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CIVIL SERVICE COMMISSION		
84	Salaries and Contingencies of the Commission	.....	2,604,585
	DEFENCE PRODUCTION		
	A—Department		
85	Departmental Administration and payments to Canadian Commercial Corporation and other corporate agencies for services provided in connection with defence purchasing and production	6,391,430	
86	Care, Maintenance and Custody of Standby Crown-owned Plants, Buildings, Machine Tools and Production Tooling	750,000	
87	To provide capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown Plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to approval of Treasury Board	8,250,000	
88	To provide for payment of grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	330,000	
	B—Crown Companies		
89	To provide for expenses incurred by Defence Construction (1951) Limited in procuring the construction of defence projects on behalf of the Department of National Defence	3,500,000	
	Canadian Arsenals Limited—		
90	Administration and Operation	1	
91	Construction, Improvements and New Equipment	4,535,558	
			23,756,989
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
92	Departmental Administration	3,731,631	
93	Passport Office Administration	253,779	
94	Representation Abroad—Operational—including payment of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and Staff appointed as directed by the Governor General in Council, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	6,700,339	
95	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, new 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	2,022,190	
96	To provide for official hospitality	30,000	
97	To provide for relief and repatriation of distressed Canadian citizens abroad and their dependents and for the reimbursement of the United Kingdom for relief expenditures incurred by its Diplomatic and Consular Posts on Canadian account (part recoverable)	15,000	
98	Canadian Representation at International Conferences	200,000	
99	Grant to the United Nations Association in Canada	11,000	
100	Grant to the International Committee of the Red Cross	15,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Continued*		
	A—Department and Missions Abroad—*Concluded*		
101	To authorize and provide for the payment from foreign currencies owned by Canada and available only for governmental or other limited purposes, in France, The Netherlands and Italy, of fellowships and scholarships and travelling expenses to enable Canadians to study in those countries, and for payment to the Royal Society of Canada of amounts not to exceed $10,000 in all to meet travelling and other administrative costs incurred by the Society for those it may designate to act on its behalf in selecting persons to receive fellowships and scholarships	125,000	
	B—General		
102	To provide for the Canadian Government's Assessment for Membership in International and Commonwealth Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of January, 1955, which is	2,917,975	
103	To provide for the Canadian Government's Contribution to the United Nations Expanded Program for Technical Assistance to Under-Developed Countries in an amount of $1,500,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of January, 1955, which is	1,448,438	
104	Contribution to the United Nations Children's Fund	500,000	
	North Atlantic Treaty Organization		
105	To provide, subject to the approval of the Governor General in Council and notwithstanding anything to the contrary in the Civil Service Act, for special administrative expenses, including payment of remuneration, in connection with the assignment by the Canadian Government of Canadians to the international staff of the North Atlantic Treaty Organization (part recoverable from the North Atlantic Treaty Organization)	34,383	
	International Civil Aviation Organization		
106	To provide the International Civil Aviation Organization with office accommodation at less than commercial rates	201,872	
	International Joint Commission		
107	Salaries and Expenses of the Commission including, subject to the approval of the Governor General in Council and notwithstanding anything to the contrary in the International Boundary Waters Treaty Act, as amended, payment of salary of the Chairman of $17,000 per annum	103,114	
108	To provide for Canada's share of the expenses of studies, surveys and investigations of the International Joint Commission	111,550	
	Terminable Services		
109	Colombo Plan	26,400,000	
110	To provide for the Canadian Government's Assessment for Membership in the Inter-Governmental Committee for European Migration in an amount of $172,408 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of January, 1955, which is	166,482	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	B—General—*Concluded*		
	Terminable Services—*Concluded*		
111	To provide for the cost of Canada's participation as a member of the International Commission for Supervision and Control in Indo-China	705,000	
			45,692,753
	FINANCE		
	General Administration		
112	Departmental Administration (including the former Administration of Employees' Instalment Purchase Plan and Employees' Group Insurance Plans)	1,965,633	
113	Comptroller of the Treasury—Central Office and Branch Offices Administration	15,616,300	
	Administration of Various Acts and Costs of Special Functions		
114	Superannuation and Retirement Acts, Administration	574,240	
115	The Bank Act—Salaries and expenses of the Inspector General of Banks' Office	31,780	
116	Administration of the Farm Improvement Loans Act and the Veterans' Business and Professional Loans Act	74,178	
	Tariff Board—		
117	Administration	63,993	
	Expenses of the Royal Canadian Mint and the Assay Office, Vancouver, B.C.—		
118	Administration, Operation and Maintenance	1,050,181	
119	Construction or Acquisition of New Equipment	268,970	
	Payments to Municipalities		
120	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations established by Order in Council of August 6, 1952, P.C. 3729; and to provide for payments to municipalities under Order in Council of July 19, 1950, P.C. 3456, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein	3,279,050	
	Contingencies and Miscellaneous		
121	To provide, subject to the approval of the Treasury Board, for miscellaneous minor and unforeseen expenses including authority to re-use any sums repaid to this appropriation from other appropriations, and special compensation or other rewards for inventions or practical suggestions for improvements	1,000,000	
122	Cost of Telephone Service at Ottawa for all Departments	1,060,000	
123	Amount required to cover losses incurred on foreign exchange tendered in payment of accounts receivable	1,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
124	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages and other paylist charges	750,000	
125	To provide for the Government's contribution, as an Employer, to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office	1,080,000	
	GRANTS TO UNIVERSITIES		
126	To provide grants to institutions of higher learning recognized in each province by the Government of Canada and the government of the province as being universities or institutions of equivalent standing equal to an amount, for each province, not exceeding 50 cents per head of its population as certified by the Dominion Bureau of Statistics divided among the recognized institutions of the province proportionately to their enrolment of full time intramural students in personal attendance at the recognized institution or at an institution in the same province affiliated with it who are registered in courses of university level recognized as leading to and counting year for year toward a university degree awarded by a university in Canada and the Minister of Finance may for this purpose more particularly define the terms "university level" and "university degree"	7,800,000	
	MISCELLANEOUS GRANTS		
127	Canadian Association of Consumers	10,000	34,625,325
	FISHERIES		
	GENERAL SERVICES		
128	Departmental Administration	307,840	
129	Information and Educational Service, including Grant of $3,000 to Nova Scotia Fisheries Exhibition	186,000	
130	Markets and Economics Service	263,710	
131	Industrial Development Service	750,000	
	FIELD SERVICES		
132	Field Services Administration	754,200	
	Protection Branch—		
133	Operation and Maintenance	3,228,319	
134	Construction or Acquisition of Buildings, Works, Land and New Equipment	132,500	
	Inspection Branch—		
135	Operation and Maintenance	1,090,086	
136	Construction or Acquisition of Buildings, Works, Land and New Equipment	58,050	
	Fish Culture and Development Branch—		
137	Operation and Maintenance	769,415	
138	Construction or Acquisition of Buildings, Works, Land and New Equipment	220,800	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES—*Concluded*		
	FIELD SERVICES—*Concluded*		
139	Consumer Branch	62,030	
140	Fishermen's Indemnity Plan—Administrative Expenses	215,000	
141	To provide for the destruction of Harbour and Gray Seals	35,000	
	FISHERIES RESEARCH BOARD OF CANADA		
142	Headquarters Administration	130,545	
143	Operation and Maintenance, including an amount of $45,000 for contributions toward Fisheries Research and for Scholarships in Canadian Universities	2,145,398	
144	Construction or Acquisition of Buildings, Works, Land and New Equipment	205,374	
145	To provide for Federal share of administrative expenses of the Great Lakes Fisheries Research Committee established jointly with the Province of Ontario; and to provide for a programme designed to eliminate lampreys in the Great Lakes	355,000	
	INTERNATIONAL COMMISSIONS		
146	To provide for Canadian share of expenses of the International Fisheries Commission appointed under Treaty dated March 2, 1953, between Canada and the United States for the preservation of the North Pacific Halibut Fisheries	93,500	
147	To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission appointed under Treaty dated May 26, 1930, between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System	152,500	
148	To provide for Canadian share of expenses of the International Whaling Commission, appointed pursuant to the International Convention for the Regulation of Whaling, dated at Washington, December 2, 1946	2,500	
149	To provide for Canadian share of expenses of the International Commission for the Northwest Atlantic Fisheries appointed pursuant to International Conventions for the investigation, protection and conservation of the fisheries of the Northwest Atlantic Ocean, dated at Washington, February 8, 1949	12,500	
150	To provide for Canadian share of expenses of the International North Pacific Fisheries Commission appointed pursuant to the International Convention for the High Seas Fisheries of the North Pacific Ocean, dated May 9, 1952	30,000	
	SPECIAL		
151	To provide for operation and maintenance of Newfoundland Bait Service	286,396	
152	To provide for the extension of educational work in co-operative producing and selling among fishermen	80,000	
153	To provide for administrative expenses of the Fisheries Prices Support Act	71,300	
154	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council	200,000	
155	To provide for assistance in the construction of bait freezing and storage facilities, subject to the regulations established by the Governor in Council	30,000	
			11,867,963

