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HOUSE OF COMMONS

21st Parliament, 6th Session
1952

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361.	Walker, Peter Ernest	R8-255
362.	Ward, Dorothy Lucille Girard	C6-168
363.	Watson, William Wallace	J8-247
364.	Watts, Doris Abbott	G1-35
365.	Waugh, Gladys Cecelia Fisher	N4-102
366.	Wax, Lily Stall	F5-146
367.	Weissenberg, Fanny Iancovici	E6-170
368.	White, Gordon Eugene	E4-141
369.	White, Joan Borland	C9-266
370.	Wilbur, Douglas Paul	R3-128
371.	Williams, Gladys Lucille Jane Annal	Y6-200
372.	Williams, Theodora Dunska	J7-213
373.	Wiseberg, Helene Laura Solomon	B9-265
374.	Woodall, Kathleen Hilda Turk	O8-252
375.	Worontschak, Margit Aloisia Payer	X8-261
376.	Worrell, Margaret Ann Greenaway	V1-50
377.	Worthington, Catherine Victoria Howie Burnett	P3-126
378.	Wozniak, Jozefa Majcher	H6-174
379	Wright, John Harold Roger	L9-280
380.	Young, Edna Ruth Dowsett	E8-236
381.	Young, William	B3-86
382.	Yuill, Winnifred Isobel Bassett	Q12-376

EDMOND CLOUTIER, C.M.G., O.A., D.S.P., Queen's Printer and Controller of Stationery, Ottawa, 1952.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Dominion Day Act and the Victoria Day Act.

First reading, March 3, 1952.

MR. MACDOUGALL.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51594

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Dominion Day Act and the Victoria Day Act.

R.S., c. 49.
R.S., c. 204.

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

1. Sections two and three of the *Dominion Day Act*, chapter forty-nine of the Revised Statutes of Canada, 1927, are repealed, and the following substituted therefor:—

Dominion Day.

"**2.** Throughout Canada, in each and every year, the first Monday following the thirtieth day of June shall be a legal holiday and shall be kept and observed as such under the name of Dominion Day."

2. Sections two and three of the *Victoria Day Act*, chapter two hundred and four of the Revised Statutes of Canada, 1927, are repealed and the following substituted therefor:—

Victoria Day.

"**2.** Throughout Canada, in each and every year, the first Monday following the twenty-third day of May shall be a legal holiday and shall be kept and observed as such under the name of Victoria Day."

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

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

First reading, March 3, 1952.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51590

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

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

1947-48, c. 54.

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

1. Section six of *The Industrial Relations and Disputes Investigation Act*, chapter fifty-four of the statutes of 1947-48, 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 Act. The effect of this new subsection is to provide for the voluntary revocable check-off of union dues.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to provide for the Jurisdiction of the Exchequer Court of Canada in Matters of Divorce.

First reading, March 3, 1952.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51582

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to provide for the Jurisdiction of the Exchequer Court of Canada in Matters of Divorce.

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 Exchequer Court Divorce Jurisdiction Act.*

Jurisdiction of Exchequer Court.

2. The Exchequer Court of Canada (hereinafter referred to as "the Court") shall have jurisdiction to entertain an action for dissolution of marriage from a person domiciled in the province of Quebec or Newfoundland and shall have power and authority to grant a divorce *a vinculo matrimoni* to such a person on the ground that the defendant has since the celebration of his or her marriage been guilty of adultery.

Conditions upon which decree be pronounced.

3. If the Court is satisfied by the evidence that the case of the plaintiff has been proved, and does not find that the plaintiff has been in any manner accessory to or has connived at the adultery of the defendant, or that the plaintiff has condoned the adultery complained of, or that the action was commenced and is proceeded with in collusion with the defendant or the co-respondent, then the Court may give judgment declaring such marriage to be dissolved:

Proviso.

Provided always that the Court shall not be bound to give such judgment if it finds that the plaintiff since his marriage to the defendant has been guilty of adultery, or if the plaintiff has, in the opinion of the Court, been guilty of unreasonable delay in commencing or proceeding with the action or has been guilty of mental or physical cruelty to the defendant, or has, without just cause, deserted the defendant or separated *a mensa et thoro* from the defendant, before the adultery complained of or has otherwise conduced to the commission of adultery by the defendant.

Explanatory Note.

There are at present courts for divorce and matrimonial causes in all the provinces except Quebec and Newfoundland. In these provinces, a plaintiff can obtain dissolution of marriage only by a private Act of the Federal Parliament. As the number of divorce cases has considerably increased in the last ten years, this procedure for that and various other reasons is becoming more and more objectionable. The purpose of this Bill is therefore to provide that the Exchequer Court of Canada will in future have jurisdiction in divorce in the case of actions originating from Quebec and Newfoundland. The jurisdiction as to alimony, care of the children and other matrimonial causes will remain in the provincial courts of those two provinces.

This Bill does not change the grounds for divorce. It does not establish divorce courts in Quebec or Newfoundland. It does not make available to persons residing in Quebec or Newfoundland anything not now available to them. It merely transfers the hearing of divorce petitions, in the case of persons residing in these two provinces, from Parliament to the Exchequer Court of Canada and it provides further that the said Court shall hear such divorce cases only at Ottawa.

Jurisdiction to be exercised at Ottawa.

4. The jurisdiction conferred upon the Exchequer Court of Canada by this Act shall be exercised only at the city of Ottawa.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend The Canadian Wheat Board Act, 1935. (Payment for farm storage).

First reading, March 3, 1952.

Mr. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51586

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

1935, c. 53; 1939, c. 39; 1940, c. 25; 1942-43, c. 4; 1947, c. 15; 1947-48, c. 4; 1950, cc. 31, 51, 50; 1951, (1st Sess.) c. 3.

An Act to amend the Canadian Wheat Board Act, 1935. (Payment for farm storage).

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

1. Subsection two of section twenty-one of *The Canadian Wheat Board Act, 1935,* chapter fifty-three of the statutes of 1935, as enacted by section five of chapter fifteen of the statutes of 1947, is repealed and the following substituted therefor:

Storage payment.

"(2) The Board shall pay to each producer at the time of delivery of wheat to the Board, in addition to any other payment authorized by this section, a sum per bushel on account of storage of the said wheat on the producer's farm, for such period of storage as the Board in its sole discretion shall fix for the purposes of such storage payment, which sum, however, shall equal the amount payable for storage in a country elevator for the same period according to the country elevator tariff rate filed with the Board of Grain Commissioners."

Explanatory Notes.

Subsection two of section twenty-one at present reads as follows:

"(2) The Board shall, *if directed by regulation*, pay to each producer at the time of delivery of wheat to the Board, in addition to any other payment authorized by this section, a sum per bushel on account of storage of the said wheat on the producer's farm, for such period of storage as the Board in its sole discretion shall fix for the purposes of such storage payment, which sum, however, shall equal the amount payable for storage in a country elevator for the same period according to the country elevator tariff rate filed with the Board of Grain Commissioners."

The only change made by this Bill is to delete the words "if directed by regulation" from the subsection as it now stands.

The effect of this change is to ensure that producers in the designated area will be paid the regular storage charge for grain stored on the farm. The determination of the date from which payment is to commence is left to the Canadian Wheat Board, but the payment of such storage charges to producers is by this new subsection made compulsory.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to promote Fair Employment Practices in Canada.

First reading, March 3, 1952.

MRS. FAIRCLOUGH.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51447

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to promote Fair Employment Practices in Canada.

Preamble.

WHEREAS it is desirable to enact a measure to prevent discrimination against men and women in respect of their employment on account of race, creed, colour, ancestry or origin; and whereas such policy is in accord with the universal declaration of human rights as proclaimed by the United Nations;

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 Canadian Fair Employment Practices Act.*

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 corporation;

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.

3. In this Act,

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

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

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

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

"employment agency". (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;

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

Employers not to discriminate in employment practices.

4. No employer or person acting on behalf of an employer shall refuse to employ or to continue to employ any person or discriminate against any person in regard to employment or any term or condition of employment because of race, creed, colour, ancestry or origin.

Membership in trade union.

5. No trade union shall exclude from membership or expel or suspend any person or member or discriminate against any person or member because of race, creed, colour, ancestry or origin.

Employment applications and advertisements not to discriminate.

6. No person shall use or circulate any form of application for employment or publish any advertisement in connection with employment or prospective employment or make any written or oral inquiry which expresses either directly or indirectly any limitation, specification or preference as to race, creed, colour, ancestry or origin.

Conciliation officer.

7. (1) The Minister may on the recommendation of the Deputy Minister designate a conciliation officer to inquire into the complaint of any person that such person has been refused employment, discharged or discriminated against contrary to section four, or that such person has been excluded, expelled, suspended or discriminated against contrary to section five, or that any person has used or circulated any form or published any advertisement or made any inquiry contrary to section six of this Act.

Form.

(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.

Duties.

(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.

8. (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 to the parties and thereupon it shall be presumed conclusively that the commission was appointed in accordance with this Act.

Powers.

(2) The commission shall have all the powers and shall enjoy all the rights and privileges of the Canada Labour

1947-48, c. 54.

Relations Board under section fifty-eight of *The Industrial Relations and Disputes Investigation Act.*

Evidence.

(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 to prevail.

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

Clarification of recommendations.

(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.

Offences and penalties.

9. (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,

(a) if an individual, to a penalty of not more than fifty dollars; or

(b) if a corporation, trade union, employers' organization or employment agency, to a penalty of not more than one hundred dollars.

Disposition of penalties.

(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.

Style of prosecution.

10. A prosecution for an offence under this Act may be instituted against a trade union or employers' organization in the name of the union or organization, and any act or thing done or omitted by an officer, official or agent of a trade union or employers' organization within the scope of his authority to act on behalf of the union or organization shall be deemed to be an act or thing done or omitted by the union or organization.

Agreements with provinces.

11. Where legislation enacted by the legislature of a province and this Act are substantially uniform the Minister may on behalf of the Government of Canada, with the approval of the Governor in Council, enter into an agreement with the government of the province to provide for the administration by officers and employees of Canada of the provincial legislation.

Regulations.

12. The Governor in Council may make regulations generally for carrying any of the purposes or provisions of this Act into effect.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act for the Control and Extirpation of Foot and Mouth Disease.

First reading, March 4, 1952.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51953

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act for the Control and Extirpation of Foot and Mouth Disease.

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

Slaughter of animals.

1. The Minister of Agriculture may cause any animal to be slaughtered where he deems it necessary in order to prevent the spreading of or to extirpate the present outbreak of foot and mouth disease in Canada.

Compensation for animals.

R.S., c. 6.

2. (1) Notwithstanding anything in the *Animal Contagious Diseases Act*, the Minister of Agriculture may order that fair and reasonable compensation be paid to the owners of animals slaughtered by reason of the existence in Canada of foot and mouth disease, such compensation to be determined in the manner prescribed by regulations to be made by the Governor in Council and after a report by a board of valuators to be appointed by the Governor in Council.

Compensation for articles destroyed.

R.S., c. 6.

(2) The Minister of Agriculture may also order that fair and reasonable compensation, to be determined as provided in subsection one, shall be paid in respect of any buildings, fodder, grain or other things ordered to be destroyed under the *Animal Contagious Diseases Act* or the regulations thereunder by reason of the existence in Canada of foot and mouth disease.

Money to be appropriated.

3. The compensation payable under this Act shall be paid out of moneys appropriated by Parliament.

Coming into force and duration.

4. This Act shall be deemed to have come into force on the eighteenth day of February, nineteen hundred and fifty-two, and shall be repealed on a date to be fixed by proclamation of the Governor in Council.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to readjust the Representation in the House of Commons.

First reading, March 10, 1952.

THE PRIME MINISTER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

52035

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to readjust the Representation in the House of Commons.

Preamble.

WHEREAS the results of the census of 1951 necessitate a readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Acts, 1867 to 1951*, and the other statutes in that behalf: 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 Representation Act, 1952.*

Total number of members.

2. Eighty-five members of the House of Commons shall be elected for the Province of Ontario, seventy-five for the Province of Quebec, twelve for the Province of Nova Scotia, ten for the Province of New Brunswick, fourteen for the Province of Manitoba, twenty-two for the Province of British Columbia, four for the Province of Prince Edward Island, fifteen for the Province of Saskatchewan, seventeen for the Province of Alberta, seven for the Province of Newfoundland, and one for the Yukon Territory including that part of the Mackenzie district of the Northwest Territories lying west of the 109th Meridian of west longitude, thus making a total of two hundred and sixty-two members.

Division into electoral districts.

3. The said provinces respectively shall, for the purpose of the election of members to serve in the House of Commons, be divided into electoral districts, which shall be represented as provided in the Schedule.

Construction of Schedule.

4. The whole of that part of the Schedule relating to any province shall be read together, and shall, so far as possible, be construed as including the whole of such province in some one or other of the electoral districts therein de-

scribed, the description of each electoral district being accordingly construed as intended, unless the contrary is expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described that appears to have been intended to be included; in any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days of the session of Parliament next following any such determination, report the same, with the reasons therefor, to the Speaker of the House of Commons.

Doubtful cases decided by Chief Electoral Officer.

Report to Speaker.

Interpretation.

5. Wherever in the Schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect description.

6. Wherever in the Schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class, namely, city, town or village, as the case may be, specified in the Schedule, the reference shall be taken to be to that municipality or place.

Maps of electoral districts, provinces and certain cities.

7. As soon as possible after the passing of this Act, the Surveyor General shall, in accordance with the definitions set out in the Schedule, and with the co-operation of the Chief Electoral Officer, prepare and print

(a) individual maps showing the boundaries of the electoral districts established in each province;

(b) individual maps of each province showing the boundaries of the electoral districts established therein; and

(c) individual maps of all cities portions of which are in more than one electoral district.

Commencement of Act.

8. This Act shall take effect only upon the dissolution of the present Parliament, except that for the purpose only of authorizing and enabling the appointment, pursuant to section eight of *The Canada Elections Act* of returning officers, whenever required, this Act shall be deemed to be in force on the date upon which it has been assented to.

1938, c. 46.

SCHEDULE

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act respecting the appointment of Auditors for National Railways.

First reading, March 10, 1952.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

52026

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act respecting the appointment of Auditors for National Railways.

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

Auditors.

1. Notwithstanding the provisions of section thirteen of *The Canadian National-Canadian Pacific Act, 1933*, chapter thirty-three of the statutes of 1932-33, as enacted by section three of chapter twenty-five of the statutes of 1936, respecting the appointment of auditors by joint resolution of the Senate and House of Commons, George A. Touche and Company, of the cities of Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1952, to make a continuous audit under the provisions of the said section, of the accounts of National Railways as defined in the said Act.

1st K. of Supply Bill not printed.

64.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 63 see Senate Bills, G-3)

BILL 64.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

AS PASSED BY THE HOUSE OF COMMONS, 28th MARCH, 1952.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53787

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

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 thirty-first day of March, one thousand nine hundred and fifty-three, 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, 1952.*

$526,696,879.17 granted for 1952-53.

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 twenty-six million, six hundred and ninety-six thousand, eight hundred and seventy-nine dollars and seventeen cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, 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 thirty-first day of March, one thousand nine hundred and fifty-three, as laid before the House of Commons at the present session of Parliament.

$2,395,833.33 granted for 1952-53.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole two million, three hundred and ninety-five thousand, eight hundred and thirty-three dollars and thirty-three cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being five-twelfths of the amount of the item to be voted set forth in Schedule A to this Act.

$526,420.00 granted for 1952-53.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole five hundred and twenty-six thousand, four hundred and twenty dollars, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being one-third of the amount of each of the several items to be voted set forth in Schedule B to this Act.

$340,890.17 granted for 1952-53.

5. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole three hundred and forty thousand, eight hundred and ninety dollars and seventeen cents, towards defraying the several charges and expenses of the public service from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being one-sixth of the amount of the several items to be voted set forth in Schedule C to this Act.

$257,602.41 granted for 1952-53.

6. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole two hundred and fifty-seven thousand, six hundred and two dollars and forty-one cents, towards defraying the several charges and expenses of the public service from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being one-twelfth of the amount of the several items to be voted set forth in Schedule D to this Act.

Account to be rendered in detail.

7. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the next session of Parliament.

SCHEDULE A

Based on the Main Estimates, 1952-53. The amount hereby granted is $2,395,833.33, being five-twelfths 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, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	TERMINABLE SERVICES		
37	Freight Assistance on Western Feed Grains.....	.....	*5,750,000

* Net total $2,395,833.33

SCHEDULE B

Based on the Main Estimates, 1952-53. The amount hereby granted is $526,420.00, being one-third 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, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION SERVICE		
	Health of Animals—		
25	Compensation for animals slaughtered, including compensation for eggs destroyed from infected premises under terms and conditions approved by the Governor in Council	1,040,880	
	TRADE AND COMMERCE		
	EXHIBITIONS		
448	Canadian International Trade Fair, 1952, including authority to refund, from revenue, deposits received for contracts for space	538,380	
			*1,579,260

* Net total $526,420

SCHEDULE C

Based on the Main Estimates, 1952-53. The amount hereby granted is $340,890.17, being one-sixth of the amount of the several items in the said Estimates as containeed in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION		
	THE SENATE		
209	General Administration	393,448	
	HOUSE OF COMMONS		
212	General Administration—Estimates of the Clerk	1,027,657	
213	Estimates of the Sergeant-at-Arms	624,236	
			*2,045,341

* Net total $340,890.17

SCHEDULE D

Based on the Main Estimates, 1952-53. The amount hereby granted is $257,602.41, 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, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION BRANCH		
62	Field and Inspectional Service, Abroad—Operation and Maintenance	1,748,250	
	TRADE AND COMMERCE		
	STANDARDS DIVISION		
450	Electricity and Gas Inspection Services, including administration of the Electricity and Fluid Exportation Act—Operation and Maintenance	599,176	
452	Weights and Measures Inspection Services—Operation and Maintenance	743,803	
			*3,091,229

* Net total $257,602.41

1st K. of Supply Bill not printed -

94.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for Bill 93 see Senate Bills, C.)

see O

BILL 94.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1952.

AS PASSED BY THE HOUSE OF COMMONS, 31st MARCH, 1952.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53960

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 94.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1952.

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 thirty-first day of March, one thousand nine hundred and fifty-two, 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, 1952.*

$246,542,813 granted for 1951-52.

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 forty-six million, five hundred and forty-two thousand, eight hundred and thirteen dollars towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being the amount of each of the items voted, set forth in Schedule A to this Act for the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-two, as laid before the House of Commons at the present session of Parliament.

$21,500 granted for 1951-52.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole twenty-one thousand, five hundred dollars towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being the amount of the item voted, set forth in Schedule B to this Act for the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-two, as laid before the House of Commons at the present session of Parliament.

Amounts chargeable to year ending 31st March, 1952.

4. Notwithstanding the provisions of *The Financial Administration Act*, the amounts appropriated by this Act may be paid at any time on or before the thirtieth day of April, one thousand nine hundred and fifty-two, and such payments shall be deemed to have been made in and be chargeable to the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-two.

Account to be rendered in detail.

5. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the next session of Parliament.

SCHEDULE A

Based on the Further Supplementary Estimates(2), 1951-52. The amount hereby granted is $246,542,813, 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, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION SERVICE		
	Health of Animals—		
563	Compensation for animals slaughtered under the Animal Contagious Diseases Act; and additional compensation in conformity with the terms of the Act for the Control and Extirpation of Foot and Mouth Disease—Further amount required	665,000	
564	Grants to Agricultural Organizations, as detailed in the Estimates—Further amount required	5,000	
	MARKETING SERVICE		
565	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required	11,222	
	TERMINABLE SERVICES		
566	Agricultural Lime Assistance—Further amount required	95,000	
	SPECIAL		
567	Major Irrigation and Water Conservation Projects in the Prairie Provinces—Further amount required	400,000	
568	To provide assistance to the apple growers in British Columbia on their 1950 apple crop, under such terms and conditions as may be approved by the Governor in Council	1,200,000	
569	To provide assistance to the apple growers in Nova Scotia on their 1950 apple crop, under such terms and conditions as may be approved by the Governor in Council	300,000	
			2,676,222
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
570	Maintenance and Operation—Further amount required		124,950

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION BRANCH		
	Field and Inspectional Service, Canada—		
571	Operation and Maintenance—Further amount required.....	329,300	
572	To provide for the extension to March 31, 1952, of the period during which payments may be made to Trans-Canada Air Lines of the difference in cost between air transportation and minimum tourist class ocean transportation for immigrants transported from the United Kingdom by Trans-Canada Air Lines during such extended period—Further amount required.....	350,000	
	INDIAN AFFAIRS BRANCH		
	Education—Day and Residential Schools—		
573	Operation and Maintenance—Further amount required.....	85,000	
			764,300
	EXTERNAL AFFAIRS		
	A—DEPARTMENT AND MISSIONS ABROAD		
574	Departmental Administration—Further amount required....	25,000	
575	To provide for relief of distressed Canadian citizens abroad and for the reimbursement of the United Kingdom for relief expenditures incurred by its Diplomatic and Consular Posts on Canadian account (part recoverable)—Further amount required.....	5,000	
576	Canadian Representation at International Conferences—Further amount required.....	40,000	
577	To provide for the expenses incurred by Canada as host at the Ottawa Conference of the North Atlantic Treaty Organization.....	19,000	
	B—GENERAL		
	TERMINABLE SERVICES		
578	Contribution to the Provisional Inter-governmental Committee for the Movement of Migrants from Europe.....	50,100	
579	To provide for a gift of wheat as a contribution to Famine Relief for Greece.....	825,000	
			964,100
	FINANCE		
	PUBLIC DEBT CHARGES		
	Servicing of Public Debt—		
580	Commission for Payment of Interest on Public Debt, etc.—Further amount required.....	32,000	
	PAYMENTS TO MUNICIPALITIES		
581	Grants to Municipalities in lieu of taxes on Federal Property—Further amount required.....	249,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	CONTINGENCIES AND MISCELLANEOUS		
582	Cost of Telephone Service at Ottawa for all Departments—Further amount required	55,000	
583	To authorize the deletion from the accounts of certain uncollectible debts due to the Crown amounting in the aggregate to $30,506,622.09 in accordance with the recommendations of the Standing Committee on Public Accounts as contained in the Third Report of the Committee to the House of Commons dated June 27, 1951, and to make the necessary accounting adjustments to reinstate the Retirement Fund with respect to overpayments made therefrom in the amount of $1,765.78, being a portion of the total amount to be so deleted from the accounts	1,766	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
584	To provide for a Government contribution to the Superannuation Fund in an amount equal to the estimated current and arrears payments of individual contributors in the previous fiscal year—Further amount required	4,943,977	
585	Further contribution to the Superannuation Fund in respect of additional liability consequent upon the salary increases effective December 1, 1951	23,000,000	
586	To provide for the transfer to the Civil Service Superannuation Account of the second instalment of a special Government contribution of a portion of the amount by which the estimated liabilities exceed the balance in the Account	75,000,000	
	MISCELLANEOUS GRANTS		
587	Contributions towards the National Women's Organization Programme in connection with the prosecution of a thrift campaign, not to exceed	10,000	
			103,291,743
	FISHERIES		
	FIELD SERVICES		
588	Fish Culture and Development Branch—Construction or Acquisition of Buildings, Works, Land and New Equipment—Further Amount required	.....	60,000
	JUSTICE		
	A—DEPARTMENT		
589	Departmental Administration—Further amount required	3,000	
590	Exchequer Court of Canada—Administration—Further amount required	3,000	
			6,000

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
591	Labour Gazette, authorized by Labour Department Act—Further amount required	23,000	
592	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—Further amount required	50,000	
593	Annuities Act—Notwithstanding the Government Annuities Act, to authorize the Minister of Labour in consequence of the transfer of employees from the original employers to the new employers specified in the Details of the Estimates to enter into contracts with the original employers and the new employers, to provide that the new employers shall, effective on the dates respectively specified in the Details, become parties to Group Annuity Contracts specified in the said Details respectively in the place of the original employers with respect to employees to whom those contracts applied and who were transferred to the new employers and for the application of the contracts in respect of service with the original employers and the new employers and for such other terms as the Minister deems necessary for the maintenance and continuity of pension rights of the employees under those contracts, and to provide for payments in the current and subsequent fiscal years in accordance with the contracts so entered into out of the Government Annuities Account	1	
	Terminable Services		
594	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 under former authorized labour movements and administrative expenses connected therewith—Further amount required	457,895	
	B—Unemployment Insurance Act, 1940		
595	Government's Contribution to the Unemployment Insurance Fund—Further amount required	2,700,000	
			3,230,896
	LEGISLATION		
	The Senate		
596	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment of the full sessional indemnity for the Fifth Session of the Twenty-First Parliament, 1951, to Members of the Senate for days lost through absence caused by public business, by illness, or on account of death. Payments to be made as the Treasury Board may direct	9,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	
	LEGISLATION—*Concluded*		
	THE SENATE—*Concluded*		
597	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 Fifth Session, which commenced on October 9, 1951, and ended on December 21, 1951, 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 Christmas adjournment of Parliament on December 21, 1951, 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	
598	General Administration—Further amount required	14,260	
	HOUSE OF COMMONS		
599	To provide for the full sessional indemnity to Members of the House of Commons—days lost through absence caused by illness, official public business, or Order of the House, or on account of death during the Fifth session of 1951—notwithstanding anything to the contrary, in Chap. 147 of the Revised Statutes, 1927, An Act respecting the Senate and House of Commons, or any amendments thereto. Payments to be made as the Treasury Board may direct	17,650	
600	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 Fifth session, which commenced on October 9, 1951, and ended on December 21, 1951, 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 Christmas adjournment of Parliament on December 21, 1951, 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	8,000	
601	General Administration—Estimates of the Clerk—Further amount required	70,400	
602	Estimates of the Sergeant-at-Arms—Further amount required	17,500	142,310
	MINES AND TECHNICAL SURVEYS		
	B—DOMINION COAL BOARD		
603	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council—Further amount required	.....	780,000
	NATIONAL FILM BOARD		
604	Administration, Production and Distribution of Films and Other Visual Materials—Further amount required	48,000	
605	Construction or Acquisition of New Equipment—Further amount required	29,180	77,180

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE		
	NATIONAL HEALTH BRANCH		
	Health Services		
606	Immigration Medical Services—Further amount required....	508,250	
	Indians and Eskimos Health Services—		
607	Operation and Maintenance—Further amount required.....	965,000	
	WELFARE BRANCH		
	Old Age Security—		
608	To provide for the transfer to the Old Age Security Fund of the amount by which the pension payments from the Fund exceed the receipts into the Fund during the fiscal year 1951-52, which is estimated at.....	57,000,000	
			58,473,250
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY CONTROL BOARD		
	ATOMIC ENERGY CONTROL BOARD		
	Atomic Energy Project—		
609	Construction or Acquisition of Buildings, Works, Land and New Equipment and to provide for payment to Central Mortgage and Housing Corporation, under Vote 307 of the Appropriation Act, No. 4, 1951, as well as under this Item, for housing and other works constructed at Deep River during 1950–51 and 1951–52 by the Corporation, such payment to be applied in repayment of advances, and interest thereon, made to it out of the Consolidated Revenue Fund for the purpose of constructing such works—Further amount required.....	.....	1,000,000
	POST OFFICE		
610	Transportation—Movement of Mail by Land, Air and Water, including Administration—Further amount required.....	1,614,000	
611	To authorize and provide for payment out of the Superannuation Account in the current and subsequent fiscal years to or in respect of Ernest Lefebvre, formerly a Letter Carrier, Ottawa Post Office, in accordance with the Civil Service Superannuation Act, the said Ernest Lefebvre to be deemed for all the purposes of that Act to have retired voluntarily from the Civil Service on December 23, 1950.....	1	
			1,614,001
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
612	To provide for expenses of the Royal Commission on the South Saskatchewan Irrigation and Power Project.....	.....	40,000
	PUBLIC PRINTING AND STATIONERY		
613	Distribution of Official Documents—Further amount required.....	.....	3,600

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
	ARCHITECTURAL BRANCH		
614	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, furnishings, heating, etc.—Further amount required	735,000	
	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—		
615	Newfoundland ($5,000 less the amount of $4,999 available from savings in other listed projects detailed in previous Estimates for 1951-52 for this Province)	1	
616	Ottawa	2,160,000	
	ENGINEERING BRANCH		
	Graving Docks		
617	Prince Rupert Dry Dock and Shipyard and appurtenant works—To provide for operating losses and essential repairs in the fiscal years 1950-51 and 1951-52, in accordance with the terms of Order in Council, P.C. 95/6770 of December 15, 1951	117,000	
	Locks and Dams		
618	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	26,500	
	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 upon individual listed projects—Further amount required—		
619	Newfoundland ($1,950 less the amount of $1,949 available from savings in other listed projects detailed in previous Estimates for 1951-52 for this Province)	1	
			3,038,502
	RESOURCES AND DEVELOPMENT		
	ENGINEERING AND WATER RESOURCES BRANCH		
	Water Resources Division—		
620	To provide for the expenses incurred under the agreement between Canada, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, moneys expended to be largely reimbursed—Further amount required	1,607	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Concluded*		
	ENGINEERING AND WATER RESOURCES BRANCH—*Concluded*		
	Trans-Canada Highway Division—		
621	Notwithstanding the Trans-Canada Highway Act, to authorize and provide for a payment to the Province of Newfoundland, which has entered into an Agreement with Canada for construction of a part of the Trans-Canada Highway, in respect of construction of the Highway carried out between December 10, 1949, and the day on which this Province signed the Agreement with Canada, in accordance with the regulations of the Governor in Council; the amount paid, however, not to exceed fifty per centum of the cost to the Province of the said construction as determined by the Governor in Council; the maximum amount authorized to be expended by Section 7 of the Trans-Canada Highway Act to be decreased to the extent of any amount paid pursuant to this Vote	28,000	
622	To provide for payment to the Northwest Territories Power Commission of an amount to be applied by the Commission in repayment of the balance owing of advances made by the Minister of Finance to the Commission in respect of the Hay River Power Project which was subsequently discontinued	1,700	
			31,307
	ROYAL CANADIAN MOUNTED POLICE		
	Land Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
623	Operation and Maintenance—Further amount required	153,000	
	Aviation Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
624	Operation and Maintenance—Further amount required	6,000	
	PENSIONS AND OTHER BENEFITS		
625	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates—Further amount required	730	
626	Government's contribution to the Royal Canadian Mounted Police Pension Account	938,331	
			1,098,061
	SECRETARY OF STATE		
	PATENT AND COPYRIGHT OFFICE		
627	Copyright and Industrial Designs Division—Further amount required	822	
628	Patent Record Division—Further amount required	15,000	
	GENERAL		
629	Expenses pertaining to the visit to Canada of Her Royal Highness Princess Elizabeth and the Duke of Edinburgh	332,145	
630	Expenses in connection with the Advisory Commission on War Claims	8,500	
			356,467

