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Canada. Laws, Statutes, etc.

LIST OF ACTS

SESSION 1950 (SECOND)

THIRD SESSION, TWENTY-FIRST PARLIAMENT, 14 GEORGE VI, 1950.

LIST OF PUBLIC ACTS OF CANADA WITH CHAPTER NUMBERS AND DATES OF ASSENT.

ASSENTED TO AUGUST 30, 1950.

CHAP.		BILL NO.
1.	Maintenance of Railway Operation Act, The	1

ASSENTED TO SEPTEMBER 9, 1950.

2.	Canadian Forces Act, 1950, The	3

ASSENTED TO SEPTEMBER 15, 1950.

3.	Consumer Credit (Temporary Provisions) Act, The	4
4.	Customs Tariff, An Act to amend the	10
5.	Defence Appropriation Act, 1950, The	2
6.	Essential Materials (Defence) Act, The	5
7.	Excise Act, 1934, An Act to amend The	9
8.	Excise Tax Act, An Act to amend the	8
9.	Income Tax Act, An Act to amend The	6
10.	Sessional Allowances and transportation expenses to Members of the Senate and the House of Commons, An Act respecting payment of	7

Bills

Index

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 1.

An Act to provide for the Resumption of Operations of Railways and for the Settlement of the Existing Dispute with respect to Terms and Conditions of Employment between Railway Companies and their Employees.

First reading, August 29, 1950.

THE PRIME MINISTER.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69106

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 1.

An Act to provide for the Resumption of Operations of Railways and for the Settlement of the Existing Dispute with respect to Terms and Conditions of Employment between Railway Companies and their Employees.

Preamble.

WHEREAS the operation of railways and subsidiary services serving the country as a whole has been suspended by reason of a failure of the railway companies and the bargaining agents of non-operating and certain other employees of the companies to reach agreement as to certain terms and conditions of employment;

AND WHEREAS the vital interests of the people of Canada and the welfare and security of the nation are imperilled by the suspension of operation of the railways, particularly in existing international conditions;

AND WHEREAS the railway companies and the bargaining agents of the employees appear to have agreed that existing wage rates should be increased, and the forty hour week introduced but appear to have been unable to agree as to the amount and effective date of the wage increase or the date at which the forty hour week would be effective and the terms and conditions upon which it would be introduced;

AND WHEREAS it is essential to protect the interests of the people of Canada and the welfare and security of the nation that operation of the railways be resumed immediately and that for this purpose provision be made for provisional terms and conditions of employment of employees and for the final settlement thereof;

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

Short title.

1. This Act may be cited as *The Maintenance of Railway Operation Act.*

2. Within forty-eight hours after the commencement of this Act every railway company shall resume operation of the railway and auxiliary services the operation of which is suspended by reason of the strike now existing and every employee who is now on strike shall return to the duties of his employment with the railway company by which he is employed.

3. The terms of each collective agreement to which this Act applies are provisionally amended for ever by increasing by four cents per hour each rate of wages established by or pursuant to the agreement.

4. (1) Subject to subsidiary of its terms and conditions in accordance with this Act, the term of each collective agreement to which this Act applies is extended to include the period beginning on the commencement of this Act and ending on the day on which a new collective agreement entered into between the parties thereto in substitution or revision thereof comes into effect, or on which the arbitration by a decision under this Act fixes the term of a collective agreement to be entered into in substitution or revision thereof, whichever is the earlier.

(2) The terms and conditions of a collective agreement mentioned in subsection one, amended as provided in this Act, shall be effective and binding on the parties thereto for the period therein mentioned notwithstanding anything contained in "The Industrial Disputes Investigation Act, 1907" or in the agreement and this Act shall apply in respect of the agreement as so amended as if the period during which the agreement was extended by this section were the term of the agreement.

5. (1) If within fifteen days after the commencement of this Act, or such longer period as may be fixed by the Governor in Council on the joint request of a railway company and a union, agreement has not been reached between them either as to the terms of a collective agreement in revision or as to amendment of a collective agreement to which this Act applies or as to an arbitrator to decide such terms, the Governor in Council shall appoint an arbitrator to decide all matters not then agreed upon between them that appear to the arbitrator necessary to be decided for conclusion of such a collective agreement, including the fixing of a term during which the collective agreement shall operate and, subject to subsection two, the fixing of a day or days, whether before or after the decision of the arbitrator, to which the terms of the collective agreement may be retroactive.

Terms of collective agreements provisionally amended.

Terms of collective agreements.

Terms and conditions and binding effect of collective agreements. 10.

Terms and conditions of collective agreements. 10.

Decision of arbitrator and binding effect of this Act.

G. to decide arbitrator.

Railway services to be resumed.

2. Within forty-eight hours after the commencement of this Act every railway company shall resume operation of the railway and subsidiary services the operation of which is suspended by reason of the strike now existing and every employee who is now on strike shall return to the duties of his employment with the railway company by which he is employed.

Terms of collective agreements provisionally amended.

3. The terms of each collective agreement to which this Act applies are provisionally amended forthwith by increasing by four cents per hour each rate of wages established by or pursuant to the agreement.

Term of collective agreements extended.

4. (1) Subject to amendment of its terms and conditions in accordance with this Act, the term of each collective agreement to which this Act applies is extended to include the period beginning on the commencement of this Act and ending on the day on which a new collective agreement entered into between the parties thereto in amendment or revision thereof comes into effect, or on which the arbitrator by a decision under this Act fixes the term of a collective agreement to be entered into in amendment or revision thereof, whichever is the earlier.

Terms and conditions to be effective and binding for period mentioned in ss. (1). 1947-48, c. 54.

(2) The terms and conditions of a collective agreement mentioned in subsection one, amended as provided in this Act, shall be effective and binding on the parties thereto for the period therein mentioned notwithstanding anything contained in *The Industrial Relations and Disputes Investigation Act* or in the agreement and that Act shall apply in respect of the agreement as so amended as if the period during which the agreement was extended by this section were the term of the agreement.

If agreement not reached within fifteen days after commencement of this Act.