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	GOVERNOR GENERAL AND LIEUTENANT-GOVERNORS		
156	Office of the Secretary to the Governor General	183,090	
157	To authorize and provide for the reimbursement to the Lieutenant-Governors of the Provinces of Canada of the costs of travelling and hospitality incurred in the exercise of their duties up to a maximum per annum for each as follows: *(a)* where the population of the province at the last decennial census did not exceed 500,000, $5,000; *(b)* where the population of the province at the last decennial census exceeded 500,000, $5,000 plus $1,000 per each 100,000 or fraction of 100,000 of population over 500,000, but not exceeding $12,000 in any case	86,000	269,090
	INSURANCE		
158	Departmental Administration	.....	517,092
	JUSTICE		
	A—Department		
159	Departmental Administration	472,451	
160	Remission Service, including $20,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by Treasury Board	163,888	
	Supreme Court of Canada—		
161	Administration	197,421	
	Exchequer Court of Canada—		
162	Administration	103,830	
	Yukon Territorial Court—		
163	Administration, including Administration of Justice—Yukon Territory	71,770	
164	Payments of Gratuities to the widows or other dependents of judges who die while in office	20,000	
	Combines Investigation Act—		
165	Restrictive Trade Practices Commission	71,200	
166	Office of Investigation and Research	397,903	
167	Bankruptcy Act Administration	50,430	
168	Northwest Territories—Administration of Justice	81,150	
	General		
169	Expenses of the Royal Commissions on the Law of Insanity, as a Defence in Criminal Cases and on the Criminal Law relating to Criminal Sexual Psychopaths	15,000	
	B—Penitentiaries		
170	Administration of the Office of the Commissioner of Penitentiaries, including $40,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Treasury Board	398,326	
171	Operation and Maintenance of Penitentiaries, including supplies and services relating thereto; administration, operation, repair and upkeep of buildings, works and equipment; maintenance, discharge and transfer of inmates; compensation to discharged inmates permanently disabled while in penitentiaries	8,927,174	
172	Construction, Improvements and New Equipment	1,322,390	12,292,933

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
173	Departmental Administration	685,605	
174	To provide for expenses of the Economics and Research Branch	549,517	
175	Annuities Act—Administration	1,015,522	
176	Fair Wages, Conciliation, Industrial Relations, Industrial Disputes Investigations, including the administration of legislation relating thereto, and for activities *re* promotion of co-operation in industry between Labour and Management	471,694	
177	Canada Labour Relations Board	5,275	
178	Administration of the Canada Fair Employment Practices Act	6,700	
179	International Labour Conferences	62,480	
180	Labour Gazette, authorized by Labour Department Act	134,322	
181	To provide for the effective organization and use of agricultural manpower, including recruiting, transporting and placing workers on farms and related industries and assistance to the Provinces pursuant to agreements that may be entered into by the Minister of Labour with the Provinces and approved by the Governor in Council	260,000	
182	To provide for expenses of the Women's Bureau	24,600	
183	To provide for payments to implement a program for the rehabilitation of disabled persons, in accordance with terms and conditions approved by the Governor in Council, and administrative expenses connected therewith	201,450	
	Vocational Training Co-ordination		
184	Administration	75,845	
	To provide for carrying out the purposes of the Vocational Training Co-ordination Act and agreements made thereunder; to authorize the Minister of Labour to enter into agreements with any province on terms approved by the Governor in Council to provide financial assistance to vocational schools, and training under youth training projects and to provide for the expenditures thereunder and under vocational training agreements entered into in previous years—		
185	Payments to the Provinces	4,320,500	
186	Payments to the Provinces for Capital Expenditures for vocational schools, buildings and equipment (previous year's commitments)	100,000	
	Government Employees Compensation		
187	Administration of the Government Employees Compensation Act	71,795	
	Terminable Services		
188	To provide for expenditures incurred in connection with manpower utilization programs, authorized by the Minister of Labour, including the development of programs for combating seasonal unemployment	25,600	
189	To provide for payment to the National Film Board for educational films for exhibition	24,000	
190	To provide for expenses that may be incurred in the arranging for and the movement of workers from outside Canada to work on farms and other essential industry in Canada when Canadian labour is not available to meet the need, including costs connected with the supervision and welfare of persons already immigrated to Canada; administrative expenses connected therewith and to provide for expenditures under agreements with the Provinces authorized by the Governor in Council	466,873	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR—*Concluded*		
	B—Unemployment Insurance Commission		
191	Administration of the Unemployment Insurance Act, 1940, including expenditures incurred in connection with the activities of the National Employment Service as delegated by the Minister of Labour in accordance with Section 97 of the Act.	27,108,517	
192	Government's Contribution to the Unemployment Insurance Fund	32,500,000	
193	To provide for the transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council.	100,000	
			68,210,295
	LEGISLATION		
	The Senate		
	The Speaker of the Senate—		
194	Allowance in lieu of Residence	3,000	
	Members of the Senate—		
195	To provide, notwithstanding anything in the Senate and House of Commons Act, the Financial Administration Act or any other Act, for payment of indemnity during the present and subsequent fiscal years, in such amount as the Treasury Board may direct, to or in respect of a Member of the Senate for each day on which that Member did not attend a sitting of the Senate because of public or official business, illness or death, and in the case of death during or subsequent to the Second Session of the Twenty-Second Parliament whether or not the Senate is sitting at the date of death, to authorize the payment of the indemnity aforesaid together with immediate payment of the portion of the allowance for expenses mentioned in subsection (4) of section 44 of the Senate and House of Commons Act, the estimated amount required for 1955–56 being	20,000	
196	General Administration	452,684	
	House of Commons		
	The Speaker of the House of Commons—		
197	Allowance in lieu of Residence	3,000	
	Deputy Speaker of the House of Commons—		
198	Allowance in lieu of Apartments	1,500	
	Members of the House of Commons—		
199	To provide, notwithstanding anything in the Senate and House of Commons Act, the Financial Administration Act or any other Act, for payment of indemnity during the present and subsequent fiscal years, on the recommendation of the Board of Internal Economy and in such amount as the Treasury Board may direct, to or in respect of a Member of the House of Commons for each day on which that Member did not attend a sitting of the House of Commons because of public or official business, illness or death, and in the case of death during or subsequent to the Second Session of the Twenty-Second Parliament whether or not the House of Commons is sitting at the date of death, to authorize the payment of the indemnity aforesaid together with immediate payment of the portion of the allowance for expenses mentioned in subsection (4) of section 44 of the Senate and House of Commons Act, and any such payment made except a payment of the portion of the allowance for expenses, shall be deemed, subject to section 6 of the Members of Parliament Retiring Allowances Act, to be part of the sessional indemnity of the appropriate Member for the Session in respect of which it is paid, the estimated amount required for 1955–56 being.	25,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION—*Concluded*		
	HOUSE OF COMMONS—*Concluded*		
200	General Administration—Estimates of the Clerk	1,369,031	
201	Estimates of the Sergeant-at-Arms	717,937	
202	Subscriptions to Publications of the Commonwealth Parliamentary Association to be distributed to Members of the House of Commons, and to provide for the Canadian share of expenses of the Commonwealth Parliamentary Association	10,000	
203	To provide hereby, notwithstanding anything contained in the Financial Administration Act or the provisions of the Senate and House of Commons Act respecting the independence of Parliament, for the payment out of the Consolidated Revenue Fund to each Member of the House of Commons appointed by the Governor in Council to be a Parliamentary Assistant (which appointment shall not render such Member ineligible or disqualify him as a Member of the House of Commons) to assist a Minister of the Crown in such manner and to such extent as the Minister may determine and to represent his Department in the House of Commons in the absence of the Minister therefrom, a salary of four thousand dollars per annum and pro rata for any period less than a year	56,000	
204	To provide for an allowance to the Deputy Chairman of Committees	2,000	
	GENERAL		
205	Printing of Parliament, including salaries of staff of the Joint Distribution Office	295,120	
	LIBRARY OF PARLIAMENT		
206	General Administration	305,543	
	PENSIONS AND OTHER BENEFITS		
207	Pension to the unmarried sister of the late Colonel Harry Baker, M.P.	700	
			3,261,515
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
208	Departmental Administration	487,991	
	EXPLOSIVES ACT		
209	Explosives Act—Administration, Operation and Maintenance	98,340	
	MINES BRANCH		
210	Mines Branch Administration	97,018	
	Mineral Resources Investigations—		
211	Administration, Operation and Maintenance, including a Grant of $12,500 to the Canadian Institute of Mining and Metallurgy to assist in defraying the cost of the Sixth Empire Mining and Metallurgical Congress to be held in Canada in 1957	2,433,296	
212	Construction or Acquisition of New Equipment	158,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Continued*		
	A—Department—*Continued*		
	Mines Branch—*Concluded*		
	Investigations of Radioactive Ores—		
213	Administration, Operation and Maintenance	342,247	
214	Construction or Acquisition of New Equipment	97,790	
215	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine	110,000	
	Geological Survey of Canada		
	Geological Surveys—		
216	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, an amount of $1,875 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England, and an amount of $25,000 for Grants in aid of Geological Research in Canadian Universities	2,394,637	
217	Construction or Acquisition of New Equipment	104,000	
	Surveys and Mapping Branch		
218	Surveys and Mapping Branch Administration	56,536	
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
219	Administration, Operation and Maintenance	1,592,065	
220	Construction or Acquisition of New Equipment	106,000	
	Canadian Hydrographic Service—		
221	Administration Operation and Maintenance, including Canada's Annual Contribution of $4,200 to the International Hydrographic Bureau	2,830,784	
222	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,643,852	
223	Geodetic Survey of Canada—Administration, Operation and Maintenance	554,938	
224	International Boundary Commission	61,081	
225	Legal Surveys and Aeronautical Charts, including a Grant of $350 to the Canadian Institute of Surveying and Photogrammetry	669,502	
226	Provincial and Territorial Boundary Surveys	54,450	
	Map Compilation and Reproduction—		
227	Administration, Operation and Maintenance	917,636	
228	Construction or Acquisition of New Equipment	44,300	
	Geographical Branch		
229	Geographical Branch—Administration, Operation and Maintenance, including a Grant of $250 to the Canadian Association of Geographers	300,345	
	Dominion Observatories		
	Dominion Observatory, Ottawa and Field Stations—		
230	Administration, Operation and Maintenance, including membership fee of $500 to the International Astronomical Union and a Grant of $3,500 to the Royal Astronomical Society of Canada	515,420	
231	Construction or Acquisition of Buildings, Works, Land and New Equipment	97,050	
232	Dominion Astrophysical Observatory, Victoria, B.C.	116,663	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	A—Department—*Concluded*		
	General		
233	Payments to the Royal Canadian Air Force and Commercial Companies for Air Photography, and to provide for the expenses of the Inter-departmental Committee on Air Surveys, including purchases of equipment	1,250,000	
	B—Dominion Coal Board		
234	Administration and Investigations of the Dominion Coal Board	117,600	
235	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council	10,000,000	
			27,252,041
	NATIONAL DEFENCE		
	Defence Services		
236	To provide for the Canadian Forces, the Defence Research Board and other expenditures relating to defence, including contributions toward the military costs of the North Atlantic Treaty Organization; to authorize expenditures in the current year out of the amount hereby provided, not exceeding $175,000,000, under the provisions of Section 3 of the Defence Appropriation Act, 1950, and to provide that, notwithstanding subsection (3) of that Section, where equipment or supplies acquired by the Canadian Forces after March 31, 1950, are transferred, the estimated present value thereof shall, if the Governor in Council so directs, be credited to this vote instead of being paid into the special account mentioned in the said subsection (3), and when so credited may be expended for the purposes of the Canadian Forces; and notwithstanding Section 30 of the Financial Administration Act to authorize total commitments for the foregoing purposes of $4,269,726,540 regardless of the year in which such commitments will come in course of payment (of which it is estimated that $2,443,441,346 will come due for payment in future years)	1,729,285,194	
	General Services		
237	Grants to Military Associations, Institutes and Others, as detailed in the Estimates	248,975	
238	War Museum	25,050	
	Pensions and Other Benefits		
239	Civil Pensions, as detailed in the Estimates	2,977	
240	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	4,140	
	Defence Services Pension Act—		
241	Government's contribution to the Permanent Services Pension Account	40,114,164	
			1,769,680,500