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	General Administration		
631	Trade Commissioner Service, including payment of compensation to Trade Commissioners for damage to and loss of furniture and effects, under regulations approved by the Governor in Council—Further amount required	37,500	
	Canada Grain Act		
632	Board of Grain Commissioners—Operating and Maintenance Expenses including inspection, weighing, registration, etc.—Further amount required	136,100	
633	Canadian Government Elevators—Operation and Maintenance Expenses—Further amount required	203,950	
			377,550
	TRANSPORT		
	A—Department		
	Canal Services		
634	To provide for expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations—Further amount required	10,000	
	Marine Services		
	Marine Service Steamers—		
635	Administration—Further amount required	3,400	
636	Construction or Acquisition of Vessels and New Equipment—Capital—Further amount required	948,550	
	Nautical Services—		
637	Operation and Maintenance, including grants and contributions, as detailed in the Estimates—Further amount required	6,355	
638	Pilotage Service—Further amount required	50,573	
	Railway and Steamship Services		
	Maritime Freight Rates Act—		
639	Additional amount in excess of the sum of $9,125,000 already appropriated for payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1951-52, 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 1951 (Chap. 79, Statutes of 1927, as amended)—Further amount required	988,881	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
	Canadian National Railways Deficit, 1951—		
640	Amount required to provide for the payments, during the fiscal year 1951-52, 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 1951, this amount to be applied in the repayment of accountable advances made to the National Company from the Consolidated Revenue Fund	15,031,996	
	Prince Edward Island Car Ferry and Terminals Deficit, 1951—		
641	Additional amount in excess of the sum of $1,280,000 already appropriated, to provide for the payment during the fiscal year 1951-52 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 1951—Further amount required	85,286	
	Canadian National (West Indies) Steamships, Limited—		
642	To authorize the write-off from Non-Active Assets to Consolidated Deficit Account of the balances of advances or loans ($3,618,505.74) made to the Canadian National (West Indies) Steamships, Limited. Notwithstanding any other Act, interest shall cease to accrue on this amount on and from January 1, 1952	1	
	GENERAL		
643	To provide for reimbursement of the Department of Transport Stores Account for the value of stores which have become obsolete, unserviceable, lost or destroyed	148,733	
	AIR SERVICES		
	Telecommunications Division		
	Northwest Communication System—		
644	Additional amount in excess of $100,659 already appropriated to provide for the difference between the expenditures for operation and maintenance and revenue accruing from operations during the year ending March 31, 1952—Further amount required	56,679	
	Civil Aviation Division		
645	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates—Further amount required	10,000	
646	To provide for the refund of land rentals, paid by Trans-Canada Air Lines and deposited to the Consolidated Revenue Fund prior to April 1, 1951, on a certain parcel of land forming part of Vancouver Airport	3,300	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General		
	Board of Transport Commissioners for Canada		
647	Administration, Operation and Maintenance—Further amount required	15,000	
	Canadian Maritime Commission		
648	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	88,653	
			17,447,407
	VETERANS AFFAIRS		
	Pensions and Other Benefits		
649	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C.45/8848 of 22nd November, 1944, which shall be subject to the Pension Act—Further amount required	5,100,000	
650	To provide financial assistance after the thirty-first day of May, 1951, in accordance with regulations to be made by the Governor in Council, to unemployable veterans who are in receipt of pensions under the Pension Act for a disability which is a factor contributing to their unemployability; such financial assistance to be exempt from income tax under the provisions of the Income Tax Act—Further amount required	215,000	
	Miscellaneous Payments		
651	To provide for adjustment in the amounts paid to the Imperial War Graves Commission for Canada's share of maintenance of War Graves of World War II, as previously provided for in Department of National Defence Appropriations—Further amount required	530,000	
	Terminable Services		
652	Post Discharge Rehabilitation Benefits, including the training of Merchant Seamen and Salt Water Fishermen Pensioners —Further amount required	300,000	
			6,145,000
	LOANS, INVESTMENTS AND ADVANCES		201,742,846
	Citizenship and Immigration		
653	To authorize and provide for a continuing Special Account in the Consolidated Revenue Fund, notwithstanding Section 32 of the Consolidated Revenue and Audit Act, to be known as the Immigration Revolving Fund, from which interest-free loans may be made to immigrants, towards the cost of transportation to destination in Canada, including cost of meals en route, under conditions fixed from time to time by the Governor in Council; and to authorize the crediting to this Special Account of repayments by such immigrants and the readvancing of such moneys, and to extend and apply this authority to the amount of $3,000,000 provided by Vote 648, Appropriation Act No. 2, 1951	6,000,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Continued*		
	DEFENCE PRODUCTION		
654	To authorize execution and performance of an agreement between Her Majesty and Polymer Corporation Limited by way of amendment to existing agreements between them: *(a)* to provide for the vesting in the name of the Corporation of the title to real property, plant, business and other assets (subject to liabilities) heretofore operated by the Corporation on behalf of Her Majesty; *(b)* to authorize the Corporation to administer the said property, plant, business and other assets on behalf of Her Majesty, as between Her Majesty and the Corporation, as if the Corporation was the beneficial owner thereof; *(c)* to authorize acceptance by Her Majesty for the said property, plant, business, and other assets, and by way of accounting for and in satisfaction of all existing advances made by Her Majesty to the Corporation of 1,999,966 shares of capital stock of the Corporation, of debentures of the Corporation of a principal amount of $8,000,000 and the payment of $3,000,000 in cash during April, 1951; and *(d)* to authorize accounting arrangements to be established by the Corporation as if, as between Her Majesty and the Corporation, the Corporation were not an agent of Her Majesty	37,999,966	
	EXTERNAL AFFAIRS		
655	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 $600,000. Vote 566 of the Appropriation Act No. 4, 1951 is hereby repealed	600,000	
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY CONTROL BOARD		
	Atomic Energy Control Board		
656	To authorize, subject to the approval of the Governor in Council, execution and performance of an agreement effective as of March 31, 1952, between the Atomic Energy Control Board on behalf of Her Majesty and Atomic Energy of Canada Limited: *(a)* to provide, notwithstanding section 3 of the Atomic Energy Control Act, for the vesting in the name of the Company of the title to real property, plant, business and other assets (subject to liabilities) constituting the Chalk River Project to be operated by it on behalf of the Atomic Energy Control Board on behalf of Her Majesty; *(b)* to authorize the Company to administer the said project on behalf of the Atomic Energy Control Board as Agent of Her Majesty, as between Her Majesty, the Board and the Company, as if the Company was the beneficial owner thereof;		

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY CONTROL BOARD—*Concluded*		
	Atomic Energy Control Board—Concluded		
656	*(c)* to authorize acceptance by Her Majesty of shares of capital stock of the Company in return for the said assets; and *(d)* to authorize accounting arrangements to be established by the Company as if, as between Her Majesty, the Board and the Company, the Company were not an agent of Her Majesty or the Board.....	1	
	TRADE AND COMMERCE		
657	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.....	200,000	
			44,799,967
	Total.....	.....	246,542,813

SCHEDULE B

Based on the Further Supplementary Estimates(3), 1951-52. The amount hereby granted is $21,500, being 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, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	GOVERNOR GENERAL AND LIEUTENANT GOVERNORS		
658	To authorize, effective from January 1, 1952, and provide for annual expense allowances to the Lieutenant Governors of the provinces of Canada, to reimburse them for costs of travelling and hospitality incurred in the exercise of their duties, up to amounts of not less than $5,000 and not more than $12,000 per annum in the case of any Lieutenant Governor and within those limits not more than an amount of $5,000 per annum plus $1,000 per annum for each 100,000 or fraction thereof by which the population of the province at the last decennial census exceeded 500,000.....	.....	21,500

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 144.

An Act respecting the Constitution and Duties of the Redistribution Commission.

First reading, April 3, 1952.

The Hon. Mr. POWER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY,
OTTAWA, 1952

52236

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 144.

An Act respecting the Constitution and Duties of the Redistribution Commission.

Preamble.

WHEREAS it is provided in the British North America Acts, 1867-1951 that the number of members of the House of Commons shall be readjusted by such authority, in such manner and from such time as the Parliament of Canada from time to time provides; also that the said readjustment of representation shall be made after each decennial census; and whereas changes in population within the provinces have made it necessary to change the boundaries of the electoral districts theretofore defined and it is advisable to provide for full inquiry in order to determine the extent and character of the changes which should be made following the census of 1951: 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 Redistribution Commission Act, 1952.*

Definitions "built-up area".

2. In this Act,

(a) "built-up area" means an area having an overall population density exceeding fifteen hundred a square mile and consisting of a municipality or of a group of contiguous municipalities none of which has a population density less than five hundred a square mile;

"rural".

(b) "rural" as applied to an electoral district means a district of whose population not more than one-fifth reside within a built-up area having a total population exceeding fifty thousand, and not more than three-fifths within a built-up area having a total population of fifty thousand or less but exceeding twenty thousand;

"urban".

(c) "urban" as applied to an electoral district means a district which is not rural as herein defined.

Redistribution Commission.

3. For the purpose of preparing and reporting a plan for the division of the provinces of Canada into electoral districts in accordance with the provisions of section fifty-one of the *British North America Acts*, 1867 to 1951, as enacted by the *British North America Act, 1946*, there shall be appointed a Redistribution Commission to consist of three members, one of whom shall be the Surveyor General of Canada who shall be the chairman of the Commission, another the person appointed on the recommendation of the Leader of the Opposition in the House of Commons after consultation with the various groups normally considered to be in opposition to the Government at the date, and the third a person to be recommended to Council by the Leader of the Party for the time being holding the majority in the House of Commons.

Appointment of Commissioners.

4. The said Commissioners shall be appointed forthwith after the coming into force of this Act and shall immediately enter upon their functions.

Assessors.

5. There shall also be appointed two Assessors for each province, one of whom shall be appointed on the recommendation of the Leader of the Opposition in the House of Commons, and the other on the recommendation of the Leader of the Party for the time being holding the majority in the House of Commons.

Residence.

6. Each Assessor shall be a resident of the province for which he has been appointed and shall act as an Assessor only in such province.

To attend meetings.

7. Assessors shall attend such meetings of the Commission as they shall be directed to attend, but shall not vote thereat.

Commission to consider changes to be made.

8. (1) The Commission shall consider whether any and, if any, what changes shall be made in the boundaries of the presently existing electoral districts, and in doing so shall, so far as practicable, apply the following principles:

Principles.

(a) permanence in the definition of the boundaries of electoral districts is desirable;

(b) the development of a sense of community of interest among the electors in each electoral district is to be encouraged;

(c) the territorial area included in each electoral district should be continuous;

(d) electoral district boundaries should follow the lines of division between recognized municipal, administrative or other areas by reference to which the census figures have been compiled;

(e) the population included in each urban electoral district should be one-quarter as great again as in each rural electoral district; and

(f) the population of each urban electoral district in any province should be equal and that of each rural electoral district in such province should likewise be so.

(2) The Commission may consider such other pertinent factors as may occur to it or to which its attention may be drawn.

Description of proposed boundaries to be exhibited.

9. Before completing their plan for the redistribution of a province into electoral districts, the Commission shall cause a description of the proposed boundaries of each electoral district within such province to be exhibited at all post offices within such electoral district, and shall invite attention thereto by advertisement in a newspaper or newspapers published or widely distributed therein. The Commission shall state in such advertisement an address within such province to which communications may be addressed to them.

Objections or suggestions.

10. Objections or suggestions in writing, with respect to the proposed boundaries of any electoral district, may be transmitted to the Commission at any time not later than thirty days after publication of the advertisement pursuant to the last preceding section, and the Commission shall give due consideration to all objections and suggestions thus transmitted.

Commission to hold public sittings.

11. The Commission shall also hold public sittings at such place as it may deem advisable in each province, and shall at such sittings receive representations made personally by electors with respect to the proposed boundaries of electoral districts within such province.

Report to the Speaker.

12. (1) The Commission shall, as soon as possible after the expiration of the thirty days mentioned in section ten, transmit its report to the Speaker of the House of Commons and shall in particular state therein,

Contents.

(a) the name of each proposed electoral district;

(b) a description of the boundaries of such proposed electoral district;

(c) the population of such proposed electoral district according to the last decennial census;

(d) the Commissions' reasons for recommending that any electoral district shall contain more or less by one-fifth than the quota of population provided in section eight herein; and

(e) the territorial area of any electoral district.

Map.

(2) A map of the proposed electoral district, certified by each Commissioner, and showing the boundaries thereof, shall be attached to the description of the boundaries of such electoral district.

Draft Bill.

(3) The Commission shall attach to such report a draft Bill, in which the names of the electoral districts and the boundaries thereof are set forth as in the said report, for submission to Parliament.

Report to be laid before Parliament.

13. The Speaker of the House of Commons shall lay the report of the Commission before Parliament within ten days of its reception if Parliament is then sitting, or if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof.

Measure to be introduced.

14. (1) If the House of Commons passes a resolution approving the report of the Commission, the Secretary of State shall cause a bill to be prepared embodying the particulars of the report, and shall introduce it in the House.

In case of disapproval.

(2) If the House of Commons disapproves of the report respecting the proposed redistribution the Speaker may direct the Commissioners to reconsider it and make amendments, modifications or alterations thereto.

Coming into force.

15. This Act shall not come into force unless and until Parliament has made provision for such clerical assistance as may be necessary for the Commission and has made provision for any remuneration, allowances and expenses which may be paid and allowed to the Commissioners, Assessors and other persons who may be employed with respect to the work of the Commission and for any other expenses necessary for the proper operation of the Act.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 172.

An Act to amend the Criminal Code and the Combines Investigation Act.

First reading, April 4, 1952.

MR. ARSENAULT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

54805

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 172.

An Act to amend the Criminal Code and the Combines Investigation Act.

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 thirty-six of the Revised Statutes of Canada, 1927, is amended by inserting therein, immediately after section four hundred and ninety-eight A, the following section:—

Restraint of sports.

"**498B.** Every one is guilty of an indictable offence and liable to a penalty not exceeding two thousand dollars and not less than five hundred dollars, or to two years' imprisonment, or, if a corporation, is liable to a penalty not exceeding five thousand dollars, and not less than two thousand dollars, who conspires, combines, agrees or arranges with any other person or with any hockey association or league, or with any other athletic or sports association, or does any other thing,

(a) to unduly restrict the freedom of players to play with the club of their choice; or

(b) to force a player of amateur standing to sign up with a club or clubs not of his choice under penalty of losing his amateur standing or of being banned from a club, league or association of his choice; or

(c) to force a player to sign as a professional player against his will; or

(d) to force a player of amateur standing who has already signed a contract with a club of amateur standing to play as a professional with a club of professional standing against his will, wishes and desires."

Explanatory Notes.

The purpose of the present bill is to prevent certain dictatorial practices which have developed in Canadian sports, more especially in the field of hockey, practices which are admitted to be unfair to our youth and which certainly should not be tolerated in a democratic country.

For instance, in so far as hockey is concerned, it should be an offence:

(a) to place on any hockey club negotiation lists, the name of an amateur player without his consent if he is twenty-one years of age or over, or without the consent of his parents if he is a minor; and

(b) to try to prevent an amateur hockey player from offering his services to, and playing with, the professional club of his choice should he desire to become a professional player.

2. Section ten A of the *Combines Investigation Act*, chapter twenty-six of the Revised Statutes of Canada, 1927, as enacted by section four of chapter forty-four of the statutes of 1946, is repealed and the following substituted therefor:

Complaints under Act and Criminal Code.

"**10A.** The Commissioner may receive complaints respecting practices alleged to be offences under this Act or under section four hundred and ninety-eight, section four hundred and ninety-eight A, or section four hundred and ninety-eight B of the *Criminal Code* and may investigate the same and, if of opinion that a practice complained of constitutes such an offence, may communicate the complaint and such evidence, if any, in support thereof as is in the possession of the Commissioner to the attorney general of the province within which the offence is alleged to have been committed or to the Attorney General of Canada, for such action as the attorney general of the province or the Attorney General of Canada, as the case may be, may deem appropriate in the circumstances."

R.S., c. 36.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 179.

An Act respecting the Quorum of the House of Commons.

First reading, April 7, 1952.

Mr. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

54801

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 179.

An Act respecting the Quorum of the House of Commons.

Preamble.

WHEREAS it is provided in *The British North America Act (No. 2), 1949*, that the legislative authority of the Parliament of Canada extends to the amendment from time to time of the Constitution of Canada except as regards certain matters therein enumerated;

AND WHEREAS section thirty-seven of *The British North America Act, 1867*, provided that the House of Commons would consist in the beginning of one hundred and eighty-one members and whereas this number has now been increased to two hundred and sixty-two members;

AND WHEREAS section forty-eight of *The British North America Act, 1867*, states that the quorum of the House of Commons shall consist of at least twenty members and whereas this number is manifestly too small having regard to the increased membership of the House and whereas it is expedient to correct this discrepancy between membership and quorum:

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 Quorum of the House of Commons Act.*

Quorum of the House of Commons.

2. The presence of at least thirty members of the House of Commons shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a member.

Section of U.K. Act repealed.

3. Section forty-eight of *The British North America Act, 1867*, chapter three of the Statutes of the United Kingdom of Great Britain and Ireland, 1867, is repealed in so far as the same is part of the law of Canada.

Explanatory Note.

The purpose of this bill, as explained in the preamble, is to increase the quorum of the House of Commons in proportion to the increase in the membership of that House since 1867.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Criminal Code and the Combines Investigation Act. (Liability of directors).

First reading, April 21, 1952.

Mr. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

54975

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Criminal Code and the Combines Investigation Act. (Liability of directors).

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

1. Subsection one of section four hundred and ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Penalty for conspiracy.

"**498.** (1) Every one is guilty of an indictable offence and liable to a penalty not exceeding four thousand dollars and not less than two hundred dollars, or to two years' imprisonment, or, if a corporation, is liable to a penalty not exceeding ten thousand dollars, and not less than one thousand dollars, who conspires, combines, agrees or arranges with any other person, or with any railway, steamship, steamboat or transportation company,

To limit transportation facilities.

(a) to unduly limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article or commodity which may be a subject of trade or commerce; or

Restrain commerce.

(b) to restrain or injure trade or commerce in relation to any such article or commodity; or

Lessen manufacturing.

(c) to unduly prevent, limit, or lessen the manufacture or production of any such article or commodity, or to unreasonably enhance the price thereof; or

Lessen competition.

(d) to unduly prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation or supply of any such article or commodity, or in the price of insurance upon person or property:

Proviso.

Liability of directors assenting to offences.

Provided that if a corporation offend against this subsection any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers."

Explanatory Notes.

The purpose of the amendments contained in this bill is to provide that in cases where corporations are found guilty of an offence under section 498 or 498A of the *Criminal Code* or of an offence under section 32 of the *Combines Investigation Act* a penalty shall be imposed not only on the corporation but also on any director or officer who assents to or acquiesces in the offence committed.

2. Section four hundred and ninety-eight A of the said Act, as enacted by section nine of chapter fifty-six of the statutes of 1935, is repealed and the following substituted therefor:—

Discrimination in trade.

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

En. 1935, c. 56, s. 9.

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

Exceptions.

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

Lower prices in particular area.

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

Lower prices to destroy competition.

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

Proviso.

Liability of directors assenting to offences.

Provided that if a corporation offend against this section any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers."

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

Liability of director assenting to offences.

"**37.** If a corporation offend against section thirty-two, section thirty-five or section thirty-six any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers."

3. The words "section thirty-two, section thirty-five or section thirty-six" underlined on the opposite page are substituted for the words "either of the two last preceding sections".

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 181.

An Act respecting Allowances for War Veterans and their Dependants.

First reading, April 29, 1952.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53860

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 181.

An Act respecting Allowances for War Veterans and their Dependants.

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 War Veterans Allowance Act, 1952.*

Interpretation.

Definitions.

2. In this Act,

"allowance". *(a)* "allowance" means an allowance payable under this Act;

"Board". *(b)* "Board" means the War Veterans Allowance Board established by this Act;

"child". *(c)* "child" means a child of a veteran and includes a step-child, an adopted child or a foster child of a veteran

"Department". *(d)* Department" means the Department of Veterans Affairs;

"District Authority". *(e)* "District Authority" means a District Authority established by this Act;

"Minister". *(f)* "Minister" means the Minister of Veterans Affairs;

"orphan". *(g)* "orphan" means

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

(ii) a child who is bereft by death of one parent and whose surviving parent has, in the opinion of a District Authority or the Board, abandoned or deserted the child;

"recipient". *(h)* "recipient" means any person to whom or on whose behalf payment of an allowance is authorized by this Act;

Explanatory Notes.

This Bill is a complete revision of the existing legislation found in *The War Veterans' Allowance Act, 1946* with certain new provisions for an increase of allowance, for raising the amount of permissible income, and for assisting employable veterans. The desirability for a revision arises from the fact that the first legislation on this subject was enacted in 1930 and that since that time other wars and types of war service have been included and the provisions have been extended to widows and orphans. These changes have been made at different times without changing the basic structure of the original Act, but they have resulted in considerable repetition of language with, sometimes, consequential obscurity of meaning. The present Bill is believed to deal with the whole subject in a more logical order.

2. Paragraph (*k*) is designed to give at once a general idea of the kinds of veterans dealt with. The more particular description is found in section 30. By this means the reader is able to learn quickly one of the main features of the subject and later, if necessary to consider whether a particular person is covered by the legislation, he will naturally turn to the place where the essential qualifications are found.

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

"widow, widower". *(j)* "widow" means a widow of a veteran and "widower" means a veteran bereft by death of his wife;

"veteran". *(k)* "veteran" means any former member of the North West Field Force and any of the following persons, more particularly described in section thirty, namely,

(i) a veteran of the South African War,

(ii) a Canadian veteran of World War I or World War II,

(iii) an allied veteran,

(iv) a Canadian dual service veteran,

(v) an allied dual service veteran, and

(vi) a Canadian Forces veteran.

Allowances to Veterans, Widows and Orphans.

Veterans, widows and orphans. **3.** (1) Subject to this Act, an allowance is payable to

(a) any male veteran who has attained the age of sixty-five years;

(b) any female veteran or widow who has attained the age of fifty-five years;

(c) any veteran or widow who, in the opinion of the District Authority,

(i) is permanently unemployable because of physical or mental disability, or

(ii) is, because of physical or mental disability or insufficiency combined with economic handicaps, incapable and unlikely to become capable of maintaining himself or herself; and

(d) an orphan;

who is resident in Canada.

Amount. (2) The allowances payable under this section to a veteran, widow or orphan shall be paid at the lesser of the following rates, namely,

(a) the monthly rate specified for such veteran, widow or orphan in column II of Schedule A, or

(b) the monthly rate that will produce the total income, including allowances, specified for such veteran, widow or orphan in column III of Schedule A.

Allowances to Employable Veterans.

Employable veterans. **4.** (1) Subject to this Act, an allowance is payable to a veteran who resides in Canada, has attained the age of sixty years, is unable to maintain himself by following his former ordinary occupation but is capable of taking light or intermittent employment and is unemployed.

3. Subsection (1) is practically identical with section 5 of the present Act, the principal change being to remove therefrom male veterans between the age of 60 and 65 who are able to take partial or light employment. This subsection also brings in widows and orphans who are now dealt with in the old Act under section 7.

Subsection (2) provides the formula under which these three classes, namely, veterans, widows, and orphans can be dealt with from the point of view of allowance and permissible income. It may be noted from Schedule "A" that income continues to be dealt with on an annual basis.

4. This is a new section designed to deal with veterans who have reached the age of 60 years and are still in some degree employable. The formula for the payment of allowance to such persons is found in subsection (2), and by reference to Schedule "B" it will be observed that these persons are dealt with on the basis of a monthly income instead of on the basis of a yearly income as is the case in the immediately preceding section.

Amount.

(2) An allowance payable under this section to a veteran shall be paid only with respect to a period during which the recipient satisfies the requirements of subsection one, and shall be paid at the lesser of the following rates, namely,

(a) the monthly rate specified for the veteran in column II of Schedule B, or

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

Special Awards.

Surviving spouse.

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.

Dependant.

(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.

Exempt Income.

What receipts not income.

6. (1) Notwithstanding anything in this Act or the regulations, the following receipts are not income for the purposes of this Act:

R.S., c. 157.

(a) any sum payable under section twenty-six of the *Pension Act* or under similar or equivalent laws of the country in whose forces the recipient served;

R.S., c. 157.

(b) any additional allowance payable under the *Pension Act* in respect of any child or parent of a veteran or under similar or equivalent laws of the country in whose forces the veteran served;

5. Subsection (1) is a revision of subsection (1) of section 17 of the present Act, which reads as follows:

"**17.** (1) After the death of any recipient an amount not exceeding the sum of twelve monthly instalments of the allowance which the recipient was receiving at the time of his death may, at the discretion of the Board, be paid to his widow or for the benefit of any child of the recipient."

Subsection (2) takes the place of subsection (2) of section 17 of the present Act which reads as follows:

"**17.** (2) After the death of the wife or child of a recipient the allowance which the recipient was receiving by reason of the wife or child, may at the discretion of the Board, be continued to be paid thereafter for a periof of one month."

It will be noted that this subsection enables the District Authority to pay allowance for twelve months rather than one month as formerly.

6. This section preserves intact the exemptions from income found in section 13 of the present Act. By para. (i) it exempts from consideration as income pay assigned by a member of the Canadian forces on active service to any recipient or his spouse where dependants' allowance has not already been awarded. In subsection (2) it increases the exemption respecting value of premises from $4000. to $6000. Other exemptions may be given by regulation.

(c) any pension or grant received by reason of a military decoration;

(d) any casual earnings of the recipient;

1944-45, c. 51. (e) any gratuity paid or credit granted under *The War Service Grants Act, 1944;*

(f) receipt of money or assistance from any province or municipality by way of mothers' allowance or by way of relief to dependent children;

1944-45, c. 51. (g) any allowance paid under *The Family Allowances Act, 1944;*

(h) pay allotted or assigned by a member of the Canadian forces on active service, where no dependants' allowance or moneys paid for such purpose has been awarded in respect of the recipient or the spouse of such recipient; and

(i) any other receipts, whether in cash or in kind, prescribed by the regulations.

Home of recipient. (2) In determining what shall be deemed to be the income of a recipient from any interest in real property, the value of any premises in which the recipient resides shall be taken into account only to the extent that it exceeds six thousand dollars.

LIMITATIONS.

Application. **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.

Orphans. R.S., c. 157. **8.** No allowance shall be paid in respect of any orphan who is in receipt of a pension under the *Pension Act.*

Enemy forces. **9.** No allowance shall be paid to any person who served in enemy forces in World War II.

Widow. **10.** (1) Subject to subsection two, no allowance shall be paid to a widow unless she was residing with or being maintained by her husband at the time of his death.

Exemption. (2) The Board may exempt any widow from the operation of subsection one in any case where it deems it just and reasonable so to do.

Widow of recent marriage. **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.

7. Self-explanatory.

8. This section is new. The *Pension Act* makes ample provision.

9. This section is of the same import as section 12A of the present Act which reads as follows:

"**12A.** No allowance shall be paid to any person described in paragraph *(d)* or *(e)* of section four who served in enemy forces in World War II."

10. This section re-enacts subsections (3) and (4) of section 19 of the present Act.

11. This section re-enacts section 18 of the present Act.

Child.

12. (1) No allowance shall be paid to, in respect of or on behalf of a child unless the child is

(a) a male child under the age of sixteen years;

(b) a female child under the age of seventeen years;

(c) under the age of twenty-one years and is following and making satisfactory progress in a course of instruction approved by the District Authority; or

(d) under the age of twenty-one years and is prevented by physical or mental incapacity from earning a livelihood.

Exception.

(2) Notwithstanding subsection one, an allowance may be paid to, in respect of or on behalf of a child over the age of twenty-one years who is prevented by physical or mental incapacity from earning a livelihood where the child is residing with a surviving parent, but no allowance shall be paid unless the incapacity occurred before the child attained the age of twenty-one years.

Rights under *Pension Act*. R.S., c. 157.

13. Except as provided in subsection nine of section twenty of the *Pension Act*, the right of any veteran to receive a pension under the *Pension Act* is not affected by anything in this Act or by the receipt of any allowance.

Suspension of Allowance.

Absence from Canada.

14. (1) Where a recipient of an allowance absents himself from Canada, payment of his allowance shall be suspended immediately following the payment for the month in which he so absents himself, but may be resumed when he returns; and where the recipient returns to Canada within six months from the time he left Canada, the allowance upon being resumed may also be paid for a period of such absence not exceeding three months in any calendar year.

Conviction for offence.

(2) Where a recipient of an allowance is convicted of an offence and sentenced to a term of imprisonment exceeding thirty days, payment of his allowance shall be suspended when the term of imprisonment commences, but may be resumed upon the release of the recipient from imprisonment.

Inmate of institution.

(3) Where a recipient is maintained at the expense of the Department as an inmate of any institution, payment of his allowance shall be suspended during the time he is so maintained, except that the District Authority may, in its discretion, continue payment, for a period not exceeding three months in any period of twelve consecutive months, of part of the allowance to a recipient without dependants where he would suffer hardship if no part of the allowance were paid.

12. This section re-enacts section 20 of the present Act.

13. This section re-enacts section 28 of the present Act but with a reference to the principle found in subsection (9) of section 20 of the *Pension Act* respecting retroactive pension awards.

14. This section re-enacts the substance of section 22 of the present Act which reads as follows:

"22. (1) Subject to the provisions of subsections two and three of this section, payment of an allowance shall be suspended while the recipient is

(a) a prisoner undergoing punishment for an offence;

(b) resident out of Canada; or

(c) being maintained at the expense of the Department as an inmate of any institution.

(2) The Board may, in its discretion, continue payment of part of the allowance to the dependants of any recipient

(a) for a period not exceeding twelve months, when such recipient is a prisoner undergoing punishment; or

(b) during such time as any recipient is maintained at the expense of the Department as an inmate of any institution.

(3) The Board may in its discretion continue payment for a period not exceeding three months of part of the allowance to a recipient without dependants when such recipient is maintained at the expense of the Department as an inmate of any institution, and who would otherwise suffer hardship if no part of the allowance were paid."

It provides for occasional absences from Canada and gives discretionary power to the District Authority to continue payments to avoid undue hardship on the part of a recipient without dependants or on the part of dependants of a recipient who is serving a term of imprisonment or being maintained in any institution.

Discretionary payments.

(4) Notwithstanding anything in this section, the District Authority may, in its discretion, continue payment of part of the allowance to the dependants of any recipient described in this section for a period not exceeding twelve months when such recipient is serving a term of imprisonment or for such time as the recipient is being maintained at the expense of the Department as an inmate of any institution.

PAYMENT ON BEHALF OF RECIPIENT.

Payments to other persons.

15. Where in any case a District Authority is of opinion that the recipient would be likely to apply the amount of any allowance otherwise than to the best advantage, it may direct the payments to be made to and administered by such person as it selects.

Indebtedness to Director of Soldier Settlement or Veterans' Land Act.

R.S., c. 188.

942-43, c. 33.

16. For the purpose of ensuring continued occupancy by a recipient of a home acquired by him under the *Soldier Settlement Act* or *The Veterans' Land Act, 1942*, a District Authority may, with the consent in writing of the recipient, enter into an arrangement with the Director of Soldier Settlement, or The Director, The Veterans' Land Act, as the case may be, to pay to him out of the recipient's allowance an amount not exceeding twenty dollars per month to be applied against the indebtedness of the recipient under the *Soldier Settlement Act* or *The Veterans' Land Act, 1942*.

ASSIGNMENT OF ALLOWANCE.

No assignment, etc., permitted.

17. Except as provided in this Act, no allowance is subject to assignment, alienation or transfer by the recipient or to seizure in satisfaction of any claim against him.

TRANSFER OF PROPERTY.

Transfer of property to qualify.

18. When it appears to a District Authority or the Board that any applicant or recipient or his spouse has made a voluntary assignment or transfer of property for the purpose of qualifying for an allowance or for a larger allowance than he might otherwise have been entitled to, the value of such property shall, in determining the amount of allowance, if any, that such person should receive, be taken into account as if the assignment or transfer had not been made.

RECOVERIES.

Recoveries.

19. Where a person has received or obtained an allowance payment to which he was not entitled, the amount thereof may be recovered at any time as a debt due to the Crown.

15. This section is the same as section 15 of the present Act.

16. This section is the same as section 16 of the present Act except that the amount of $15.00 has been raised to $20.00.

17. This is the same as section 26 of the present Act except it is now not limited to a particular section. This is to avoid any doubt as to the meaning of the prohibition respecting seizure in satisfaction of a claim.

18. Section 14 of the present Act reads as follows:

> "**14.** When it appears to the Board that any applicant or recipient has made a voluntary assignment or transfer of property for the purpose of qualifying for an allowance or for a larger allowance than he might otherwise have been entitled to, the income derivable from such property shall, in determining the amount of allowance, if any, which such person should receive, be taken into account as if the assignment or transfer had not been made."

This new section is the same except that "income derivable from" is changed to read "value of". This is regarded as an administrative improvement to enable the District Authority to properly assess assets and income in all cases.

19. Replacing subsection (3) of section 25 of the present Act which reads as follows:

> "**25.** (3) The amount of any payments of allowance made by reason of wilful non-disclosure of facts or of fraudulent misrepresentations shall be recoverable from the recipient as a debt due to the Crown."

The change is to ensure that the Crown will have the same legal right as a subject to collect moneys of which it has been wrongfully deprived.

Penalties.

Offence.

20. (1) Every person who, for the purpose of obtaining an allowance either for himself or for any other person, knowingly, in any application or otherwise, makes a false or misleading statement or fails to disclose any material fact, is guilty of an offence and liable on summary conviction to a fine of not less than fifteen dollars and not more than one hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment.

Procedure.

(2) Any complaint or information in respect of an offence under this Act or the regulations may be heard, tried or determined in the place in which the offence was committed or the matter of the complaint or information arose or in any place in which the accused is apprehended or happens to be.

Limitation.