5. (1) If within fifteen days after the commencement of this Act, or such longer period as may be fixed by the Governor in Council at the joint request of a railway company and a union, agreement has not been reached between them either as to the terms of a collective agreement in revision or amendment of a collective agreement to which this Act applies or as to an arbitrator to decide such terms, the Governor in Council shall appoint an arbitrator to decide all matters not then agreed upon between them that appear to the arbitrator necessary to be decided for conclusion of such a collective agreement, including the fixing of a term during which the collective agreement shall operate and, subject to subsection two, the fixing of a day or days, whether before or after the decision of the arbitrator, to which the terms of the collective agreement may be retroactive.

G. in C. to appoint arbitrator.

Duties of arbitrator.

(2) The arbitrator shall, with all convenient dispatch, determine and decide from time to time the matters that have not been agreed upon mentioned in subsection one, and if the arbitrator decides that rates of wages fixed by or pursuant to a collective agreement to which this Act applies shall be increased other than by reason of a reduction in the number of hours of work required to be performed each week, the increased rates of wages shall be retroactive to a day not later than the day on which the employees return to work pursuant to this Act.

Retroactivity of increased rates.

Railway company and union to give effect to decision of arbitrator on matters not agreed upon between company and union, 1947-48, c. 54.

(3) Where the arbitrator has decided any matter not agreed upon between a railway company and a union mentioned in subsection one, the railway company and the union shall give effect to the decision and shall conclude a collective agreement for that purpose and until they do so the collective agreement to which this Act applies to which they are parties shall be deemed for the purposes of *The Industrial Relations and Disputes Investigation Act* to have been amended, *mutatis mutandis*, to give effect to the decision and to have effect, notwithstanding anything in that Act, for the term fixed by the arbitrator, but nothing in this section shall be deemed to limit or restrict the rights of parties to the agreement to agree to vary or amend any of the terms of the agreement as so amended and to give effect thereto.

Procedure.

(4) The arbitrator may establish the procedure to be followed for the purposes of the arbitration.

Powers of arbitrator. 1947-48, c. 54.

(5) The arbitrator shall, for the purposes of the arbitration, have all the powers conferred on a conciliation board under sections thirty-three and thirty-four of *The Industrial Relations and Disputes Investigation Act* for the purpose of conciliation proceedings.

Return to work not to be denied and strikers not to be discharged.

6. No person acting on behalf of a railway company shall refuse to permit, or authorize or direct another person to refuse to permit an employee who has gone on strike before the commencement of this Act to return to the performance of the duties of his employment with the railway company or discharge, or authorize or direct another person to discharge such an employee by reason of the employee having gone on strike.

Union representatives to give notice that previous strike declaration, etc. has become invalid.

7. Each person who at the beginning of the strike of employees now existing was authorized on behalf of a union to bargain collectively with a railway company for the revision or amendment of a collective agreement to which this Act applies, shall forthwith give notice to the members of the union that any declaration, authorization or direction to go on strike, declared, authorized, or given to them before the commencement of this Act has become invalid by reason of the coming into force of this Act.

Interpretation.

8. In this Act

"arbitrator".

(a) "arbitrator" means an arbitrator appointed under section five;

"collective agreement to which this Act applies."

(b) "collective agreement to which this Act applies" means a collective agreement between a railway company and a union the revision or amendment of which was the subject of negotiations between the railway company and the union on the twenty-first day of August, nineteen hundred and fifty, under the provisions of *The Industrial Relations and Disputes Investigation Act;* 5 10

"employee."

(c) "employee" means an employee of a railway company bound by a collective agreement to which this Act applies, or on whose behalf such a collective agreement has been entered into between the railway company and a union representing the employee; 15

"railway company."

(d) "railway company" means a company, commission or association listed in Schedule A;

"union."

(e) "union means a trade union listed in Schedule B; and

Other words and expressions.

(f) other words and expressions have the same meaning as in *The Industrial Relations and Disputes Investigation Act.* 20

1947-48, c. 54.

SCHEDULE A.

Canadian Pacific Railway Company
- Dominion Atlantic Railway Company
- Esquimalt and Nanaimo Railway Company
- Quebec Central Railway Company
- Canadian Pacific Express Company
- Eastern Abattoirs Limited, Montreal, Que.
- New Brunswick Cold Storage Company Limited, Saint John, N.B.

Canadian National Railways

Canadian National Railway Company
- Montreal and Southern Counties Railway Company
- Niagara, St. Catharines and Toronto Railway Company
- Thousand Islands Railway Company
- Canadian National Telegraph Company
- Canadian National Steamship Company Limited
- Canadian National Transportation Limited, Port Arthur, Ont.

Northern Alberta Railway Company

Montreal Stockyards Company

Toronto Terminals Railway Company

The Public Markets Limited, St. Boniface, Man.

Ontario Northland Transportation Commission

The Toronto, Hamilton and Buffalo Railway Company

The Railway Association of Canada

Vancouver Hotel Company Limited

SCHEDULE B.

Commercial Telegraphers' Union of North America

Brotherhood of Railroad Signalmen of America

International Brotherhood of Electrical Workers

Canadian Brotherhood of Railway Employees and Other Transport Workers

Brotherhood of Express Employees

The Order of Railroad Telegraphers

Brotherhood of Maintenance of Way Employees

Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees

International Brotherhood of Blacksmiths, Drop Forgers and Helpers

International Association of Machinists

United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada

Brotherhood of Railway Carmen of America

International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America

Sheet Metal Workers' International Association

International Moulders and Foundry Workers' Union of North America

International Brotherhood of Firemen and Oilers, Power Plant Employees, Roundhouse and Railway Shop Labourers.

Hotel and Restaurant Employees and Bartenders' International Union

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act for granting His Majesty aid for National Defence and Security

First reading, September 7, 1950.

THE MINISTER OF FINANCE.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69518

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act for granting His Majesty aid for National Defence and Security

Preamble.

WHEREAS the Security Council of the United Nations has requested the members of the United Nations to furnish to the Republic of Korea such assistance as may be necessary to repel the armed attack on the Republic and to restore international peace and security in the area, and it is considered urgently necessary that all parties to the North Atlantic Treaty take further substantial measures to provide for their common security and thus to help assure the preservation of peace, and it is in consequence necessary that aid as hereinafter provided be rendered to His Majesty: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as *The Defence Appropriation Act, 1950.*

Appropriation $142,200,200.

2. (1) From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to any other grants of Parliament, sums not exceeding a total of one hundred and forty-two million, two hundred thousand and two hundred dollars for defraying the charges and expenses of the naval, army, and air Services of the Canadian Forces.