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL FILM BOARD		
242	Administration, Production and Distribution of Films and Other Visual Materials	3,193,730	
243	Acquisition of Equipment	150,700	
244	To provide for the dismantling, conversion and installation of existing equipment, acquisition of new equipment, removal expenses and other costs related to the transfer of the National Film Board to new building	665,290	
			4,009,720
	NATIONAL HEALTH AND WELFARE		
	A—Department		
245	Departmental Administration	1,246,846	
	National Health Branch		
	Health Services		
246	National Health Branch—Administration	170,050	
247	Administration of the Quarantine and Leprosy Acts	403,726	
248	Immigration Medical Services	1,151,340	
249	Sick Mariners Treatment Services	1,003,926	
	Laboratory of Hygiene—		
250	Operation and Maintenance	558,214	
251	Construction or Acquisition of Buildings, Works, Land and New Equipment	45,000	
252	Public Health Engineering	216,005	
253	Occupational Health	298,391	
254	Civil Service Health	312,283	
255	Epidemiology	66,928	
256	Administration of the Food and Drugs and the Proprietary or Patent Medicine Acts	1,277,082	
257	Administration of the Opium and Narcotic Drugs Act	190,710	
	Indians and Eskimos Health Services—		
258	Operation and Maintenance	15,606,781	
259	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,406,950	
260	Grants to Hospitals which care for Indians and Eskimos	54,000	
	Northern Health Services—		
261	Operation and Maintenance	65,230	
262	Construction or Acquisition of Buildings, Works, Land and New Equipment	750,000	
263	Special Technical Services	621,859	
264	Health Insurance Studies and Administration of the General Health Grants	103,531	
	General Health Grants		
265	To authorize and provide for General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates and under terms and conditions approved by the Governor in Council including authority, notwithstanding Section 30 of the Financial Administration Act, to make commitments for the current year not to exceed a total amount of $48,296,137	31,750,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Concluded*		
	A—Department—*Concluded*		
	Grants to Health Organizations		
266	Canadian Mental Health Association	10,000	
267	Health League of Canada	10,000	
268	Canadian Public Health Association	5,000	
269	Canadian National Institute for the Blind	45,000	
270	L'Association Canadienne Française des Aveugles	6,000	
271	L'Institut Nazareth de Montréal	4,050	
272	Montreal Association for the Blind	4,050	
273	Canadian Tuberculosis Association	20,250	
274	Victorian Order of Nurses	13,100	
275	St. John Ambulance Association	10,000	
276	Canadian Red Cross	10,000	
277	Canadian Paraplegic Association	15,000	
278	Grant to the Canadian Medical Association to assist in defraying the expenses of a joint meeting of the Canadian Medical Association and the British Medical Association to be held in Toronto in 1955	25,000	
	Welfare Branch		
279	Welfare Branch Administration	54,610	
	Family Allowances and Old Age Security—		
280	Administration	2,743,441	
	Old Age Assistance, Blind Persons and Disabled Persons Allowances—		
281	Administration	115,630	
282	Grant to Canadian Welfare Council	28,000	
	B—Civil Defence		
283	To provide for the Civil Defence program	7,001,034	
			67,419,017
	NATIONAL RESEARCH COUNCIL		
284	Salaries and Other Expenses	14,668,891	
285	Construction or Acquisition of Buildings, Works, Land and New Equipment	2,444,700	
			17,113,591
	NATIONAL REVENUE		
	Customs and Excise Divisions		
286	General Administration	3,294,791	
287	Inspection, Investigation and Audit Services	3,491,435	
	Ports, Outports and Preventive Stations—		
288	Operation and Maintenance	23,806,542	
289	Construction or Acquisition of Buildings, Works, Land and New Equipment	845,150	
	Taxation Division		
290	General Administration	2,524,429	
291	District Offices	25,014,588	
	Income Tax Appeal Board		
292	Administration Expenses	80,790	
			59,057,725

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
293	Departmental Administration	509,310	
294	Northern Research Co-ordination Centre, including a Grant of $5,000 to the Arctic Institute of North America; and an amount of $10,000 for grants in aid of northern research subject to allocation by the Treasury Board	60,595	
	NATIONAL PARKS BRANCH		
295	Branch Administration	86,425	
	National Parks and Historic Sites Services—		
296	Administration, Operation and Maintenance	4,560,496	
297	Construction or Acquisition of Buildings, Works, Land and New Equipment	4,609,032	
298	Grant to Jack Miner Migratory Bird Foundation	5,000	
299	Special Grant to the Antiquarian and Numismatic Society to help defray costs of urgent work for the restoration and preservation of the Chateau de Ramezay, Montreal	15,000	
300	Grant in aid of the development of the International Peace Garden in Manitoba	10,000	
301	Contribution to the Women's Wentworth Historical Society of Hamilton, Ontario, towards the costs of urgent work to combat erosion and flooding on the approach road to the Battle of Stoney Creek National Historic Site	1,000	
302	National Battlefields Commission—To provide for special works at National Battlefields Park, Quebec	8,000	
303	Canadian Wildlife Service—Wildlife Resources Conservation and Development, including Administration of the Migratory Birds Convention Act	455,703	
304	National Museum of Canada	330,840	
	ENGINEERING AND WATER RESOURCES BRANCH		
305	Branch Administration	54,283	
	Water Resources Division—		
	Water Resources Division, including Federal share of expenses of the Lake of the Woods Control Board—		
306	Administration, Operation and Maintenance, including grant of $350 to the International Council, World Power Conference	725,819	
307	Construction or Acquisition of Buildings, Works, Land and New Equipment	91,500	
308	To provide for studies and surveys of the Columbia River Watershed in Canada	641,360	
309	Fraser River—Federal expenditures in connection with investigations to be carried out by "Dominion-Provincial Board Fraser River Basin"	127,750	
310	To provide for a contribution to the cost of constructing a dam on the Conestogo River near Glen Allan, Ontario, for the purposes of flood control and water conservation, in accordance with the terms of an agreement entered into between Canada and the Province of Ontario	1,000,000	
311	Engineering and Architectural Division—Administration, Operation and Maintenance	336,487	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
312	Branch Administration	157,214	
313	Lands Division—Administration of Territorial and Public Lands; Seed Grain Collections	405,837	
	Northern Administration Division—		
314	Administration	306,037	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES—*Concluded*		
	NORTHERN ADMINISTRATION AND LANDS BRANCH—*Concluded*		
	Northern Administration Division—*Concluded*		
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
315	Operation and Maintenance	1,717,263	
316	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,567,131	
	Forest Conservation and Wildlife Management including Wood Buffalo Park—		
317	Operation and Maintenance	433,970	
318	Construction or Acquisition of Buildings, Works, Land and New Equipment	134,639	
	Yukon Territory, including Forest Conservation—		
319	Operation and Maintenance	624,629	
320	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,101,930	
	FORESTRY BRANCH		
321	Branch Administration	114,636	
	Forest Research Division—		
322	Operation and Maintenance	1,030,604	
323	Construction or Acquisition of Buildings, Works, Land and New Equipment	78,743	
	Forestry Operations Division—		
324	Administration, Operation and Maintenance	184,760	
325	Construction or Acquisition of Buildings, Works, Land and New Equipment	154,265	
326	To provide for contributions to the Provinces for assistance in forest inventory and reforestation in accordance with agreements that have been or may be entered into by Canada and the Provinces	1,225,000	
327	To provide for a contribution to the Province of New Brunswick for assistance in a program designed to combat the spruce budworm infestation, in accordance with an agreement entered into by Canada and the Province	300,000	
	Forest Products Laboratories Division—		
328	Operation and Maintenance	581,030	
329	Construction or Acquisition of Buildings, Works, Land and New Equipment	21,770	
330	Grant to Canadian Forestry Association	10,000	
331	Grant to Pulp and Paper Research Institute of Canada	100,000	
	Eastern Rockies Forest Conservation Board—		
332	Remuneration and Expenses of the Federal member of the Board	5,575	
	CANADIAN GOVERNMENT TRAVEL BUREAU		
333	To assist in promoting the Tourist Business in Canada	1,561,367	
			25,445,000
	POST OFFICE		
334	Departmental Administration	1,546,388	
335	Operations—Including Salaries and other expenses of Staff Post Offices, District Offices, Railway Mail Service Staffs, and supplies, equipment and other items for Revenue Post Offices, also including Administration	82,103,422	
336	Transportation—Movement of Mail by Land, Air and Water, including Administration	47,135,283	
337	Financial Services, including audit of revenue, money order and savings bank business; and postage stamps	2,493,015	
			133,278,108