(3) A prosecution for an offence under this Act or the regulations may be instituted at any time within twelve months from the time when the subject matter of the prosecution arose.

Evidence.

Certificates *prima facie* evidence.

21. In any trial, prosecution or other proceeding

(a) a certificate purporting to be signed by the Chairman of the Board and setting forth the amount of allowance obtained and the portion thereof that remains unrepaid or unrecovered as of any day, is receivable in evidence as *prima facie* proof of the amount of the allowance obtained and the portion thereof that remains unrepaid or unrecovered as of that day; and

(b) a document purporting to be an adjudication of a District Authority or of the Board is receivable in evidence as *prima facie* proof of the facts stated therein;

without proof of the signature or official character of any person appearing to have signed the certificate or document and without further proof thereof.

Regulations.

Regulations.

22. On the advice of the Board and with the approval of the Governor in Council the Minister may make regulations for carrying the purposes and provisions of this Act into effect and, without restricting the generality of the foregoing, may make regulations

(a) prescribing the manner and form of making applications for allowances and the information and evidence to be furnished in connection therewith;

20. Subsection (1) of section 25 of the present Act reads as follows:

"**25.** (1) Any person who knowingly makes any statement or gives any information that is false in any material particular for the purpose of obtaining an allowance for himself or for another is guilty of an offence and is liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months, or to both fine and imprisonment."

The new section imposes a minimum penalty of $15.00 and reduces the maximum penalty from $200.00 to $100.00.

Subsection (2) of this new section is designed to facilitate the laying of complaints under this section.

21. Subsection (2) of section 25 of the present Act reads as follows:

"**25.** (2) In any trial or proceeding under subsection one or under the Criminal Code the production of a document that purports to be an adjudication of the Board shall be *prima facie* evidence of the facts stated in such adjudication and shall be receivable in evidence without proof of the official character of any person appearing to have signed the adjudication and without further proof thereof."

The new section is designed to facilitate the *prima facie* proof of the amount of allowances wrongfully obtained, the amount unrecovered, and the adjudication of the Authority without proof of the signature or official character of the official concerned.

22. This section is an enlargement of section 33 of the present Act which reads as follows:

"**33.** The Minister may, with the approval of the Governor in Council, make regulations relating to the quorum of a District Authority, the procedure to be followed in matters coming before District Authorities for adjudication, and the procedure to be followed in appeals from adjudications of District Authorities."

The additional provisions are designed to produce greater flexibility in operation and to ensure uniformity of adminstration under the present plan of administration which involves a number of authorities in different places.

(b) prescribing the times and manner of payment of allowances and providing for adjustment of such payments in relation to the income of the recipient;

(c) defining residence and defining intervals of absence from Canada that shall be deemed not to have interrupted residence in Canada;

(d) for determining whether any veteran is unable to maintain himself by following his former ordinary occupation or is capable of taking light or intermittent employment;

(e) defining income for the purposes of this Act, and prescribing the manner in which income is to be determined, including the income of a recipient and his spouse and the determination of an amount thereof that each shall be deemed to receive;

(f) for determining the amount that, for the purposes of this Act, shall be deemed to be the income of a recipient from any interest in real or personal property owned or acquired by the recipient or his spouse;

(g) requiring recipients to report any change in their financial or domestic circumstances;

(h) providing, by the suspension or withholding of allowances, for the recovery of any allowance payments to which a recipient was not entitled;

(i) providing for the circumstances justifying or requiring the suspension of payment of allowance and the resumption of payment;

(j) prescribing the quorum of a District Authority and the procedure to be followed in matters coming before District Authorities;

(k) prescribing the procedure to be followed in appeals from adjudications of District Authorities and to give effect to adjudications of the District Authorities and of the Board; and

(l) prescribing a fine or a term of imprisonment that may be imposed upon summary conviction as a penalty for violation of any regulation, but a fine so prescribed shall not exceed fifteen dollars and a term of imprisonment so prescribed shall not exceed one month.

District Authorities.

District Authorities.

23. (1) The Minister may establish regional districts of the Department for any area and, with the approval of the Governor in Council, may appoint for each district a District Authority consisting of such number of persons employed in the Department as the Minister may prescribe.

Applications for allowance.

(2) An application for an allowance shall be made to the District Authority established for the regional district in which the applicant resides.

23. This section is practically the same as section 31 and subsection (1) of section 32 of the present Act. An important difference is the dropping from the latter of the words "and to the recovery of any overpayment which may have been made". This expression is considered to be superfluous.

Adjudication.

(3) A District Authority has full and unrestricted power and authority and exclusive jurisdiction to deal with and adjudicate upon all matters and questions arising under this Act in the district for which the District Authority was established, relating to the award, increase, decrease, suspension, or cancellation of any allowance awarded or paid under this Act.

Review of adjudication.

24. Every adjudication by a District Authority is subject to review from time to time by the District Authority and it may, for the purpose of any such review, require the recipient to submit a statement of such facts as it may consider relevant to determine his right to have any allowance continued; such statement shall be verified in such manner as the District Authority may direct and in the event the recipient fails to furnish a statement as required, the District Authority may reduce, suspend or cancel payment of the allowance.

War Veterans Allowance Board.

War Veterans Allowance Board established.

25. (1) There shall be a Board to be known as the War Veterans Allowance Board, which, subject to subsection three, shall consist of not less than three nor more than five members to be appointed by the Governor in Council.

Chairman.

(2) One of the members shall be appointed by the Governor in Council to be Chairman of the Board.

Additional temporary members.

(3) The Governor in Council may from time to time appoint not more than three additional temporary members, and in addition, may appoint to be additional members of the Board, without remuneration as such, the Deputy Minister and, as his alternate, the Assistant Deputy Minister and one other person who is not on the staff of the Department.

Tenure of temporary members.

(4) Every temporary member shall be appointed for a period not exceeding one year, but on the expiration of his term of office he is eligible for re-appointment.

Authority of Chairman.

(5) The Chairman of the Board has control and direction over the duties to be performed by the other members of the Board and the duties to be performed by such members of the staff of the Department as may be assigned to the Board by the Minister.

Salaries.

(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.

Quorum.

(7) Two members of the Board constitute a quorum.

Other duties.

(8) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not

24. This section is of the same effect as section 21 of the present Act.

25. This section is the same as section 3 of the present Act except that it is now proposed (see subsection (9)) to provide a pension to a widow or a member and by subsection (10) to ensure that members of the Board who formerly held positions in the civil service shall be entitled to receive all benefits of the *Civil Service Act*.

accept or hold any office or employment that the Governor in Council may declare to be inconsistent with the performance of his duties under this Act.

Pension.

(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*,

R. S., c. 24

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.

Civil Service status.

(10) A member of the Board, including an additional temporary member who, at the time of his appointment as such, held a position in the civil service or was an employee within the meaning of the *Civil Service Act*, retains and is eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that Act.

R.S., c. 22.

Powers of District Authorities and Board.

Investigation.

26. The District Authority and the Board and any person acting under the authority of the Board in that behalf, have all the powers of a commissioner under Part II of the *Inquiries Act* for the purpose of any investigation required to be made in order to determine whether any allowance should be made, suspended or revoked, what should be the amount of any allowance, or whether payment of any allowance should be made to the recipient or to some other person for administration on his behalf.

Census information.

27. The District Authority and the Board have the right, for the purpose of ascertaining the age of any applicant, to obtain any information from the Dominion Bureau of Statistics on the subject of the age of such applicant that may be contained in the returns of any census taken more than twenty years before the date of the application for such information.

Appeals.

Appeals.

28. (1) An appeal may be taken in accordance with the regulations from an adjudication of a District Authority to the Board by an applicant or recipient aggrieved by the adjudication.

26. This section is the same as section 23 of the present Act except that the District Authority is now included.

27. This section is the same as section 24 of the present Act except that the District Authority is now included.

28. Subsections (1) and (2) are the same as subsections (2) and (3) of section 31 of the present Act. Subsections (3) and (4) are new and augment the procedure already established. The whole section is designed to provide a smoothly-operating procedure for appeals.

Review.

(2) The Board may on its own motion review any adjudication of a District Authority and shall deal with it as though an appeal from the adjudication had been taken pursuant to subsection one.

Adjudication.

(3) The Board may on any appeal from or review of an adjudication under this section dismiss the appeal or decline to alter the adjudication or may alter or reverse the adjudication.

Alteration of adjudication.

(4) The Board may at any time review and alter any adjudication made by the Board under this section.

Administration of Act.

Administration.

29. Except as to the power, authority and jurisdiction to deal with and adjudicate upon applications for allowances under this Act, the Minister shall be charged with the administration of this Act.

Veterans Described

Veterans described.

30. (1) The veterans referred to in paragraph *(k)* of section two are those described in this section.

Veteran of South African War.

(2) A veteran of the South African War is

(a) any former member of a Canadian contingent who served in a theatre of actual war during the South African War, or

(b) any former member of His Majesty's forces, who served in a theatre of actual war during the South African War and was domiciled in Canada immediately prior to the eleventh day of October, eighteen hundred and ninety-nine,

if in either case the former member landed in South Africa prior to the first day of June, nineteen hundred and two.

Canadian veteran of World War I or World War II.

(3) A Canadian veteran of World War I or World War II is any former member of His Majesty's Canadian forces who served during World War I or World War II, and

(a) served in a theatre of actual war,

(b) is in receipt of a pension for injury or disease incurred or aggravated during his service in such forces, or

(c) has accepted a commuted pension.

Allied veteran.

(4) An allied veteran is

(a) any former member

(i) of any of His Majesty's forces who served during World War I or World War II,

(ii) of any of the forces of any of His Majesty's allies who served during World War I or World War II, or

29. This section is the same as section 27 of the present Act.

30. This section re-enacts definitions of "veteran" found in sections 4 and 9 of the present Act. The definition of "theatre of actual war" is the same as is found in paragraph (*j*) of section 2 of the present Act. Subsection (10) deals with termination dates of wars in the same manner as is found in the present Act. Para. (*a*) of subsection (11) re-enacts subsection (2) of section 2 of the present Act and paragraph (*b*) is new and is designed to enable assistance to be granted where a home has been set up on a stable basis but divorce is not obtainable.

(iii) of any of the forces of any power associated with His Majesty in World War I who served during World War I,

who was domiciled in Canada at the time he joined such force for the purpose of such war and

(iv) served in a theatre of actual war,

(v) is in receipt of a pension for an injury or disease incurred or aggravated during his service in such force, or

(vi) has accepted a commuted pension; or

(b) any former member of His Majesty's forces, or of any of the forces of any of His Majesty's allies or powers associated with His Majesty in any war concluded on or before the thirty-first day of August, nineteen hundred and twenty-one, who served during any such war, and has resided in Canada for a total period of at least twenty years, and

(i) served in a theatre of actual war,

(ii) is in receipt of a pension for an injury or disease incurred or aggravated during his service in any such force during such war, or

(iii) has accepted a commuted pension.

Canadian dual service veteran.

(5) A Canadian dual service veteran is a person who

(a) served during World War I and World War II as a member of His Majesty's Canadian forces,

(b) was enlisted or obligated to serve in such forces without territorial limitation, and

(c) has been honourably discharged or has been permitted honourably to resign or retire from such forces.

Allied dual service veteran.

(6) An allied dual service veteran is

(a) a person who

(i) served during World War I as a member of His Majesty's forces,

(ii) was domiciled in Canada when he became a member of such forces,

(iii) was a member of His Majesty's Canadian forces during World War II, enlisted or obligated to service without territorial limitation, and

(iv) has been honourably discharged or has been permitted honourably to resign or retire from such forces; or

(b) a person who

(i) served during World War I as a member of His Majesty's forces or of any of the forces of any of His Majesty's allies or powers associated with His Majesty,

(ii) was a member of His Majesty's Canadian forces during World War II, enlisted or obligated to serve without territorial limitation,

(iii) has resided in Canada for a total period of at least twenty years, and

(iv) has been honourably discharged or has been permitted honourably to resign or retire from such forces.

Canadian Forces veteran

1951 (1st Sess.) c. 62.

(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 two of *The Veterans Benefit Act, 1951*.

"theatre of actual war" defined.

(8) For the purposes of this section "theatre of actual war" means

(a) in the case of the South African War, the zone of the military operations in South Africa in which the forces of the United Kingdom of Great Britain and Ireland were engaged prior to the first day of June, nineteen hundred and two;

(b) in the case of World War I

(i) as applied to the army or air forces, the zone of the allied armies of the continents of Europe, of Asia, or of Africa, or wherever the veteran has sustained injury or contracted disease directly by a hostile act of the enemy;

(ii) as applied to the naval forces, the high seas or wherever contact has been made with hostile forces of the enemy, or wherever the veteran has sustained injury or contracted disease directly by a hostile act of the enemy; and

(c) in the case of World War II, any place where the veteran has been on service involving duties performed outside the Western Hemisphere, including service involving duties performed outside of Canada, Newfoundland and the United States of America and the territorial waters thereof in aircraft or anywhere in a ship or other vessel, which service is classed as "sea time" for the purpose of advancement of naval ratings, or which would be so classed were the ship or other vessel in the service of the naval forces of Canada.

"commuted pension" defined.

R.S., c. 157.

(9) For the purposes of this section "commuted pension" means a final payment under the *Pension Act* in lieu of annual pension in respect of a disability rated at five per cent or more of total disability, or a similar or analogous final payment under the laws relating to the forces with which the veteran served.

Commencement and duration of wars.

(10) For the purposes of this section,

(a) the South African War shall be deemed to have commenced on the eleventh day of October, eighteen hundred and ninety-nine, and to have concluded on the thirty-first day of May, nineteen hundred and two;

(b) World War I shall be deemed to have commenced on the fourth day of August, nineteen hundred and

fourteen, and to have concluded on the thirty-first day of August, nineteen hundred and twenty-one; and

(c) World War II shall be deemed to have commenced in September, nineteen hundred and thirty-nine, and to have terminated

(i) in respect of service in connection with operations in the European and Mediterranean theatres of war, on the eighth day of May, nineteen hundred and forty-five; and

(ii) in respect of service in connection with operations in the Pacific theatre of war on the fifteenth day of August, nineteen hundred and forty-five.

Application to Newfoundland.

(11) For the purposes of this Act,

(a) the expression "Canadian forces" includes any forces raised in Newfoundland and "domicile in Canada" and "residence in Canada" include respectively domicile and residence in Newfoundland, whether before or after the union of Newfoundland with Canada; and

Veteran deemed married.

(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.

Transitional and Repeal.

Continuation of allowances.

1946, c. 75.

31. (1) Subject to this section, every person who, immediately prior to the coming into force of this Act, was eligible for and in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, shall be deemed to have been awarded, on the day this Act comes into force, the allowance under this Act for which he is eligible.

Male veterans aged 60.

1946, c. 75.

(2) Paragraph *(a)* of subsection one of section three shall be deemed to include every male veteran who, immediately prior to the coming into force of this Act, was eligible for and in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, by reason of his having attained the age of sixty years.

Increase of allowances for 1952.

1946, c. 75.

(3) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, may be paid, in addition to the allowance for which he is eligible under this Act, the amount that he would have been eligible to receive

31. This section becomes necessary to provide without new applications for a continuation of allowances now in payment; to ensure that veterans who have been on allowance by reason only of having reached 60 years of age shall not be prejudiced by the raising of the present requirement as to age; to make allowances retroactive to the first of January 1952, and to enable recovery of any allowances that were wrongfully paid pursuant to former legislation.

under this Act if this Act has been in force for the whole of the calendar year nineteen hundred and fifty-two, less any amount that he was eligible to receive under *The War Veterans' Allowance Act, 1946* in respect of that portion of the calendar year nineteen hundred and fifty-two prior to the coming into force of this Act.

1946, c. 75.

Recovery of overpayments. 1946, c. 75. 1930, c. 48.

(4) The provisions of this Act and the regulations relating to the recovery of overpayments of allowances apply in respect of overpayments of allowances made under *The War Veterans' Allowance Act, 1946*, or *The War Veterans' Allowance Act*, chapter forty-eight of the statutes of 1930.

Repeal. 1946, c, 75.

32. (1) *The War Veterans' Allowance Act, 1946*, is repealed.

S. 25 (6) deemed in force. 1946, c. 75.

(2) Subsection six of section twenty-five of this Act shall be deemed to have been substituted for subsection seven of section three of *The War Veterans' Allowance Act, 1946*, on the first day of January, nineteen hundred and fifty-two.

32. Subsection (7) of section 3 of the present Act reads as follows:

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

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

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

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act to amend The Veterans Benefit Act, 1951.

First reading, April 29, 1952.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53405

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act to amend The Veterans Benefit Act, 1951.

1951, c. 62.

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

1. Section nine of *The Veterans Benefit Act, 1951*, chapter sixty-two of the statutes of 1951, is repealed and the following substituted therefor:

Expiration.

"**9.** This Act shall expire on the last day of the first session of Parliament in nineteen hundred and fifty-three."

Explanatory Notes.

The proposed amendment is intended to extend until the last day of the first session of Parliament nineteen hundred and fifty-three, the date of expiration of the Act.

The underlined words "nineteen hundred and fifty-three" are substituted for the words "nineteen hundred and fifty-two".

183.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to amend The Veterans Insurance Act.

First reading, April 29, 1952.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53409

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to amend The Veterans Insurance Act.

1944-45, c. 49; 1947-48, c. 72; 1949 (1st Sess.), c. 6; 1951 (1st Sess.), c. 64.

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

Repeal.

1. Section eleven of *The Veterans Insurance Act*, chapter forty-nine of the statutes of 1944-45, is repealed.

Coming into force.

2. This Act shall be deemed to have come into force on the thirtieth day of June, nineteen hundred and fifty-one.

Explanatory Notes.

1. Section eleven now reads:—

"**11.** (1) Where, under this Act, the insurance money falls into and becomes part of the estate of the insured, such estate shall be entitled to receive only the reserve under the contract at the time of the death of the insured.

(2) In this section the word "reserve" means the net premium value of the contract on the basis of the British Offices Life Tables, Om(5) with interest at the rate of three and one-half per centum per annum."

This amendment will permit the payment to an estate of the face value of the insurance policy where under the Act the proceeds of the policy passes to the estate of the insured.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to amend the Pension Act.

First reading, April 29, 1952.

The Minister of Veterans Affairs.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

55906

R.S. c. 157; 1928, c. 38; 1930, c. 35; 1931, c. 44; 1932-33, c. 45; 1934, c. 58; 1935, cc. 8, 45; 1936, c. 44; 1939 (1st Sess.), c. 32; 1940-41, c. 23; 1946, c. 62; 1947-48, c. 23; 1949 (1st Sess.), c. 6; 1951 (1st Sess.), c. 56; 1951 (2nd Sess.), c. 19.

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to amend the Pension Act.

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

1. Subsection three of section twenty-six of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, and subsection four of the said section twenty-six, as enacted by section seventeen of chapter thirty-eight of the statutes of 1928, are repealed and the following substituted therefor:

Wear and tear of clothing on account of amputation.

"(2) A member of the forces in receipt of pension on account of an amputation of the leg above a Symes' amputation shall be entitled to an allowance on account of wear and tear of clothing of seventy-two dollars per annum; and a member of the forces in receipt of pension on account of an amputation at or above the wrist shall be entitled to an allowance on account of wear and tear of clothing of thirty dollars per annum.

Wear and tear from use of appliances, etc.

(3) A member of the forces in receipt of pension for any other disability for the relief of which any appliance must be worn or treatment applied which causes wear and tear of clothing may, in the discretion of the Commission, be granted an allowance in respect of such wear and tear not exceeding seventy-two dollars per annum."

2. Subsection four of section thirty-three of the said Act is repealed and the following substituted therefor:

Increase not exceeding three hundred dollars annually between dependent parents of deceased member.

"(4) In cases in which a member of the forces has died leaving more than one parent or person in the place of a parent who were wholly or to a substantial extent maintained by him, the pension for one such parent or person may be increased by an additional amount not exceeding three hundred dollars per annum and the total pension apportioned between such parents or between the parent and such other person."

Explanatory Notes.

The purpose of this Bill is to adjust the allowance for excessive wear and tear of a pensioner's clothing, when he wears a prosthesis, to correspond to the increase in the basic scale of pensions, to make more adequate provision when there are two dependent parents of a deceased member of the forces, and a few administrative changes.

1. The subsections to be repealed at present read as follows:—

"**26.** (3) A member of the forces in receipt of pension on account of an amputation of the leg above a Symes' amputation shall be entitled to an allowance on account of wear and tear of clothing of *fifty-four* dollars per annum; and a member of the forces in receipt of pension on account of an amputation at or above the wrist shall be entitled to an allowance on account of wear and tear of clothing of *twenty-two* dollars per annum.

(4) A member of the forces in receipt of pension for any other disability for the relief of which any appliance must be worn or treatment applied which causes wear and tear of clothing may, in the discretion of the Commission, be granted an allowance in respect of such wear and tear not exceeding *fifty-four* dollars per annum."

The rates previously authorized have been in effect since 1925 and it is felt that more adequate provision should be made under present day conditions.

2. The subsection to be repealed at present reads as follows:—

"**33.** (4) In cases in which a member of the forces has died leaving more than one parent or person in the place of a parent who were wholly or to a substantial extent maintained by him, the pension for one such parent or person may be increased by an additional amount not exceeding *one hundred and eighty* dollars per annum and the total pension apportioned between such parents or between the parent and such other person."

The purpose of this amendment is to make more adequate provision for two parents when both may be entitled to pension.

3. The said Act is further amended by adding thereto the following section:

No action or proceeding against the Crown where death or disability pensionable.

"**69.** No action or other proceeding lies against Her Majesty or against any officer, servant or agent of Her Majesty in respect of any injury or disease or aggravation thereof resulting in disability or death in any case where a pension is awarded or awardable by the Commission under or by virtue of this or any other Act in respect of such disability or death."

Schedules Amended.

4. Schedules A and B to the said Act, as enacted by section one of chapter nineteen of the statutes of 1951 (Second Session), are amended by striking out the words "and Captain under three years' seniority", wherever they appear therein.

3. This is a new section.

The purpose of this amendment is to ensure that an applicant whose claim is based on accidental injury or death due to negligence of a servant of the Crown, shall not be placed in any better position than an applicant whose claim is based on disability or death due to enemy action.

4. This amendment is designed to remove an anomaly which now exists. The pay of Captain (Naval), irrespective of seniority, Colonel (Army) and Group Captain (Air) is considered to be equivalent and consequently officers of these ranks should be entitled to similar benefits under the *Pension Act.*

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend The Civilian War Pensions and Allowances Act.

First reading, May 6, 1952.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

56542

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend The Civilian War Pensions and Allowances Act.

1946, c. 43; 1947-48, c. 38; 1949 (1st sess.), c. 6.

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

Schedules I and II.

1. Schedules I and II to *The Civilian War Pensions and Allowances Act*, chapter forty-three of the statutes of 1946, are repealed and Schedules I and II to this Act are respectively substituted therefor.

Coming into force.

2. This Act shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-two.

Explanatory Note.

The purpose of this Bill is to amend Schedules I and II of *The Civilian War Pensions and Allowances Act* to provide increases comparable to those made in the basic scale of pensions under the *Pension Act*. The present rates under these schedules have been in effect since *The Civilian War Pensions and Allowances Act* was enacted in 1946.

SCHEDULE I

Scale of Pensions for Disabilities

Percentage of Disability, Class and Annual Rate

Status of Person	Class 1 100%	Class 2 99%-95%	Class 3 94%-90%	Class 4 89%-85%	Class 5 84%-80%	Class 6 79%-75%	Class 7 74%-70%	Class 8 69%-65%	Class 9 64%-60%
	$	$	$	$	$	$	$	$	$
Man or woman	900	855	810	765	720	675	630	585	540
Additional pension for wife	300	285	270	255	240	225	210	195	180
Additional pension for first and each subsequent dependent child	180	171	162	153	144	135	126	117	108
Additional pension for dependent parents	180	171	162	153	144	135	126	117	108

Status of Person	Class 10 59%-55%	Class 11 54%-50%	Class 12 49%-45%	Class 13 44%-40%	Class 14 39%-35%	Class 15 34%-30%	Class 16 29%-25%	Class 17 24%-20%
	$	$	$	$	$	$	$	$
Man or woman	495	450	405	360	315	270	225	180
Additional pension for wife	165	150	135	120	105	90	75	60
Additional pension for first and each subsequent dependent child	99	90	81	72	63	54	45	36
Additional pension for dependent parents	99	90	81	72	63	54	45	36

SHEDULE II

Scale of Pensions for Deaths

Status	Annual Rate of Pension
	$
Widow	720
Additional pension for first and each subsequent dependent child	180
Orphan Child Each subsequent orphan child, an additional	360 270
Dependent parents, if no widow or dependent children	Such an amount not exceeding a widow's pension as is deemed adequate by the Commission.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 192.

An Act respecting the construction of a line of railway by Canadian National Railway Company from Terrace to Kitimat, in the Province of British Columbia.

First reading, May 6, 1952.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

52485

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 192.

An Act respecting the construction of a line of railway by Canadian National Railway Company from Terrace to Kitimat, in the Province of British Columbia.

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

Construction and completion.

1. The Governor in Council may provide for the construction and completion by Canadian National Railway Company (in this Act called "the Company") prior to the first day of November, nineteen hundred and fifty-four, or such later date as the Governor in Council may fix, of the line of railway (in this Act called the "railway line") described in the Schedule.

Competitive bids or tenders.

2. The Company shall adopt the principle of competitive bids or tenders in respect of the construction of the railway line in so far as the Company decides not to perform such work or any part thereof with its own forces, but the Company is not bound to accept the lowest or any bid or tender made or obtained nor precluded from negotiating for better prices or terms.

Maximum expenditure.

3. Estimates of the mileage of the railway line, the amount to be expended on the construction thereof and the average expenditure per mile are set out in the Schedule, and, except with the approval of the Governor in Council, the Company shall not in performing the work of construction and completion exceed such estimates by more than fifteen per centum.

Issue of securities.

4. Subject to the provisions of this Act and the approval of the Governor in Council, the Company may, in respect of the cost of the construction and completion of the railway line, or to provide amounts required for the repayment of loans made under section five, issue notes, obligations, bonds, debentures or other securities (in this Act called

"securities"), not exceeding in the aggregate, exclusive of any securities issued to secure loans made under section five, the sum of ten million dollars, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve.

Temporary loans.

5. To enable the work of construction and completion of the railway line to proceed forthwith, the Minister of Finance, upon application made to him by the Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the Company out of the Consolidated Revenue Fund, not exceeding ten million dollars, repayable on such terms and at such rates of interest as the Governor in Council may determine and secured by securities that the Company is authorized to issue under section four.

Guarantees.

6. (1) The Governor in Council may authorize the guarantee by Her Majesty in right of Canada of the principal and interest of the securities that the Company may issue under the provisions of this Act.

Forms and terms.

(2) The guarantee may be in such form and subject to such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto and may be signed on behalf of Her Majesty by the Minister of Finance or such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the provisions of this Act have been complied with.

Guarantees may be general or separate.

(3) Any guarantee under this Act may be either a general guarantee covering the total amount of the issue or a separate guarantee endorsed on each obligation.

Temporary guarantees.

(4) With the approval of the Governor in Council, temporary guarantees may be made to be subsequently replaced by permanent guarantees.

Deposit of proceeds of sale, etc., of securities.

7. (1) The proceeds of any sale, pledge, or other disposition of any guaranteed securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance in trust for the Company, in one or more banks designated by him.

Release of deposits.

(2) The Board of Directors of the Company may authorize application to be made to the Minister of Transport for the release of any part of the proceeds deposited pursuant to subsection one, to the Company for the purpose of meeting expenditures in respect of the construction of the railway line, and the Minister of Transport may approve the applications, and upon the request of the Minister of Transport the Minister of Finance may pay the amount or amounts of such applications or part thereof accordingly.

Report to Parliament.

8. The Minister of Transport shall present to Parliament during the first ten days of each session held prior to the date of completion fixed by or under section one, a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under section five and the amount of such advances reimbursed, and such further information as the Minister of Transport may direct.

Fencing.

9. The Company is not required to fence the right of way of the railway line and is not liable in damages by reason only of the absence of fencing.

SCHEDULE

Location	Mileage	Estimates	
		Cost of Construction	Average cost per mile
		$ cts.	$ cts.
From Terrace to Kitimat, in the Province of British Columbia.....	46	10,000,000 00	217,391 30

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 193.

An Act respecting The New Westminster Harbour Commissioners.

First reading, May 7, 1952.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

54093

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 193.

An Act respecting The New Westminster Harbour Commissioners.

1913, c. 158; 1931, c. 40; 1938, c. 37.

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

1. Section four of *The New Westminster Harbour Commissioners Act*, chapter one hundred and fifty-eight of the statutes of 1913, as enacted by section one of chapter thirty-seven of the statutes of 1938, is repealed and the following substituted therefor:

Boundaries of harbour.

"**4.** For the purposes of this Act the Harbour of New Westminster shall be deemed to extend from a line drawn S. 48° 46′ W. astronomically from the northerly shore to the southerly shore of the Fraser River, from a point on the line of average high water mark near the junction of the easterly shore of Kanaka Creek with the northerly shore of Fraser River in Lot 275, Group 1, New Westminster District to a point on the line of average high water in Lot "C" Townsite of Langley, the said boundary line being as located and monumented and shown on the plan of survey dated September, 1936, and filed in the Department of Transport under Number BR-14514; thence downstream extending on both sides of the Fraser River to the line of the average high water mark to lines drawn across the outlets of the Fraser River into the Gulf of Georgia from point to point at low water mark on each of the points of land forming the said outlets; but not extending further northerly than a point equidistant between the most southerly and the most northerly points of the western shore of Lulu Island; and shall also include the adjacent waters of the Gulf of Georgia upon and over the sand heads as far seaward as are from time to time defined by the Governor in Council; and shall also include that portion of Pitt River extending from a line drawn S. 27° 27′ 09″ W.

Explanatory Notes.

1. Section four of *The New Westminster Harbour Commissioners Act* reads as follows:

"**4.** For the purposes of this Act the Harbour of New Westminster shall be deemed to extend from a line drawn north and south, astronomically, to each shore of the Fraser river, from a point on the line of average high water mark, on the eastern end of Manson or Douglas Island, known as Point Sebastien and situate in the Fraser river at the mouth of the Pitt river; thence down stream, extending on both sides to the line of average high water mark, to lines drawn across the outlets of the Fraser river into the Gulf of Georgia from point to point at low water mark on each of the points of land forming the said outlets, but not extending further northerly than a point equidistant between the most southerly and the most northerly points of the western shore of Lulu Island; and shall also include the adjacent waters of the Gulf of Georgia, upon and over the Sand Heads as far seaward as are from time to time defined by the Governor in Council; but shall not include any portion of the North Arm of the Fraser River west or north of the following described line;

COMMENCING at the south-east corner of District Lot 172, Group 1, New Westminster District; thence due south astronomically to the centre line of the said North Arm; thence westerly following the centre line of the said North Arm to a point due north astronomically of the north-west Corner of District Lot 758, Group 1, New Westminster District; thence due south (astronomic) to the north-west corner of said District Lot 758; and shall also be deemed to include all the foreshore and water lots, wharves, piers and docks, in or along the waters forming as aforesaid the said harbour, save and except the water front, water lots, piers, docks, shores and beaches situate, lying and being westerly of a line drawn across the main Fraser River from the north-west corner of Lot 130, Group 2, New Westminster District, to the southerly south-east corner of Section 17, Block 4, North, Range 4, West, New Westminster District, now under the jurisdiction of the Government of the Province of British Columbia."

The purpose of the amendment is to extend the boundaries of the harbour eastward from the Fraser River to Kanaka Creek and north-eastward in the Pitt River as far as Pitt Lake.

astronomically from a point on the line of average high water on the northerly shore to a point on the line of average high water on the southerly shore of said River at the outlet of Pitt Lake, the said boundary line being as located and monumented and shown on the plan of survey dated September, 1936, and filed in the Department of Transport under Number BR-14515; thence downstream extending to the line of average high water mark on both sides of said Pitt River to its junction with the Fraser River, but shall not include any portion of the North Arm of the Fraser River west or north of the following described line: COMMENCING at the south east corner of District Lot 172, Group 1, New Westminster District; thence due south astronomically to the centre line of the said North Arm; thence westerly following the centre line of the said North Arm to a point due north astronomically of the north west corner of District Lot 758, Group 1, New Westminster District thence due south (astronomic) to the north west corner of said District Lot 758; and shall also be deemed to include all the foreshore and water lots, wharves, piers and docks, in or along the waters forming as aforesaid the said harbour, save and except the water front, water lots, piers, docks, shores and beaches situate, lying and being westerly of a line drawn across the main Fraser River from the north west corner of Lot 130, Group 2, New Westminster District, to the southerly south east corner of Section 17, Block 4, North, Range 4, West, New Westminster District, now under the jurisdiction of the Government of the Province of British Columbia."