Commitments not exceeding $409,257,821.

(2) His Majesty may incur commitments during the fiscal year ending the thirty-first day of March, 1951, for expenditures on the naval, army, and air Services of the Canadian Forces in subsequent fiscal years in amounts not exceeding a total of four hundred and nine million, two hundred and fifty-seven thousand, eight hundred and twenty-one dollars, in addition to the total amount of commitments for similar purposes specified in Schedule A to *The Appropriation Act, No. 4, 1950.*

1950 (1st. Sess.), c. 55.

Commitments not exceeding $5,310,000.

(3) His Majesty may incur commitments during the fiscal year ending the thirty-first day of March, 1951, for expenditures on defence research and development in subsequent fiscal years in amounts not exceeding a total of five million, three hundred and ten thousand dollars in addition to the total amount of the commitments for similar purposes specified in Schedule A to *The Appropriation Act, No. 4, 1950.*

1950 (1st. Sess.), c. 55.

Appropriation $2,000,000.

(4) From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to any other grant of Parliament, sums not exceeding a total of two million dollars for defraying the charges and expenses for the Land Services of the Royal Canadian Mounted Police.

G. in C. may authorize production, etc., of equipment, etc. for use of Canadian Forces, etc.

3. (1) The Governor in Council may from time to time authorize the production, acquisition, repair and provision of equipment, services, supplies and facilities, for the use of the naval, army and air Services of the Canadian Forces and the armed forces of any party to the North Atlantic Treaty, and the construction, improvement and repair of facilities, and the acquisition, processing and storage of materials, supplies and equipment, required to produce or otherwise make available as, where and when required, any such equipment, supplies, services or facilities; and from and out of the Consolidated Revenue Fund there may be paid and applied for these purposes at any time, notwithstanding section thirty-two of *The Consolidated Revenue and Audit Act, 1931*, in addition to any other grants of Parliament, sums not exceeding a total of three hundred million dollars.

Appropriation $300,000,000.

1931, c. 27.

Transfer of equipment or supplies.

(2) The Governor in Council may from time to time, if he deems it desirable for the purposes of the North Atlantic Treaty or otherwise for the defence of Canada, authorize the transfer of defence equipment or supplies, and the provision of services or facilities for defence purposes, by Canada to any of the parties to the North Atlantic Treaty, upon such terms and conditions, if any, as the Governor in Council may specify.

Special account.

(3) When any transfer of defence equipment or supplies is made under this section, and the costs of such equipment or supplies have not been paid from the appropriation made in this section, the estimated present value of such equipment or supplies shall be charged to that appropriation and a corresponding amount shall be paid into a special account in the Consolidated Revenue Fund which may be used at any time, subject to the approval of the Governor in Council, to purchase equipment or supplies for the naval, army or air Services of the Canadian Forces.

"North Atlantic Treaty" defined.

(4) For the purposes of this section the expression "North Atlantic Treaty" includes any other similar instrument for collective defence that may be entered into by Canada.

G. in C. may authorize agency of Government to purchase etc., supplies, etc., for the government of the U.S.A.

4. The Governor in Council may authorize a department or agency of the Government, on behalf of His Majesty, to purchase, produce, or otherwise acquire equipment, supplies, services or facilities for defence purposes, as principal or agent, for the Government of the United States of America, and may make expenditure from unappropriated moneys in the Consolidated Revenue Fund for this purpose to the extent that such government undertakes to reimburse His Majesty for such expenditure promptly as required under contract or upon delivery or provision of such equipment, supplies, services or facilities, and to indemnify His Majesty against any loss, including damages and costs that may accrue from cancellation and amendments, in respect of any contracts entered into under this section for the procurement of such equipment, supplies, services or facilities.

Loans authorized.

1931, c. 27.

5. (1) The Governor in Council may, in addition to the sums now remaining unborrowed, and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sums of money, not to exceed in the whole the sum of three hundred million dollars, as may be required for the purposes of this Act.

Charge on Consolidated Revenue Fund.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Canadian Forces.

First reading, September 7, 1950.

THE MINISTER OF NATIONAL DEFENCE.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69073

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Canadian Forces.

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

Short title.

1. This Act may be cited as *The Canadian Forces Act, 1950.*

2. Subsection five of section sixteen of *The National Defence Act,* chapter forty-three of the statutes of 1950 (First Session), is repealed and the following substituted therefor:

Active service forces.

"(5) In an emergency or if considered desirable in consequence of any action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada, the Governor in Council may establish and authorize the maintenance of components of the Services of the Canadian Forces, referred to in this Act as the active service forces, consisting of

(a) officers and men of the regular forces and the reserve forces who are placed in the active service forces under conditions prescribed in regulations; and

(b) officers and men, not of the regular forces or the reserve forces, who are enrolled in the active service forces for continuing, full-time military service."

3. Subsection three of section twenty-seven of the said Act is repealed and the following substituted therefor:

Provision for release.

"(3) Where a person who, by virtue of subsection two, is deemed to be an officer or man, claims to be released within three months, reckoned from the date on which his pay commenced, and establishes the error or irregularity in his enrolment or re-engagement, he shall, except during an emergency or when he is on active service, be released."

Explanatory Notes.

The purpose of this Bill is to make provision for the placing of all or part of the Canadian Forces on active service in consequence of action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada. At present, *The National Defence Act* provides for the placing of the forces on active service only in an "emergency", which is defined in that Act as "war, invasion, riot or insurrection, real or apprehended."

1. New.

2. Subsection five of section sixteen now reads:

"**16.** (5) In an emergency, the Governor in Council may establish and, while the emergency exists, authorize the maintenance of a component of each Service of the Canadian Forces, referred to in this Act as the active service forces, consisting of

(a) officers and men of the regular forces and the reserve forces who are on active service and who are placed in the active service forces under conditions prescribed in regulations; and

(b) officers and men, not of the regular forces or the reserve forces, who are enrolled on active service in the active service forces for continuing, full-time military service."

This amendment is required to authorize the establishment and maintenance of active service forces where action is taken by Canada under the United Nations Charter or the North Atlantic Treaty or any other similar instrument.