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
338	General Administration	474,595	
	PRIME MINISTER'S RESIDENCE		
339	Maintenance and Operation	25,000	
	FEDERAL DISTRICT COMMISSION		
340	To authorize the Federal District Commission to expend for construction, improvements and operation of works under its control, revenues accrued or accruing to the Commission from the rental of properties under its control and from other sources	1	
341	To provide for maintenance and improvement of grounds adjoining Government Buildings at Ottawa, and to authorize an amount not exceeding $111,820 for construction, improvements and operation of the parks, parkway system and other works under the control of the Federal District Commission which is additional to the sum of $300,000 granted by chapter 112, Revised Statutes, and for expenses of the National Capital Planning Committee	622,105	
342	To authorize payment of the eighth instalment to a special account in the Consolidated Revenue Fund, known as the National Capital Fund, established under Vote 809, Appropriation Act, No. 4, 1947-48	2,500,000	
			3,621,701
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
343	General Administration and Technical Services	349,638	
	B—NATIONAL LIBRARY		
344	General Administration	119,097	
345	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	
			508,735
	PUBLIC PRINTING AND STATIONERY		
346	Departmental Administration	489,936	
347	Purchasing, Stationery and Stores	494,090	
348	Distribution of Official Documents	292,091	
349	Printing and Binding of Official Publications for sale and distribution to Departments and the Public	380,000	
350	Printing of Canada Gazette	110,000	
351	Printing and Binding the Annual Statutes	35,000	
352	Plant Equipment and Replacements	413,775	
			2,214,892
	PUBLIC WORKS		
353	Departmental Administration	1,049,280	
354	Expenses of work in the interests of Fire Prevention (formerly under Department of Insurance)	137,570	
355	Furniture and Furnishings for Government Departments	2,248,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Continued*		
	PROPERTY AND BUILDING MANAGEMENT BRANCH		
356	Branch Administration	158,133	
357	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, heating, etc., and to authorize commitments against future years in the amount of $500,000	13,693,749	
358	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, heating, etc., and to authorize commitments against future years in the amount of $800,000	22,366,419	
	BUILDING CONSTRUCTION BRANCH		
359	Branch Administration	658,305	
360	District Architects, staffs and other expenses	624,290	
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
361	Newfoundland	2,100,000	
362	Nova Scotia	3,205,000	
363	Prince Edward Island	1,410,000	
364	New Brunswick	1,099,000	
365	Quebec	10,120,000	
366	Ottawa	8,500,000	
367	Ontario (other than Ottawa)	9,855,000	
368	Manitoba	2,725,000	
369	Saskatchewan	2,565,000	
370	Alberta	4,165,000	
371	British Columbia	5,667,000	
372	Yukon and Northwest Territories	350,000	
373	Outside Canada	1,250,000	
374	Unforeseen Improvements	1,000,000	
	HARBOURS AND RIVERS ENGINEERING BRANCH		
375	Branch Administration	437,650	
	Engineering Services—		
376	Salaries, Surveys, Inspections, etc	1,862,815	
377	Construction or Acquisition of Buildings, Works, Land and New Equipment	100,000	
	Dredging		
378	Maintenance and Operation of Plant and Contract and Day Labour Works	3,834,280	
379	New Plant and Equipment	1,241,000	
	Graving Docks		
380	Maintenance and Operation	937,761	
	Locks and Dams		
381	Maintenance and Operation	355,457	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS ENGINEERING BRANCH—*Concluded*		
	Roads and Bridges		
382	Maintenance and Operation	398,825	
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
383	Newfoundland	2,837,601	
384	Nova Scotia	3,230,500	
385	Prince Edward Island	1,102,000	
386	New Brunswick	1,847,000	
387	Quebec	3,828,400	
388	Ontario	6,874,100	
389	Manitoba and Saskatchewan	15,000	
390	Alberta and Northwest Territories	120,000	
391	British Columbia and Yukon	4,419,000	
	Generally		
392	Repairs and Upkeep, including reconstruction and replacements for the maintenance of services; to provide for wharf repairs at Ste. Angele de Laval, Quebec, and to authorize commitments against future years in the total amount of $420,000, no new works to be undertaken	3,285,000	
393	To provide for remedial works where damages are caused by, or endanger, navigation or Federal Government structures and to complete protection works already under way	700,000	
	DEVELOPMENT ENGINEERING BRANCH		
394	Branch Administration	413,381	
395	Towards International Bridge over the St. Croix River between St. Stephen, New Brunswick, and Calais, Maine, the State of Maine to pay a like amount	250,000	
396	Construction of spans of bridge over the Interprovincial channel of the Ottawa River between Pembroke, Ontario, and Allumette Island, Quebec	500,000	
397	Towards construction of the Burlington Beach Bridge, the province of Ontario to pay a like amount	500,000	
398	Surveys, planning and supervision of construction of roads and bridges in National Parks (formerly under Department of Northern Affairs and National Resources)	109,201	
	Trans-Canada Highway Division		
399	Administration, Operation and Maintenance	523,395	
400	To provide for surveys and construction of the Trans-Canada Highway through National Parks	3,500,000	
401	Contribution to the Province of Nova Scotia towards construction of dam on Isgonish River, Nova Scotia	65,000	
	GENERAL		
402	Miscellaneous works not otherwise provided for, not more than $15,000 to be expended on any one work	700,000	
403	To provide for advanced planning of projects including acquisition of sites	500,000	
404	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	400,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	GENERAL—*Concluded*		
405	To provide for balances required to complete any projects undertaken in previous fiscal years and for which no specific provision is made in the fiscal year 1955-56	650,000	
406	Statue of the late Sir Robert L. Borden	45,000	
407	Emergency Shelter Administration	1,500	
408	To provide for the expenses incurred by Central Mortgage and Housing Corporation in constructing and supervising construction of married quarters, rental housing, schools and related services on behalf of the Department of National Defence	1,450,000	
			141,980,612
	ROYAL CANADIAN MOUNTED POLICE		
	Headquarters Administration, National Police Services and Training Establishments—		
409	Administration, Operation and Maintenance	6,992,087	
410	Construction or Acquisition of Buildings, Works, Land and New Equipment	971,937	
	Land and Air Services—		
411	Operation and Maintenance of Divisions	23,472,207	
412	Construction or Acquisition of Buildings, Works, Land and New Equipment	3,562,287	
	Marine Services—		
413	Operation and Maintenance	1,342,509	
414	Construction or Acquisition of Buildings, Works, Land and New Equipment	487,434	
415	Grant to the Chief Constables' Association of Canada	500	
416	Grant to the Royal Canadian Mounted Police Veterans' Association	300	
	PENSIONS AND OTHER BENEFITS		
417	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates.	6,439	
418	Pension to Basil Burke Currie	685	
419	Government's Contribution to the Royal Canadian Mounted Police Pension Account	831,696	
			37,668,081
	SECRETARY OF STATE		
420	Departmental Administration	254,215	
421	Companies Division	89,631	
422	Trade Marks Division, including a contribution of $2,400 to the International Office for the Protection of Industrial Property	164,341	
423	Bureau for Translations	1,122,139	
	PATENT AND COPYRIGHT OFFICE		
424	Administration Division	131,315	
425	Patent Division	1,153,353	
426	Copyright and Industrial Designs Division, including a contribution of $2,100 to the Union Office for the Protection of Literary and Artistic Works	26,050	
	SPECIAL		
427	To provide for special expenditure in connection with a Commission under the Inquiries Act to inquire into the working of the Patent Act, the Copyright Act, the Industrial Designs Act and other related legislation	35,000	
			2,976,044

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
428	Departmental Administration	636,295	
429	Commodities Services, including fees as detailed in the Estimates, the expenditure for these not to exceed the amounts shown unless otherwise approved by Treasury Board	672,391	
	Trade Commissioner Service—		
430	Administration and Operation	2,855,438	
431	Acquisition or Improvement of Buildings, Land, Equipment and Furnishings	100,000	
432	Information Branch	211,209	
433	Economics Branch	234,265	
434	International Trade Relations Branch, including a fee of $6,300 to the International Customs Tariffs Bureau	136,635	
	EXHIBITIONS		
435	Exhibitions generally	313,590	
436	Canadian participation in the Brussels Universal and International Exhibition 1958—preparatory expenses	50,000	
437	Canadian International Trade Fair—To provide for the net operating deficit during the current fiscal year of the Special Operating Account in the Consolidated Revenue Fund; advances to be made to the Account as required, but not to exceed in the aggregate	275,000	
	STANDARDS BRANCH		
438	Administration, including the Standards Laboratory and administration of the Precious Metals Marking Act	197,164	
439	Electricity and Gas Inspection Services	740,063	
440	Weights and Measures Inspection Services	794,841	
	DOMINION BUREAU OF STATISTICS		
441	Administration	238,103	
442	Statistics, including membership fee of $3,150 to the Inter-American Statistical Institute	5,275,113	
443	Census	953,002	
	CANADA GRAIN ACT		
	Board of Grain Commissioners—		
444	Administration	136,425	
445	Operation and Maintenance Expenses	3,594,148	
	Canadian Government Elevators—		
446	Operation and Maintenance Expenses	1,404,479	
447	Construction or Acquisition of Buildings, Works, Land and New Equipment	291,547	
	SPECIAL		
448	International Economic and Technical Co-operation Branch, including the administration of the Colombo Plan and of certain United Nations co-operation plans	119,993	
			19,229,701