Loans to Corporation.

2. The Minister of Finance, upon applications made to him by The New Westminster Harbour Commissioners (hereinafter called the "Corporation") and approved by the Minister of Transport, 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 one million two hundred and fifty thousand dollars as may be required by the Corporation for the construction, repair or renewal of docks, trackage and other facilities situated on any or all of the lands more particularly described in the Schedule to this Act.

Approval of plans, etc.

3. The Corporation shall furnish to the Minister of Transport plans, specifications and estimates of expenditures for the works mentioned in section two and no loan shall be made to the Corporation for the purposes of this Act until such plans, specifications and estimates have been approved by the Minister of Transport.

2, 3, 4 and **5.** These sections are new and provide for a loan of $1,250,000 to the Harbour Commissioners for the purpose of constructing additional dockage facilities in the harbour.

Debentures.

4. 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.

5. 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.

SCHEDULE.

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of New Westminster, Province of British Columbia, and being more particularly known and described as follows:—

(a) Lots 21 to 28, both inclusive, in the subdivision of Water Lots 13 to 40, both inclusive, and parts of Lots 3979 and 3982, Group 1, City of New Westminster, according to Plan Number 2868, deposited;

(b) The Easterly part of Water Lot 40, City of New Westminster, according to plan 2620, deposited, said Easterly part having a frontage of 33 feet on Front Street and extending, with uniform width, for the full depth of said Lot 40 and adjoining Lot 41;

(c) Water Lots 41 to 63, both inclusive, City of New Westminster, according to Plan 2620, deposited; and

(d) All that portion of Lot 3979, Group 1, City of New Westminster, which lies to the North and East of the Easterly boundary of Lot 28, Plan 2868, aforesaid.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Aeronautics Act.

First reading, May 7, 1952.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

51899

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Aeronautics Act.

R.S., c. 3; 1944-45, c. 28; 1945 (2nd Sess.), c. 9; 1950, cc. 23, 50.

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

Powers of Minister to make regulations with approval of Governor in Council.

1. (1) Subsection one of section four of the *Aeronautics Act*, chapter three of the Revised Statutes of Canada, 1927, is amended by adding thereto the following paragraph:—

"*(j)* the height, use and location of buildings, structures and objects, including objects of natural growth, situated on lands adjacent to or in the vicinity of airports, for purposes relating to navigation of aircraft and use and operation of airports, and including, for such purposes, regulations restricting, regulating or prohibiting the doing of anything or the suffering of anything to be done on any such lands, or the construction or use of any such building, structure or object."

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

Publication of zoning regulations.

"(5) In addition to any other mode of publication prescribed by law, a copy of every regulation made under the authority of paragraph *(j)* of subsection one (in this section called a "zoning regulation") shall be published in two successive issues of at least two newspapers serving the area wherein the airport in relation to which the regulation was made is situated.

Deposit of plan and description of lands affected.

(6) A plan and description of the lands affected by a zoning regulation shall be signed and deposited in the same manner as a plan and description is by subsection one of section nine of the *Expropriation Act* required to be signed and deposited, and a copy of the regulation shall be deposited with the plan and description.

Explanatory Note.

1. The purpose of the amendment is to provide for the zoning of airports.

Amendments.

(7) Where a regulation deposited as required by subsection six is amended, a copy of the amendment shall be deposited in the same office where the regulation amended thereby was deposited, but a further plan and description need not be deposited unless additional lands are affected by the amendment.

Compensation.

(8) Every person whose property is injuriously affected by the operation of a zoning regulation is entitled to recover from Her Majesty, as compensation, the amount, if any, by which the property was decreased in value by the enactment of the regulation, minus an amount equal to any increase in the value of the property that occurred after the claimant became the owner thereof and is attributable to the airport.

Time-limit.

(9) No proceedings to recover any compensation to which a person may be entitled under subsection eight by reason of the operation of a zoning regulation shall be brought except within one year after a copy of the regulation was deposited pursuant to subsection six or seven."

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 197 see Senate Bill, U6)
(" 196 " " " , T6)

BILL 195.

An Act to amend The Government Employees Compensation Act, 1947.

First reading, May 7, 1952.

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

52030

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

An Act to amend The Government Employees Compensation Act, 1947.

1947, c. 18; 1949 (2nd Sess.), c. 24; 1950, c. 50; 1951 (1st Sess.), c. 16.

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

1. Section eight of *The Government Employees Compensation Act, 1947*, chapter eighteen of the statutes of 1947, as enacted by section three of chapter sixteen of the statutes of 1951 (1st Session), is repealed and the following substituted therefor:

Regulations re compensation for disability or death from certain diseases.

"**8.** The Governor in Council may make regulations prescribing the conditions under which compensation is to be payable, the amount of compensation payable and the manner in which the compensation is to be determined, in respect of any employee who is disabled or whose death is caused by reason of any disease that is not an industrial disease but 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 compensation shall be awarded to such employee or to the dependants of such deceased employee in accordance with the regulations."

Explanatory Notes.

The present section eight is as follows:

"8. The Governor in Council may make regulations prescribing conditions under which compensation shall be payable, the amount of compensation payable and the manner in which such compensation shall be determined, where an employee is disabled or his death caused by pulmonary tuberculosis due to the nature of his employment and contracted while employed in a hospital or sanatorium operated by the Government of Canada wherein tuberculosis patients are treated, or while employed as a nurse in the field and exposed to this disease, and such disease is not an industrial disease for which compensation is authorized in similar circumstances in the case of an employee other than of His Majesty under the law of the province in which such tuberculosis was contracted, and compensation shall be payable in accordance with such regulations."

The present provisions of the Act provide for the award and payment of compensation to an employee of the Crown disabled or whose death is caused by reason of any disease in respect of which compensation is payable under the Workmen's Compensation Act of the province in which the disease was contracted.

The new section eight is an extension of the provision for compensation contained in the present section eight.

The purpose and effect of the proposed amendment is to provide that where an employee of the Crown contracts a disease 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, an award of compensation may be paid in cases where the disease is not one which is included in the schedule of industrial diseases in respect of which compensation may be paid under the Workmen's Compensation Act of the province in which the disease was contracted.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend The Income Tax Act.

First reading, May 9, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57990

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend The Income Tax Act.

1947-48, c. 52; 1949 (2nd Sess.), c. 25; 1950, c. 40; 1950-51, c. 9; 1951 (2nd Sess.), c. 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 two of section eight of *The Income Tax Act* is repealed and the following substituted therefor:

Loan to shareholder.

"(2) Where a corporation has, in a taxation year, made a loan to a shareholder, the amount thereof shall be deemed to have been received by the shareholder as a dividend in the year unless

(a) the loan was made

(i) in the ordinary course of its business and the lending of money was part of its ordinary business,

(ii) to an officer or servant of the corporation to enable or assist him to purchase or erect a dwelling house for his own occupation,

(iii) to an officer or servant of the corporation to enable or assist him to purchase from the corporation fully paid shares of the corporation to be held by him for his own benefit, or

(iv) to an officer or servant of the corporation to enable or assist him to purchase an automobile to be used by him in the performance of the duties of his office or employment,

and *bona fide* arrangements were made at the time the loan was made for repayment thereof within a reasonable time, or

(b) the loan was repaid within one year from the end of the taxation year of the corporation in which it was made and it is established, by subsequent events or otherwise, that the repayment was not made as a part of a series of loans and repayments."

Application.

(2) This section is applicable to the 1952 and subsequent taxation years.

Explanatory Notes.

Clause 1. This amendment extends the cases where a shareholder may receive a loan from the corporation without it being deemed to be a dividend by adding loans made by a corporation to an officer or servant of the corporation to enable or assist him to purchase an automobile to be used by him in the performance of the duties of his office or employment. The amendment also introduces a requirement that *bona fide* arrangements for repayment must be entered into at the time any loan is made. The amended section also provides that a loan to a shareholder shall not be deemed to be a dividend if it is in fact repaid within one year from the end of the taxation year of the corporation in which it was made. The present Section 8, subsection (2) reads as follows:

"(2) Where a corporation has, in a taxation year, made a loan to a shareholder the amount thereof shall be deemed to have been received by the shareholder as a dividend in the year unless the loan was made,

(a) in the ordinary course of its business and the lending of money was part of its ordinary business,

(b) to an officer or servant of the corporation to enable or assist him to purchase or erect a dwelling house for his own occupation, or

(c) to an officer or servant of the corporation to enable or assist him to purchase from the corporation fully paid shares of the corporation to be held by him for his own benefit."

Statutory exemptions.

2. (1) Subsection one of section ten of the said Act is amended by deleting the word "or" at the end of paragraph *(i)* thereof, by inserting the word "or" at the end of paragraph *(j)* thereof and by adding the following paragraph thereto:

"*(k)* income from the office of Governor General of Canada."

Application

(2) This section is applicable to the 1952 and subsequent taxation years.

Idem.

3. (1) Subsection one of section eleven of the said Act is amended by adding the following paragraph thereto immediately after paragraph *(f)* thereof:

"*(fa)* where an approved superannuation fund or plan contains a provision under which the taxpayer may provide superannuation or pension benefits for an employee, officer or director of the taxpayer by making a lump sum payment to or under the fund or plan in the year in which the employee, officer or director retires from the employment or office, an amount paid by the taxpayer in the year or within 60 days from the end of the year pursuant thereto as the lump sum in respect of an employee, officer or director who retired in the year (except to the extent that it is deductible under paragraph *(f)*),"

(2) Subsection ten of the said section eleven is amended by deleting the word "and" at the end of paragraph *(c)* thereof, by inserting the word "and" at the end of paragraph *(d)* thereof and by inserting the following paragraph immediately after paragraph *(d)* thereof:

"*(e)* annual dues that were, pursuant to the provisions of a collective agreement, retained by his employer from his remuneration and paid to a trade union or association designated in paragraph *(d)* of which the taxpayer was not a member,"

Application.

(3) Subsection one is applicable to the 1952 and subsequent taxation years and subsection two is applicable to the 1951 and subsequent taxation years.

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

Chief source of income.

"**13.** (1) Where a taxpayer's chief source of income for a taxation year is neither farming nor a combination of farming and some other source of income, his income for the year shall be deemed to be not less than his income from all sources other than farming minus the lesser of

(a) one-half his farming loss for the year, or

(b) $5,000.

Minister may determine.

(2) For the purpose of this section, the Minister may determine that a taxpayer's chief source of income for

Clause 2. Under the present law the income of the Governor General from all sources is exempt. This complete exemption will be withdrawn by an amendment to Section 57. (See Clause 16). The new paragraph *(k)* provides an exemption for only the remuneration received for the performance of the duties of Governor General.

Clause 3 (1). The purpose of this amendment is to permit the deduction of an amount paid by an employer into a superannuation or pension fund in a lump sum in the year of retirement of an employee sufficient to provide for the whole pension of the employee (commonly known as terminal funding) in lieu of annual contributions during the period of employment for the same purpose.

(2) The new paragraph *(e)* extends the provision for the deduction of trade union dues to include dues deducted under the so-called "Rand formula."

Clause 4. This amendment removes the provision that a person's income for the year shall be deemed to be not less than his income from his chief source of income, but the present rule where farming is not the chief source of income is retained. The present section 13 reads as follows:

"**13.** (1) The income of a person for a taxation year shall be deemed to be not less than his income for the year from his chief source of income.

(2) The Minister may determine which source of income or sources of income combined is a taxpayer's chief source of income for the purpose of this section.

(3) Where a taxpayer's chief source of income for a taxation year is neither farming nor a combination of farming and some other source of income, his income for the year shall be deemed to be not less than his income from all sources other than farming (after application of the rule in subsection one) minus the lesser of

(a) one-half his farming loss for the year, or

(b) $5,000.

(4) For the purpose of subsection (3), a "farming loss" is a loss from farming computed by applying the provisions of this Act respecting computation of income from a business *mutatis mutandis* except that no deduction may be made under paragraph *(a)* of subsection (1) of section 11."

a taxation year is neither farming nor a combination of farming and some other source of income.

"Farming loss" defined.

(3) For the purpose of this section, a 'farming loss' is a loss from farming computed by applying the provisions of this Act respecting computation of income from a business *mutatis mutandis* except that no deduction may be made under paragraph *(a)* of subsection (1) of section 11."

(2) This section is applicable to the 1952 and subsequent taxation years.

5. (1) Subsections three, three A and four of section seventeen of the said Act are repealed and the following substituted therefor:

Inadequate considerations.

"(3) Where a taxpayer carrying on business in Canada has paid, or agreed to pay, to a non-resident person with whom he was not dealing at arms length as price, rental, royalty or other payment for use or reproduction of any property, or as consideration for the carriage of goods or passengers or for other services, an amount greater than the amount (hereinafter referred to as 'the reasonable amount') that would have been reasonable in the circumstances if the non-resident person and the taxpayer had been dealing at arms length, the reasonable amount shall, for the purpose of computing the taxpayer's income from the business, be deemed to have been the amount that was paid or is payable therefor.

Idem.

(4) Where a non-resident person has paid, or agreed to pay, to a taxpayer carrying on business in Canada with whom he was not dealing at arms length as price, rental, royalty or other payment for use or reproduction of any property, or as consideration for the carriage of goods or passengers or for other services, an amount less than the amount (hereinafter referred to as 'the reasonable amount') that would have been reasonable in the circumstances if the non-resident person and the taxpayer had been dealing at arms length, the reasonable amount shall, for the purpose of computing the taxpayer's income from the business, be deemed to have been the amount that was paid or is payable therefor.

Idem.

(5) Where property of a corporation has been appropriated in any manner whatsoever to, or for the benefit of, a shareholder, for no consideration or for a consideration below the fair market value, if the sale thereof at the fair market value would have increased the corporation's income for a taxation year, for the purpose of determining the corporation's income for the year, it shall be deemed to have sold the property during the year and to have received therefor the fair market value thereof.

Clause 5 (1). Subsections (3) and (3A) (new subsection (4)) of section 17 are amended to extend their application to payments for services and to provide that a "reasonable amount" be deemed to have been paid or received instead of an amount similar to that which might have been paid or received between persons in the same kind of business. Subsection (4) of section 17 has been divided into two subsections, (5) and (6). The new subsection (6) covers the appropriation of property by a corporation to its shareholders on winding up, and subsection (5) covers other appropriations. The present section 17 subsections 3, 3A, and 4 read as follows:

"(3) Where a taxpayer carrying on business in Canada has paid, or agreed to pay, to a non-resident person with whom he was not dealing at arms-length as price, rental, royalty or other payment for use or reproduction of any property an amount computed at a rate higher than that at which similar payments by other persons in the same kind of business are computed, an amount computed at the rate at which similar payments are made by such other persons shall, for the purpose of computing the taxpayer's income from the business, be deemed to have been the amount that was paid or is payable therefor.

(3A) Where a non-resident person has paid, or agreed to pay, to a taxpayer carrying on business in Canada with whom he was not dealing at arms-length as price, rental, royalty or other payment for use or reproduction of any property an amount computed at a rate lower than that at which similar payments by other persons in the same kind of business are computed, an amount computed at the rate at which similar payments are made by such other persons shall, for the purpose of computing the taxpayer's income from the business, be deemed to have been the amount that was paid or is payable therefor.

(4) Where a corporation has directly or indirectly distributed to its shareholders any of its property, either on winding-up or otherwise, for no consideration or for a consideration below the fair market value, if the sale thereof at the fair market value would have increased the corporation's income for a taxation year, for the purpose of determining the corporation's income, it shall be deemed to have sold the property during the year and to have received therefor the fair market value thereof."

Idem.

(6) Where property of a corporation has been appropriated in any manner whatsoever to, or for the benefit of, a shareholder, on the winding up of the corporation, if the sale thereof at the fair market value immediately prior to the winding up would have increased the corporation's income for a taxation year, for the purpose of determining the corporation's income for the year, it shall be deemed to have sold the property during the year and to have received therefor the fair market value thereof.

Idem.

(7) Where depreciable property of a taxpayer as defined for the purpose of section 20 has been disposed of under such circumstances that subsection (2) of section 20 is applicable to determine, for the purpose of paragraph *(a)* of subsection (1) of section 11, the capital cost of the property to the person by whom the property was acquired, subsections (2), (5) and (6) are not applicable in respect of the disposition."

Application.

(2) This section is applicable to the 1952 and subsequent taxation years.

6. (1) Section twenty-two of the said Act is amended by adding the following subsection thereto:

New property deemed substituted.

"(3) For the purpose of this section and section 21, where a person who did own or hold property has disposed of it and acquired other property in substitution therefor and subsequently, by one or more further transactions, has effected one or more further substitutions, the property acquired by any such transaction shall be deemed to have been substituted for the property originally owned or held."

Application.

(2) This section is applicable to the 1952 and subsequent taxation years.

7. (1) Paragraph (*b*) of subsection one of section twenty-six of the said Act is amended by repealing all the words therein before subparagraph (i) and substituting therefor the following:

Medical expenses.

"*(b)* an amount equal to that portion of medical expenses in excess of 4% of the taxpayer's income for the year paid either by the taxpayer or his legal representatives".

(2) Subparagraphs (vii) and (viii) of the said paragraph *(b)* are repealed and the following substituted therefor:

"(vii) $2,000 in the case of a person who is entitled to a deduction of $2,000 under paragraph (*a*) of subsection (1) of section 25 or would be so entitled if it were not for subsection (2) of the said section and $1,500 in the case of any other person (but a husband and wife are entitled to only one such deduction of $2,000 between them), and

(viii) $500 for each dependent in respect of whom he may make a deduction from income under section

Subsection (7) is new; its purpose is to remove the requirement under section 17 that a vendor be deemed to have received the full market value of depreciable property on a sale at a lower value to a person with whom he did not deal at arms-length, since such other person is limited by subsection (2) of section 20 to claiming capital cost allowances only on the original cost of the property.

Clause 6. The new subsection (3) is to assure that where reference is made to property substituted for other property substitutions after the first will be included in such reference.

Clause 7. This clause implements paragraph (5) of the Income Tax Resolution which reads as follows:

> "**5.** That for the 1952 and subsequent taxation years the maximum amount in respect of medical expenses that may be deducted in computing taxable income be increased
>
> *(a)* to $2,000 in the case of a person who may at present deduct a maximum of $1,000.
>
> *(b)* to $1,500 in the case of a person who may at present deduct a maximum of $750, and
>
> *(c)* to $500 for each dependent in respect of whom a maximum of $250 may at present be deducted, subject to a maximum deduction of $2,000 by a husband and wife between them or by a person in respect of all his dependents; and that there be included in the medical expenses that may be deducted in computing taxable income those medical expenses that at present are not included by reason only that they were not incurred in the appropriate twelve-month period in which they were paid."

25 but not exceeding $2,000 in respect of such dependents,"

Application.

(3) This section is applicable to the 1952 and subsequent taxation years.

8. (1) Subsection one of section twenty-seven of the said Act, is amended by deleting the word "or" at the end of paragraph *(c)* thereof, by inserting the word "or" at the end of paragraph *(d)* thereof and by adding the following paragraph thereto immediately after paragraph *(d)* thereof:

"*(e)* was a foreign business corporation more than 25% of the issued share capital of which (having full voting rights under all circumstances) belonged to the receiving corporation,"

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

Dividends not deductible.

"(1A) Notwithstanding subsection (1), where

(a) a dividend was paid by a corporation that was resident in Canada and was controlled by the receiving corporation, and

(b) the payer corporation had undistributed income on hand at the end of its last complete taxation year before the control was acquired (which undistributed income is hereinafter referred to as the 'designated surplus'),

if the dividend was paid out of designated surplus, no amount is deductible under subsection (1), and, if a portion of the dividend was paid out of designated surplus, the amount deductible under subsection (1) is the dividend minus the aggregate of

(c) the portion of the dividend that was paid out of designated surplus, and

(d) the part of any amount deductible under subsection (2) of section 11 in computing the receiving corporation's income reasonably attributable to the portion of the dividend that was not paid out of designated surplus."

(3) Subsections one E and one F of the said section are repealed and the following substituted therefor:

Dividends not regarded as paid out of designated surplus.

"(1E) For the purpose of subsection (1A),

(a) where the amount of a corporation's earnings for the control period that was available for payment of dividends was, at the time a particular dividend was paid, equal to or greater than the particular dividend plus all other dividends paid by the payer corporation at the same time as the particular dividend, no part of the particular dividend shall be regarded as having been paid out of designated surplus, and

Dividend paid out of designated surplus.

(b) in any other case, the portion of the particular dividend that was paid out of designated surplus is the proportion of

Clause 8. (1) The new subsection *(e)* extends the provisions under which a corporation receiving dividends from another corporation may deduct such dividends in computing taxable income to include dividends from certain foreign business corporations.

(2) and (3). The amendments to subsections (1A), (1E) and (1F) and the addition of subsections (1G) and (1H) are technical amendments to correct an anomaly in the present law where shares of a company have rights to dividends upon winding up which differ from those existing prior to winding up. The present section 27, subsections (1A), (1E) and (1F) read as follows:

"(1A) Notwithstanding subsection (1), where

(a) a dividend was paid by a corporation that was resident in Canada and was controlled by the receiving corporation, and

(b) the payer corporation had undistributed income on hand at the end of its last complete taxation year before the control was acquired (which undistributed income is hereinafter referred to as the "designated surplus"),

the amount deductible under subsection (1) is the lesser of

(c) the dividend minus any amount deductible under subsection (2) of section 11 in computing the receiving corporation's income, or

(d) the receiving corporation's portion of the payer corporation's earnings for the control period that were available for payment of dividends immediately before the dividend was paid,

unless the aggregate of

(e) the amount of the designated surplus upon which tax had been paid under Part 1A before the dividend was paid, and

(f) dividends paid by the payer corporation out of the designated surplus during the control period but before the dividend was paid,

is equal to or greater than the designated surplus.

(1E) For the purpose of subsection (1A), a dividend paid by a corporation or deemed to have been received from a corporation shall be deemed to have been paid out of designated surplus to the extent that the payer corporation did not immediately before it was paid, have earnings for the completed taxation years in the control period that were available for payment of dividends.

(1F) For the purpose of subsection (1A), the receiving corporation's portion of the payer corporation's earnings for the control period that were available for payment of dividends at a particular time is the amount that would have been payable to the receiving corporation on the winding-up of the payer corporation at that time if the subscribed capital of the corporation being wound up had been repaid and what remained to be distributed on the winding-up were the amount of the earnings that were so available for payment of dividends."

(i) the aggregate of the particular dividend and all other dividends paid by the payer corporation at the same time as the particular dividend minus the amount, if any, of the corporation's earnings for the control period that was available for payment of dividends at that time, or

(ii) the designated surplus minus the aggregate of

(A) the tax-paid undistributed income of the payer corporation as of the commencement of the control period,

(B) any amount upon which tax has been paid by the payer corporation under Part IA after the commencement of the control period and before the dividend was paid, and

(C) the dividends paid by the payer corporation out of the designated surplus during the control period but before the particular dividend was paid,

whichever is the lesser, that the particular dividend is of the aggregate of the particular dividend and all other dividends paid by the payer corporation at the same time as the particular dividend.

Dividends paid on issued share capital of different classes.

(1F) For the purpose of subsection (1E), where a corporation has, at the same time paid dividends on issued share capital of different classes and a class had full voting rights under all circumstances and another had not, the dividends on the share capital that had full voting rights under all circumstances shall be deemed to have been paid immediately after the other dividends.

Dividends paid on the same day.

(1G) For the purpose of subsection (1E), dividends paid on the same day shall, subject to subsection (1F), be deemed to have been paid at the same time.

Dividend deemed paid.

(1H) For the purpose 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."

Losses not deductible for trading stock.

(4) Subsection three of the said section twenty-seven is repealed and the following substituted therefor:

"(3) Where a corporation has, in its return of income under this Part for a taxation year, deducted under this section an amount in respect of a dividend, no loss arising from transactions with reference to the share in respect of which the dividend was received shall be allowed to reduce the income of the taxpayer for that or a subsequent taxation year unless it is established by the corporation that

(a) the corporation owned the share 365 days or longer before the loss was sustained, and

(b) the corporation did not, at the time the dividend was

(4) By the addition of the underlined words the amended subsection (3) relaxes the disallowance of any loss on a share in respect of which a dividend has been received to exclude shares held for a year or more before the loss was incurred if not more than 5% of the shares in question were owned by the taxpayer.

received, own more than 5% of the issued share capital of the corporation from which the dividend was received."

Application. "(5) Subsections one and four are applicable to the 1952 and subsequent taxation years.

(6) Subsections two and three are applicable, where the receiving corporation acquired control of the payer corporation after May 10, 1950, to the 1952 and subsequent taxation years.

(7) Notwithstanding subsection six, subsections two and three are not applicable where control of the payer corporation has been, pursuant to a right which existed on or before May 10, 1950, acquired before June 30, 1950."

9. (1) Paragraphs *(a)* to *(p)* of subsection one of section thirty-one of the said Act are repealed and the following substituted therefor:

Rates. "*(a)* 17% of the amount taxable if the amount taxable does not exceed $1,000,

(b) $170 plus 19% 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) $360 plus 22% 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) $800 plus 25% 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) $1,300 plus 30% 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) $1,900 plus 35% 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) $2,600 plus 40% 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) $3,400 plus 45% 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) $4,750 plus 50% 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) $9,750 plus 55% of the amount by which the amount taxable exceeds $25,000 if the amount taxable exceeds $25,000 and does not exceed $35,000,

(k) $15,250 plus 60% of the amount by which the amount taxable exceeds $35,000 if the amount taxable exceeds $35,000 and does not exceed $50,000,

Clause 9. (1) This implements paragraph (1) of the Income Tax Resolution. It consists of the graduated rates of tax which are to apply for 1953 and subsequent years.

(l) $24,250 plus 65% of the amount by which the amount taxable exceeds $50,000 if the amount taxable exceeds $50,000 and does not exceed $75,000,

(m) $40,500 plus 70% of the amount by which the amount taxable exceeds $75,000 if the amount taxable exceeds $75,000 and does not exceed $100,000,

(n) $58,000 plus 75% of the amount by which the amount taxable exceeds $100,000 if the amount taxable exceeds $100,000 and does not exceed $150,000,

(o) $95,500 plus 80% of the amount by which the amount taxable exceeds $150,000 if the amount taxable exceeds $150,000 and does not exceed $250,000,

(p) $175,500 plus 86% of the amount by which the amount taxable exceeds $250,000 if the amount taxable exceeds $250,000."

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

Definition of "investment income".

"(4) For the purpose of this section, 'investment income' means the income for the taxation year minus the aggregate of the earned income for the year and the amounts deductible from income under paragraphs *(a)*, *(b)* and *(c)* of subsection (1) of section 26."

(3) Subsection seven A of the said section thirty-one is repealed.

Application

(4) Subsections one and three are applicable to the 1952 and subsequent taxation years except that, for the 1952 taxation year, paragraphs *(a)* to *(p)* of subsection one of the said section thirty-one shall be read as follows:

"*(a)* 17·5% of the amount taxable if the amount taxable does not exceed $1,000,

(b) $175 plus 19·7% 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) $372 plus 22·4% 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) $820 plus 25·7% 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) $1,334 plus 30·6% 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) $1,946 plus 35·5% 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) $2,656 plus 41% 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) $3,476 plus 46·5% of the amount by which the amount taxable exceeds $12,000 if the amount taxable exceeds $12,000 and does not exceed $15,000,

(2) The underlined words have been added. This is a technical amendment to clarify the subsection.

(3) This repeals the defence surtax on income of individuals. The repealed Section 31, subsection (7A) reads as follows:

"(7A) There shall be added to the tax of each individual computed under the other provisions of this section for each year a defence surtax equal to 20 per cent of the tax computed under the other provisions of this section for the year."

(4) This provides the graduated rates of tax which are to apply for 1952. It implements paragraph (2) of the Income Tax Resolution which reads as follows:

"2. That for the 1952 taxation year the graduated rates of tax applicable to income of individuals be the average of the present rates (including defence surtax) and the rates set out in paragraph 1."

(i) $4,871 plus 52% 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) $10,071 plus 57·5% of the amount by which the amount taxable exceeds $25,000 if the amount taxable exceeds $25,000 and does not exceed $35,000,

(k) $15,821 plus 60% of the amount by which the amount taxable exceeds $35,000 if the amount taxable exceeds $35,000 and does not exceed $40,000,

(l) $18,821 plus 63% of the amount by which the amount taxable exceeds $40,000 if the amount taxable exceeds $40,000 and does not exceed $50,000,

(m) $25,121 plus 65·5% of the amount by which the amount taxable exceeds $50,000 if the amount taxable exceeds $50,000 and does not exceed $60,000,

(n) $31,671 plus 68·5% of the amount by which the amount taxable exceeds $60,000 if the amount taxable exceeds $60,000 and does not exceed $75,000,

(o) $41,946 plus 71% of the amount by which the amount taxable exceeds $75,000 if the amount taxable exceeds $75,000 but does not exceed $90,000,

(p) $52,596 plus 74% of the amount by which the amount taxable exceeds $90,000 if the amount taxable exceeds $90,000 but does not exceed $100,000,

(q) $59,996 plus 76·5% of the amount by which the amount taxable exceeds $100,000 if the amount taxable exceeds $100,000 but does not exceed $125,000,

(r) $79,121 plus 79·5% of the amount by which the amount taxable exceeds $125,000 if the amount taxable exceeds $125,000 but does not exceed $150,000,

(s) $98,996 plus 82% of the amount by which the amount taxable exceeds $150,000 if the amount taxable exceeds $150,000 but does not exceed $225,000,

(t) $160,496 plus 85% of the amount by which the amount taxable exceeds $225,000 if the amount taxable exceeds $225,000 but does not exceed $250,000,

(u) $181,746 plus 88% of the amount by which the amount taxable exceeds $250,000 if the amount taxable exceeds $250,000 but does not exceed $400,000,

(v) $313,746 plus 91% of the amount by which the amount taxable exceeds $400,000 if the amount taxable exceeds $400,000."

Section repealed.

10. Section thirty-four B of the said Act is repealed.

11. (1) Paragraphs *(a)* and *(b)* of subsection two of section thirty-five of the said Act are repealed and the following substituted therefor:

"*(a)* was resident in Canada when the dividend was received or deemed to have been received, and

Clause 10. The provisions of this section are to be incorporated in another section (see Clause 15). The repealed section 34B reads as follows:

"34B. Where an amount is included in computing an individual's income for a taxation year by virtue of section 20, he 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 section 20, and

(b) the aggregate of the amounts by which his taxes under this Part would have been increased if 1/5 of the amount so included by virtue of section 20 had been included in computing his income for each of the five immediately preceding taxation years."

Clause 11. This is a technical amendment to clarify the definition of a "taxable corporation" for purposes of the 10% tax credit for dividends. The present section 35, subsection (2) reads as follows:

"(2) In this section, 'taxable corporation' means a corporation that

(a) was resident in Canada in the taxation year in which the dividend was received or deemed to have been received, and

(b) was not, by virtue of a statutory provision, exempt from tax under this Part for the year"

(b) was not, by virtue of a statutory provision, exempt from tax under this Part for the taxation year of the corporation during which the dividend was received or deemed to have been received."

Application. (2) This section is applicable to the 1952 and subsequent taxation years.

12. (1) Paragraphs *(a)* and *(b)* of subsection one of section thirty-six are repealed and the following substituted therefor:

"*(a)* 20% of the amount taxable, if the amount taxable does not exceed $10,000, and

(b) $2,000 plus 50% of the amount by which the amount taxable exceeds $10,000, if the amount taxable exceeds $10,000."

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

"(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, 50% of the amount taxable for the taxation year."

Application. (3) Subsections one and two are applicable to the 1952 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 1952, 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 it was before being amended by this section and section thirty-seven of *The Income Tax Act* as enacted by chapter fifty-one of the statutes of 1951 (not allowing any deduction under section seventy-five of *The Income Tax Act*) that the number of days in that portion of the taxation year that is in 1951 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 this section (allowing the deduction, if any, under section seventy-five of *The Income Tax Act* as enacted by this Act) that the number of days in that portion of the taxation year that is in 1952 is of the number of days in the whole taxation year.