3. Subsection three of section twenty-seven now reads:

"**27.** (3) Where a person who, by virtue of subsection two, is deemed to be an officer or a man, claims to be released within three months, reckoned from the date on which his pay commenced, and establishes the error or irregularity in his enrolment or re-engagement, he shall, except during an emergency, be released."

The purpose of this amendment is to extend the principle embodied in the subsection to cover cases where release may be inadvisable because the officer or man is on active service.

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

Entitlement.

"**31.** (1) Except during an emergency or when he is on active service, an officer or man is entitled to be released at the expiration of the term of service for which he is enrolled or re-engaged."

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

Exception in emergency or when on active service.

"(3) Where the term of service for which an officer or man is enrolled or re-engaged expires during an emergency or when he is on active service or within one year after the expiration of an emergency or after he has ceased to be on active service, he is liable to serve until the expiration of one year after the emergency has ceased to exist or after he has ceased to be on active service, as the case may be."

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

Placing forces on active service.

"**32.** (1) The Governor in Council may place the Canadian Forces or any Service, component, unit or other element thereof or any officer or man thereof on active service anywhere in or beyond Canada at any time when it appears advisable so to do

(a) by reason of an emergency, for the defence of Canada; or

(b) in consequence of any action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada."

Special provision respecting pensions 1950 (1st Sess.) c. 32.

6. (1) Subject to subsection two, the Governor in Council may direct that *The Defence Services Pension Act* or any Part thereof shall not apply to any officer or man, or class of officers or men, who, subsequent to the fifth day of July, nineteen hundred and fifty, are appointed, transferred or posted to, or enlisted, enrolled or serving in, any force designated by the Governor in Council as a special force for the purposes of this section.

Existing rights preserved.

(2) No direction made under this section shall affect the status or prejudice any rights, benefits or privileges that any person had under the *Militia Pension Act* on or before the fifth day of July, nineteen hundred and fifty, and neither this Act nor *An Act to amend the Militia Pension Act and change the Title thereof*, chapter thirty-two of the statutes of 1950 (First Session), shall have the effect of reducing the amount of the pension being paid to any person under the *Militia Pension Act* prior to that date.

4. (1) Subsection one of section thirty-one now reads:

"**31.** (1) Except during an emergency, an officer or man is entitled to be released at the expiration of the term of service for which he is enrolled or re-engaged."

This amendment is required to ensure that no one on active service shall be entitled to his release.

(2) Subsection three of section thirty-one now reads:

"**31.** (3) Where the term of service for which an officer or man is enrolled or re-engaged expires during an emergency or within one year after the expiration of an emergency, he is liable to serve until the expiration of one year after the emergency has ceased to exist."

The purpose of this amendment is to extend the principle of the subsection to all cases in which persons are on active service.

5. Subsection one of section thirty-two now reads:

"**32.** (1) The Governor in Council may place the Canadian Forces or any Service, component, unit or other element thereof or any officer or man thereof on active service anywhere in Canada, and also beyond Canada, for the defence thereof at any time when it appears desirable so to do by reason of an emergency."

This amendment will authorize the placing of the forces on active service, not only in an emergency, but also in consequence of action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument.

6. This clause is required in order to preserve the principle that *The Defence Services Pension Act* is designed to provide pensions for those in the forces on a career basis.

Extension of veterans legislation.

7. (1) The Governor in Council may by regulation provide that all or any of the enactments set out in the Schedule shall, in such manner as the Governor in Council may prescribe, apply to

(a) any or all persons who, subsequent to the fifth day of July, nineteen hundred and fifty, were appointed, transferred or posted to, or enlisted, enrolled or serving in, any force designated by the Governor in Council as a special force for the purposes of this section; and 5

(b) the service of such persons in any such special force. 10

Existing rights preserved.

(2) Nothing in any regulation made under subsection one shall prejudice any rights, benefits or privileges that any person had, under any of the enactments set out in the Schedule, prior to the coming into force of this Act.

Publication and laying before Parliament.

(3) Every regulation made under this section shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within ten days after publication thereof, or, if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof. 15

Coming into force.

8. (1) This Act shall be deemed to have come into force on the fifth day of July, nineteen hundred and fifty. 20

Expiration of s. 7.

(2) Section seven of this Act shall expire on the last day of the first session of Parliament in nineteen hundred and fifty-one.

SCHEDULE

Sections 28, 29 and 30 of the *Civil Service Act.*

Subsection (2) of section 2, section 5A and subsections (4) and (7) of section 7A of the *Civil Service Superannuation Act.*

The *Pension Act.*

Part IV of *The Unemployment Insurance Act, 1940.*

The Veterans' Land Act, 1942.

The Veterans Insurance Act.

The War Service Grants Act, 1944.

The Department of Veterans Affairs Act.

The Veterans Rehabilitation Act.

The Veterans' Business and Professional Loans Act.

The War Veterans' Allowance Act, 1946.

The Reinstatement in Civil Employment Act, 1946.

7. This clause is required to enable the Governor in Council to extend certain benefits of veterans legislation, applicable to veterans of the Second World War, to veterans of any force designated as a special force.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to make Temporary Provision for the Regulation of Consumer Credit.

First reading, September 8, 1950.

THE MINISTER OF FINANCE.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69633

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to make Temporary Provision for the Regulation of Consumer Credit.

Preamble.

WHEREAS in the preamble to *The Essential Materials (Defence) Act* it is recited that in order to avert possible disruption of the defence preparations therein referred to, to lessen the resultant disruption of normal trade and commerce and to prevent economic disorder and hardship on a national scale, it is essential in the interest of Canada as a whole to provide for the control and regulation of the production, distribution and use of the materials and services therein referred to; and such defence preparations may be expected to expand purchasing power and the demand for consumer goods, and at the same time limit the quantity of consumer goods available for ordinary or civilian requirements; and it may therefore be necessary, as a further measure to counteract possible adverse effects of these developments upon such defence preparations, normal trade and commerce and the economic life of the nation, to take steps to restrain the expansion of purchasing power and the demand for consumer goods by preventing inflationary expansion of currency and credit; and it is therefore essential in the interest of Canada as a whole to provide for the restriction of consumer credit: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as *The Consumer Credit (Temporary Provisions) Act.*

Definitions.

"charge account".