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT		
	A—Department		
449	Departmental Administration	1,560,620	
450	The St. Lawrence River Joint Board of Engineers—Canadian Section	228,000	
	Canal Services		
451	Administration	137,810	
452	Operation and Maintenance	6,267,886	
453	Construction or Acquisition of Buildings, Works, Land and New Equipment, including payments to Provinces or Municipalities as contributions towards construction done by those bodies	2,266,756	
	Marine Services		
454	Marine Services Administration, including Agencies	682,853	
	Marine Service Steamers—		
455	Administration, Operation and Maintenance	6,840,186	
456	Construction or Acquisition of Vessels and Equipment	3,540,000	
	Aids to Navigation—		
457	Administration, Operation and Maintenance	4,909,524	
458	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,816,560	
459	Nautical Services—Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 306 of the Canada Shipping Act	512,064	
	Pilotage Service—		
460	Administration, Operation and Maintenance, including authority for temporary recoverable advances not exceeding $20,000	624,424	
461	Construction or Acquisition of Buildings, Works, Land and Equipment	47,000	
462	Steamship Inspection, 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	817,500	
463	Marine Reporting Service	133,235	
	River St. Lawrence Ship Channel Service—		
464	Administration, Operation and Maintenance	818,356	
465	Contract Dredging	1,782,984	
	Railway and Steamship Services		
466	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department	56,240	
	Hudson Bay Railway—		
467	To provide for the difference between the expenditures for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1956, not exceeding	425,000	
468	Construction or Acquisition of Buildings, Works, Land and New Equipment	245,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
469	Prince Edward Island Car Ferry and Terminals—To provide for the payment during the fiscal year 1955-56 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in payment of the deficit (certified by the auditors of the National Company) in the operation of the Prince Edward Island Car Ferry and Terminals arising in the calendar year 1955	1,553,000	
470	Strait of Canso—Transportation improvements and facilities	3,564,000	
471	Enlargement of Dock and Terminal Facilities at North Sydney, Nova Scotia	177,000	
472	Construction of New Dock and Terminal Facilities at Port aux Basques, Newfoundland	650,000	
473	To provide for the payment during the fiscal year 1955-56 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in the payment of the deficit (certified by the auditors of the National Company) in the operation of the North Sydney, Nova Scotia—Port aux Basques, Newfoundland, Ferry and Terminals arising in the calendar year 1955	2,350,000	
474	Construction or Acquisition of Auto-Ferry Vessels 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	2,415,000	
475	Construction or Acquisition of Vessels for Newfoundland Coastal Services	1,410,290	
476	To provide towards the cost of surveys of Newfoundland Railway properties entrusted to the Canadian National Railway Company	17,500	
477	Degaussing and strengthening for armament, sea-going merchant ships of Canadian registry of 1,000 gross tons and over	350,000	
478	Maritime Freight Rates Act—For the payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1955-56, of the difference occurring on account of the application of the Act, between the tariff tolls and normal tolls under approved tariffs (estimated and certified to the Minister of Transport by the Canadian National Railway Company and approved by Auditors of the said Company respecting the Eastern Lines of the Canadian National Railways, and in the case of the Other Railways by the Board of Transport Commissioners for Canada) on all traffic moved during the calendar year 1955 (Chap. 174, R.S.)	10,575,000	
479	Canadian National (West Indies) Steamships, Limited—To provide for the payment from time to time to the Canadian National (West Indies) Steamships, Limited (hereinafter called "The Company") of the amount of the deficit occurring during the year ending December 31st, 1955, in the operations of the Company and the vessels under the control of the Company, as certified by the Auditors of the Company, and upon applications made by the Company to the Minister of Finance and approved by the Minister of Transport, not exceeding	288,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—Department—*Continued*		
	Pensions and Other Benefits		
480	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	
481	Railway Employees' Provident Fund—To supplement pension allowances under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payment during the period January 1, 1955, to March 31, 1956, the sum of $30 per month instead of $20 per month as fixed by the said Act	11,700	
482	Supplemental Pension Allowances to former employees of Newfoundland Railways, Steamships and Telecommunication Services transferred to Canadian National Railways	8,000	
	Air Services		
	Administrative Division		
483	Air Services Administration	759,065	
484	Construction Services Administration	961,383	
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
485	Administration, Operation and Maintenance	5,825,148	
486	Construction or Acquisition of Buildings, Works, Land and New Equipment	2,957,905	
	Radio Act and Regulations—		
487	Administration, Operation and Maintenance, including contributions as Canada's share of the administrative costs of various international radio, telegraph and telephone conferences, as detailed in the Estimates	1,606,828	
488	Construction or Acquisition of Buildings, Works, Land and New Equipment	286,000	
	Radio Aids to Marine Navigation—		
489	Administration, Operation and Maintenance	2,373,903	
490	Construction or Acquisition of Buildings, Works, Land and New Equipment	722,000	
	Telegraph and Telephone Service—		
491	Administration, Operation and Maintenance	498,312	
492	Construction or Acquisition of Buildings, Works, Land and New Equipment, including capital assistance to local telephone systems in sparsely settled areas	436,760	
493	Northwest Communication System—Construction or Acquisition of Buildings, Works, Land and New Equipment	713,550	
	Meteorological Division		
494	Administration, Operation and Maintenance	7,374,500	
495	Construction or Acquisition of Buildings, Works, Land and New Equipment	930,000	
	Civil Aviation Division		
496	Control of Civil Aviation, including the Administration of the Aeronautics Act and Regulations issued thereunder	1,085,542	
	Airways and Airports—Operation and Maintenance—		
497	Civil Aviation Services	9,585,224	
498	Airway and Airport Traffic Control	2,148,464	
499	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Construction Work on Municipal Airports	14,240,050	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	A—Department—*Concluded*		
	Air Services—*Concluded*		
	Civil Aviation Division—*Concluded*		
500	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates	285,000	
501	Contributions to Municipalities or Public Bodies for Construction and Improvements of Airports on Land Acquired by such Organizations	136,000	
502	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis in the amounts detailed in the Estimates	210,000	
503	Contributions, as detailed in the Estimates, to other Governments or International Agencies for the operation and maintenance of airports, air navigation and airways facilities, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of January, 1955, which is	228,041	
	B—General		
	Air Transport Board		
504	Salaries and Other Expenses, including the Canadian Delegation to the International Civil Aviation Organization	292,040	
	Board of Transport Commissioners for Canada		
505	Administration, Operation and Maintenance	996,540	
	Canadian Maritime Commission		
506	Administration	149,708	
507	Steamship Subventions for Coastal Services, as detailed in the Estimates	4,131,100	
	National Harbours Board		
508	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 1955 on any or all of the following accounts:		
	Reconstruction and Capital Expenditures—		
	Halifax $ 938,900		
	Saint John 1,250,000		
	Quebec 1,311,500		
	Prescott 50,000		
	Churchill 1,423,000		
	Generally—		
	Unforseen and Miscellaneous 200,000		
	$5,173,400		
	Less—Amount to be expended from Replacement Funds 66,054		
		5,107,346	
509	To provide for payment to National Harbours Board, of the amount hereinafter set forth, to be applied in payment of the deficit (exclusive of interest on Dominion Government Advances and depreciation on capital structures) arising in the calendar year 1955, in the operation of the Churchill Harbour	59,088	
			121,183,285