13. (1) Section thirty-seven of the said Act is repealed and the following substituted therefor:

Deductions from corporation tax. "**37.** (1) There may be deducted from the tax otherwise payable by a corporation under this Part for a taxation year an amount equal to 5% of the corporation's taxable income earned in the year in a province prescribed by a

Clause 12. (1) This clause implements paragraph (3) of the Income Tax Resolution which reads as follows:

"**3.** That with respect to income of corporations earned on and after January 1, 1952, the present rate of tax shall be increased from 15 per cent to 20 per cent on the first $10,000 of taxable income and from 38 per cent to 50 per cent on taxable income in excess of $10,000, and that the defence surtax be repealed.

The present paragraphs *(a)* and *(b)* of section 36 subsection (1) read as follows:

"*(a)* 15% of the amount taxable if the amount taxable does not exceed $10,000, and

(b) $1,500 plus 38% of the amount by which the amount taxable exceeds $10,000, if the amount taxable exceeds $10,000."

(2) This provides for the new rate in the case of related companies. The present section 36, subsection (2) reads as follows:

"(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."

(3) This provides that the new rates shall apply on income of corporations earned on and after Jan. 1, 1952.

Clause 13 (1) This repeals the defence surtax on income of corporations in accordance with paragraph (3) of the Income Tax Resolution.

The new section 37 provides for a deduction from the federal tax for 5% of the profits of a corporation allocated to Ontario and Quebec in accordance with rules to be prescribed by order in council. This implements paragraph (4) of the Income Tax Resolution which reads as follows:

"**4.** That there may be deducted from the amount of income tax otherwise payable by a corporation for a taxation year in respect of income earned on and after January 1, 1952,

(a) the amount of income tax payable to the government of a province for that taxation year in respect of income earned on and after January 1, 1952, as a result of its operations in that province, or

(b) 5 per cent of the taxable income of the corporation of that taxation year under the Income Tax Act that is earned on and after January 1, 1952, as a result of its operations in that province, whichever is less."

regulation made on the recommendation of the Minister of Finance.

"Taxable income, etc." defined.

(2) In this section, 'taxable income earned in the year in a province' means the amount determined under rules prescribed for the purpose by regulations made on the recommendation of the Minister of Finance."

Application.

(2) Subsection one is applicable to the 1952 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 1952, the amount that may be deducted under section thirty-seven of *The Income Tax Act*, as enacted by subsection one of this section, for the 1952 taxation year is that proportion of the amount that would otherwise be deductible thereunder that the number of days in that portion of the taxation year that is in 1952 is of the number of days in the whole taxation year.

Non-application.

(3) Section thirty-seven of *The Income Tax Act*, as enacted by section twelve of chapter fifty-one of the statutes of 1951, shall be deemed not to be applicable in the computation of the tax of a non-resident-owned investment corporation for a taxation year to which that section is applicable.

14. (1) Paragraph *(a)* of subsection one of section thirty-eight of the said Act is repealed and the following substituted therefor:

"*(a)* the tax paid by him to the government of a country other than Canada on that part of his income from sources therein for the year upon which he is subject to tax under this Part for the year, or".

(2) The said section thirty-eight is further amended by adding the following subsection immediately after subsection one thereof:

"(1A) Where a taxpayer's income for a taxation year is in whole or in part from sources in more than one country other than Canada,

(a) subsection (1) shall be read as providing for a separate deduction in respect of each of the countries other than Canada, and

(b) the expression in subsection (1) 'amounts that are deductible for the year or such period or periods, as the case may be, under paragraph *(d)* of subsection (1) of section 27' shall be read as referring, in the case of the computation of the deduction under subsection (1) in respect of each country, to the amounts that are deductible under the said paragraph *(d)* by reason of dividends received from that country."

(3) Subsection four of the said section thirty-eight is repealed and the following substituted therefor:

"(4) In this section, 'tax otherwise payable' means the tax payable before making any deduction under section

(2) This tax credit is to be apportioned where part of the fiscal year of the corporation falls in the 1951 taxation year.

(3) This is to provide that the defence surtax imposed in 1951 should not apply to the 15% tax paid by non-resident-owned investment corporations.

Clause 14 (1). Paragraph *(a)* of subsection (1) has been amended by the addition of the underlined words.

(2) The new subsection (1A) is to clarify the application of the tax credit in respect of foreign income where such income is received from more than one country.

(3) The underlined words have been added. This amendment is consequent upon the provision for a new tax credit for corporations carrying on business in Ontario and Quebec as provided by clause 13.

37 or in respect of taxes paid to a provincial government but after making the deduction, if any, permitted by section 35."

(4) This section is applicable to the 1952 and subsequent taxation years.

15. (1) The said Act is further amended by adding thereto immediately after section thirty-nine the following section:

Election.

"**39A.** (1) Where an amount is included in computing a taxpayer's income for a taxation year by virtue of section 20, 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 the taxpayer for the year under this Part if no amount were included in computing the taxpayer's income for the year by virtue of section 20, and

(b) the aggregate of the amounts by which the taxpayer's taxes under this Part would have been increased if 1/5 of the amount so included by virtue of section 20 had been included in computing the taxpayer's income for each of the 5 immediately preceding taxation years.

Non-application.

(2) Subsection (1) does not apply

(a) if the taxpayer is a corporation, where the corporation did not carry on business in Canada in each of the years referred to in paragraph *(b)* of subsection (1), and

(b) if the taxpayer is an individual, where the individual was not resident in Canada during each of those years."

Application.

(2) Section thirty-nine A of the said Act as enacted by subsection one is applicable to the 1954 and subsequent taxation years.

Application.

(3) The said section thirty-nine A is applicable to the taxation years 1951 to 1953 inclusive but

(a) when so applied for the year 1951 shall be read as though the fraction "1/2" were substituted for the fraction "1/5" where it appears therein and the number "2" were substituted for the number "5" where it appears therein;

(b) when so applied for the year 1952 shall be read as though the fraction "1/3" were substituted for the fraction "1/5" where it appears therein and the number "3" were substituted for the number "5" where it appears therein; and

(c) when so applied for the year 1953 shall be read as though the fraction "1/4" were substituted for the fraction "1/5" where it appears therein and the number "4" were substituted for the number "5" where it appears therein.

Clause 15. (1) The new section 39A permits both individuals and corporations to spread over five years the amount brought into income through recapture of excess capital cost allowances. This right was formerly allowed only to individuals. The conditions under which the provision may be used are set out in subsection (2).

(2) This brings the five year provision into effect for 1954 and later years.

(3) For years prior to 1954 appropriate modifications of the five year provision are provided.

Paragraph repealed

16. (1) Paragraph *(a)* of subsection one of section fifty-seven of the said Act is repealed.

Application.

(2) This section is applicable in respect of periods commencing on or after the 28th day of January, 1952.

17. (1) Section fifty-eight of the said Act is amended by adding the following subsection immediately after subsection four thereof:

Where property owned for non-resident persons.

"(4A) Where all the property of a trust is owned by the trustee for the benefit of non-resident persons or their unborn issue, in addition to the amount that may be deducted under subsection (4), there may be deducted in computing the income of the trust for a taxation year for the purposes of this Part, such part of the dividends and interest received by the trust in a year from a non-resident-owned investment corporation as are not deductible under subsection (4) in computing the income of the trust for the year."

Application.

(2) This section is applicable to the 1952 and subsequent taxation years.

18. (1) Sections sixty A and sixty B of the said Act are repealed and the following substituted therefor:

Armed Forces Regulations.

"**60A.** (1) The Governor in Council may, by regulation made on the recommendation of the Minister of Finance and the Minister of National Revenue, provide for the determination of the amount of tax to be paid by a person who was a member of the naval, army or air forces of Canada (hereinafter referred to as "a member") during a taxation year in lieu of the tax otherwise payable under this Part and to provide for the manner in which the tax so determined is to be paid and, without restricting the generality of the foregoing, may provide

(a) that the tax on a taxpayer's income from his employment as a member shall be computed and paid on a monthly basis instead of an annual basis,

(b) that an amount of income, other than income from a taxpayer's employment as a member, not exceeding $50 a year shall not be included in computing his income for the purpose of the regulations,

(c) for the determination of a taxpayer's taxable income from his employment as a member in a manner other than that provided for in Divisions B and C,

(d) for the allowance of a deduction from the tax otherwise payable not exceeding $30 in respect of each month during which a member was on duty outside of Canada and was a member of a prescribed class,

(e) for the computation of the tax to be paid under this Part on amounts received by a taxpayer or his dependents on his ceasing to be a member, and

(f) for the determination of the tax payable on a taxpayer's income from sources other than his employment

Clause 16. See clause 2—The repealed paragraph *(a)* of section 57 subsection (1) reads as follows:

(a) the Governor General of Canada,

Clause 17. The new subsection (4A) is to permit a trust, all of whose property is owned by non-resident persons, to deduct dividends and interest received from a non-resident investment corporation in computing income subject to tax.

Clause 18. Provides for further modifications of the special tax system introduced in 1951 for the armed forces. The essence of the plan is to relieve a member of the armed forces of any necessity for filing an income tax return on his service income by deducting his whole tax from his pay on a monthly basis. Appropriate allowances are made for charitable donations, medical expenses, etc., in such deductions, but if the member exceeds these allowances a special adjustment will be made in his deductions. Income other than service income received in the year of enrolment, during the period of service or in the year of discharge will not be required to be reported if it does not exceed $50, and if in excess of this amount a return will be required. The tax credit granted for service in designated areas (Korea) is retained but restricted to the amount of tax actually payable but not to exceed $30 a month. In view of the desirability of being able to adapt this system to unforeseen circumstances it is proposed that the above general principles be given effect by regulations prescribed by the Governor in Council.

as a member for a year during all or part of which he was a member.

Rates. (2) Regulations made under subsection (1) shall provide for computation of tax thereunder in accordance with prescribed tables prepared on the basis of the rates set out in section 31."

Application. (2) This section is applicable to the 1952 and subsequent taxation years.

19. (1) Section sixty-one of the said Act is amended by adding the following subsection thereto:

If personal corporation's chief source of income neither farming nor combination of, etc. "(11) Where it has been determined for the purpose of subsection (1) of section 13 that a corporation's chief source of income for a taxation year is neither farming nor a combination of farming and some other source of income, its farming business shall be deemed, for the purpose of paragraph *(c)* of subsection (8), not to have been during the year an active financial, commercial or industrial business."

Application. (2) This section is applicable to the 1952 and subsequent taxation years.

20. Subsection three of section sixty-three of the said Act is repealed and the following substituted therefor:

No deduction for taxes. "(3) No deduction from the tax payable under this Part by a non-resident-owned investment corporation may be made under section 37 or in respect of tax paid to the government of a country other than Canada."

21. (1) Subparagraph (i) of paragraph *(c)* of subsection two of section sixty-four of the said Act is repealed and the following substituted therefor:

"(i) its business operations were of an industrial, mining, commercial, public utility or public service nature and were carried on entirely outside Canada (except for management and the designing, purchasing and transportation of goods if the goods were not acquired for resale in the course of trading and were acquired for the operations so carried on outside Canada) either directly or through ownership of shares in or control of subsidiary or affiliated corporations and its property, except securities and bank deposits, was situate entirely outside Canada,"

Application. (2) This section is applicable to the 1952 and subsequent taxation years.

22. Section sixty-nine of the said Act is amended by adding the following subsection thereto:

Application of subsection (1). "(2) For greater certainty, and without restricting the generality of subsection (1), it is hereby declared that subsection (1) is applicable where the resources of a fund

Clause 19. The purpose of this amendment is to provide in effect that a personal corporation shall not cease to be such by reason of carrying on a farming business that was determined not to be its chief source of income for purposes of section 13.

Clause 20. The underlined words have been added. This is a technical amendment consequent upon the provision for a new tax credit for corporations carrying on business in Ontario and Quebec as provided by clause 13.

Clause 21. This amendment is to clarify the definition of a foreign business corporation. The present section 64 subsection (2), paragraph *(c)*, sub-paragraph (i) reads as follows:

> "(i) its business operations were of an industrial, mining, commercial, public utility or public service nature and were, except for management and the designing, purchasing, and transportation of goods, carried on entirely outside Canada either directly or through ownership of shares in or control of subsidiary or affiliated corporations and its property, except securities and bank deposits, was situate entirely outside Canada."

Clause 22. The new subsection (2) is to ensure that section 69 may be interpreted so as to allow an employer to deduct special payments made to a superannuation or pension fund required to increase the benefits payable thereunder.

or plan required to be augmented by reason of an increase in the superannuation or pension benefits payable out of or under the fund or plan."

23. (1) Paragraph *(a)* of subsection one of section seventy-three A of the said Act is amended by adding the following subparagraph thereto immediately after subparagraph (iv) thereof:

"(iva) amounts on which tax has been paid under Part II by virtue of subsection (3) of section 97,"

Idem. (2) Subsection eight of the said section seventy-three A is repealed and the following substituted therefor:

"(8) Where in the calculation of a corporation's undistributed income on hand at any time, there has been included in

(a) computing the amount determined by subparagraph (vi) of paragraph *(a)* of subsection (1), or

(b) computing the amount by which the undistributed income on hand is deemed to have been reduced by virtue of subsection (5) of section 73,

amounts that were not included in computing the shareholders' income but that would have been so included if it were not for section 61, and the aggregate of those amounts exceeds the aggregate of the incomes of the corporation that were by section 61 deemed to have been distributed to its shareholders, the undistributed income of the corporation on hand at that time shall be deemed to be the amount that it would be if the aggregate of the deductions permitted by subparagraphs (i) to (vi) of paragraph *(a)* of subsection (1) were reduced by an amount equal to the excess.

Farming loss. (9) In the computation of a loss for the purpose of subparagraph (i) of paragraph *(a)* of subsection (1) there shall not be included a loss sustained by a corporation in its farming business for a year in respect of which the Minister has determined under section 13 that the corporation's chief source of income is neither farming nor a combination of farming and some other source of income except to the extent that the loss has been deducted in computing taxable income for a taxation year under paragraph *(d)* of subsection (1) of section 26.

Idem. (10) Where the Minister has determined under section 13 that a corporation's chief source of income for a taxation year is neither farming nor a combination of farming and some other source of income, no expense or disbursement shall be included in the amount deductible under subparagraph (ii) of paragraph *(a)* of subsection (1) if the amount thereof is included in the computation of a loss sustained by the corporation for the year in its farming business.

Mining income. (11) For the purpose of computing a corporation's undistributed income on hand under paragraph *(a)* of subsection (1), the income of the corporation for a year shall, if

Clause 23. (1) The new sub-paragraph (iva) is to provide that corporations subject to section 97 subsection (3) shall be allowed to deduct amounts taxed thereunder in computing undistributed income on hand. Section 97 subsection (3) reads as follows:

"(3) Where a corporation whose business was of an investment or financial nature and whose shares had not been offered for public subscription or listed on any recognized stock exchange has redeemed any of its stock, shares, bonds, debentures or other securities or discharged a capital obligation, the payment made shall, for the purpose of this Part, be deemed to be the payment of a dividend to the extent of the corporation's surplus determined in a prescribed manner."

(2) This amendment to subsection (8) is to clarify the calculation of the deduction to be taken in respect of dividends in calculating the undistributed income on hand of a corporation that was a personal corporation at the time the dividend was paid. The present subsection reads as follows:

"(8) For the purpose of subparagraph (vi) of paragraph *(a)* of subsection (1) in the case of a dividend paid by a corporation that, at the time of payment, was a personal corporation, the dividend shall be deemed to have been an amount equal to the lesser of

(a) the dividend, or

(b) the amount by which

(i) the aggregate of the incomes deemed under section 61 to have been distributed to its shareholders while it was a personal corporation prior to that time,

exceeds

(ii) the aggregate of dividends received from the corporation prior to that time and not included, by virtue of section 61, in computing the incomes of the shareholders by whom they were received."

The new subsection (9) disallows the deduction of a farming loss in computing undistributed income on hand of a corporation whose chief source of income is not farming, such loss already having been deducted under section 13. An exception is made where such a farming loss has been carried backward or forward against the income of other years.

The new subsection (10) prevents the indirect deduction of a farming loss the direct deduction of which is debarred by the new subsection (9).

The new subsection (11) requires that the income from a mine earned during the three year period of exemption after coming into production shall be included in computing its undistributed income on hand.

section 74 was applicable in the computation thereof, be deemed to be the amount that it would have been if section 74 had not been applicable."

24. (1) Subsection one of section seventy-four of the said Act is repealed and the following substituted therefor:

Mining companies.

"**74.** (1) 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),

3 years. exemption.

that came into production of ore prior to the end of the 1955 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."

Application.

(2) This section is applicable to the 1952 and subsequent taxation years.

25. (1) The said Act is further amended by adding thereto, immediately after section seventy-four, the following headings and sections:

"CROWN CORPORATIONS

Application of Part to Crown corporations.

74A. (1) This Part is applicable to a corporation specified in Schedule D to *The Financial Administration Act* as though the income from

(a) any business carried on by the corporation as agent of Her Majesty, and

(b) any property of Her Majesty administered by the corporation,

were income of the corporation.

(2) Paragraph *(d)* of subsection (1) of section 57 of the said Act does not apply to a corporation specified in Schedule D to *The Financial Administration Act.*

(3) Where a corporation specified in Schedule D to *The Financial Administration Act* has acquired depreciable property before the commencement of the first taxation year commencing after 1951, for the purpose of section 20 and regulations made under paragraph *(a)* of subsection (1) of section 11, that property shall be deemed to have been acquired at a capital cost equal to the amount that, according to the corporation's books, was its value at the commencement of that taxation year.

Clause 24. This amendment gives effect to paragraph 9 of the resolution and excludes sylvite (potash) from bedded deposits.

Paragraph 9 of the resolution reads as follows:

"**9.** That the exemption of the income from a metalliferous or industrial mineral mine for the first three years of production now applicable to mines coming into production during the years 1946 to 1954 be extended to mines coming into production during the year 1955.

Clause 25. This clause implements paragraphs (6) and (10) of the Income Tax Resolution. These read as follows:

"**6.** That crown corporations that are classed as proprietary corporations in the Financial Administration Act shall pay tax on income earned on and after January 1, 1952."

"**10.** That a corporation resident in Canada whose gross revenue for a taxation year ending on or after January 1, 1952, derived from the distribution to or generation for distribution to the public of electrical energy, gas or steam is more than one-half its total gross revenue for the same period shall be entitled to a deduction from the tax otherwise payable by it under the Income Tax Act to the extent necessary to reduce to 43 per cent the rate of tax payable by the corporation under that Act on that part of its taxable income for that taxation year that is derived on and after January 1, 1952, from such distribution or generation.

Previous income and losses.

(4) For the purpose of computing a deduction under paragraph *(d)* of subsection (1) of section 26, a corporation specified in Schedule D to *The Financial Administration Act* shall be deemed not to have had income or a loss for a taxation year prior to the first taxation year commencing after 1951.

Electric, Gas or Steam Utilities

Electric, gas or steam corporations.

75. (1) This section applies to a corporation resident in Canada whose gross revenue during a taxation year from the sale for delivery in Canada of electrical energy, gas or steam to

(a) persons with whom it deals at arms length, and

(b) persons with whom it does not deal at arms length for resale directly or indirectly for delivery in Canada to persons with whom it does deal at arms length,

is more than one-half its total gross revenue other than exempt income for the year. (Such a corporation is hereinafter referred to as a 'designated corporation'.)

Taxable income.

(2) A designated corporation's taxable income for a taxation year from the sale for delivery in Canada of electrical energy, gas or steam to

(a) persons with whom it deals at arms length, and

(b) persons with whom it does not deal at arms length for resale directly or indirectly for delivery in Canada to persons with whom it does deal at arms length,

(hereinafter referred to as its 'class A taxable income') shall, for the purposes of this section, be deemed to be the part of its taxable income for the year that its gross revenue for the year from such sales is of its total gross revenue other than exempt income for the year; and its taxable income for the year from all other sources (hereinafter referred to as its 'class B taxable income') shall, for the purposes of this section be deemed to be its taxable income for the year minus its class A taxable income for the year.

Deductions.

(3) Where a designated corporation's tax under this Part for a taxation year is required to be computed under subsection (1) of section 36, there may be deducted from the tax for the year computed under that subsection the amount by which the tax so computed exceeds the aggregate of

(a) the lesser of $2,000 or 20% of the corporation's taxable income for the year,

(b) 50% of

(i) the corporation's class B taxable income for the year,

minus

(ii) $10,000, and

(c) 43% of

(i) the corporation's class A taxable income for the year

minus

(ii) the amount, if any, by which the corporation's class B taxable income for the year is less than $10,000.

Deductions.

(4) Where a designated corporation's tax under this Part for a taxation year is required to be computed under subsection (2) of section 36, there may be deducted from the tax for the year computed under that subsection the amount by which the tax so computed exceeds the aggregate of

(a) 50% of the corporation's class B taxable income for the year, and

(b) 43% of the corporation's class A taxable income for the year.

Exceptions.

(5) For the purpose of this section, a transaction shall be deemed not to have been a sale of gas by a corporation unless

(a) the commodity sold was gas for lighting or heating and was not delivered in portable containers, and

(b) the corporation itself had a system for the distribution of gas through which it delivered gas to not less than 100 different customers.

Tax.

(6) For the purpose of all provisions of this or any other Act other than section 36 or this section, the amount remaining after making the deduction permitted by this section from the tax computed under section 36 for a taxation year shall be deemed to be the tax computed under section 36 for the year."

Application.

(2) Section seventy-four A of *The Income Tax Act* as enacted by this section is applicable to taxation years commencing after 1951 and section seventy-five of *The Income Tax Act* as enacted by this section is applicable to the 1952 and subsequent taxation years.

26. Subsection four of section ninety-one of the said Act is repealed and the following substituted therefor:

Disposal of appeal.

"(4) The court may dispose of the appeal by

(a) dismissing it;

(b) allowing it; or

(c) allowing it and

(i) vacating the assessment,

(ii) varying the assessment,

(iii) restoring the assessment, or

(iv) referring the assessment back to the Minister for reconsideration and re-assessment."

Clause 26. This amendment to subsection (4) is to clarify the action the Exchequer Court may take to dispose of an appeal. The present section 91 subsection (4) reads as follows:

"(4) The Court may dispose of the appeal by
(a) dismissing it;
(b) vacating the assessment;
(c) varying the assessment; or
(d) referring the assessment back to the Minister for reconsideration and re-assessment."

27. (1) Paragraph *(i)* of subsection two of section ninety-five A of the said Act is repealed and the following substituted therefor:

"(i) the aggregate of the dividends declared by it that were paid by it in the taxation years beginning with the 1950 taxation year and ending with the last complete taxation year before the election except such portion thereof, as, by virtue of subsection (2) of section 129, has not been taken into account in computing income of shareholders of the corporation,"

(2) Subsection eleven of the said section ninety-five A is repealed and the following substituted therefor:

Application.

"(11) Subsection (4) of section 42 and sections 53 to 56 are applicable *mutatis mutandis* to this Part."

28. Paragraph *(c)* of subsection nine of section ninety-seven of the said Act is repealed and the following substituted therefor:

"*(c)* where a non-resident person carried on business in Canada, what amounts are taxable under this Part or what portion of the tax under this Part is payable by that person."

29. Section one hundred and nine of the said Act is amended by adding the following subsections thereto:

Service of garnishee.

"(5) 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.

(6) Where the persons who are or are about to become indebted or liable carry on business in partnership, the registered 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."

30. Subsection twelve of section one hundred and twenty-four is repealed and the following substituted therefor:

Proof of documents.

"(12) Every document purporting to be an order, direction, demand, notice, certificate, requirement, decision, assessment, discharge of mortgage or other document purporting to have been executed under, or in the course of administration or enforcement of, this Act over the name

Clause 27. (1) This amendment to paragraph (i) is to remove the requirement that dividends must have been both declared and paid in the taxation years involved. The present paragraph reads as follows:

> "(i) the aggregate of the dividends declared and paid by it in the taxation years beginning with the 1950 taxation year and ending with the last complete taxation year before the election except such portion thereof as, by virtue of subsection (2) of section 129, has not been taken into account in computing income of shareholders of the corporation."

(2) The words underlined have been added.

Clause 28. The words underlined have been added.

Clause 29. The effect of these amendments are to permit the serving of a garnishee on an employer under his business name, or to an adult person employed at the place of such business.

Clause 30. The words underlined have been added.

in writing of the Minister, the Deputy Minister of National Revenue for Taxation, or an officer authorized by regulation to exercise powers or perform duties of the Minister under this Act, shall be deemed to be a document signed, made and issued by the Minister, the Deputy Minister or the officer unless it has been called in question by the Minister or by some person acting for him or Her Majesty."

31. (1) Paragraphs *(n)* and *(o)* of subsection one of section one hundred and twenty-seven of the said Act are repealed and the following substituted therefor:

"exempt income".

"*(n)* 'exempt income' means money, rights or things received or acquired by a person in such circumstances that they are, by reason of any provision in Part I, not included in computing his income and includes amounts that are deductible under section 27 or that would be so deductible if it were not for subsection (1A) of section 27;

"farming".

(o) 'farming' includes tillage of the soil, livestock raising or exhibiting, maintaining of horses for racing, raising of poultry, fur farming, dairying, fruit growing and the keeping of bees but does not include an office or employment under a person engaged in the business of farming;"

(2) Section one hundred and twenty-seven of the said Act is further amended by inserting the following subsection immediately after subsection five thereof:

Relationships defined.

"(5A) For the purpose of paragraph *(c)* of subsection (5)

(a) persons are connected by blood relationship if one is the child or other descendant of the other or one is the brother or sister of the other;

(b) persons are connected by marriage if one is married to the other or to a person who is so connected by blood relationship to the other; and

(c) persons are connected by adoption if one has been adopted, either legally or in fact, as the child of the other or as the child of a person who is so connected by blood relationship (otherwise than as a brother or sister) to the other."

Application.

(3) This section is applicable to the 1952 and subsequent taxation years.

Application of ss. 1, para. *(j)* of *Interpretation Act*.

32. For greater certainty, it is hereby declared that paragraph *(j)* of subsection one of section thirty-one of the *Interpretation Act* is applicable to the interpretation of the expression "one person" where it appears in the part of subsection two of section twenty of *The Income Tax Act* preceding paragraph *(a)* thereof and where it appears in the part of subsection three of section eight of chapter twenty-five of the statutes of 1949 (Second Session) preceding

Clause 31. (1) The words underlined have been added.

(2) The new subsection (5A) defines relationship by blood, marriage, and adoption for purposes of the definition of dealing at arms-length.

Clause 32. This amendment substitutes the words "a person" for the words "one person" in section 20 subsection (2) and in section 8 subsection (3) of chapter 25 of the statutes of 1949 (Second Session). It also provides that the expression "one person" may include more than one person. This amendment is not to apply to any matter in respect of which an appeal is pending when the amendment comes into force.

paragraph *(a)* thereof; and the said expression is deleted and the expression "a person" is substituted therefor; but nothing in this section is applicable in respect of any matter in respect of which an appeal is pending before the Income Tax Appeal Board or before a court when this Act comes into force.

Application.

33. (1) Subsections one and two of section fifty-three of chapter twenty-five of the statutes of 1949 (Second Session) as amended by section forty-six of chapter forty of the statutes of 1950 are applicable in respect of expenditures incurred in the calendar year 1955.

Idem.

(2) Subsection five of the said section fifty-three is applicable *mutatis mutandis* in respect of expenditures made in connection with

(a) the testing of a significant geological structure by a deep test oil well that was spudded in during, or the deepening of which was commenced in, 1953 and that proved unproductive, or

(b) the testing of a significant stratigraphic trap by a group of test wells that were spudded in during 1953 and drilled to an aggregate depth of twenty-five thousand feet and all of which wells proved unproductive.

34. (1) Subsections four and four A of section fifty-three of chapter twenty-five of the statutes of 1949 (Second Session) are repealed and the following substituted therefor:

"(4) A corporation whose principal business is mining or exploring for minerals may deduct, in computing its income for the purpose of *The Income Tax Act* for a taxation year, the lesser of

Mining or exploring for minerals.

(a) the aggregate of the prospecting, exploration and development expenses incurred by it, directly or indirectly, in searching for minerals in Canada,

(i) during the taxation year, and

(ii) during previous taxation years, 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 of the said Act, and

(ii) if no deduction were allowed under this subsection,

minus the deduction allowed by section 27 of the said Act,

if the corporation has filed certified statements of such expenditures and has satisfied the Minister that it has

Clause 33. This clause implements paragraphs (7) and (8) of the Income Tax Resolution which read as follows:

"7. That the special deduction from income to a taxpayer whose principal business is the production, refining or marketing of petroleum or petroleum products or the exploring or drilling for oil or natural gas or mining or exploring for minerals, be allowed for expenses incurred in the 1955 operations on the same basis as for expenses incurred in the operations in the years 1951 to 1954.

8. That the special deduction from income and taxes of a taxpayer whose principal business is production, refining or marketing of petroleum or drilling for petroleum be allowed for expenses incurred in respect of deep-test oil wells in 1953 operations on the same basis as for similar expenses in operations of the years 1950 to 1952.

Clause 34. (1) This clause also implements paragraph 7 of the resolution and provides a revised wording to bring this allowance into conformity with that granted to the petroleum industry.

been actively engaged in prospecting and exploring for minerals in Canada by means of qualified persons and has incurred the expenditures for such purposes.

Application.

(4A) Subsection (4) is applicable in respect of expenditures incurred in the calendar years 1952 to 1955 inclusive."

(2) The said section fifty-three is further amended by adding thereto immediately after subsection seven thereof, the following subsections:

Deductions from tax payable.

"(7A) 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 Part I of *The Income Tax Act* for the year an amount not exceeding the amount that would have been so deductible.

(7B) In subsection (7A), '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."

Application.

(3) Subsection two is applicable to the 1952 and subsequent taxation years.

(2) The new section 7A will permit corporations formerly subject to tax under the 5 per cent corporation income tax imposed in the "agreeing" provinces to deduct from the tax payable under this act certain tax credits which could have been deducted from the 5% tax had it been continued in effect.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

An Act to amend the Excise Tax Act.

First reading, May 9, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

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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 (1st Sess.), c. 6; 1949 (2nd Sess.), c. 21; 1950, c. 15; 1950-51, c. 8; 1951 (1st Sess.), c. 28.

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

An Act to amend the Excise Tax Act.

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

1. All the words preceding paragraph (i) of subsection one of section eighty A of the *Excise Tax Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, as enacted by section three of chapter twenty-eight of the statutes of 1951, are repealed and the following substituted therefor:

Furs.

"**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,"

2. Section eighty B of the said Act, as enacted by section four of chapter twenty-eight of the statutes of 1951, 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."

3. Section one hundred and seven of the said Act is repealed and the following substituted therefor:

Certificate before distribution of assets.

"**107.** (1) Assignees, administrators, liquidators, executors and other like persons other than trustees in bankruptcy, before distributing any assets under their control, shall obtain a certificate from the Minister certifying that no taxes or penalties, for which provision is made by any Part of this Act, other than Part III, chargeable against or

Explanatory Notes.

1. The proposed amendment is to decrease the tax from twenty-five to fifteen per cent to give effect to the Budget Resolution.

2. The proposed amendment is to decrease the tax from twenty-five to fifteen per cent to give effect to the Budget Resolution.

3. The section to be repealed reads,—

"**107.** (1) *Trustees in bankruptcy*, assignees, administrators, executors and other like persons, before distributing any assets under their control, shall obtain a certificate from the Minister certifying that no taxes or penalties, for which provision is made by any Part of this Act, other than Parts I *and* III, chargeable against or payable by any such person or chargeable against or payable in respect of any such assets, remain unpaid.

(2) Distribution without such certificate shall render the *trustees in bankruptcy*, assignees, administrators, executors and other like persons personally liable for the taxes and penalties."

The purpose of this amendment is to permit trustees in bankruptcy to distribute the assets of a defunct company under the provisions of the *Bankruptcy Act*, without obtaining the certificate provided for from the Department.

payable by any such person or chargeable against or payable in respect of any such assets, remain unpaid.

(2) Distribution without such certificate renders the assignees, administrators, liquidators, executors and other like persons personally liable for the taxes and penalties."

Repeal.

4. Schedules I, II and III to the said Act are repealed and Schedules I, II and III to this Act are respectively substituted therefor:

Coming into force.