2. In this Act,

(a) "charge account" means an agreement or arrangement between buyer and seller under which the buyer has the privilege of obtaining possession of and title to goods without paying the price thereof in full on or before delivery, on condition that such price or any unpaid balance of such price shall be due and payable in full in a lump sum;

"consumer goods".

(b) "consumer goods" means any goods or class of goods declared by the Governor in Council to be consumer goods for the purposes of this Act;

"conditional sale contract".

(c) "conditional sale contract" means any agreement, other than a charge account, under the terms of which a buyer is to obtain possession of any goods without paying the price thereof in full at or before the time of delivery, and includes

(i) a conditional sale agreement or other document reserving ownership of any goods to the seller until the price thereof has been paid in full,

(ii) a hire-purchase agreement or other document under the terms of which a person hires or leases any goods with the option of purchasing such goods and is entitled to become the owner thereof upon payment in full of a specified sum of money, and

(iii) a chattel mortgage or other document, creating or reserving any lien, privilege, hypothec or other encumbrance securing the price or hire of any goods; and

"sold at retail".

(d) "sold at retail" means sold for any purpose other than re-sale, and "purchased at retail" has a corresponding meaning.

Regulations.

3. (1) The Governor in Council may, for the purpose of restricting consumer credit, make regulations with respect to the terms of

(a) payment for consumer goods sold at retail under a conditional sale contract or any goods sold at retail under a charge account,

(b) the repayment of loans wholly or partially secured on consumer goods purchased by the borrower at retail,

(c) the repayment of loans, the proceeds of which are used to pay for consumer goods purchased by the borrower at retail.

Idem.

(2) The Governor in Council may, for carrying out the purposes and provisions of this Act and the regulations made under subsection one, make regulations

(a) providing for the inspection of premises and the examination of any goods, books or records therein, and

(b) requiring any person selling goods at retail on credit to keep such records and books and to furnish such information as the Governor in Council may prescribe.

G. in C. may prescribe penalties.

(3) The Governor in Council may prescribe a fine or a term of imprisonment or both a fine and a term of imprisonment as a penalty for violation of any regulation, and may also prescribe whether the penalty shall be imposed upon summary conviction or upon conviction under indictment or upon either summary conviction or conviction under

indictment, but the fine so prescribed shall not exceed five hundred dollars for summary conviction and five thousand dollars for conviction under indictment and the term of imprisonment so prescribed shall not exceed three months for summary conviction and two years for conviction under indictment.

Publication and tabling of regulations.

(4) Every regulation made under this Act shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within ten days after publication thereof, if Parliament is then in session, or, if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof.

Minister of Finance to administer.

4. This Act shall be administered by the Minister of Finance.

Expiration.

5. This Act shall expire on the thirty-first day of July, nineteen hundred and fifty-two: Provided that, if the Governor in Council so orders, it shall expire on an earlier day designated by him; and provided further that, if at any time while this Act is in force, addresses are presented to the Governor General by the Senate and House of Commons, respectively, praying that this Act be continued in force for a further period, and the Governor in Council so orders, this Act shall continue in force for that further period.

Continuation.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act respecting Materials and Services Essential for the Purposes of Defence and National Security.

First reading, September 8, 1950.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
EDMOND CLOUTIER, C M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69113

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act respecting Materials and Services Essential for the Purposes of Defence and National Security.

Preamble.

WHEREAS, the United Nations, of which Canada is a member, has found it necessary in the interests of world peace to take action to repel unprovoked aggression and to avert war;

AND WHEREAS the Parliament of Canada has approved action by Canada, in discharge of its obligations under the Charter of the United Nations, to assist in the measures taken by the United Nations;

AND WHEREAS effective action by Canada in order to safeguard the national security and to assist the United Nations in accordance with its obligations make it necessary to provide for defence preparations on a greatly increased scale;

AND WHEREAS steel and other materials and electrical energy and other services will be urgently required for such defence preparations and it is expected that the supply of such materials and services may be insufficient to meet such requirements together with the requirements of normal trade and commerce;

AND WHEREAS, in order to avert possible disruption of such defence preparations, to lessen the resultant disruption of normal trade and commerce and to prevent economic disorder and hardship on a national scale it is essential in the interest of Canada as a whole to provide for the control and regulation of the production, distribution and use of such materials and services;

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Essential Materials (Defence) Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"defence purposes".

(a) "defence purposes" means the purposes of ensuring the availability and use of essential materials or services to meet the requirements of the defence forces of Canada and to ensure national security; 5

"essential materials".

(b) "essential materials" means such materials and substances as are designated from time to time by the Governor in Council under section three as being essential for defence purposes;

"essential service".

(c) "essential service" means the carrying on of any 10 commercial activity, including the generation and distribution of electrical energy, as is designated from time to time by the Governor in Council under section three as being essential for production, storage or distribution of essential materials; 15

"mark-up".

(d) "mark-up" means amount added to cost in determining the selling price to cover overhead and profit;

"Minister".

(e) "Minister" means the Minister of Trade and Commerce;

"order".

(f) "order" means a general or specific order, require- 20 ment, prescription or direction in writing made or issued under this Act or any regulation;

"price".

(g) "price" includes rate or charge for any service; and

"sale". "sold".

(h) "sale" includes consignment or other disposition of materials and the supplying of any service and "sold" 25 shall have a corresponding meaning.

DESIGNATION OF ESSENTIAL MATERIALS AND SERVICES.

G. in C. may designate essential materials and services.

3. The Governor in Council may from time to time

(a) designate as essential materials such materials or substances as in his opinion are essential for defence purposes; 30

(b) designate as essential services the carrying on of such commercial activities, including the generation and distribution of electrical energy, as in his opinion are essential for the adequate production, storage or distribution of essential materials or otherwise for 35 defence purposes.

CONTROL OF ESSENTIAL MATERIALS AND SERVICES.

G. in C. powers to regulate and control.

4. (1) The Governor in Council may do and authorize such acts and things and make from time to time such orders and regulations as he deems necessary for the purposes of this Act to control and regulate the production, 40 processing, distribution, acquisition, disposition or use of essential materials or the supply or use of essential services.

Minister's powers in respect to production, processing, prices, information, etc.