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS		
510	Departmental Administration	2,230,141	
511	District Services—Administration	2,715,748	
512	Veterans' Welfare Services	3,284,611	
	Treatment Services—		
513	Operation of Hospitals and Administration	39,473,123	
514	Medical Research and Education	350,000	
515	Hospital Construction, Improvements, New Equipment and Acquisition of Land	4,920,000	
516	Prosthetic Services—Supply, Manufacture and Administration	1,053,636	
517	Veterans' Bureau	514,919	
518	War Veterans Allowance Board—Administration	144,450	
519	Veterans Insurance	70,160	
	WAR VETERANS ALLOWANCES AND OTHER BENEFITS		
520	War Veterans Allowances	29,736,000	
521	Assistance Fund (War Veterans Allowances)	625,000	
522	Unemployment Assistance	20,000	
523	Treatment and Other Allowances	2,782,500	
	MISCELLANEOUS PAYMENTS		
524	To provide for payments to the Last Post Fund; for the payment under regulations of funeral and cemetery charges, including the perpetual care of graves where applicable; for the cost and erection of headstones in Canada; for the maintenance of departmental cemeteries; for the maintenance of Canadian Battlefields Memorials in France and Belgium and for Canada's share of the expenditures of the Imperial War Graves Commission	1,697,060	
525	Grant to Canadian Legion	9,000	
	CANADIAN PENSION COMMISSION		
526	Administration Expenses	2,272,540	
527	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	129,784,500	
528	Gallantry Awards—World War II and Special Force	19,500	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
529	To provide for the cost of administration of Veterans' Land Act; Soldier Settlement and British Family Settlement	4,998,508	
530	To provide for the upkeep of property, Veterans' Land Act, including engineering and other investigational planning expenses that do not add tangible value to real property; taxes, insurance and maintenance of public utilities	65,500	
531	To provide for the payment of grants to veterans settled on Provincial Lands in accordance with agreements with Provincial Governments under Section 38 of the Veterans' Land Act and payment of grants to veterans settled on Dominion Lands, in accordance with an agreement with the Minister of Northern Affairs and National Resources under Section 38 of the Veterans' Land Act	300,000	
532	To provide for the payment of grants to Indian veterans settled on Indian Reserve Lands under Section 39 of the Veterans' Land Act	125,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS—*Concluded*		
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT—*Concluded*		
533	To provide for the reduction of indebtedness to the Director of Soldier Settlement of a settler in respect of a property in his possession, the title of which is held by the Director, or such Soldier Settler Loans which are administered by the Indian Affairs Branch of the Department of Citizenship and Immigration, by an amount which will reduce his indebtedness to an amount in keeping with the productive capacity of the property or his ability to repay his indebtedness under regulations approved by the Governor in Council....	15,000	
534	To authorize and provide, subject to the approval of the Governor in Council, for necessary remedial work on properties constructed under individual firm price contracts and sold under the Veterans' Land Act to correct defects for which neither the veteran nor the contractor can be held financially responsible and for such other work on other properties as may be required to protect the interest of the Director therein.....	5,000	
	TERMINABLE SERVICES		
535	Rehabilitation Benefits, including the training of certain Pensioners under regulations approved by the Governor in Council.....	2,199,000	
			229,410,896
	LOANS, INVESTMENTS AND ADVANCES		
	ATOMIC ENERGY OF CANADA LIMITED		
536	To provide for advances to Atomic Energy of Canada Limited in such amounts and on such terms and conditions (including the delivery to Her Majesty, in satisfaction of the advances, of obligations or shares of the Company) as the Governor in Council may approve, to finance the construction of a new reactor (NRU) and auxiliary buildings at Chalk River Project, works to provide services in connection therewith, to construct or acquire equipment for the Commercial Products Division in Ottawa and other locations, and housing and other works to be constructed at Deep River; and to authorize Central Mortgage and Housing Corporation to undertake construction of the said housing and other works at Deep River for Atomic Energy of Canada Limited.	6,464,000	
537	To provide for Working Capital Advances to Atomic Energy of Canada Limited, subject to such terms and conditions as the Governor in Council may approve.....	1,560,000	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
538	To provide for advances to Central Mortgage and Housing Corporation for the purposes of subsection (1) of Section 37 of the National Housing Act, 1954, in respect of housing projects for veterans and for housing projects at Gander, Newfoundland, and at Pembroke, Ontario, for sale or rental....	1,330,000	
	FINANCE		
539	Loan to the Ottawa Civil Service Recreational Association, on such terms and conditions as the Governor in Council may approve, to assist in the construction of the W. Clifford Clark Memorial Recreation Centre.....	500,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Continued*		
	FISHERIES		
540	To provide for the establishment of one or more special accounts in the Consolidated Revenue Fund, replacing those established by Vote 536 of the Appropriation Act, No. 4, 1954, for the purposes of a plan to be known as the Fishermen's Indemnity Plan, to be administered in accordance with regulations of the Governor in Council, for the purpose of assisting fishermen to meet abnormal capital losses; and to authorize payment from the accounts in the current and subsequent fiscal years, in accordance with the regulations, of indemnities; the accounts to be credited with all amounts received by way of premiums and recoveries and with advances to the said accounts in accordance with the regulations, such advances not at any time to exceed.....	150,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
541	To authorize the making of loans in the present and ensuing fiscal years in accordance with such terms and conditions as the Governor in Council prescribes not exceeding in the aggregate $1,150,000 to the Government of the Yukon Territory— *(a)* for the purpose of constructing a hospital at Mayo Landing at an estimated cost of $400,000, and *(b)* to enable the Government of the Yukon Territory to contribute approximately $750,000 towards the cost of constructing a hospital at Whitehorse; and to authorize the Commissioner in Council to make ordinances for the borrowing of such money by the Commissioner of the Yukon Territory and for the repayment thereof out of the Yukon Consolidated Revenue Fund....	1,150,000	
542	To authorize the making of loans in the present and ensuing fiscal years in accordance with such terms and conditions as the Governor in Council prescribes not exceeding in the aggregate $780,000 to the Government of the Yukon Territory for the development of a new subdivision adjoining the present City of Whitehorse; and to authorize the Commissioner in Council to make ordinances for the borrowing of such money by the Commissioner of the Yukon Territory and for the repayment thereof out of the Yukon Consolidated Revenue Fund.....	780,000	
	POST OFFICE		
543	To extend the operation of the Revolving Fund established pursuant to Vote 541, Appropriation Act, No. 4, 1954, for the purpose of acquiring and managing materials and fittings to be used in the manufacture of mail bags, the total amount to be charged to the Revolving Fund at any time not to exceed $695,000; additional amount required.....	270,000	
	TRADE AND COMMERCE		
544	To authorize, in the current and subsequent fiscal years, a Special Operating Account in the Consolidated Revenue Fund to which shall be charged expenditures incurred in respect of the Canadian International Trade Fair and to which shall be credited all monies received in connection with the operations of the Fair, the excess of the amounts charged over the amounts credited to the Account at any time not to exceed.....	1	

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	TRANSPORT		
	St. Lawrence Seaway Authority		
545	Loans to the St. Lawrence Seaway Authority in such manner and subject to such terms and conditions as the Governor in Council may approve	50,000,000	
	Railway and Steamship Services		
546	Loan to the Canadian National Railway Company, on such terms and conditions as the Governor in Council may approve, to be applied towards the construction cost of a new dock and facilities at Bar Harbour, Maine, U.S.A., a terminal of the Yarmouth, Nova Scotia—Bar Harbour, Maine, Ferry Service	500,000	
	Air Services		
547	To provide for the acquisition of land required to control properties in the vicinity of main terminal airports in order to prevent the erection of hazards to flying and for future development of those airports	7,000,000	
548	Loan to the Canadian Overseas Telecommunication Corporation in accordance with the provisions of Section 14 of the Canadian Overseas Telecommunication Act for additions and betterments to facilities	4,933,385	
	National Harbours Board		
549	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 1955 on any or all of the following accounts: Reconstruction and Capital Expenditures— Montreal $2,086,100 Vancouver 82,000 $2,168,100 *Less*—Amount to be expended from Replacement Funds 600,419	1,567,681	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
550	To provide for protection of security—Soldier Settlement, and refunds of surplus to veterans	12,000	
551	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment; and for protection of security under the Veterans' Land Act	22,636,500	
			98,853,567
			*3,092,240,745

* Net Total $2,055,741,938.07

SCHEDULE B.

Based on the Supplementary Estimates, 1955-56. The amount hereby granted is $147,724,276, 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, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	SCIENCE SERVICE		
633	Forest Biology— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	9,400	
	EXPERIMENTAL FARMS SERVICE		
634	Branch Experimental Farms, Sub-Stations and Illustration Stations— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	196,700	
	PRODUCTION SERVICE		
635	Animal Pathology— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	54,000	
636	Live Stock and Poultry—Further amount required.....	70,000	
	MARKETING SERVICE		
637	Subsidies for Cold Storage Warehouses under the Cold Storage Act, in the amounts detailed in the Estimates—Further amount required.....	1,490,539	
638	Fruit, Vegetables and Maple Products, and Honey—Further amount required.....	38,000	
	SPECIAL		
639	Assiniboine River—Dyking and Cut-off—Further amount required.....	100,000	1,958,639
	ATOMIC ENERGY		
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
640	Construction or Acquisition of Buildings, Works, Land and Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works at Deep River for Atomic Energy of Canada Limited—Further amount required.....		2,239,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
641	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision—Further amount required	.....	56,645
	CITIZENSHIP AND IMMIGRATION		
	A—DEPARTMENT		
	CITIZENSHIP		
642	Citizenship Registration Branch—Further amount required...	167,435	
	INDIAN AFFAIRS BRANCH		
	Welfare of Indians—		
643	Operation and Maintenance—Further amount required.....	350,000	
	Education—		
644	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	40,000	
	B—NATIONAL GALLERY OF CANADA		
645	Administration, Operation and Maintenance, including Industrial Design Division—Further amount required.....	11,230	568,665
	EXTERNAL AFFAIRS		
	A—DEPARTMENT AND MISSIONS ABROAD		
646	Departmental Administration—Further amount required.....	96,138	
647	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, new 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—Further amount required	340,000	
	B—GENERAL		
648	To provide for the Canadian Government's Assessment for Membership in International and Commonwealth Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1955—Further amount required	235	
649	To provide for a further contribution by the Canadian Government towards the cost of the North Atlantic Treaty Organization Permanent Headquarters in an amount of 30,000,000 French Francs, notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1955, which is	84,660	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	INTERNATIONAL JOINT COMMISSION		
650	Salaries and Expenses of the Commission—Further amount required including, subject to the approval of the Governor General in Council and notwithstanding anything to the contrary in the International Boundary Waters Treaty Act, as amended, payment of salary of the Chairman at the rate of $17,000 per annum for the period July 1, 1954, to March 31, 1955	1,500	
	TERMINABLE SERVICES		
651	To provide for a grant by the Canadian Government to the Intergovernmental Committee for European Migration for the resettlement of refugees of European origin now in China	50,000	
652	To provide for a grant by the Canadian Government to the United Nations Refugee Fund	125,000	
			697,533
	FINANCE		
	PAYMENTS TO MUNICIPALITIES		
653	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations as made and established by Order in Council P.C. 1954-1621, dated October 28, 1954, and to provide for payments to municipalities under Order in Council P.C. 1954-1497, dated October 6, 1954, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein—Further amount required including authority to regard the Admiralty Properties in the city of St. John's, Newfoundland, as Federal Property notwithstanding that formal transfer of administration has not been completed	3,177,200	
	CONTINGENCIES AND MISCELLANEOUS		
654	To provide for expenses of a Royal Commission on economic prospects, 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	300,000	
	SPECIAL		
655	To provide for a contribution to the Government of the Province of Ontario for assistance in meeting costs resulting from floods, arising out of Hurricane Hazel, on October 15th and 16th, 1954 (Revote)	669,742	
	MISCELLANEOUS GRANTS		
656	To provide for a Grant to the Canadian Olympic Association to help defray expenses of the Canadian team for the 1956 Olympic games	60,000	
			4,206,942