5. (1) Subject to subsection two, sections one, two and four of this Act shall be deemed to have come into force on the ninth day of April, nineteen hundred and fifty-two 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) For the period commencing on and including the ninth day of April, nineteen hundred and fifty-two and ending on and including the fifteenth day of May, nineteen hundred and fifty-two, sections six and thirteen of Schedule I to the *Excise Tax Act* shall respectively be read and construed as follows:

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

4. The proposed amendments re-enact Schedules I, II and III to give effect to the Budget Resolution.

5. The amendments are made effective as of April 9, 1952, except that the new wording of sections 6 and 13 of Schedule I is not to apply until May 15.

SCHEDULE I.

1. Automobiles adapted or adaptable for passenger use, with seating capacity for not more than ten persons each. . .fifteen 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, 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 including shaving soaps and shaving creams, antiseptics, bleaches, depilatories, perfumes, scents and similar preparations. . .fifteen per cent;

3. *(a)* Electrical appliances adapted to household or apartment use, namely: 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 percent;

(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, apparatus for receiving radio broadcast and music.....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;

the tax does 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;

the tax does 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 including 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.....fifteen per cent.

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

13. Tires and Tubes:—

(a) Tires in whole or in part of rubber for self-propelled machines or 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;

the tax on the articles enumerated in paragraphs *(a)* and *(b)* of this section does not apply to the goods mentioned therein when used exclusively for the original equipment of such self-propelled machines or 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;

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

(c) The following articles, namely

(i) 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;

(ii) articles of cut glass ware, crystal glassware, cut or not, etched glassware, or metal decorated glassware;

(iii) articles of china, porcelain, earthenware, marble, stoneware, or other pottery ware, except articles for use in the preparation or serving of food or drink, or except where they are sold or imported for use exclusively in the manufacture of electric lamps.....fifteen per cent;

the tax on the articles enumerated in this paragraph *(c)* does not apply to the goods mentioned therein 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 and all mixtures or products advertised or sold for making soft drink beverages or imitations thereof, whether sold in liquid, concentrated or in dry form.....fifteen per cent.

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

SCHEDULE II.

1. Carbonic acid gas and similar preparations to be used for aerating non-alcoholic beverages....twenty-five 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) Manufactured tobacco, including snuff, but not including cigars and cigarettes.....eighty cents per lb.

(c) Canadian raw leaf tobacco when sold for consumption in Canada.....eight cents per lb."

SCHEDULE III.

Foodstuffs.

Barley; Bread; Butter; Cheese; Cream; Eggs, Egg albumen and Egg yolks; Glucose; Honey; Ice; Lactose; Lard; Rice; Salt; Soups; Split Peas; Sugar; Yeast; Yogurt;

Bakers' cakes and pies including biscuits, cookies or other similar articles;

Cereal breakfast foods not including beverages;

Cooking oil and salad oils, not including mayonnaise or salad dressing;

Drinks prepared from milk or eggs;

Fish and edible products thereof;

Flour including pastry, cake, biscuit, and similar mixes;

Foods prepared and sold exclusively for feeding infants;

Fruit, fresh, canned, frozen, preserved, dried or evaporated;

Grain grits and meals;

Ice cream;

Jams, jellies, marmalades, and preserves;

Malt syrup, except when sold for beverage purposes;

Maple syrup; corn syrup; table syrups, molasses, and materials to be used exclusively in the manufacture thereof;

Meats and poultry, fresh, cooked, canned, frozen, smoked or dried;

Milk, including buttermilk, condensed milk, evaporated milk, and powdered milk;

Peanut Butter and Shortening and materials for use exclusively in the manufacture thereof;

Prepared whipping cream;

Spaghetti, macaroni, and vermicelli;

Vegetables, fresh, canned, frozen or dehydrated, not including pickles, relishes, catsup, sauces, olives, horseradish, mustard, and similar goods;

Vegetable juices; fruit juices which consist of at least ninety-five per cent of pure juice of the fruit;

Farm and Forest.

Bees; Casein; Fertilizer; Hay; Hops; Shorts; Straw;

Alfalfa meal;

Animals, living;

Baling twine or baling wire for baling farm produce, and articles and materials to be used or consumed exclusively in process of manufacture thereof;

Beet pulp, dried;

Drain tiles for agricultural purposes;

Farm produce sold by the individual farmer of his own production, not to include flowers, flowering plants or bulbs, when the sales thereof exceed five hundred dollars per annum;

Feeds for fur-bearing animals whose pelts have commercial value;

Forest products when produced and sold by the individual settler or farmer;

Furs, raw;

Gopher poison, and materials for use exclusively in its manufacture;

Grain or seed cleaning machines and complete parts therefor;

Grains and seeds in their natural state;

Harness for horses and complete parts therefor, and articles and materials to be used exclusively in the manufacture thereof;

Hides, raw and salted;

Logs and round unmanufactured timber;

Milk albumen, when for use exclusively in the production of animal or poultry feeds;

Nursery stock;

Oil cake, oil cake meal;

Peat moss when used for agricultural purposes, including poultry litter;

Poultry, cattle and other stock feeds;

Poultry, living;

Preparations or chemicals sold for disinfecting, dipping or spraying and so used in agriculture or horticulture, and materials for use exclusively in the manufacture of such preparations;

Sap spouts and sap buckets, evaporators and complete parts therefor, when for use exclusively for the production of maple syrup;

Sawdust and wood shavings;

Settlers' effects;

Steel pens and complete parts thereof for farm animals, and articles and materials for use exclusively in the manufacture thereof;

Vegetable plants;

Wool not further prepared than washed;

Woollen rolls or wool yarn milled for a producer of wool from wool supplied by him for his own use;

ENGINES.

Internal combustion traction engines, and portable engines with boilers in combination, for farm purposes, or for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier, and accessories and complete parts of all the foregoing, and articles and materials, not to include plant equipment, to be used or consumed exclusively in the manufacture of the foregoing engines, boilers or parts thereof;

MINES AND QUARRIES.

Crushed stone or crushed gravel;

Gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured;

Ores of all kinds;

Sand, gravel, rubble, and field stone;

Marine and Fisheries.

Boats *bona fide* purchased by fishermen for use in the fisheries, and articles and materials to be used exclusively in the manufacture, equipment or repair of such boats;

Carrageen or Irish Moss;

Cotton duck and cotton sail twine to be used only in the manufacture of equipment for ships or vessels;

Rope and cordage of cotton, hemp, manila or other vegetable fibre, not exceeding one and one-half inches in circumference, for the fisheries, not including these articles for sportsmen's purposes, and materials for use only in the manufacture thereof;

Preservatives for use exclusively for treating fishing nets, ropes and lines;

Materials for use only in the construction, equipment and repair of ships;

Materials used as ingredients in canned fish;

Ships licensed to engage in the Canadian coasting trade;

Sinkers, and floats including trawl kegs, when for use exclusively in the fisheries, not including these articles for sportsmen's purposes;

Religious, Charitable, Health, etc.

Adrenocorticotrophin (ACTH); Cortisone; Insulin; Radium;

Articles and materials for the sole use of any *bona fide* public hospital certified to be such by the Department of National Health and Welfare, when purchased in good faith for use exclusively by the said hospital and not for resale;

Artificial eyes;

Bibles, missals, prayer books, psalm and hymn books, religious tracts, Sunday School lesson pictures, books, bound and unbound, pamphlets, booklets, leaflets, scripture, prayer, hymn and mass cards and religious mottoes and pictures unframed, for the promotion of religion, and materials to be used exclusively in the manufacture thereof, but not including calendars, parish reports, forms, stationery or programmes;

Donations of clothing and books for charitable purposes;

Liver extract for use exclusively in the treatment of anaemia;

Memorials or monuments erected in memory of members of the Armed Forces who lost their lives in the service of their country;

War Veterans' badges;

Printing and Educational.

Manuscript; Newspapers;

Books for the instruction of the deaf or dumb;

Magazines and literary papers unbound, regularly issued at stated intervals, not less frequently than four times yearly, and printing paper and printing ink for use exclusively in their production;

Photographs, paintings, pastels, drawings and other art work and illustrations of all kinds, whether originals, copies or proofs, and printing plates made to reproduce the same, for use exclusively as non-advertising news pictures or for illustrating non-advertising articles or stories in periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire stitched or otherwise fastened together;

Text books, printed, authorized by the Department of Education of any province in Canada and phonograph records so authorized for instruction in the English and the French language, and materials used exclusively in the manufacture thereof;

Diplomatic.

Articles for the use of the Governor General;

Articles imported for the personal or official use of the Heads of Diplomatic Missions, High Commissioners representing other of Her Majesty's Governments, Counsellors, Secretaries and Attaches at Embassies, Legations, and offices of High Commissioners in Canada, Trade Commissioners, representing other of Her Majesty's Governments, Consuls General of Foreign Nations who are natives or citizens of the countries they represent and who are not engaged in any other business or profession; automobiles, cigars, cigarettes, manufactured tobacco, ale, beer, stout, wines, spirits, purchased in Canada by any of the foregoing;

Certain Building Materials.

Bricks; building tile, building blocks and building stone;

Plaster; lime; cement;

Lumber; sash; doors; shingles; lath; siding; stairways;

Plaster boards, fibreboard, building paper and materials, other than wallpaper, manufactured wholly or in part of vegetable or mineral fibre for wall coverings or building insulation;

Paints, varnishes, white lead and paint oil;

Prepared roofings;

Shower baths, bath tubs, basins, faucets, closets, lavatories, sinks 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, hot water and steam radiators not to include fittings, for the heating of buildings;

Locks and lock sets;

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;

COVERINGS.

Usual coverings to be used exclusively for covering goods not subject to the consumption or sales tax and materials to be used exclusively in the manufacture of such coverings;

FIRE BRICK, REFRACTORIES, ETC.

Fire brick, plastic refractories, high temperature cement, fire clay and other refractory materials for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment, and materials to be used or consumed exclusively in the manufacture of such fire brick or refractory materials;

PROCESSING MATERIALS.

Clays and earth for use exclusively as filtering materials in the refining of petroleum oils;

Materials (not including lubricating oils) consumed, otherwise than by waste or wear, in the process of manufacture or production of taxable goods;

MACHINERY AND APPARATUS TO BE USED IN MANUFACTURE OR PRODUCTION.

Machinery and apparatus, as defined by the Minister of National Revenue, and complete parts thereof which, in the opinion of the Minister are to be used directly in the process of manufacture or production of goods; this exemption does not apply to office equipment or motor vehicles, except diesel powered self-propelled trucks, mounted on rubber tired wheels, for off-highway use exclusively at mines or quarries, and complete parts thereof;

MISCELLANEOUS.

Articles and materials purchased or imported by a government of a country designated by the Governor in Council under Customs Tariff item 708, or purchased or imported by a Canadian government agency on behalf of such a government, for the construction, maintenance or operation of military or defence establishments in Canada and not intended for resale, gift or other disposition except as may be authorized by the Minister of National Revenue;

British and Canadian coins and foreign gold coin;

Electricity;

Fuel for lighting or heating, but not including fuel when for use in internal combustion engines; crude oil to be used in the production of fuel;

Natural gas and gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes;

Tires and tubes for use exclusively on the machinery enumerated in Customs Tariff item 411a;

GOODS ENUMERATED IN CUSTOMS TARIFF ITEMS.

173, 209b, 352a, 364, 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, and complete parts thereof, 409j, 409k, 409q, 411a, 437, 439c, 440k, 460, 476, 476a, 476b, 478, 480, 480a, 538, 663b, 666, 667, 682, 692, 692b, 693(i), 695a, 695b, 696, 696a, 698, 699, 700, 701, 702, 703, 704, 708, 786, 848;

Articles and materials which enter into the cost of manufacture of the goods enumerated in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409k, 409o and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in the aforesaid tariff items, under regulations prescribed by the Minister;

Articles and materials to be used exclusively in the manufacture of goods enumerated in Customs Tariff items 173, 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409q, 410b, 411, 411a, 411b, 439c, 440k, 476, 476a, 480, 480a, 538, 663, 663a, 663b, 666, 667, 696, 848;

Materials not to include plant equipment consumed in process of manufacture or production, which enter directly into the cost of goods enumerated in Customs Tariff items 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409q, 410b, 411, 411a, 411b, 439c, 440k, 476, 476a, 480, 480a, 538, 663, 663a, 666, 667, 696.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 207.

An Act to amend The Excise Act, 1934.

First reading, May 9, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57798

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

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; 1949 (1st sess.), c. 6; 1950-51, c. 7.

THE HOUSE OF COMMONS OF CANADA.

BILL 207.

An Act to amend The Excise Act, 1934.

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

1. (1) Paragraph *(k)* of subsection one of section three of *The Excise Act, 1934*, chapter fifty-two of the statutes of 1934, is repealed and the following substituted therefor:

"spirits". "*(k)* 'spirits' means any material or substance, whether in liquid or other form, containing any proportion by weight or volume of ethyl alcohol obtained from fermented beer, wash, wort, or from petroleum, or any other substance, whether obtained in a distillery by distillation or any other process;"

(2) Subsection one of section three of the said Act is further amended by adding thereto immediately after paragraph *(b)* thereof, the following paragraph:

"Canadian brandy". "*(bb)* 'Canadian brandy' means spirits distilled exclusively from the juices of native fruits, without the addition of sugar or other saccharine matter, and containing not less than forty-two and seventy-five hundredths per cent of absolute alcohol by volume;"

2. Paragraph *(h)* of section seven of the said Act is repealed and the following substituted therefor:

"Canada twist". "*(h)* 'Canada twist', otherwise called tabac blanc en torquettes, means the unstemmed, unflavoured, and unpressed leaf of tobacco grown in Canada, twisted and made into coils by a manufacturer of tobacco duly licensed under this Act;"

Explanatory Notes.

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

> "*(k)* 'spirits' means any distillate obtained from fermented beer, wash or wort by distillation, and in a distillery includes liquids containing any proportion by weight or volume of Ethyl Alcohol;"

The purpose of this amendment is to require that the provisions of the *Excise Act* in respect to alcohol shall be applicable to all spirits produced whether by the ordinary process of distillation or other means.

(2) This definition has been contained in the Schedule to this Act for some years and is now being merely transferred to the definitions section of the Act.

2. The present paragraph *(h)* reads as follows:

> "*(h)* 'common Canada twist,' otherwise called tabac blanc en torquettes, means the unstemmed, unflavoured, and unpressed leaf of tobacco grown in Canada, twisted and made into coils by *the cultivator thereof, or by* a manufacturer of tobacco duly licensed under this Act;"

The new definition eliminates the words, "by the cultivator thereof", which are redundant for the reason that under the Act no person can manufacture Canada twist for sale except under licence as a tobacco manufacturer.

3. Subsection one of section thirteen of the said Act is repealed and the following substituted therefor:

Term of licence.

"**13.** (1) Every licence shall terminate on the thirty-first day of March in each year."

4. (1) Paragraph *(a)* of subsection two of section one hundred and forty of the said Act is repealed and the following substituted therefor:

"*(a)* to any scientific and research laboratory in receipt annually of aid from the Government of Canada or a province or to any university, for scientific purposes only,"

(2) Paragraph *(c)* of subsection two of section one hundred and forty of the said Act is repealed and the following substituted therefor:

"*(c)* to any bona fide public hospital or municipal health clinic certified to be such by the Department of National Health and Welfare, for medicinal purposes only, and

(d) to any health institution in receipt annually of aid from the Government of Canada or a province, for medicinal and research purposes only."

5. Section one hundred and sixty of the said Act is repealed and the following substituted therefor:

Labels on bottles.

"**160.** Subject to *The Unfair Competition Act, 1932*, and the *Food and Drugs Act*, no person shall attach to any bottle, flask or other package of spirits any label, stamp or other device containing any statement or information other than the name of such spirits and the name of the bottler and his place of residence, unless the form and wording thereof have first been approved by the Minister."

6. Section one hundred and sixty-nine of the said Act is repealed, and the following substituted therefor:

Offences for sale of spirits unlawfully manufactured, etc.

"**169.** (1) Everyone, whether the owner thereof or not, who, without lawful excuse, the proof whereof shall be upon the person accused, sells or offers for sale or purchases or has in his possession any spirits

(a) unlawfully manufactured,

(b) unlawfully imported,

(c) unlawfully or fraudulently removed from any distillery,

(d) unlawfully or fraudulently removed from any bonded manufactory,

(e) unlawfully or fraudulently removed from any bonded warehouse,

(f) unlawfully or fraudulently removed from any place where spirits subject to drawback are held,

3. The present section 13 reads as follows:

"**13.** (1) Every licence shall terminate on the thirty-first day of March in each year, *and the same amount shall be paid for every such licence whether it has a full year or only a part of a year to run from the date when it is granted; Provided that in the case of an application for any such licence by a person who has not theretofore obtained a licence, or who is beginning business in another excise division, such licence, if applied for on or after the first day of October, may, in the absence of any specific provision to the contrary, be issued to such applicant for the remainder of the fiscal year, upon payment of one-half only of the fee otherwise payable on such licence.*"

The proposed section is to make it clear that every licence is in operation for a full year.

4. The present paragraphs *(a)* and *(c)*, respectively read as follows:

"*(a)* to any scientific and research laboratory *sponsored by* the Government of Canada or by the government of any province or to any university, for scientific purposes only,

(c) to any bona fide public hospital certified to be such by the Department of National Health and Welfare, for medicinal purposes only."

The amendments to this section specify more specifically what form of assistance constitutes sponsorship, and also extends the drawback of ninety-nine per centum to certified municipal health clinics and certain health institutions.

5. The present section 160 reads as follows:

"**160.** Subject to the provisions of *The Unfair Competition Act, 1932*, no person shall attach to any bottle, flask or other package of spirits any label, stamp or other device containing any statement or information other than the name of such spirits and the name of the bottler and his place of residence, unless the form and wording thereof have first been approved by the Minister."

The proposed amendment incorporates the requirements of the *Food and Drugs Act* which has specific requirements as to labelling.

6. The present section 169 reads as follows:

"**169.** (1) Everyone, whether the owner thereof or not, who, without lawful excuse, the proof whereof shall be upon the person accused, sells or offers for sale or purchase or has in his possession any spirits unlawfully manufactured or imported, or any spirits unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, is guilty of an indictable offence and shall be sentenced

(*g*) that have been released from excise bond exempt from duty as being for the use of a person or organization by law entitled to such exemption but which spirits have been subsequently sold or otherwise disposed of to a person not entitled to any exemption, or

(*h*) that have been released from excise bond either free or at a reduced rate of duty for a specific use and have been subsequently diverted to a use other than that for which the exemption was given,

is guilty of an indictable offence.

Penalty. (2) Every person who is convicted of an offence under subsection one is liable

(*a*) for a first offence, to

(i) a fine not exceeding two thousand dollars and not less than one hundred dollars,

(ii) imprisonment, with or without hard labour, for a term not exceeding twelve months and not less than three months, or

(iii) both the fine and the imprisonment,

and in default of payment of a fine imposed under subparagraph (i) or (iii), to imprisonment for a term not exceeding twelve months and not less than three months in addition to the imprisonment, if any, imposed under subparagraph (ii) or (iii); and

(*b*) for every subsequent offence, to both

(i) a fine not exceeding two thousand dollars and not less than five hundred dollars, and

(ii) imprisonment, with hard labour, for a term not exceeding twelve months and not less than six months,

and, in default of payment of the fine, to imprisonment for a further term equal to that imposed under subparagraph (ii).

Forfeiture. (3) All spirits referred to in subsection one wheresoever they are found, and all horses and vehicles, vessels and other appliances that have been or are being used for the purpose of transporting the spirits so manufactured, imported, removed, disposed of, diverted, or in or upon which the same are found, shall be forfeited to the Crown, and may be seized and detained by any officer and be dealt with accordingly."

7. Subsection five of section one hundred and seventy-eight of the said Act is repealed and the following substituted therefor:

Penalty. "(5) Everyone who makes or brews any beer for the use of himself and his family without giving the notice hereby required, and receiving the collector's letter of consent, or

(a) for a first offence, to
(i) a penalty not exceeding two thousand dollars and not less than one hundred dollars,
(ii) imprisonment, with or without hard labour, for a term not exceeding twelve months and not less than three months, or
(iii) both the fine and the imprisonment, and, in default of payment of a pecuniary penalty imposed under subparagraph (i) or (iii) of this paragraph, to imprisonment for a term not exceeding twelve months and not less than three months in addition to the imprisonment, if any, imposed under subparagraph (ii) or (iii); and

(b) for every subsequent offence, to both
(i) a penalty not exceeding two thousand dollars and not less than five hundred dollars, and
(ii) imprisonment, with hard labour, for a term not exceeding twelve months and not less than six months,

and, in default of payment of the pecuniary penalty, to imprisonment for a further term equal to that imposed under subparagraph (ii) of this paragraph.

(2) All spirits unlawfully manufactured or imported, or unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, wheresoever they are found, and all horses and vehicles, vessels and other appliances which have been or are being used for the purpose of transporting the spirits so manufactured, imported or removed or in or upon which the same are found, shall be forfeited to the Crown, and may be seized and detained by any officer and be dealt with accordingly."

The amendments in this section are to provide for prosecution where alcohol subject to drawback of excise duty is stolen from the premises where it was intended to be used or is diverted to uses other than those intended. At the same time the form is revised for clarification.

after such letter of consent has been revoked, cancelled or suspended as herein provided, or having so made or brewed any beer, sells the same to any person, or disposes thereof to persons other than such members of his family as reside with him in the same dwelling house, is guilty of an indictable offence and liable to the penalties herein provided for the brewing of beer without a licence."

8. Paragraphs *(a)* and *(b)* of subsection one of section one hundred and eighty-two of the said Act are repealed and the following substituted therefor:

"*(a)* makes or brews any beer or malt liquor except for the use of himself and his family, as herein provided, or

(b) has in his possession, whether the owner thereof or not, any beer or malt liquor which has not been made or brewed, distributed or disposed of in accordance with the provisions of this Act,"

9. Subsection one of section two hundred and seventeen of the said Act is repealed and the following substituted therefor:

Conditions of licence.

"**217.** (1) A licence to carry on the manufacture in bond of a certain kind or kinds of goods to be mentioned in the application for such licence in certain premises to be therein described, may be granted to any person who has complied with the provisions of this Act, if the granting of such licence has been approved by the district inspector and such person has, jointly with a guarantee company approved by the Minister, entered into a bond to Her Majesty, in such sum as the Minister may determine, but in no case shall such sum be less than five thousand dollars, the person obtaining the licence and the guarantee company both being bound in the full amount of such bond, and every such licence shall be known as a bonded manufacturing licence."

10. Paragraph *(g)* of section two hundred and sixty-two of the said Act is repealed and the following substituted therefor:

"*(g)* for the manufacture and sale of Canada twist;"

11. The said Act is further amended by adding thereto, immediately after section two hundred and ninety-one thereof, the following section:

Penalty for purchase, etc., of cigarette papers, etc., without licence.

"**292.** Everyone who, without having a licence under this Act or the *Excise Tax Act* then in force, purchases, sells, has in possession or uses in the making of cigarettes,

7 and **8.** The amendment is to provide for the making of beer by a householder by use of extracts which do not require brewing. The only changes are the addition of the words underlined.

9. The present section 217 (1) reads as follows:

"**217.** (1) A licence to carry on the manufacture in bond of some certain kind or kinds of goods to be mentioned in the application for such licence in some certain premises to be therein described, may be granted to any person who has complied with the provisions of this Act, if the granting of such licence has been approved by the district inspector and such person has, jointly with a guarantee company approved by the Minister, entered into a bond to His Majesty *in the sum of five thousand dollars* and every such licence shall be known as a bonded manufacturing licence

This amendment is designed to provide additional security to cover bonded goods held by manufacturers where the present security is not sufficient.

10. The present paragraph *(g)* reads as follows:

"*(g)* for the manufacture and sale of common Canada twist *tobacco made from raw leaf tobacco grown in Canada, such tobacco being made into Canada twist by the cultivator only on whose farm or premises it is grown, or in a tobacco manufactory duly licensed under this Act, and the duty paid as herein provided:*"

The purpose of the amendement is to bring the paragraph into conformity with the new definition of "Canada twist".

11. The proposed amendment is designed to prevent the use of cigarette papers in rolls, spools or bobbins by other than licensed manufacturers.

cigarette papers in rolls or on spools or bobbins, or in lengths greater than twenty inches, is guilty of an indictable offence, and is liable on conviction,

(a) for the first offence, to a fine not exceeding one hundred dollars, and not less than twenty-five dollars, and,

(b) for each subsequent offence, to a fine of five hundred dollars,

and all goods subject to excise, found on the premises wherein any such offence is committed, shall be forfeited to the Crown, and shall be seized by any officer and dealt with accordingly."

New Schedule.

Coming into force.

12. The Schedule to the said Act is repealed and the Schedule to this Act is substituted therefor and shall be deemed to have come into force on the eighth day of April, nineteen hundred and fifty-two.

12. The proposed amendments are to re-enact the Schedule to the *Excise Act* to give effect to the Budget Resolution.

SCHEDULE

The following duties of excise shall be imposed, levied and collected:

I. Spirits.

1. (1) 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) Spirits used in any bonded manufactory in the production of goods manufactured in bond are subject to the following duties of excise and no other, that is to say

(a) on every gallon of the strength of proof used in the manufacture of patent and proprietary medicines, extracts, essences and pharmaceutical preparations, one dollar and fifty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon;

(b) on every gallon of the strength of proof used in the production of such chemical compositions as are from time to time approved by the Governor in Council, fifteen cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

(3) Upon spirits sold to any druggist licensed under this Act, and used exclusively in the preparation of prescriptions for medicines and pharmaceutical preparations, the duty of excise shall be, on every gallon of the strength of proof, one dollar and fifty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

(4) Spirits used solely in the manufacture of vinegar by a manufacturer of vinegar licensed under this Act are subject to no duty of excise.

(5) Spirits distilled from wine produced from native fruits and used in any bonded manufactory for the treatment of domestic wine are subject to no duty of excise.

(6) Spirits used directly in the manufacture of toilet preparations or cosmetics on which excise tax is applicable under Schedule I of the *Excise Tax Act*, are subject to no duty of excise.

2. Upon imported spirits when taken into a bonded manufactory, in addition to any of the duties otherwise imposed, upon every gallon of the strength of proof, thirty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

II. Canadian Brandy.

1. 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.

III. Beer.

1. Upon all beer or malt liquor brewed in whole or in part from any substance other than malt, per gallon, forty-two cents.

IV. Malt.

1. 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.

V. Tobacco, Cigars and Cigarettes.

1. Manufactured tobacco of all descriptions except cigarettes, per pound actual weight, thirty-five cents.

2. Cigarettes weighing not more than two and one-half pounds per thousand, six dollars per thousand.

3. Cigarettes weighing more than two and one-half pounds per thousand, eleven dollars per thousand.

4. Cigars, one dollar per thousand.

5. Canadian raw leaf tobacco when sold for consumption, per pound actual weight, twenty cents.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 208.

An Act to amend The Dominion Succession Duty Act.

First reading, May 9, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

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6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 208.

1940-41, c. 14; 1942-43, c. 25; 1944-45, c. 37; 1945 (2nd Sess.), c. 18; 1946, c. 46; 1947-48, c. 47.

An Act to amend The Dominion Succession Duty Act.

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

Definitions.

1. Paragraph *(i)* of section two of *The Dominion Succession Duty Act*, chapter fourteen of the statutes of 1940-41, is repealed and the following substituted therefor:—

Personal corporation.

"*(i)* 'personal corporation' means a personal corporation as defined in *The Income Tax Act*;"

2. (1) Paragraph *(j)* of subsection one of section three of the said Act is repealed and the following substituted therefor:—

Marriage consideration.

"*(j)* property transferred to or settled on any person by the deceased in consideration of marriage within three years prior to the death of the deceased;

(ja) property agreed to be transferred to or settled on any person by the deceased under an agreement made in consideration of marriage at any time before or after the coming into force of this paragraph, to the extent that the property agreed to be transferred or settled was actually transferred or settled within three years prior to or on or after the death of the deceased;

(jb) any property that is the subject matter of a transfer, settlement or agreement made at any time in consideration of marriage, if an interest in such property for life or any other period determinable by reference to death is reserved either expressly or by implication to the deceased;"

Explanatory Notes.

1. The paragraph to be repealed presently reads as follows:

"*(i)* 'personal corporation' means a personal corporation as defined in *The Income War Tax Act;*"

The purpose of this amendment is to bring the definition of "personal corporation" into line with that contained in paragraphs (8) and (9) of section 61 of *The Income Tax Act.*

2. (1) The paragraph to be repealed presently reads as follows:

"*(j)* property transferred to or settled on or agreed to be transferred to or settled on any person or persons whatsoever on or after the twenty-ninth day of April, one thousand nine hundred and forty-one, and within three years of the death, by the deceased person, in consideration of marriage;"

This amendment together with the amendment to section 8 is to make the law in regard to property transferred or agreed to be transferred in consideration of marriage in conformity with the general intent and purpose of the Act and exclude from the provisions of the Act only such transfers or settlements as were actually executed or fulfilled more than three years before the death of the deceased.

(2) Paragraph *(k)* of subsection one of section three of the said Act is repealed and the following substituted therefor:—

Partial consideration.

"*(k)* property transferred within three years prior to the death of the deceased for partial consideration in money or money's worth paid or agreed to be paid to the deceased, to the extent to which the value of the property when transferred exceeds the value of the consideration so paid or agreed to be paid;"

(3) Subsection four of section three of the said Act, as enacted by subsection two of section two of chapter thirty-seven of the statutes of 1944-45, is repealed and the following substituted therefor:—

General power of appointment at time of death.

"(4) Where a deceased person had at the time of death a general power to appoint or dispose of property, there shall be deemed to be a succession in respect of such property and the person entitled thereto and the deceased shall be deemed to be the 'successor' and 'predecessor' respectively in relation to the property."

(4) Section three of the said Act is further amended by adding thereto the following subsections:—

General power of appointment given to any person.

"(5) When a general power to appoint any property either by instrument *inter vivos*, or by will, or both, is given to any person, there shall be deemed to be a succession in respect thereof and the donee of the power and the deceased shall be deemed to be the 'successor' and the 'predecessor' respectively.

Property acquired on or after death at less than fair market value.

(6) Where under the terms of an agreement made by the deceased at any time before or after the coming into force of this subsection, property is transferred to or acquired by a purchaser or transferee upon or after the death at a value less than its fair market value, the difference between such value and the fair market value shall be deemed to be a succession to the purchaser or transferee and the deceased shall be deemed to be the 'predecessor' and the purchaser or transferee the 'successor' in respect thereof."

Where gift tax already paid.

3. Paragraph *(h)* of subsection one of section seven of the said Act is repealed and the following substituted therefor:—

"*(h)* in respect of a gift made by the deceased in his lifetime where gift tax has been paid under the provisions of *The Income War Tax Act* or *The Income Tax Act*, except to the extent to which duty payable under this Act exceeds the gift tax so paid;"

(2) The paragraph to be repealed presently reads as follows:

"*(k)* property transferred *on or after the twenty-ninth day of April, one thousand nine hundred and forty-one, and* within three years prior to the death of the deceased for partial consideration in money or money's worth paid to the transferor for his own use and benefit to the extent to which the value of the property when transferred exceeds the value of the consideration so paid;"

This amendment is to clarify the law that property transferred within three years of death for partial consideration paid or to be paid to the deceased is dutiable to the extent of the difference between the value of the property transferred and the partial consideration paid or to be paid therefor.

(3) The subsection to be repealed presently reads as follows:

"(4) Where, upon the death of a person having a general power to appoint or dispose of property a person takes a *beneficial interest in the property as a result of the failure of the deceased to exercise the power*, the taking of the interest in the property shall be deemed to be a succession and the beneficiary and the deceased shall be deemed to be the 'successor' and 'predecessor' respectively in relation to the property."

This amendment is to clarify the law that property over which a deceased person has a general power of appointment at the time of death is subject to duty.

(4) The purpose of the new subsection (5) is to ensure that when a general power to appoint property is given to any person by the deceased there is a succession in respect thereto and clearly to distinguish between the creation of the succession and the payment of the duty which are presently provided for in section 31 of the Act.

The purpose of the new subsection (6) is to clarify the law that property of the deceased that is transferred upon or after death for partial consideration is dutiable to the extent of the difference between the value of the property and the partial consideration to be paid therefor without excluding from duty the actual consideration to be paid.