(2) Subject to the regulations, if any, the Minister may by order, as he deems necessary for the purposes of this Act,

(a) require any person who produces, processes, deals in or has in his possession or control any essential materials to deal with, supply or dispose of any such materials in such manner and in such priority to that person's other transactions as the Minister may prescribe;

(b) require any person who produces or processes any essential materials to produce or process any such materials in such manner and in such priority to that person's other production or processing operations as the Minister may prescribe;

(c) prescribe the quantities of, the manner and circumstances in which and the conditions on which any essential materials may be produced, processed, used, acquired or disposed of, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;

(d) require any person who supplies any essential service to supply the service to such persons, to such extent and on such conditions as the Minister may prescribe;

(e) prescribe the restrictions and conditions according to which an essential service may be supplied or used, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;

(f) fix the maximum prices, either by determining the selling price or the mark-up, at which and the terms and conditions on which any essential materials or essential services may be sold or offered for sale by any person; and require any seller to refund to any buyer any sum or consideration received in excess of a maximum selling price so fixed;

(g) prescribe the circumstances in which and the terms and conditions on which, for any purposes of this Act, permits shall be obtained from the Minister or from a person designated by the Minister; grant general permits; and amend, suspend or cancel any permit;

(h) require any person to furnish such information respecting essential materials produced, processed or dealt in by him or essential services supplied by him, or respecting his production and other facilities relating thereto, in such time and manner as the Minister may prescribe;

(i) do such further things in regard to the production, supply, distribution and use of essential materials or essential services as may be authorized by order or regulation of the Governor in Council.

ADMINISTRATION.

Assistants and advisers to the Minister.

5. (1) The Governor in Council may, from time to time,

(a) appoint persons to assist the Minister in the exercise of his powers or duties under this Act; and

(b) appoint advisers and establish advisory boards to be composed of such persons as he may appoint to perform such duties as he may designate;

Remuneration and expenses.

and may fix the remuneration and expenses to be paid to persons appointed under this section.

Minister empowered to authorize persons to act under his control.

(2) The Minister may authorize persons to act under his control and direction on his behalf in the exercise of powers conferred on him by this Act or by regulation.

Non-disclosure of information.

6. No person shall disclose any information furnished to the Minister under this Act without the consent of the person from whom it was obtained except

(a) to an official of a government department requiring such information for defence purposes;

(b) in any prosecution for an offence under this Act; or

(c) with the consent of the Minister, in any civil action or proceeding.

GENERAL.

Defence to action for failure to fulfil obligation.

7. Where the failure of any person to fulfil any obligation arising before or after the coming into force of this Act is due to his compliance with any order or regulation, such compliance shall be a good and complete defence to any action or proceeding in respect of such failure.

Offence and penalty.

8. Every person who contravenes or fails to observe any provision of this Act or of any order or regulation is guilty of an offence and is liable, upon summary conviction or conviction upon indictment, to a fine not exceeding five thousand dollars.

Publication of orders and regulations.

9. Every order or regulation made by the Governor in Council under sections three, four or ten shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within ten days after publication thereof, if Parliament is then in session, or, if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof.

Date of expiration.

10. This Act shall expire on the thirty-first day of July, nineteen hundred and fifty-two: Provided that, if the Governor in Council so orders, it shall expire on an earlier day designated by him; and provided further that, if at any time while this Act is in force, addresses are presented to the Governor General by the Senate and House of Commons, respectively, praying that this Act be continued in force for a further period, and the Governor in Council so orders, this Act shall continue in force for that further period.

Continuance in force.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend The Income Tax Act.

First reading, September 13, 1950.

THE MINISTER OF FINANCE.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69921

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend The Income Tax Act.

1947-48, c. 52; 1949 (2nd. Sess.) c. 25; 1950 (1st Sess.) c. 40.

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

Rate.

1. (1) Paragraphs *(a)* and *(b)* of subsection one of section thirty-six of *The Income Tax Act*, chapter fifty-two of the statutes of 1947-48, as enacted by subsection one of section eighteen of chapter twenty-five of the statutes of 1949 (second session), are repealed and the following substituted therefor:

"*(a)* 15% of the amount taxable if the amount taxable does not exceed $10,000.00, and

(b) $1,500.00 plus 38% of the amount by which the amount taxable exceeds $10,000.00 if the amount taxable exceeds $10,000.00."

(2) Subsection two of the said section thirty-six is repealed and the following substituted therefor:

Related corporations.

"(2) Where two or more corporations are related to 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, 38% of the amount taxable for the taxation year."

Application of Act.

2. Section one is applicable to taxation years ending on or after the first day of September, 1950, but, where a corporation has a taxation year part of which is before the first day of September and part of which is after the thirty-first day of August in that year, the tax payable by the corporation under Part I of *The Income Tax Act* for that taxation year is the aggregate of

(a) that proportion of the tax computed under section thirty-six of *The Income Tax Act* as enacted by subsection one of section eighteen of chapter twenty-five of the statutes of 1949 (second session) that the number

Explanatory Notes.

1. This amendment is to give effect to the Budget Resolution.

of days in that portion of the taxation year that is before the first day of September, 1950, is of the number of days in the whole taxation year, and

(b) that proportion of the tax computed under section thirty-six of *The Income Tax Act* as amended by section one that the number of days in that portion of the taxation year that is after the thirty-first day of August, 1950, is of the number of days in the whole taxation year. 5

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act respecting payment of Sessional Allowances and transportation expenses to Members of the Senate and the House of Commons.

AS PASSED BY THE HOUSE OF COMMONS, 14th SEPTEMBER, 1950.

No final reading

OTTAWA
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CONTROLLER OF STATIONERY
1950

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3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act respecting payment of Sessional Allowances and transportation expenses to Members of the Senate and the House of Commons.

Preamble.

WHEREAS the present Special Session of Parliament was called to consider certain urgent matters, and in order that consideration may be given, with the least possible delay, to any other urgent matters that may arise, it is expedient that the present Session should not now be prorogued, but that special provision should be made respecting sessional allowances and transportation expenses to be paid to Members of the Senate and House of Commons: Therefore, His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:

If either House adjourned for more than one week.

R.S., c. 147.

Travelling expenses.