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES		
	GENERAL SERVICES		
657	Industrial Development Service—Further amount required....	225,000	
	FIELD SERVICES		
	Protection Branch—		
658	Operation and Maintenance—Further amount required.....	24,250	
659	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	145,066	
	Inspection Branch—		
660	Operation and Maintenance—Further amount required.....	16,060	
661	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	92,000	
	Fish Culture and Development Branch—		
662	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	41,200	
	FISHERIES RESEARCH BOARD OF CANADA		
663	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	62,000	
	SPECIAL		
664	To provide for a contribution towards the cost of a public aquarium at Vancouver, British Columbia, in accordance with an agreement to be entered into by the Minister of Fisheries, with the approval of the Governor in Council, whereby adequate facilities are to be made available to the Fisheries Research Board, the total cost to be borne in equal shares by the Government of Canada, the Government of British Columbia and the City of Vancouver, the contribution of the Government of Canada not to exceed...	100,000	
665	To provide for a grant of $10,000 towards a permanent fisheries exhibit at the Pacific National Exhibition, Vancouver, British Columbia.....	10,000	
			715,576
	JUSTICE		
	A—DEPARTMENT		
	Combines Investigation Act—		
666	Restrictive Trade Practices Commission—Further amount required.....	7,200	
667	Office of Investigation and Research—Further amount required.....	24,500	
	B—PENITENTIARIES		
668	Operation and Maintenance of Penitentiaries—Further amount required.....	327,600	
669	Construction, Improvements and New Equipment—Further amount required.....	418,700	
			778,000

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
670	To provide for expenses of the Economics and Research Branch —Further amount required	6,900	
671	Annuities Act—Administration—Further amount required	35,000	
672	Administration of the Canada Fair Employment Practices Act —Further amount required	2,000	
	Government Employees Compensation		
673	Administration of the Government Employees Compensation Act—Further amount required	1,240	
	B—Unemployment Insurance Commission		
674	Administration of the Unemployment Insurance Act, 1940, including expenditures incurred in connection with the activities of the National Employment Service as delegated by the Minister of Labour in accordance with Section 97 of the Act—Further amount required	262,500	
			307,640
	LEGISLATION		
	The Senate		
675	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the Senate who attended the first part of the Second Session of the Twenty-Second Parliament, which commenced on January 7th, 1955, and ended on April 6th, 1955, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on April 6th, 1955, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during that Session	5,500	
676	General Administration—Further amount required, including authority, notwithstanding anything contained in the Senate and House of Commons Act, to pay actual transportation and living expenses incurred by members of the Senate Special Committee on Traffic in Narcotic Drugs in Canada while attending meetings thereof, held at a place other than Ottawa	15,000	
	House of Commons		
677	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the House of Commons who attended the first part of the Second Session of the Twenty-Second Parliament, which commenced on January 7th, 1955, and ended on April 6th, 1955, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on April 6th, 1955, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during that Session	20,000	
			40,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS		
	A—Department		
	Mines Branch		
678	Mines Branch Administration—Further amount required.....	2,500	
	Mineral Resources Investigations—		
679	Construction or Acquisition of New Equipment—Further amount required.....	40,000	
	Surveys and Mapping Branch		
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
680	Construction or Acquisition of New Equipment—Further amount required.....	20,000	
	Canadian Hydrographic Service—		
681	Administration, Operation and Maintenance—Further amount required.....	27,500	
682	Legal Surveys and Aeronautical Charts—Further amount required.....	12,260	
	Dominion Observatories		
	Dominion Observatory, Ottawa and Field Stations—		
683	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	9,390	
			111,650
	NATIONAL HEALTH AND WELFARE		
	National Health Branch		
	Health Services		
	Laboratory of Hygiene—		
684	Operation and Maintenance—Further amount required.....	153,594	
685	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	30,000	
686	Occupational Health—Further amount required.....	35,000	
	Indians and Eskimos Health Services—		
687	Operation and Maintenance—Further amount required.....	91,295	
	General Health Grants		
688	To authorize and provide for General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates—Further amount required including authority, notwithstanding Section 30 of the Financial Administration Act, to make additional commitments for the current year not to exceed $4,982,156.....	2,000,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Concluded*		
	WELFARE BRANCH		
689	To provide: *(a)* in respect of the fiscal year 1954-55 a reduction of $45,837-905.05 in the amount owing by the Old Age Security Fund pursuant to Section 11 of the Old Age Security Act, representing the amount of temporary loans made by the Minister of Finance to the Fund during the fiscal year 1953-54; and *(b)* in respect of the fiscal year 1955-56 a reduction in the amount owing by the Old Age Security Fund pursuant to Section 11 of the Old Age Security Act, representing the amount of temporary loans made by the Minister of Finance to the Fund during the fiscal year 1954-55 estimated at.....	63,300,000	65,609,889
	NATIONAL RESEARCH COUNCIL		
690	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	.....	25,000
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
691	General Administration—Further amount required.....	48,100	
	Ports, Outports and Preventive Stations—		
692	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	25,000	73,100
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	NATIONAL PARKS BRANCH		
	National Parks and Historic Sites Services—		
693	Administration, Operation and Maintenance—Further amount required.....	10,000	
694	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	963,740	
695	National Battlefields Commission—To provide for special works at National Battlefields Park, Quebec—Further amount required.....	16,708	
696	Contribution to the David Fife Memorial Society.....	2,000	
697	National Museum of Canada—Further amount required.....	47,454	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
	Northern Administration Division—		
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
698	Construction or Acquisition of Buildings, Works, Lands and New Equipment—Further amount required....	1,122,130	
	Forest Conservation and Wildlife Management, including Wood Buffalo Park—		
699	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required...	25,500	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES —*Concluded*		
	FORESTRY BRANCH		
	Forest Products Laboratories Division—		
700	Construction or Acquisition of Buildings, Works, Lands and New Equipment—Further amount required	175,000	
			2,362,532
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
701	General Administration and Technical Services—Further amount required	9,000	
	B—NATIONAL LIBRARY		
702	General Administration—Further amount required	11,290	
			20,290
	PUBLIC PRINTING AND STATIONERY		
703	Plant Equipment and Replacements—Further amount required		133,985
	PUBLIC WORKS		
704	Departmental Administration—Further amount required	44,610	
	PROPERTY AND BUILDING MANAGEMENT BRANCH		
705	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, heating, etc.—Further amount required	306,150	
706	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, heating, etc.—Further amount required	175,000	
	BUILDING CONSTRUCTION BRANCH		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amount required—		
707	Newfoundland	20,000	
708	Nova Scotia	350,000	
709	New Brunswick	15,000	
710	Quebec	342,000	
711	Ottawa	427,500	
712	Ontario (other than Ottawa)	136,000	
713	Manitoba	25,000	
714	Saskatchewan	600,000	
715	Alberta	24,500	
716	British Columbia	358,000	
717	Outside Canada	1,350,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	HARBOURS AND RIVERS ENGINEERING BRANCH		
	Dredging		
718	New Plant and Equipment—Further amount required.....	212,000	
	Graving Docks		
719	Prince Rupert Dry Dock and Shipyard and appurtenant works —To provide for operating losses and essential repairs for the period April 1 to September 30, 1954.....	78,000	
	Roads and Bridges		
720	Maintenance and Operation—Further amount required.....	51,100	
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
721	Newfoundland.....	336,000	
722	Nova Scotia.....	487,500	
723	Prince Edward Island.....	70,000	
724	New Brunswick.....	393,500	
725	Quebec.....	782,500	
726	Ontario.....	665,800	
727	Alberta and Northwest Territories.....	66,000	
728	British Columbia and Yukon.....	808,200	
	DEVELOPMENT ENGINEERING BRANCH		
729	Branch Administration—Further amount required.....	28,616	
	Trans-Canada Highway Division		
730	To provide for surveys and construction of the Trans-Canada Highway through National Parks—Further amount required.....	2,000,000	
	GENERAL		
731	To provide for advance planning of projects including acquisition of sites—Further amount required.....	750,000	
732	To provide for the restoration of the special account in the Consolidated Revenue Fund established by Section 36 of the National Housing Act, 1954, by the amount paid out of the special account during the fiscal year 1954-55 in respect of:		
	(a) Losses sustained as a result of the operation of Federal-Provincial rental projects—Federal share..... $25,402		
	(b) Preliminary expenses incurred under enabling agreements with Provincial Governments..... 312	25,714	
			10,928,690