3. The paragraph to be repealed presently reads as follows:

"*(h)* in respect of a gift made by the deceased in his lifetime where gift tax has been paid under the provisions of *The Income War Tax Act*, except to the extent to which duty payable under this Act exceeds the gift tax so paid;"

This amendment is to provide for an exemption in respect of tax paid under the provisions of either *The Income War Tax Act* or *The Income Tax Act*.

Marriage settlement debts.

4. Subsection two of section eight of the said Act is amended by adding thereto the following paragraph:—

"*(h)* for any debt or encumbrance arising out of an agreement made at any time before or after the coming into force of this paragraph by the deceased in consideration of marriage to transfer property to or settle property on any person."

Class B.

5. Paragraph *(b)* of subsection one of section eleven of the said Act is repealed and the following substituted therefor:—

"*(b)* under the heading Class B of the said Schedule where the dutiable value exceeds one thousand dollars and where the successor is the grandfather, grandmother, father, mother, husband, son-in-law or daughter-in-law of the deceased or any person who is included within any of the classes of persons described in subparagraph (i), (ii), (iii) or (iv) of paragraph *(b)* of section two but is not a child coming within paragraph *(a)* of this section;"

Allowable deductions.

6. Section eleven A of the said Act, as enacted by section two of chapter forty-six of the statutes of 1946 is repealed and the following substituted therefor:—

"**11**A. (1) In this section

(a) 'provincial Act' means any provincial Act that imposes succession duties, and 'provincial duties' means the duties imposed by such a provincial Act;

(b) 'total duty' means the total amount of duty that, but for this section, would be payable under this Act on the death of a predecessor mentioned in subsection two in respect of all successions to property on which duties were paid under provincial Acts; and

(c) 'total provincial duties' means the total amount of duties paid under provincial Acts in respect of all property the succession to which is subject to duty under this Act upon the death of a predecessor mentioned in subsection two.

(2) Where provincial duties have been paid in respect of property the succession to which is subject to duty under this Act upon the death of a predecessor, the successor may deduct from the duty otherwise payable by him under this Act in respect of the succession to that property the amount of that duty multiplied by the lesser of

(a) one-half; or

(b) the total provincial duties divided by the total duty."

4. This is new and is explained under clause 2 of the Bill.

5. The paragraph to be repealed presently reads as follows:

"*(b)* under the heading Class B of the said Schedule where the dutiable value exceeds one thousand dollars and where the successor is the grandfather, grandmother, father, mother, husband, son-in-law or daughter-in-law of the deceased or a *child* of the deceased eighteen years of age or over at the date of the death of the deceased and not dependent, at that date, upon the deceased for support on account of mental or physical infirmity;"

This amendment adds lineal descendants, etc., to the preferred Class B and so ensures that they do not come within the higher rates applicable to another Class.

6. The section to be repealed presently reads as follows:

"**11A.** Each successor may deduct from the duties otherwise payable by him under this Act in respect of a succession derived from a predecessor dying after the thirty-first day of December, one thousand nine hundred and forty-six, the lesser of

(a) the duty or duties payable by him under the laws of any province or provinces in respect of such succession; or

(b) fifty per centum of the duty otherwise payable by him under this Act in respect of such succession."

This amendment provides for deduction from the Dominion duty to the extent of all the duty imposed by a Province or Provinces or one-half of the Dominion duty whichever is the lesser in respect of all property which has been subjected to duty by both the Dominion and a Province or Provinces.

Fair market value.

7. Section thirty-three of the said Act is amended by adding thereto the following subsection:—

"(3) The fair market value of all property shall be determined for the purposes of this Act without allowance or deduction for income tax."

Valuation of annuities.

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

"**34.** The value of every annuity, term of years, life estate, income, or other estate, and of every interest in expectancy shall for the purposes of this Act be determined by such rule, method and standard of mortality and of value, and at such rate of interest as from time to time the Minister may decide, and the value so determined shall be deemed to be the fair market value thereof."

7. This amendment is new and is designed to provide for the determination of the fair market value of property without regard to Income Tax that may be payable by the successor or prospective purchaser of any property of the deceased. Any liability of the deceased for Income Tax as at the date of death or for which his estate may be liable is allowed as a deduction under section 8 of the Act.

8. The section to be repealed presently reads as follows:

> "**34.** The value of every annuity, term of years, life estate, income, or other estate, and of every interest in expectancy in respect of the succession to which duty is payable under this Act shall for the purposes of this Act be determined by such rule, method and standard of mortality and of value, and at such rate of interest as from time to time the Minister may decide."

This amendment provides for the application of mortality tables to determine the value of interests in property, whether the interest of the deceased or the successor, that depend on life contingencies.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 209.

An Act to amend the Customs Tariff.

First Reading, May 9, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57775

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, cc. 14, 50; 1950-51, c. 4; 1951 (1st Sess.), c. 27.

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA

BILL 209.

An Act to amend the Customs Tariff.

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

Schedule A amended.

1. Schedule A to the Customs Tariff, chapter forty-four of the Revised Statutes of Canada, 1927, as amended, is further amended by striking thereout tariff items 54, 98, 105c, 156*(a)*, *(b)*, *(c)*, *(d)*, *(e)* and *(f)*, 192a, 203a, 203b, 206a (1), 206c, 208w, 211b, 216d, 216e, 216f, 216g, 225, 231d, 231e, 236b, 237*(a)*, 237*(b)*, 237*(c)*, 237*(d)*, 238(1), 238(2), 238(3) (i), 238(3) (ii), 238(4) (i), 238(4) (ii), 238(5) (i), 238(5) (ii), 238(6) (i), 238(6) (ii), 238a, 238b, 238c, 238d, 238e, 238f, 238g, 263b, 270, 275, 280, 318, 319, 320, 321, 322, 322a, 323, 324, 325, 326c, 326d, 379*(f)*, 383*(g)*, 409m, 409r, 410a (iii), 410f, 410n, 427b, 428g, 436, 438b, 438c, 438d, 438e (1) *(a)* and *(b)*, (2), (3) and (4), 438h, 438i, 440l, 440n, 442, 442d, 443a, 445m (i) and (ii), 445o (ii), 461, 462a, 462b, 468, 478, 479, 482, 498, 499a, 522e, 563, 569c, 618b, 626, 657, 658, 664, 682a, 690a, 696 and 848, 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 that are specified in Parts I, II, and III of the Schedule to this Act.

Schedule B amended.

2. Schedule B to the said Act, as amended, is further amended by striking thereout tariff items 1014 and 1067, the enumerations of goods and the rates of drawback of customs duties set opposite the said items.

EXPLANATORY NOTES.

1. The purpose of this provision is to implement The Budget Resolution.

2. The purpose of this provision is to implement The Budget Resolution.

Date of coming into force.

3. This Act shall be deemed to have come into force on the ninth day of April, one thousand nine hundred and fifty-two, and to have applied to all goods mentioned in sections one and two of this Act and in the Schedule to this Act, 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.

SCHEDULE

PART I.

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
318	Sheet glass, transparent, not further processed than cut into rectangles	Free	7½ p.c.	17½ p.c.
319	Plate glass, ground and polished on both surfaces, not further processed than cut into rectangles	Free	5 p.c.	15 p.c.
320	Glass, rolled or cast, not further processed than cut into rectangles	Free	5 p.c.	15 p.c.
321	Sheet glass, plate glass, cast glass, and rolled glass, n.o.p.	Free	7½ p.c.	17½ p.c.
322	Laminated glass, of sheet glass or plate glass, or both:—			
	(a) Not further processed than cut into rectangles	5 p.c.	12½ p.c.	22½ p.c.
	(b) N.o.p.	17½ p.c.	25 p.c.	35 p.c.
323	Manufactures of laminated glass, n.o.p.	17½ p.c.	25 p.c.	35 p.c.
323a	Mirrors of glass, bevelled or not, and framed or not, n.o.p.	17½ p.c.	20 p.c.	30 p.c.
323b	Stained or ornamental glass windows	7½ p.c.	7½ p.c.	17½ p.c.
901	*(a)* Synthetic resins without admixture, including scrap or waste:—			
	1. Phenol-aldehyde type	Free	Free	10 p.c.
	2. Amino-aldehyde type	Free	Free	10 p.c.
	3. Alkyd type	5 p.c.	5 p.c.	15 p.c.
	4. Polamide 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.
	(b) Synthetic resins in the form of aqueous emulsions, aqueous dispersions or aqueous solutions, without admixture:—			
	1. Phenol-aldehyde type	Free	Free	10 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.
	(c) Synthetic resins in organic solvents where the solvent is not more than 60 per cent by weight, without other admixture:-			
	1. Phenol-aldehyde type	12½ p.c.	12½ p.c.	22½ p.c.
	2. Amino-aldehyde type	12½ p.c.	12½ p.c.	22½ p.c.
	3. Alkyd type	12½ p.c.	12½ p.c.	22½ p.c.
	4. Resins derived from natural resin or tall oil, n.o.p.	12½ p.c.	12½ p.c.	22½ p.c.
	5. Other type	10 p.c.	10 p.c.	20 p.c.
	(d) Synthetic resins, in powder or granular form, containing an ingredient to prevent caking in shipment, not in excess of 3 per cent by weight, but without further admixture:—			
	1. Amino-aldehyde type	Free	Free	10 p.c.
	2. Other type	10 p.c.	10 p.c.	20 p.c.

SCHEDULE—*Continued*

PART I—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
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:—			
	(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) Other type	Free	Free	10 p.c.
903	Synthetic resin glues or adhesives, composed of synthetic resins compounded with other materials	15 p.c.	17½ p.c.	27½ p.c.
904	Synthetic resin compositions, n.o.p.	15 p.c.	15 p.c.	25 p.c.
905	Synthetic resin plates, sheets, film, sheeting or strips, not less than 6 inches in width, n.o.p.; synthetic resin lay-flat tubing, not less than 6 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	10 p.c.	10 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.
906	Synthetic resin plates, sheets, film, sheeting or strips, less than 6 inches in width, lay-flat tubing less than 6 inches in circumference, other tubing, blocks, bars, rods, non-textile monofilament; synthetic resin profile shapes produced in uniform cross-section and imported in lengths: not further manufactured than moulded, cast, calendered, extruded or pressed, n.o.p.:—			
	(a) Phenol-aldehyde type cast	Free	Free	10 p.c.
	(b) Acrylic type	Free	Free	10 p.c.
	(c) Vinyl type, except vinylidene	15 p.c.	15 p.c.	25 p.c.
	(d) Vinyl type, vinylidene	Free	Free	10 p.c.
	(e) Other type	15 p.c.	15 p.c.	25 p.c.
907	Foamed and expanded synthetic resins, in logs, blocks or boards, or in flakes, granules or powder	Free	Free	10 p.c.
908	Manufactures of synthetic resins, n.o.p.	15 p.c.	20 p.c.	30 p.c.
909	*(a)* Esters or ethers, or combinations thereof, of cellulose (but not including water soluble cellulose esters or ethers), without admixture:—			

SCHEDULE—*Continued*

PART I—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	1. Cellulose nitrate containing not more than 12·2 per cent by weight of nitrogen	Free	Free	10 p.c.
	2. Cellulose acetate	Free	Free	10 p.c.
	3. Cellulose acetate butyrate	Free	Free	10 p.c.
	4. Cellulose propionate	Free	Free	10 p.c.
	5. Ethyl cellulose	Free	Free	10 p.c.
	6. Methyl cellulose, water insoluble	Free	Free	10 p.c.
	7. Other	Free	Free	10 p.c.
	(b) Cellulose nitrate containing not more than 12·2 per cent by weight of nitrogen, when wet with not more than 35 per cent by weight of alcohol	Free	Free	10 p.c.
	(c) Esters or ethers, or combinations thereof, of cellulose, in organic solvents, where the solvent is not more than 60 per cent by weight, without other admixture:—			
	1. Cellulose nitrate containing not more than 12·2 per cent by weight of nitrogen, except as provided for under *(b)* above	10 p.c.	10 p.c.	20 p.c.
	2. Cellulose acetate	10 p.c.	10 p.c.	20 p.c.
	3. Cellulose acetate butyrate	10 p.c.	10 p.c.	20 p.c.
	4. Cellulose propionate	10 p.c.	10 p.c.	20 p.c.
	5. Ethyl cellulose	10 p.c.	10 p.c.	20 p.c.
	6. Methyl cellulose	10 p.c.	10 p.c.	20 p.c.
	7. Other	10 p.c.	10 p.c.	20 p.c.
910	Esters or ethers, or combinations thereof, of cellulose 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)	Free	Free	10 p.c.
911	Compositions of esters or ethers of cellulose (except water soluble esters or ethers of cellulose) with other materials, n.o.p.	10 p.c.	10 p.c.	20 p.c.
912	Cellulose plastics plates, sheets, film, sheeting or strips, not less than 6 inches in width, n.o.p.; cellulose plastics lay-flat tubing, not less than 6 inches in circumference, n.o.p.	Free	Free	10 p.c.
913	Cellulose plastics plates, sheets, film, sheeting or strips, less than 6 inches in width, lay-flat tubing less than 6 inches in circumference, other tubing, blocks, bars, rods, non-textile monofilament; cellulose plastics profile shapes produced in uniform cross-section and imported in lengths: not further manufactured than moulded, cast, calendered, extruded or pressed, n.o.p.:—			
	(a) Cellulose nitrate	Free	Free	10 p.c.
	(b) Other	15 p.c.	15 p.c.	25 p.c.
914	Foamed and expanded cellulose plastics in blocks or boards, granules or powder	Free	Free	10 p.c.
915	Manufactures of cellulose plastics, n.o.p.:—			
	(a) Cellulose nitrate	10 p.c.	20 p.c.	30 p.c.
	(b) Cellulose nitrate cinematograph and moving picture films, negatives, n.o.p.	10 p.c.	10 p.c.	20 p.c.
	(c) Other	15 p.c.	20 p.c.	30 p.c.
916	Laminated moulded plastics products, n.o.p., having synthetic resins or cellulose plastics as the chief bonding (impregnating) agents	15 p.c.	15 p.c.	25 p.c.

SCHEDULE—*Continued*

PART I—*Concluded*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
917	Reinforced or supported synthetic resin or cellulose plastics plates, sheets, sheeting, strips, tubing, blocks, bars, rods, in which is incorporated a layer of paper, fibreboard, or textile fabric, or a core of fibres whether matted or otherwise arranged, n.o.p.:—			
	(a) Interlined sheet stock, composed of sheets of cellulose plastics cemented to cotton fabric	10 p.c.	15 p.c.	25 p.c.
	(b) Other	15 p.c.	15 p.c.	25 p.c.
918	*(a)* Regenerated cellulose, in sheets or strips.	15 p.c.	20 p.c.	30 p.c.
	(b) Regenerated cellulose sponges	15 p.c.	20 p.c.	30 p.c.
	(c) Manufactures of regenerated cellulose, n.o.p.	15 p. .	20 p.c.	30 p.c.
919	Protein plastics sheets, strips, tubing, blocks, bars, rods; other protein plastics profile shapes produced in uniform cross-section and imported in lengths: not further manufactured than moulded, extruded or pressed	Free	Free	10 p.c.
920	Manufactures of protein plastics, n.o.p.	15 p.c.	20 p.c.	30 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)* and 919, but not including goods themselves enumerated in tariff items 901 to 920, inclusive	Free	Free	10 p.c.
922	Phenol for use only in the manufacture of synthetic resin glues	Free	Free	10 p.c.
923	Phthalic anhydride, adipic, abietic, maleic and succinic acids, hexamethylene diammonium adipate, hexamethylene diammonium sebecate, hexamethylene diamine, caprolactam, and ethylene glycol, when imported by manufacturers of synthetic resins, for use exclusively in the manufacture of synthetic resins, in their own factories	Free	Free	10 p.c.

SCHEDULE

PART II.

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
79f	Pollen	Free	Free	Free
90g	Dried herbs in a crude state, not advanced in value or condition by grinding or refining or by any other process of manufacture, viz.:— Basil, bay laurel (larus nobilis), marjoram, mint, oregano, rosemary, sage, savory, tarragon and thyme	Free	5 p.c.	25 p.c.
98	Bananas.....per one hundred pounds	Free	50 cts.	$1.00
105c	Olives, sulphured or in brine, not bottled On and after July 1, 1953	Free 10 p.c.	Free 17½ p.c.	30 p.c. 30 p.c.
156	*(a)* Whiskey per gallon of the strength of proof	$4.50	$5.00	$10.00
	(b) Gin, n.o.p. per gallon of the strength of proof	$4.50	$5.00	$10.00
	(c) Rum, n.o.p. per gallon of the strength of proof	$4.50	$6.00	$10.00
	(d) Brandy per gallon of the strength of proof	$4.00	$4.00	$10.00
	(e) Liqueurs per gallon of the strength of proof	$4.50	$4.50	$10.00
	(f) Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine, n.o.p.; spirituous or alcoholic liquors, n.o.p.; absinthe, arrack or palm spirit, artificial brandy and imitations of brandy, n.o.p.; cordials of all kinds, n.o.p.; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, and alcoholic bitters or beverages, n.o.p.; and wines, n.o.p., containing more than forty per cent of proof spirit per gallon of the strength of proof	$5.00	$10.00	$10.00
	Provided, (1) that when the goods specified in item 156 are of greater or less strength than the strength of proof, the measurement thereof and the amount of duty payable thereon shall be increased or decreased in proportion for any greater or less strength than the strength of proof.			
	Provided, (2) that bottles and flasks and packages of gin, rum, whiskey and brandy of all kinds, and imitations thereof, shall be held to contain the following quantities (subject to the provisions for addition or deduction in respect of the degree of strength) viz.:—			
	Bottles, flasks and packages, containing not more than one-eighth of a gallon per dozen, as one-eighth of a gallon per dozen;			
	Bottles, flasks and packages, containing more than one-eighth of a gallon but not more than one-sixth of a gallon per dozen, as one-sixth of a gallon per dozen;			
	Bottles, flasks and packages, containing more than one-sixth of a gallon but not more than one-fourth of a gallon per dozen, as one-fourth of a gallon per dozen;			
	Bottles, flasks and packages, containing more than one-fourth of a gallon but not more than one-half of a gallon per dozen, as one-half of a gallon per dozen;			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	Bottles, flasks and packages, containing more than one-half of a gallon per dozen but not more than three-fourths of a gallon per dozen, as three-fourths of a gallon per dozen; Bottles, flasks and packages, containing more than three-fourths of a gallon but not more than one gallon per dozen, as one gallon per dozen; Bottles, flasks and packages, containing more than one gallon but not more than one and one-half gallons per dozen, as one and one-half gallons per dozen; Bottles, flasks and packages, containing more than one and one-half gallons but not more than two gallons per dozen, as two gallons per dozen; Bottles, flasks and packages, containing more than two gallons but not more than two and four-fifths gallons per dozen, as two and four-fifths gallons per dozen; Bottles, flasks and packages, containing more than two and four-fifths gallons but not more than three gallons per dozen, as three gallons per dozen; Bottles, flasks and packages, containing more than three gallons but not more than three and one-fifth gallons per dozen, as three and one-fifth gallons per dozen. Provided, (3) that bottles or phials of liquors for special purposes, such as samples not for sale to the trade, may be entered for duty according to actual measurement, under regulations prescribed by the Minister.			
197f	Carbon tissue paper, valued at not less than forty cents per pound, for use in the manufacture of carbon paper.....	Free	7½ p.c.	25 p.c.
199h	Pots, boxes, bands, collars or protectors, of flexible paper or fibreboard, for use exclusively in growing plants for transplanting purposes, or for protecting plants while growing.	Free	Free	10 p.c.
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning.....	Free	Free	10 p.c.
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound weight.....	Free	Free	10 p.c.
206a	(1) Sera and antisera, toxoids, viruses, toxins and antitoxins; virus and bacterial vaccines, bacteriophage and bacterial lysates; allergenics, liver extracts, pituitary extracts, epinephrine and its solutions, insulin, with or without zinc, globin or protamine; all of the foregoing when imported for parenteral administration in the diagnosis or treatment of diseases of man.....	Free	Free	Free
	(3) Blood plasma or serum of human origin, or fractions thereof, extenders or substitutes therefor; all of the foregoing when imported for parenteral administration.....	Free	Free	Free

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
206c	Bottles, tubes, bail bands, labels, corks, stoppers or other closures, for use with bottles, whether or not assembled into units partially filled with anti-coagulating solutions or not; filters, drop counters, clamps; all of the foregoing, when imported to be used exclusively for the collection, preparation, storage, transportation or administration of human blood (whether whole or in the form of liquid or dry serum or plasma) and extenders or substitutes therefor; component materials to be used exclusively in making the foregoing articles, anti-coagulating solutions and extenders or substitutes	Free	Free	Free
211b	(1) Andalusite, kyanite, sillimanite, crude or calcined, but not further processed than ground	Free	Free	25 p.c.
	(2) Mullite, not further processed than ground	Free	Free	25 p.c.
220d	Chemical preparations, dry, compounded of more than one substance, when imported by manufacturers of fluorescent lamps or electronic tubes for use exclusively in coating the inside of fluorescent lamps or electronic tubes, in their own factories	Free	5 p.c.	25 p.c.
225	Wax, vegetable, and mineral (not isolated from petroleum) and mixtures thereof	5 p.c.	7½ p.c.	10 p.c.
263b	Methyl ethyl ketone, diethyl ketone, furfural, methyl normal propyl ketone and methyl isobutyl ketone, for use only in the refining of oils	Free	Free	25 p.c.
269c	Reclaiming agents or plasticizers of petroleum origin, for the reclaiming or plasticizing of rubber	Free	Free	Free
270	Oil for use in the concentration of ores	Free	Free	Free
275	Liquefied petroleum gases when imported in containers:—			
	(a) For heating, cooking or illuminating purposes	10 p.c.	12½ p.c.	25 p.c.
	(b) N.o.p.	10 p.c.	12½ p.c.	25 p.c.
295d	Cast shapes of melted basalt rock compounded with other materials or not	Free	5 p.c.	25 p.c.
388g	Rails (track), of iron or steel, other than railway rails, further manufactured than hot rolled, with other sections, arched or not, welded thereto or not	Free	12½ p.c.	35 p.c.
409m	(1) Internal combustion tractors (not to include highway truck-tractors) and accessories therefor; parts of all the foregoing	Free	Free	Free
	(2) Traction attachments designed to be combined with automobiles in Canada for use as traction engines and parts thereof.	Free	Free	Free
409r	Milk evaporators and milk driers for dairying purposes and parts thereof	Free	7½ p.c.	25 p.c.

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
410a	(iii) Diesel-powered self-propelled trucks, mounted on rubber-tired wheels or on rubber-tired wheels and half-tracks, side or rear dump, having a rated capacity, by struck volume, of not less than 9½ cubic yards and, by payload weight, of not less than 15 tons, and complete parts thereof, for off-highway use in carrying minerals, ores, rock, stone, sand, gravel and other excavated materials at mines, quarries, gravel and sand pits or at construction sites	Free	7½ p.c.	27½ p.c.
410f	(1) Machinery and appliances of iron or steel, of a class or kind not made in Canada, and elevators, and machinery of floating dredges, for use exclusively in alluvial gold mining	Free	Free	Free
	(2) Complete dredging plant, including integrated floating and shore discharge pipeline and booster station equipment, for development of mineral deposits; parts of all the foregoing	Free	Free	25 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and parts of the foregoing, for use exclusively in mining operations	Free	10 p.c.	10 p.c.
427b	Ball and roller bearings, and complete parts thereof:—			
	(1) For the repair of agricultural implements and agricultural machinery specified in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409h, 409j, 409k, 409l, 409m, 409n, 409o and 409q	Free	Free	Free
	(2) N.o.p.	Free	17½ p.c.	35 p.c.
427j	Machinery, apparatus, equipment and parts thereof for the manufacture of biologicals and bacteriologicals for parenteral use and for the manufacture of antibiotics, hormones and steroids	Free	Free	Free
428g	Fuel injection pumps and nozzles, and parts thereof, for diesel and semi-diesel engines	Free	Free	Free
431j	Photogrammetric instruments and equipment for use in the interpretation of photographs and in the preparation of maps and plans from photographs, including the following: stereoscopes, binoculars for use with stereoscopes, parallax bars, height finders, contour finders, sketchmasters, slotted template equipment and accessories for use with any of the foregoing; stereoscopic plotting instruments and equipment of either optical-mechanical or projector type, including such accessories as plotting and tracing tables whether electrically, mechanically or remotely operated, optical instruments for preparing diapositive plates, voltage regulators and electrical transformers, cooling systems, lamps, spectacles, filters, height gauges, principal point selectors and other components for use with the foregoing equip-			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	ment; all the foregoing of a class or kind not made in Canada and parts and fitted carrying cases for any of the foregoing.....	Free	5 p.c.	20 p.c.
436	Locomotives and railway passenger, baggage and freight cars, being the property or under the control of railway companies in the United States, running upon any line or road crossing the frontier, so long as Canadian locomotives and cars are admitted free under similar circumstances into the United States, under regulations prescribed by the Minister.....	.....	Free	Free
	Provided, however, that if such locomotives and railway rolling stock are used temporarily in the transportation of goods from a place in Canada to another place in Canada they shall not be entitled to free entry but shall be subject to duty on the rental value or charge made by the United States owner for their use in Canada, under regulations prescribed by the Minister.			
438b	Bearing, ball and roller; Bearings, clutch release; Bearings, graphite; Bearings, steel or bronze backed, with non-ferrous metal lining, parts and materials therefor; Bearings, steering knuckle thrust; 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; Diaphragms 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 to include 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			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	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 the 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.
438c	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, 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, not to include 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, viz.:—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;			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	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; 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 tariff items 410a(iii), 424 and 438a, or for use in the manufacture of parts therefor..	Free	17½% p.c.	30 p.c.
	(1) Provided, that 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 provided that not less than forty per cent of the factory cost of production of such automobiles, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(2) Provided, that 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 provided that not less than fifty per cent of the factory cost of production of such automobiles, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be...	Free	Free	25 p.c.
	(3) Provided, that 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			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	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 provided that not less than sixty per cent of the factory cost of production of such automobiles, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(4) Provided, that 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 provided not less than forty per cent of the factory cost of production of such vehicles, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(5) Provided, that 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 provided not less than fifty per cent of the factory cost of production of such vehicles, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	(6) Provided, that 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) Provided, that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item.			
438d	Front and rear axles; Brakes; Brake drums; Clutches; Fuel pumps for engines of 260 cubic inches and over in displacement; Hubs; Internal combustion engines; Steering gears; Magnetos; Rims for pneumatic tires; Tandem axle suspensions, not to include springs; Transmission assemblies;			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	Hydraulic or fluid couplings; Drive shafts; Universal joint; Steel road wheels; Power dividers or transfer cases; Parts of the foregoing; All of the foregoing when of a class or kind not made in Canada, and when imported only for the manufacture of motor trucks, motor buses, electric trackless trolley buses, fire fighting vehicles, ambulances, hearses, and the chassis for same.....	Free	17½ p.c.	27½ p.c.
	(1) Provided, that if the above articles are imported for use as original equipment for motor trucks, motor buses, electric trackless trolley buses, fire fighting vehicles, ambulances, hearses, or for chassis for same, by a manufacturer of the goods enumerated in tariff items 410a(iii), 424 and 438a, and provided also that during the year in which importation is sought, not less than forty per cent of the factory cost of production of such vehicles and chassis therefor, not to include duties and taxes, is incurred in the British Commonwealth, the rates of duty under this item shall be.....	Free	7½ p.c.	27½ p.c.
	(2) Provided, that if the above articles when of a class or kind not made in Canada are for use in the repair of motor trucks, motor buses, fire fighting vehicles, ambulances, hearses and electric trackless trolley buses, or for chassis for same or for use in the manufacture of repair parts therefor, the rates of duty under this item shall be.....	Free	7½ p.c.	27½ p.c.
	(3) Provided, that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item.			
438e	(1) Parts, n.o.p., electro-plated or not, whether finished or not, for automobiles, motor vehicles, electric trackless trolley buses, fire fighting vehicles, ambulances and hearses, or chassis enumerated in tariff items 438a and 424, including engines, but not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber..	Free	25 p.c.	35 p.c.
	(2) Brake linings, and clutch facings whether or not including metallic wires or threads:—			
	(a) When made from crude asbestos of British Commonwealth origin.....	Free	25 p.c.	35 p.c.
	(b) When made from crude asbestos, n.o.p.	15 p.c.	25 p.c.	35 p.c.
438i	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;			

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	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, oiled and primed or not, and assemblies thereof; 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.
440l	Aircraft and complete parts thereof, n.o.p., not including engines, under such regulations as the Minister may prescribe:—			
	1. When of types and sizes not made in Canada.....	Free	Free	Free
	on and after July 1, 1955	Free	15 p.c.	27½ p.c.
	2. When of types and sizes made in Canada	Free	15 p.c.	27½ p.c.
440n	Engines, when imported for use only in the equipment of aircraft:—			
	1. When of types and sizes not made in Canada.....	Free	Free	Free
	on and after July 1, 1955	Free	15 p.c.	27½ p.c.
	2. When of types and sizes made in Canada	Free	15 p.c.	27½ p.c.
442	Articles and materials which enter into the cost of manufacture of the goods enumerated in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 4091, 409m, 409n, 409o, 409q and 439c, when imported for use in the manufacture of the goods enumerated in the aforesaid tariff items, or in the manufacture of parts therefor, under regulations prescribed by the Minister.....	Free	Free	Free
442d	Materials, including all parts, wholly or in chief part of metal, of a class or kind not made in Canada, when imported by manufacturers of goods entitled to entry under tariff items 410g, 410l, 410n, 410o, 410p, 410q, 410s, 410u, 410v, 410w, 410x, 410z, 411, 411a, 411b, 427b, 427c, 427f, 428c, 428e, 440k and 447a, for use in the manufacture of such goods in their own factories, under such regulations as the Minister may prescribe.....	Free	Free	10 p.c.
443a	Ovens, of a class or kind not made in Canada, for use in commercial bakeries; complete parts of the foregoing.....	Free	7½ p.c.	30 p.c.
443c	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	10 p.c.	30 p.c.

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
445m	(1) Flameproof electric switchgear, for use in mines in which inflammable gases exist, and complete parts thereof	Free	20 p.c.	30 p.c.
	(2) Flameproof electric transformers, rectifiers, cable-connecting devices, trailing cable extensions with couplers moulded on, junction boxes, and complete parts of the foregoing, when of a class or kind not made in Canada and for use in mines in which inflammable gases exist	Free	10 p.c.	37½ p.c.
445o	(ii) Metal powders; etched aluminum foil; textile fabrics, coated with aluminum; alloy resistance wire having a diameter of less than ·005 inch; spring-drive motors for record turntables; automatic record-centering mechanisms with tone arm, not including motors or turntables; metal cabinet escutcheons with crystals, plain or finished; when of a class or kind not made in Canada and for use in the manufacture or the repair of the goods enumerated in tariff items 445d, 597a, and other apparatus using radio tubes, or for use in the manufacture of parts therefor	Free	Free	30 p.c.
445r	Apparatus for the receiving and transmitting of photographs by wire	Free	Free	30 p.c.
447c	Supercalender rolls consisting of a steel core filled with discs of paper or textile fabrics, or both, for use exclusively in the manufacture of paper	Free	Free	35 p.c.
461	(1) Safes including doors; doors and door frames for vaults; scales, balances, weighing beams and strength-testing machines of all kinds, n.o.p.	10 p.c.	20 p.c.	35 p.c.
	(2) Parts of scales, finished or unfinished	Free	10 p.c.	35 p.c.
462a	Photographic cameras and equipment, viz.:—			
	(1) Cameras and parts thereof for making negatives or positives 3¼ inches by 4¼ inches or larger, including carrying cases therefor	Free	Free	10 p.c.
	(2) Accessories for cameras:—Exposure meters, range finders, lens hoods, lantern slide attachments, camera stands, camera tripods and tripod tops, vignetters, diffusion discs and holders, colour filters and holders, polarizing screens and holders, backgrounds, flash tubes for high-speed flash apparatus, flash guns; parts of the foregoing	Free	Free	10 p.c.
	(3) Contact printers, projection printers commonly known as enlargers for negatives or positives 4 inches by 5 inches and larger, temperature controls or heaters for photographic solutions, film and print driers, mounting presses, print washers, negative or sheet-film hangers, ferro-type plates, film and paper processors for strip photo-finishing, print straighteners, photographic timing devices, densitometers, tanks or trays for negative and positive processing; parts of the foregoing	Free	Free	10 p.c.