1. For the purposes of the provisions of the *Senate and House of Commons Act* relating to the payment of sessional allowances to Members of the Senate and House of Commons, whenever during the session of Parliament that commenced on the twenty-ninth day of August, nineteen hundred and fifty, either House is adjourned for more than one week, the number of days of such adjournment shall not be reckoned as days of attendance for members of that House, and if after any such adjournment the sittings of that House are resumed, the provisions of the said Act relating to payment to each member of moving, transportation and living expenses while on the journey between his place of residence and Ottawa shall apply in respect of the members of that House as though the resumed sittings were a new session.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Excise Tax Act.

AS PASSED BY THE HOUSE OF COMMONS,
14th SEPTEMBER, 1950

No first reading

OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69927

R.S., c. 179; 1928, c. 50; 1929, c. 57; 1930, c. 43; 1931, c. 54; 1932, c. 54; 1932-33, c. 50; 1934, c. 42; 1935, c. 33; 1936, c. 45; 1937, c. 41; 1938, c. 52; 1939, c. 52; 1939 (2nd Sess.), c. 8; 1940, c. 41; 1940-41, cc. 1, 27; 1942-43, c. 32; 1943-44, c. 11; 1944-45, c. 48; 1945 (2nd Sess.), c. 30; 1946, c. 65; 1947, c. 60; 1947-48, cc. 8, 50; 1949 (2nd Sess.), c. 21; 1950 (1st), c. 15.

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Excise Tax Act.

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

Application of words "manufactured or produced in Canada".

1. Paragraph *(a)* of subsection five of section eighty of the *Excise Tax Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

"*(a)* in the case of all articles enumerated in section two of Schedule I, be deemed to apply to any such articles, which are, in Canada, wrapped, packaged, put up in boxes, bottles or jars, or otherwise prepared for sale;"

Furs.

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

"**80A.** (1) There shall be imposed, levied and collected, an excise tax equal to fifteen per cent. of the current market value of all dressed furs, dyed furs and dressed and dyed furs,—

(i) imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer; or

(ii) dressed, dyed, or dressed and dyed in Canada, payable by the dresser or dyer at the time of delivery by him."

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

Fur content of garments, etc.

"**80B.** There shall be imposed, levied and collected an excise tax equal to fifteen per cent. of the current market value of the fur contained in any garment, robe, or other article imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer."

Explanatory Notes.

1. Paragraph *(a)* at present reads as follows:—

"*(a)* in the case of all articles enumerated in sections two *and three* of Schedule I, be deemed to apply to any such articles, which are, in Canada, wrapped, packaged, put up in boxes, bottles or jars, or otherwise prepared for sale;"

The amendment is consequential upon the amendment in clause 4 of the Bill.

2. The proposed amendment is to increase the tax from ten per cent to fifteen per cent to give effect to the Budget Resolution.

3. The proposed amendment is to increase the tax from ten per cent to fifteen per cent to give effect to the Budget Resolution.

New Schedule I.

4. Schedule I to the said Act is repealed and the First Schedule to this Act is substituted therefor.

New Schedule II.

5. Schedule II to the said Act is repealed, and the Second Schedule to this Act is substituted therefor.

Coming into force.

Application.

6. This Act shall be deemed to have come into force on the eighth day of September, nineteen hundred and fifty 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.

4. and **5.** The proposed amendments are to re-enact Schedules I and II to give effect to the Budget Resolution.

FIRST SCHEDULE.

"SCHEDULE I.

1. Automobiles adapted or adaptable for passenger use, with seating capacity for not more than ten persons each.....fifteen per cent;

Provided that the tax on automobiles shall apply on the total price charged for such automobiles, which price shall include all charges for accessories, optional equipment, advertising, financing, servicing, warranty, or any other charges contracted for at the time of sale, whether charged for separately or not; Provided, further, that the tax shall not apply to automobiles imported under Customs Tariff items 702, 704, 705a, 706, 707 and 708.

2. Articles, materials or preparations of whatever composition or in whatever form, commonly or commercially known as toilet articles, preparations or cosmetics, which are intended for use or application for toilet purposes, or for use in connection with the care of the human body, including the hair, nails, eyes, teeth, or any other part or parts thereof, whether for cleansing, deodorizing, beautifying, preserving or restoring, and to include shaving soaps and shaving creams, antiseptics, bleaches, depilatories, perfumes, scents and similar preparations.....fifteen per cent.

3. *(a)* Electrical appliances adapted to household use, viz. blankets; chafing dishes; coffee makers; curling irons or tongs; dish washers; food or drink mixers; food choppers and grinders; floor waxers and polishers; garbage disposal units; hair dryers; irons and ironers; juice extractors; kettles; portable humidifiers; razors and shavers; toasters of all kinds; vacuum cleaners and attachments therefor; waffle irons.....fifteen per cent;

(b) Firearms and complete parts thereof and ammunition except for military or police purposes.....fifteen per cent;

(c) Motor cycles and all other two- or three-wheeled motor-driven vehicles including motors for attachment to bicycles but not including vehicles specially designed for carrying goods or for use by invalids.....fifteen per cent;

(d) Golf clubs and golf balls.....fifteen per cent;

(e) Fishing rods and fishing reels.....fifteen per cent.

4. Devices, commonly or commercially known as lighters, which produce sparks, flame or heat whether or not in combination with other articles on the separate or combined value, as the case may be.....fifteen per cent.

5. Cameras and unexposed photographic films and plates, except those sold for industrial or professional photographers' use; projectors for pictures except those sold for commercial, religious, or educational purposes.....fifteen per cent.

6. Phonographs, record playing devices, radio broadcast or telecast receiving sets and tubes therefor.....fifteen per cent.

7. Coin, disc or token operated slot machines and vending machines; coin, disc or token operated games or amusement devices of all kinds.....fifteen per cent; Provided that the tax hereby imposed shall not apply to coin collectors used on pay telephones, turnstiles for collecting tolls or charges, coin operated locking devices, nor gas, electric or parking meters.

8. Trunks; suitcases; bags and luggage of all kinds; purses; wallets; billfolds; key and card cases; handbags; jewel cases; dressing and toilet cases; shopping bags, except paper bags; golf and other sports bags; all the foregoing whether fitted or not.....fifteen per cent; Provided that the tax hereby imposed shall not apply to the goods mentioned herein when manufactured expressly for a customer for his use in the operation of his business or profession.

9. Ash trays; tobacco pipes; cigar and cigarette holders; cigarette rolling devices and other smokers' accessories, not to include lighters, matches or tobacco.....fifteen per cent.