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	ROYAL CANADIAN MOUNTED POLICE		
733	Marine Services— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	382,983	
	PENSIONS AND OTHER BENEFITS		
734	Government's Contribution to the Royal Canadian Mounted Police Pension Account—Further amount required	18,000	400,983
	SECRETARY OF STATE		
735	Departmental Administration—Further amount required	2,350	
736	Trade Marks Division—Further amount required	3,000	
	PATENT AND COPYRIGHT OFFICE		
737	Administration Division—Further amount required	3,000	
738	Patent Division—Further amount required	73,000	81,350
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
739	Departmental Administration—Further amount required	3,000	
	EXHIBITIONS		
740	Exhibitions generally—Further amount required	25,000	
	STANDARDS BRANCH		
741	Electricity and Gas Inspection Services—Further amount required	5,000	
	CANADA GRAIN ACT		
742	Board of Grain Commissioners— Administration—Further amount required	14,475	
	SPECIAL		
743	International Economic and Technical Co-operation Branch, including the administration of the Colombo Plan and of certain United Nations co-operation plans—Further amount required	33,643	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE—*Concluded*		
	SPECIAL—*Concluded*		
744	To provide, notwithstanding anything in The Prairie Grain Producers' Interim Financing Act, 1951 (hereinafter called "the Act"), that if the amount recovered by or on behalf of Her Majesty from a borrower under the Act is not less than the amount which the Minister of Finance has paid to a bank under Section 3 of the Act, no further amount shall be recovered from the borrower by or on behalf of Her Majesty	1	
			81,119
	TRANSPORT		
	A—DEPARTMENT		
	CANAL SERVICES		
745	Construction or Acquisition of Buildings, Works, Land and New Equipment, including payments to Provinces or Municipalities as contributions towards construction done by those bodies—Further amount required	349,700	
	MARINE SERVICES		
	Marine Service Steamers—		
746	Administration, Operation and Maintenance—Further amount required	228,253	
747	Construction or Acquisition of Vessels and Equipment—Further amount required	1,318,650	
748	Nautical Services—Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 306 of the Canada Shipping Act—Further amount required	12,500	
	Pilotage Service—		
749	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	20,400	
750	Steamship Inspection, including the carrying out of the provisions of the conventions for the safety of life at sea and load lines—Further amount required to provide for a contribution of $1,000 to the Dominion Marine Association, Toronto, Ontario	1,000	
751	To reimburse the Ecole Technique de Rimouski, Inc., for the purchase, on behalf of Her Majesty, of certain machinery and equipment to be installed at the said school, for the purpose of conducting courses in marine engineering	27,940	
	River St. Lawrence Ship Channel Service—		
752	Contract Dredging—Further amount required	1,500,000	
	RAILWAY AND STEAMSHIP SERVICES		
753	Construction of New Dock and Terminal Facilities at Port aux Basques, Newfoundland—Further amount required	100,000	
754	Yarmouth, Nova Scotia—Bar Harbour, Maine, U.S.A., Ferry Service, Deficit, 1955	125,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—Department—*Continued*		
	Railway and Steamship Services—*Concluded*		
755	Construction or Acquisition of Auto-Ferry Vessels 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—Further amount required	1,535,000	
756	Reconditioning and refit of Ferry Vessel "Scotia II" for the Prince Edward Island Car Ferry Service	200,000	
757	To authorize the Governor in Council to grant to the Government of the Province of British Columbia a subsidy of $25,000 per mile, but not exceeding fifty miles, towards the construction of a line of railway of the Pacific Great Eastern Railway northward from Prince George in the Province of British Columbia; such grant of subsidy to be made in such manner and in such amounts and subject to such conditions, if any, as the Governor in Council deems expedient; estimated requirement for the fiscal year 1955-56	250,000	
758	To authorize the Governor in Council to grant to Canadian National Railway Company a subsidy of $25,000 per mile, but not exceeding $7,450,000, towards the construction of the line of railway described in Chapter 49 of the Statutes of Canada, 1953-54, as Branch Line Number 1; such grant of subsidy to be made in such manner and in such amounts and subject to such conditions, if any, as the Governor in Council deems expedient; estimated requirement for the fiscal year 1955-56	1,250,000	
	General		
759	To provide for the expenses of an inquiry into the coasting trade of Canada authorized under the Inquiries Act, including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them in connection with the inquiry	175,000	
	Air Services		
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
760	Administration, Operation and Maintenance—Further amount required	83,800	
761	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	556,650	
	Radio Act and Regulations—		
762	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	44,000	
	Telegraph and Telephone Service—		
763	Construction or Acquisition of Buildings, Works, Land and New Equipment, including capital assistance to local telephone systems in sparsely settled areas—Further amount required	208,510	
	Northwest Communication System—		
764	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	40,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	A—Department—*Concluded*		
	Meteorological Division		
765	Administration, Operation and Maintenance—Further amount required	91,350	
766	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	21,000	
	Civil Aviation Division		
	Airways and Airports—		
767	Operation and Maintenance—Airway and Airport Traffic Control—Further amount required	60,975	
768	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Construction Work on Municipal Airports and payments to Municipalities as contributions towards construction done by those bodies—Further amount required	2,475,101	
769	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates—Further amount required	45,000	
770	Contributions to Municipalities or Public Bodies for Construction and Improvements of Airports on Land acquired by such Organizations—Further amount required	54,306	
771	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis in the amounts detailed in the Estimates—Further amount required	102,000	
	B—General		
	Canadian Maritime Commission		
772	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	1,701	
			10,877,836
	VETERANS AFFAIRS		
773	Departmental Administration—Further amount required	18,700	
774	Veterans' Welfare Services—Further amount required	30,300	
775	Treatment Services—Operation of Hospitals and Administration—Further amount required	510,380	
	War Veterans Allowances and Other Benefits		
776	War Veterans Allowances—Further amount required	9,421,000	
777	Assistance Fund (War Veterans Allowances)—Further amount required	250,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS—*Concluded*		
	MISCELLANEOUS PAYMENTS		
778	To provide for payments to the Last Post Fund; for the payment under regulations of funeral and cemetery charges, including the perpetual care of graves where applicable; for the cost and erection of headstones in Canada; for the maintenance of departmental cemeteries; for the maintenance of Canadian Battlefields Memorials in France and Belgium and for Canada's share of the expenditures of the Imperial War Graves Commission—Further amount required	28,000	
779	Grant to Army Benevolent Fund	8,000	
	CANADIAN PENSION COMMISSION		
780	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—Further amount required	922,500	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
781	To provide for the cost of administration of Veterans' Land Act; Soldier Settlement and British Family Settlement—Further amount required	66,375	
	TERMINABLE SERVICES		
782	Rehabilitation Benefits, including the training of certain Pensioners under regulations approved by the Governor in Council—Further amount required	75,000	
			11,330,255
	LOANS, INVESTMENTS AND ADVANCES		
	AGRICULTURE		
783	To authorize the operation of a revolving fund in accordance with the provisions of Section 58 of the Financial Administration Act for the purposes of financing the production of new and improved varieties of seeds, the acquisition, maintenance and development for experimental purposes of livestock, poultry and eggs, including administrative expenses of all authorized projects; the amount to be charged to the revolving fund at any one time not to exceed $620,000, of which $250,000 has already been provided under Vote 556, Appropriation Act, No. 4, 1952 and $370,000 under Vote 762, Appropriation Act, No. 3, 1953	1	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Continued*		
	ATOMIC ENERGY OF CANADA LIMITED		
784	To provide for advances to Atomic Energy of Canada Limited in such amounts and on such terms and conditions (including the delivery to Her Majesty, in satisfaction of the advances, of obligations or shares of the Company) as the Governor in Council may approve, to finance the construction of a new reactor (NRU) and auxiliary buildings at Chalk River Project, works to provide services in connection therewith, to construct or acquire equipment for the Commercial Products Division in Ottawa and other locations, and housing and other works to be constructed at Deep River; and to authorize Central Mortgage and Housing Corporation to undertake construction of the said housing and other works at Deep River for Atomic Energy of Canada Limited—Further amount required	6,000,500	
	CANADIAN BROADCASTING CORPORATION		
785	Loans to the Canadian Broadcasting Corporation repayable with interest at a rate to be fixed by the Governor in Council on such terms and conditions as the Governor in Council may determine and to be applied in payment of expenditures to cover capital costs of television installations and to support the development of the service. Such loans, with interest, shall be a charge on the revenues of the Canadian Broadcasting Corporation next after the charge imposed under the provisions of Section 17 of the Canadian Broadcasting Act, 1936	8,500,000	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
786	To provide for the restoration of the special account in the Consolidated Revenue Fund established by Section 36 of the National Housing Act, 1954, by the amount paid out of the special account in respect of housing and land development projects undertaken jointly with the governments of the provinces during the fiscal year 1954-55	7,000,000	
787	To provide for advances to Central Mortgage and Housing Corporation for the purposes of subsection (1) of Section 37 of the National Housing Act, 1954, in respect of housing projects for veterans and for housing projects at Gander, Newfoundland, and at Pembroke, Ontario, for sale or rental—Further amount required	858,000	
	EXTERNAL AFFAIRS		
788	To provide for an additional advance to the Working Capital Fund of the United Nations Organization in an amount of $66,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1955, which is	65,175	
	FINANCE		
789	To authorize the purchase of 3,600 shares of stock of the International Finance Corporation being Canada's subscription as a member thereof for the amount of $3,600,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1955	3,555,000	

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	TRANSPORT		
	Canal Services		
790	To provide for the acquisition of land required in connection with the development of the 27 foot Cornwall Navigation System	2,500,000	
	Railway and Steamship Services		
791	Loan to the Canadian National Railway Company, on such terms and conditions as the Governor in Council may approve, for the purpose of providing working capital for the operation of the Yarmouth, Nova Scotia, and Bar Harbour, Maine, U.S.A., Ferry Service	200,000	
	Air Services		
792	Loan to the Canadian Overseas Telecommunication Corporation in accordance with the provisions of Section 14 of the Canadian Overseas Telecommunication Corporation Act for additions and betterments to facilities—Further amount required	537,281	
	National Harbours Board		
793	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 1955 on the following account: Reconstruction and Capital Expenditures—Montreal—Further amount required	2,002,000	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
794	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment; and for protection of security under the Veterans' Land Act—Further amount required	2,900,000	
			34,117,957
	Total		147,724,276

SCHEDULE C.

Based on Further Supplementary Estimates (1), 1955-56. The amount hereby granted is $500,000, being the amount of the item in the Estimates as contained in this Schedule.

SUM granted to Her Majesty, by this Act for the financial year ending 31st March, 1956, and the purpose for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES		
	SPECIAL		
795	To provide, subject to terms and conditions approved by the Governor in Council, for payment of assistance to producers of salted fish on products designated by the Governor in Council in the amount of 50 per cent of the laid down cost of salt used in their 1955 production; including authority to charge administrative costs to Vote 153 of the Main Estimates, 1955-56		500,000