10. Fountain pens; ball-point pens; ink pencils; propelling pencils; desk sets and all other desk accessories.....fifteen per cent.

11. Cigars.....twenty-five per cent; Provided that the sale price of cigars manufactured in Canada shall include the amount of excise duty payable thereon under the *Excise Act*.

12. Matches.....fifteen per cent.

13. Tires and Tubes:—

(a) Tires in whole or in part of rubber for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles.....fifteen per cent;

(b) Inner tubes for use in any such tires.....fifteen per cent;

Provided that the tax hereby imposed shall not apply to the goods mentioned herein when used exclusively for the original equipment of such automotive vehicles.

14. *(a)* Clocks and watches adapted to household or personal use, except railway men's watches, and those specially designed for the use of the blind, and alarm clocks where the sale price by the Canadian manufacturer or the duty paid value of those imported does not exceed ten dollars.....fifteen per cent;

(b) Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones.....fifteen per cent;

Provided that the tax on the articles enumerated in subsections *(a)* and *(b)* of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed one dollar;

(c) Articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person; goldsmiths' and silversmiths' products except plated table knives, forks and spoons; pewter ware;

Articles of cut glassware, crystal glassware, cut or not, etched glassware, or metal decorated glassware;

Articles of china, porcelain, earthenware, marble, stoneware or other pottery ware, except articles for use in the preparation or serving of food or drink.....fifteen per cent;

Provided that the tax on the articles enumerated in subsection *(c)* of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed fifty cents.

15. Carbonated beverages, aerated waters, unfermented fruit juice beverages (not including beverages at least ninety-five per cent of which consists of pure juice of the fruit) and imitations thereof and all other compounded or mixed soft drinks where the beverages, waters or drinks are put up in bottles or other containers for sale.....thirty per cent.

16. Candy, chocolate, chewing gum and confectionery that may be classed as candy or a substitute for candy.....thirty per cent."

SECOND SCHEDULE.

"SCHEDULE II.

1. Carbonic acid gas and similar preparations to be used for aerating non-alcoholic beverages..... fifty cents per pound.

2. Cigarettes, manufactured tobacco and Canadian raw leaf tobacco:—

(a) For each five cigarettes or fraction of five cigarettes contained in any package..... two cents;

(b) For each ounce or fraction of an ounce of manufactured tobacco, including snuff but not including cigars and cigarettes, contained in any package..... two cents;

(c) For each ounce or fraction of an ounce of Canadian raw leaf tobacco when sold for consumption in Canada..... one-half cent."

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend The Excise Act, 1934.

AS PASSED BY THE HOUSE OF COMMONS,
14th SEPTEMBER, 1950.

No first reading

OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69931

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

1934, c. 52;
1935, c. 29;
1936, c. 37;
1937, c. 29;
1938, c. 29;
1939 (1st sess.), c. 43;
1939 (2nd sess.), c. 5;
1940, c. 33;
1940-41, c. 16;
1942-43, c. 27;
1943-44, c. 9;
1946, c. 48;
1947-48, c. 49.

BILL 9.

An Act to amend The Excise Act, 1934.

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

1. The first paragraph of section one of the Schedule to *The Excise Act, 1934,* chapter fifty-two of the statutes of 1934, is repealed and the following substituted therefor:

Spirits distilled in Canada.

"1. SPIRITS

On every gallon of the strength of proof distilled in Canada, except as hereinafter otherwise provided, twelve dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:"

2. The first paragraph of section two of the Schedule to the said Act is repealed and the following substituted therefor:

Canadian Brandy.

"2. CANADIAN BRANDY

On every gallon of the strength of proof, ten dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:"

3. Section four of the Schedule to the said Act is repealed and the following substituted therefor:

Malt.

"4. MALT

Upon all malt brought into a brewery subject to such allowance or rebate in respect of waste as may be authorized by the Governor in Council, per pound. . . twenty-one cents."

Coming into force.

4. This Act shall be deemed to have come into force on the eighth day of September, nineteen hundred and fifty.

Explanatory Notes.

1. The proposed amendment is to increase the duty from eleven dollars to twelve dollars to give effect to the Budget Resolution.

2. The proposed amendment is to increase the duty from nine dollars to ten dollars to give effect to the Budget Resolution.

3. The proposed amendment is to increase the duty from sixteen cents to twenty-one cents to give effect to the Budget Resolution.

Third Session, Twenty-First Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Customs Tariff.

AS PASSED BY THE HOUSE OF COMMONS,
14th SEPTEMBER, 1950.

OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1950

69881

R.S. c. 44; 1928, c. 17; 1929, c. 39; 1930 (1st Sess.), c. 13; 1930 (2nd Sess.), c. 3; 1931, c. 30; 1932, c. 41; 1932-33, cc. 6, 37; 1934, cc. 32, 49; 1935, c. 28; 1936, c. 31; 1937, cc. 25, 26; 1939 (1st Sess.), c. 41; 1939 (2nd Sess.), c. 2; 1940, c. 29; 1940-41, c. 13; 1942-43, c. 23; 1943-44, c. 7; 1944-45, c. 36; 1946, c. 45; 1947-48, cc. 6, 42; 1949 (2nd Sess.), c. 15; 1950 (1st Sess.), c. 14

3rd Session, 21st Parliament, 14 George VI, 1950.

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Customs Tariff.

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

Schedule A amended.

1. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by deleting therefrom the following enumerations of goods and rates of additional duties of Customs, as enacted by section two of chapter twenty-three of the statutes of 1942-43 and section two of chapter seven of the statutes of 1943-44:

"Whiskey, brandy, rum, gin and all other goods specified in Customs Tariff Items 156 and 156b.....$7 per gallon of the strength of proof.

Ale, beer, porter and stout.....30 cents per gallon"

and by substituting therefor the following enumerations of goods and rates of additional duties of Customs:—

"Whiskey, brandy, rum, gin and all other goods specified in the various subitems of Tariff Item 156.....$8 per gallon of the strength of proof.

Ale, beer, porter and stout.....40 cents per gallon"

Date of coming into force.

2. Section one shall be deemed to have come into force on the eighth day of September, 1950, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

Explanatory Notes.

1. The proposed amendment is to increase the duty from $7 and 30 cents, respectively, to $8 and 40 cents to give effect to the Budget Resolution.