SCHEDULE—*Continued*

PART II—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
462b	Cinematograph and motion picture cameras for use by professional motion picture producers having studios in Canada equipped for motion picture production; parts of the foregoing	Free	9 p.c.	15 p.c.
468	Animal cages of wire and metal parts thereof	10 p.c.	22½ p.c.	35 p.c.
471b	Wood split pulleys for power transmission, including interchangeable bushings	Free	7½ p.c.	27½ p.c.
478	Artificial limbs; spinal and other orthopedic braces; parts of the foregoing	Free	Free	Free
479	Materials and articles for the manufacture of the goods enumerated in tariff item 478	Free	Free	Free
482	Ear-telephone sets and similar appliances, including batteries, battery chargers and battery testers therefor, for use by deaf persons; electronic ear-training apparatus, including microphones, headsets, record-turning devices and tone arms, specially designed for use by, or for the training of, the deaf; parts of the foregoing; under regulations prescribed by the Minister	Free	Free	Free
490a	Vanadium preparations for use as catalysts	Free	Free	Free
499a	Nut shells; nut shell flour, wood flour, bark flour, and mixtures thereof	Free	Free	20 p.c.
522e	Cotton sewing thread yarn and crochet, knitting, darning and embroidery yarn, in hanks, or on dyeing or bleaching cores, when imported by manufacturers for use exclusively in their own factories in the manufacturing or spooling of cotton sewing thread and crochet, knitting, darning and embroidery cottons	5 p.c.	10 p.c.	20 p.c.
563	Fabrics of a class or kind not made in Canada, of any textile fibre, not made up, imported for use only for bolting or sifting materials or for the manufacture of screens for printing	Free	Free	Free
618b	Tires and tubes, wholly or in part of rubber:— (1) For replacement on the agricultural implements and agricultural machinery specified in Tariff Items 409b, 409c, 409d, 409e, 409f, 409h, 409j, 409l, and the tractors provided for in Tariff Item 409m	Free	Free	Free
	(2) N.o.p.	20 p.c.	22½ p.c.	35 p.c.
657	Mouthpieces in the rough, screws, aluminum fitments, pipe bowls moulded from briar-wood dust, bowls of wood not further processed than frazed, corn cobs and corn cob bowls not further processed than shaped, when imported by manufacturers of tobacco pipes or cigarette holders for use in the manufacture of such articles in their own factories	Free	Free	25 p.c.
660	Moulding material consisting of a mixture of synthetic rubber and wax with a backing of aluminum not exceeding ·006 inch in thickness, for use by electrotypers in the manufacture of electrotypes	Free	7½ p.c.	30 p.c.

SCHEDULE—*Continued*

PART II—*Concluded*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
660a	Cellulose nitrate sheets with turned edges, for the production of engravings for use by printers	Free	7½ p.c.	30 p.c.
681b	Residue, revert, or waste from chemical or metallurgical processes, containing aluminum oxide or other aluminum compounds mixed with other materials, imported by Canadian smelters or refiners for recovery of aluminum oxide and attendant by-products	Free	Free	10 p.c.
682a	Net floats of any material except wood, for use exclusively in commercial fishing; carapace measures of any mtaerial	Free	Free	Free
690a	Casual donations sent by persons abroad to friends in Canada, or brought into Canada personally by non-residents as gifts to friends, and not being advertising matter, tobacco or alcoholic beverages, when the value thereof does not exceed ten dollars in any one case, under such regulations as may be prescribed by the Minister	Free	Free	Free
696	Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, charts, photographic reproductions and other pictorial illustrations, casts as models, animals as research or experimental subjects; living plants, seeds, cuttings, buds, scions, tubers, bulbs and root-stock; mechanical equipment of a class or kind not made in Canada. All articles in this item, when for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school, or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister	Free	Free	Free
708a	(1) Publications of the United Nations or any of its specialized agencies	Free	Free	Free
	(2) Publications of the North Atlantic Treaty Organization or any of its specialized agencies	Free	Free	Free
848	(1) All machinery and apparatus and parts thereof (including notive power) and drilling mud, for use exclusively in exploratory or discovery work in connection with, and development, depletion and production of petroleum or natural gas wells; seamless, lap-welded and electric welded iron or steel casing, tubing and drill pipe for use in connection with natural gas or oil wells	Free	Free	Free
	(2) Materials for use in the manufacture of the goods enumerated in tariff item 848(1)	Free	Free	Free

SCHEDULE—*Continued*

PART III

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
54	Hominy grits, hominy feeds and brewers' corn grits	10 pc..	10 p.c.	25 p.c.
54a	Corn grits for use in the manufacture of corn flour .....per one hundred pounds	Free	Free	30 cts.
54b	Corn grits, n.o.p.	7½ p.c.	7½ p.c.	25 p.c.
90h	Okra, sliced and salted	Free	5 p.c.	35 p.c.
115a	Herring, fresh	Free	Free	Free
158b	Mixtures of methyl alcohol and other ingredients, when imported by tanners for use exclusively as a solvent for dyes for the dyeing of leather in their own factories .....per proof gallon	5 cts.	5 cts.	20 cts.
192a	(1) Pulp board in rolls not less than nine one-thousandths of an inch in thickness for use in wrapping rolls of paper	5 p.c.	7½ p.c.	10 p.c.
	(2) Pulp board in rolls for use in the manufacture of wallboard	Free	5 p.c.	5 p.c.
194a	Wholly or partially lithographed or printed sheets when imported by manufacturers of playing cards for use exclusively in the manufacture of playing cards in their own factories.	15 p.c.	20 p.c.	35 p.c.
202a	Twine or yarn of paper	Free	Free	Free
202b	Paper Matting	17½ p.c.	22½ p.c.	25 p.c.
208w	(1) Theobromine, crude	Free	Free	Free
	(2) Crude bromides for the production of bromine	Free	Free	Free
	(3) Dimethyl sulphate	Free	Free	Free
216g	Compounds or sheets, of which the chief organic component is shellac, imported for use exclusively in the manufacture of phonograph records	Free	5 p.c.	25 p.c.
216i	Nicotinic acid when imported for use in the manufacture of nicotinic acid amide and when imported for use in the manufacture of diethylamide of nicotinic acid	Free	Free	25 p.c.
219f	Riboflavin (also known as Vitamin B_2, Vitamin G, Lactoflavin) without admixture or mixed only with any necessary carrier or dilutent when imported for use only in the manufacture of feeds for livestock, poultry or fur-bearing animals	Free	Free	Free
254b	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
280	(1) Foots, being the refuse of cotton seed or olives after the oil has been pressed out	Free	Free	Free

SCHEDULE—*Continued*

PART III—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	(2) Grease, rough, the refuse of animal fat, for the manufacture of soap and oils only	Free	Free	Free
	(3) Inedible oils, without admixture, obtained from animal fat, for use in the manufacture of soap or oils	Free	Free	Free
282c	Grog, produced by calcining fire clay, or in the form of calcined dobbies, fire brick, or other refractory shapes, which have been broken, crushed, or ground, screened to size or not, but not further manufactured, when imported for use exclusively by manufacturers of refractory materials in the manufacture of such materials.....per ton	60 cts.	$1.00	$1.15
	Provided, that in no case shall the duty exceed	12½ p.c.	20 p.c.	22½ p.c.
287a	Articles of chinaware when imported to be mounted by manufacturers of silverware in their own factories	12½ p.c.	17½ p.c.	22½ p.c.
291	White portland cement clinker for use in the manufacture of white portland cement, per one hundred pounds	2 cts.	3½ cts.	6 cts.
296f	Limestone, not further processed than crushed or screened	Free	Free	25 p.c.
316b	Metallic elements and tungstic acid when imported by manufacturers for use only in their own factories in the manufacture of metal filaments for electric lamps	Free	Free	Free
326c	(1) Blanks of uncoloured clear glass, when imported by manufacturers to be used exclusively in the manufacture of silvered mirror reflectors or acid-etched reflectors or refractors, for lighting systems	Free	9 p.c.	10 p.c.
	(2) Blanks or shapes of uncoloured clear glass when imported for use in the manufacture of silvered, coloured or decorated Christmas tree ornaments	Free	Free	22½ p.c.
	(3) Single wall hollow shapes of glass, not silvered, when imported by manufacturers of vacuum insulated containers for use exclusively in the manufacture of such articles in their own factories	Free	5 p.c.	32½ p.c.
	(4) Glass plates or discs, rough cut or unwrought, for use in the manufacture of optical instruments, when imported by manufacturers of such optical instruments	Free	Free	Free
326d	Beads, drops or other shapes of glass or cellulose acetate, when imported by manufacturers of imitation pearls, for use exclusively in the manufacture of such articles in their own factories	Free	Free	Free
326j	Glass balls or marbles when imported by manufacturers of glass fibres or glass yarn, for use exclusively in the manufacture of such fibres or yarn in their own factories	Free	Free	Free

SCHEDULE—*Continued*

PART III—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
346c	Zinc sheets, not planished, ground or polished, coated on one side with acid-resisting material, imported by planishers, grinders or polishers of zinc sheets to be used exclusively in the planishing, grinding, polishing or other processing of such sheets, ready for use by photo engravers	Free	Free	25 p.c.
352d	Friction material of metal powders, compressed, sintered and welded or fastened to a solid metal or other backing for support, in strips, sheets, discs, rings, slabs, blocks, bars, rods, tubes and other primary shapes	Free	10 p.c.	10 p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:—			
	(g) Corrugated or pebbled, coated or not	10 p.c.	20 p.c.	25 p.c.
386	*(u)* Hoop, band or strip, of steel of Bessemer quality, when imported by manufacturers of hinges, for use exclusively in the manufacture of hinges, in their own factories.....per ton	Free	$4.00	$8.00
388f	Sash, casement or frame sections of iron or steel, hot or cold rolled, coated or not, not punched, drilled nor further manufactured, and similar material formed from hot or cold rolled iron or steel strip, coated or not, when imported by manufacturers of metal window sash, casements or frames for use in the manufacture of such articles, in their own factories per ton	Free	$7.00	$7.00
398c	Seamless steel tubing, valued at not less than five cents per pound, when imported by manufacturers of roller bearings for use exclusively in the manufacture of such bearings in their own factories	Free	Free	30 p.c.
402e	Speedometer flexible shafting, consisting of a steel centre wire around which two or more layers of steel wire are helically wound consecutively in opposite directions, in coils of not less than 1,000 feet, when imported by manufacturers of speedometers or speedometer parts, for use in the manufacture or repair of such articles	Free	Free	35 p.c.
434d	Rolled steel wheels in one piece in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders, when imported for use in the manufacture of steel wheels for use on railway rolling stock	Free	20 p.c.	30 p.c.
438m	Composite frame and floor structure of metal in the rough for use in the manufacture of automobiles and motor vehicles	Free	Free	25 p.c.
446n	Articles of iron, steel or nickel, or of which iron, steel or nickel are the component materials of chief value, of a class or kind not made in Canada, when imported by manufacturers of electric storage batteries for use exclusively in the manufacture of such storage batteries, in their own factories	10 p.c.	10 p.c.	20 p.c.

SCHEDULE—*Continued*

PART III—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
454a	Materials, including all parts, imported for use only in the manufacture of purse frames.....	Free	Free	25 p.c.
498	(1) Cane, reed or rattan, not further manufactured than split.....	Free	Free	Free
	(2) Twine or yarn of grass when imported by manufacturers of furniture for use only in their own factories in the manufacture of furniture.....	Free	Free	Free
506c	Staves and heading of wood, finished or unfinished, for use in the manufacture of tight barrels or kegs.....	Free	Free	Free
506g	(1) Wood handles, when imported by manufacturers of D shovel handles, for use only in the manufacture of such D shovel handles in their own factories.....	10 p.c.	10 p.c.	15 p.c.
	(2) Ten pin blocks of wood in the rough, when imported by the manufacturers of ten pins for use only in the manufacture of such articles in their own factories.....	5 p.c.	7½ p.c.	10 p.c.
	(3) Wood shafts for handles of golf clubs not further manufactured than rough turned and wood golf heads not further manufactured than rough turned, when imported by the manufacturers of golf clubs and golf sticks for use only in the manufacture of golf clubs and golf sticks in their own factories...	5 p.c.	5 p.c.	10 p.c.
519b	Complete parts of cash registers, when imported by manufacturers of cash registers for use exclusively in the manufacture of such registers in their own factories.....	15 p.c.	15 p.c.	25 p.c.
522g	(1) Yarns and warps, wholly of cotton, number eighty and finer, two-ply, gassed, of a class or kind not made in Canada, imported by manufacturers of woven fabrics for use exclusively in their own factories in the production of woven fabrics.....	Free	10 p.c.	15 p.c.
	(2) Yarns, wholly of cotton, number forty and finer, not more advanced than singles, when imported by manufacturers for use exclusively in their own factories in the manufacturing of cotton sewing thread.....	Free	10 p.c.	15 p.c.
535f	Waste portions of unused fabrics or used garments, imported to be used exclusively for disintegrating, or for manufacture into wiping rags, under regulations prescribed by the Minister.....	Free	Free	Free
551f	Sliver strands in warp form, wholly or in part of wool or hair, imported by manufacturers of braided mats and rugs, for use in the manufacture of such articles in their own factories and, per pound	Free	Free	20 p.c. 17½ cts.
569c	(1) Hat braids, of a class or kind not made in Canada, whether woven, knitted or plaited, not exceeding six inches in width, imported for use exclusively in the manufacture of hat bodies or shapes, but not for use in the ornamentation or trimming of such bodies or shapes, under regulations prescribed by the Minister.....	Free	Free	Free

SCHEDULE—*Continued*

PART III—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
	(2) Materials, of a class or kind not made in Canada, imported by manufacturers of hat braids, to be manufactured in their own factories into woven, knitted or plaited hat braids only	Free	Free	Free
587a	Ground coke, when imported by manufacturers of electric batteries for use only in their own factories in the manufacture of such batteries	Free	Free	Free
588c	Bituminous coal which enters into the cost of manufacture of synthetic rubber, when imported for use exclusively in the production of synthetic rubber	Free	Free	Free
588d	Coal, including screenings and coal dust of all kinds, imported to be converted into coke .....per ton	Free	Free	75 cts.
608a	East India kip leather, not further finished than tanned	Free	10 p.c.	20 p.c.
608b	Sheepskin and goatskin leather, not further finished than tanned, when imported by tanners for processing in their own factories	Free	10 p.c.	20 p.c.
658	Motion picture film, of 16 millimetre width and over, when imported by recognized processors of motion picture film having duly equipped laboratories for processing motion picture film in Canada, for the sole purpose of having reproductions made therefrom, and provided that the original is re-exported within six months from the date of importation, under such regulations as the Minister may prescribe.....per linear foot	Free	Free	3 cts.
663i	Phosphate rock, defluorinated, imported for use in the manufacture of animal or poultry feeds	Free	Free	Free
664	(1) Crude glycerine, when imported by manufacturers for use only in their own factories in the maufacture of refined glycerine	Free	Free	Free
	(2) Glycerine, when imported by manufacturers of explosives, for use exclusively in the manufacture of such articles in their own factories	Free	Free	Free
681a	Smelter refinery or rolling mill residue or revert (not being scrap metal) imported by Canadian refiners or smelters for recovery of the metal content	Free	Free	Free

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 210.

An Act to provide for carrying into effect the Treaty of Peace between Canada and Japan.

AS PASSED BY THE HOUSE OF COMMONS
16th JUNE, 1952.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

54930

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA

BILL 210.

An Act to provide for carrying into effect the Treaty of Peace between Canada and Japan.

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 Treaty of Peace (Japan) Act, 1952.*

"treaty".

2. In this Act "treaty" means the Treaty of Peace, signed at San Francisco on the eighth day of September, nineteen hundred and fifty-one, between Canada and Japan, and includes the Declarations made with respect thereto by Japan at San Francisco on the said day, and the Protocol, signed at San Francisco on the said day, between Canada and Japan.

Orders and regulations.

3. The Governor in Council may make such appointments, establish such offices, make such orders or regulations and do such things as appear to him to be necessary for carrying out the treaty, and for giving effect to any of the provisions thereof.

Penalties.

4. (1) Subject to subsection two, 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 order or 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.

Amount of fines and terms of imprisonment.

(2) The fine prescribed shall not exceed one hundred dollars for summary conviction and one thousand dollars for conviction under indictment and the term of imprisonment prescribed shall not exceed two months for summary conviction and two years for conviction under indictment.

Expenses.

5. Any expense incurred in carrying out the treaty shall be defrayed out of moneys provided by Parliament.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 224.

An Act respecting The Canadian Forces.

First reading, May 13, 1952.

THE MINISTER OF NATIONAL DEFENCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

53956

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 224.

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.

Short title.

1. This Act may be cited as *The Canadian Forces Act, 1952.*

The National Defence Act.

2. (1) The portion of subsection two of section forty of *The National Defence Act*, chapter forty-three of the statutes of 1950, that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Definition of "service estate".

"(2) For the purposes of this section, but subject to any exceptions prescribed in regulations made by the Governor in Council, "service estate" means the following parts of the estate of a deceased officer or man mentioned in subsection one,"

(2) Subsection one of section fifty-six of the said Act is amended by adding thereto the following paragraph:

"*(k)* a person, not otherwise subject to the Code of Service Discipline, who is alleged to have done or omitted to do anything that is, by virtue of section two hundred and forty-seven A, an offence under the *Criminal Code* or other Act of the Parliament of Canada."

(3) The heading immediately preceding subsection ten of section fifty six of the said Act and the said subsection ten are repealed and the following heading and subsection substituted therefor:

Explanatory Notes.

1. The title and form of this Bill follow the precedent set by *The Canadian Forces Act, 1950*, and *The Canadian Forces Act, 1951*.

2. Subclause (1) would make it possible for the Governor in Council to make regulations excluding certain categories of property from the definition of "service estate". It is considered undesirable that the Services should have responsibilities in respect of the administration of certain categories of property such as household furniture in married quarters that is in the custody of the widow of a deceased serviceman. Subsection (2) of section 40 of *The National Defence Act* now reads:

"(2) For the purposes of this section, 'service estate' means the following parts of the estate of a deceased officer or man mentioned in subsection one,

(a) service pay and allowances;

(b) All other emoluments emanating from His Majesty that, at the date of death, are due or otherwise payable;

(c) personal equipment that the deceased person is, under regulations, permitted to retain; and

(d) personal belongings, including cash, found on the deceased person or in camp, quarters or otherwise in the care or custody of the Canadian Forces."

Subclause (2) would render subject to the Code of Service Discipline persons alleged to have committed offences that are of the nature referred to in the Geneva Conventions of 1949 as grave breaches. A further explanation appears opposite subclause (16) of clause 2 of this Bill.

Subclause (3) would establish the authority of a Service of the Canadian Forces to deal with persons alleged to have committed a grave breach under the Geneva Conventions of 1949 and would clothe commanding officers with the requisite jurisdiction.

"Spies, etc.

Dealt with by Service having custody.

"(10) Every person mentioned in paragraph *(h)* or *(k)* of subsection one may be charged, dealt with and tried within the Service of the Canadian Forces in which he is at any time held in custody and shall, for the purposes of the Code of Service Discipline, be deemed to be under the command of the commanding officer of such unit or other element of that Service as may be holding him in custody from time to time."

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

"service tribunal".

"**108.** (1) For the purposes of this section, "service tribunal", in addition to the tribunals mentioned in paragraph *(jj)* of section two, includes a board of inquiry and a commissioner taking evidence under this Act."

(5) Paragraphs *(j)* to *(n)* of subsection one of section one hundred and twenty-one are repealed and the following substituted therefor:

"*(j)* severe reprimand;
(k) reprimand;
(l) fine;
(m) minor punishments,"

(6) Paragraphs *(d)* to *(h)* of subsection two of section one hundred and thirty-six are repealed and the following substituted therefor:

"*(d)* severe reprimand;
(e) reprimand;
(f) a fine not exceeding basic pay for one month;
(g) minor punishments,"

(7) Subparagraphs (i) and (ii) of paragraph *(a)* of subsection two of section one hundred and thirty-six are repealed and the following substituted therefor:

"(i) a punishment of detention imposed by a commanding officer upon a chief petty officer, petty officer, non-commissioned officer or leading rating shall not be carried into effect until approved by an approving authority and only to the extent so approved;

(ii) where a commanding officer imposes more than thirty days detention, the portion in excess of thirty days shall be effective only if approved by, and to the extent approved by, an approving authority;"

(8) Paragraph *(b)* of subsection two of section one hundred and thirty-six is repealed and the following substituted therefor:

Subclause (4) would delete a reference to "an officer taking a summary of evidence" from section 108 of *The National Defence Act*. The reason for the deletion is that the new disciplinary system, prescribed in the revised Queen's Regulations for all the Services, no longer makes provision for the taking of a summary of evidence. Section 108 (1) of *The National Defence Act* now reads:

"**108.** (1) For the purposes of this section, 'service tribunal' in addition to the tribunals mentioned in paragraph *(jj)* of section two, includes a board of inquiry, a commissioner taking evidence under this Act and an officer taking a summary of evidence in accordance with regulations."

Subclause (5) would alter the scale of punishments prescribed in section 121 (1) of *The National Defence Act* by deleting the punishment of "forfeiture of service toward progressive increase in pay" and by moving the punishment of "fine" two places down the scale. When the new disciplinary provisions of the revised Queen's Regulations were being prepared, it was found that the punishment of "forfeiture of service toward progressive increase in pay" was not practical from an administrative and pay accounting point of view. The punishment of "fine" is considered by service authorities to be less onerous, having regard to service custom, than the punishments of "severe reprimand" and "reprimand", and therefore, "fine" should appear below those punishments in the scale. The relevant portions of the scale of punishments, in section 121 (1) of *The National Defence Act* now read:

"**121.** (1) The following punishments may be imposed in respect of service offences:—

(j) forfeiture of service toward progressive increase in pay;
(k) fine;
(l) severe reprimand;
(m) reprimand;
(n) minor punishments,

and each of the above punishments shall be deemed to be a punishment less than every punishment preceding it in the above scale, in this Act referred to as the 'scale of punishments'."

Subclause (6) would amend the scale of punishments for commanding officers at summary trials in the same manner as in the case of the basic scale that would be amended by subclause (5) above. Paragraphs *(d)* to *(h)* of section 136 (2) now read:

"(2) Subject to the conditions set out in this section and in Part V relating to punishments, a commanding officer at a summary trial may pass a sentence in which any one or more of the following punishments may be included,

(d) forfeiture of service toward progressive increase in pay;
(e) a fine not exceeding basic pay for one month;
(f) severe reprimand;
(g) reprimand;
(h) minor punishments,"

Subclauses (7), (8) and (9) would make it possible for the Minister to authorize officers not below the naval rank of captain, or not below the rank of colonel or group captain, to approve certain specified more serious punishments imposed by commanding officers. At present, under Section 136 of *The National Defence Act*, this authority may be exercised only by officers of or above the rank of

"*(b)* reduction in rank, but a punishment of reduction in rank imposed by a commanding officer shall be effective only if approved by, and to the extent approved by, an approving authority; "

(9) Section one hundred and thirty-six of the said Act is further amended by adding thereto, immediately after subsection two thereof, the following subsection:

Definition of "approving authority".

"(2a) In subsection two "approving authority" means

(a) any officer not below the rank of commodore, brigadier or air commodore; or

(b) an officer not below the naval rank of captain or below the rank of colonel or group captain designated by the Minister as an approving authority for the purposes of this section."

(10) Paragraphs *(a)* to *(c)* of subsection three of section one hundred and thirty-six are repealed and the following substituted therefor:

"*(a)* detention not exceeding fourteen days;

(b) severe reprimand;

(c) reprimand;

(d) a fine not exceeding basic pay for fifteen days;

(e) minor punishments."

(11) Paragraphs *(a)* to *(e)* of subsection three of section one hundred and thirty-seven are repealed and the following substituted therefor:

"*(a)* forfeiture of seniority;

(b) severe reprimand;

(c) reprimand;

(d) fine."

(12) Subsection four of section one hundred and fifty-five of the said Act is repealed and subsections five and six of the said section are respectively re-numbered four and five.

commodore, brigadier and air commodore. It has been found in practice that considerable delay in securing approval of such punishments occurs by reason of the occasional unavailability of officers of the rank of commodore, brigadier or air commodore at command headquarters of the Services. The relevant portion of subsection (2) of section 136 of *The National Defence Act* now reads:

"(2) Subject to the conditions set out in this section and in Part V relating to punishments, a commanding officer at a summary trial may pass a sentence in which any one or more of the following punishments may be included,

(a) detention for a period not exceeding ninety days subject to the following provisions,

(i) a punishment of detention imposed by a commanding officer upon a chief petty officer, petty officer, non-commissioned officer or leading rating shall not be carried into effect until approved by an officer not below the rank of commodore, brigadier or air commodore under whom the commanding officer who imposed the punishment is serving, and only to the extent so approved;

(ii) where a commanding officer imposes more than thirty days detention, the portion in excess of thirty days shall be effective only if approved by, and to the extent approved by, an officer not below the rank of commodore, brigadier or air commodore under whom the commanding officer who imposed the punishment is serving;

(b) reduction in rank, but a punishment of reduction in rank imposed by a commanding officer shall be effective only if approved by, and to the extent approved by, an officer not below the rank of commodore, brigadier or air commodore, under whom the commanding officer who imposed the punishment is serving;

Subclause (10) would increase the authority of a commanding officer to delegate his powers of punishment to officers under his command. It has been found in practice that the very limited scale prescribed in *The National Defence Act* is inadequate for many types of service establishments. Subsection (3) of section 136 of *The National Defence Act* now reads:

"(3) A commanding officer may, subject to regulations made by the Governor in Council and to such extent as the commanding officer deems fit, delegate his powers under this section to any officer under his command, but an officer to whom powers are so delegated may not be authorized to impose punishments other than the following,

(a) a fine not exceeding ten dollars;

(b) a reprimand;

(c) minor punishments."

Subclause (11) would amend the scale of punishments for superior commanders at summary trials in the same manner as in the case of the basic scale that would be amended by subclause (5) above. Subsection (3) of section 137 of *The National Defence Act* now reads:

"(3) Subject to the conditions set out in this section and in Part V relating to punishments, a superior commander at a summary trial may pass a sentence in which any one or more of the following punishments may be included,

(a) forfeiture of seniority;

(b) forfeiture of service toward progressive increase in pay;

(c) fine;

(d) severe reprimand;

(e) reprimand."

Subclause (12) would delete subsection (4) of section 155 relating to the taking of evidence on commission. That subsection refers to "a summary or abstract of evidence" that has not been provided for in the new disciplinary

(13) Paragraph *(c)* of subsection one of section one hundred and fifty-eight is repealed and paragraphs *(d)*, *(e)* and *(f)* of the said subsection are respectively relettered as paragraphs *(c)*, *(d)* and *(e)*.

(14) Subsection one of section two hundred of the said Act is repealed and the following substituted therefor:

"court martial".

"**200.** (1) For the purposes of this section, "court martial", in addition to the tribunals mentioned in paragraph *(g)* of section two, includes a commissioner taking evidence under this Act; and references in this section to the president or members of a court martial shall be deemed to include references to any such commissioner."

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

Summons to witnesses.

"(2) Every person required to give evidence before a court martial may be summoned under the hand of the authority by whom the court martial was convened, established or appointed, or the Judge Advocate General, or under the hand of the president, judge advocate or commissioner taking evidence under this Act."

(16) Subsection six of section two hundred is repealed and the following substituted therefor:

Removal for contempt.

"(6) A court martial, by order under the hand of the president or a commissioner taking evidence under this Act, may cause counsel to be removed from the court martial for contempt."

(17) The said Act is further amended by adding thereto, immediately after section two hundred and forty-seven thereof, the following section:

Grave breaches of Geneva Conventions of 1949.

"**247A.** (1) Any grave breach of any of the Geneva Conventions of 1949, as therein defined, that would, if committed in Canada, be an offence under any provision of the *Criminal Code* or other Act of the Parliament of Canada, is an offence under such provision of the *Criminal Code* or other Act if committed outside Canada.

(2) In this section "Geneva Conventions of 1949" means the following Conventions entered into at Geneva on the twelfth day of August, nineteen hundred and forty-nine, namely,

provisions of the revised Queen's Regulations. Subsection (4) of section 155 of *The National Defence Act* now reads:

"(4) The document mentioned in subsection two or a true copy thereof may be attached to the summary or abstract of evidence taken in respect of the charge against the accused person and, on being so attached, that document shall form part of the summary or abstract of evidence."

Subclause (13) would delete the reference to "officers ordered to attend for purposes of instruction" from the section of *The National Defence Act* prescribing who is required to take an oath at a court martial. The reason for the proposed deletion is that the new disciplinary system does not make provision for officers under instruction to sit with a court martial while it is closed. Officers detailed to attend for purposes of instruction are now treated as members of the public and therefore should not be required to take an oath. Subsection (1) of section 158 of *The National Defence Act* now reads:

"**158.** (1) At every court martial an oath shall be administered to each of the following persons,

(a) the president and other members of the court-martial;
(b) the judge advocate;
(c) the officers ordered to attend for purposes of instruction;
(d) court reporters;
(e) interpreters;
(f) witnesses,

in the manner and in the forms prescribed in regulations."

Subclauses (14), (15) and (16) would delete reference to an officer taking a "summary of evidence" from subsections (1), (2) and (6) of section 200 of *The National Defence Act* which now read:

"**200.** (1) For the purposes of this section "court martial" in addition to the tribunals mentioned in paragraph *(g)* of section two, includes a commissioner taking evidence under this Act and an officer taking a summary of evidence in accordance with regulations; and references in this section to the president or members of a court martial shall be deemed to include references to any such commissioner or officer.

(2) Every person required to give evidence before a court martial may be summoned under the hand of the authority by whom the court martial was convened, established or appointed, or the Judge Advocate General, or under the hand of the president, judge advocate, commissioner taking evidence under this Act or officer taking a summary of evidence in accordance with regulations."

"(6) A court martial may, by order under the hand of the president, a commissioner taking evidence under this Act or an officer taking a summary of evidence in accordance with regulations, cause counsel to be removed from the court martial for contempt, but an officer taking a summary of evidence shall not take action under this subsection without the approval of his commanding officer."

Subclause (17) would give extra-territorial effect to the *Criminal Code* or other Act of the Parliament of Canada in respect of offences that are grave breaches of the Geneva Conventions of 1949. Under those Conventions, which have not been ratified, Canada will assume the obligation of trying in her own courts persons who commit such breaches irrespective of where committed and irrespective of the nationality of the alleged offenders. It is considered that Canada's obligations can best be fulfilled by trying such persons before civil courts in Canada, under the provisions of normal Canadian criminal law, and out of Canada before military tribunals. This provision, which

(a) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field;

(b) Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea;

(c) Geneva Convention Relative to the Treatment of Prisoners of War; and

(d) Geneva Convention Relative to the Protection of Civilian Persons in Time of War."

French version amended.

(18) Subsection six of section one hundred and seventy-seven of the French version of the said Act is repealed and the following substituted therefor:

Nouvel examen et remise.

"(6) Lorsqu'une peine a été suspendue, elle peut, en tout temps, et elle doit, à des intervalles d'au plus trois mois, faire l'objet d'un nouvel examen de la part d'une autorité établie en matière de sursis. S'il apparaît à cette dernière, lors du nouvel examen, que la conduite du délinquant, depuis la suspension de la peine, est de nature à justifier une remise de cette peine, ladite autorité y procède."

Civil Service Superannuation Act.

3. Section five of the *Civil Service Superannuation Act*, chapter twenty-four of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:

Election to contribute in respect of naval service.

"(8) A person who served on active service in the naval forces as described in clause (A) of subparagraph (ii) of paragraph *(hh)* of subsection one of section two, and became a contributor before the coming into force of this subsection, may, within one year after the coming into force of this subsection, elect to contribute under this Act in respect of the whole or any part of such service in the naval forces in respect of which he is entitled to contribute by reason of subsection two of section two or subsection one of section five A."

The Defence Services Pension Act.

4. (1) Subsection twelve of section four of *The Defence Services Pension Act*, chapter one hundred and thirty-three of the Revised Statutes of Canada, 1927, as enacted by section four of chapter thirty-two of the statutes of 1950, is repealed and the following substituted therefor:

Employment of officer pensioner in the public service of Canada or the forces.

"(12) A retired officer who has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or

would be embodied in Part XII of *The National Defence Act*, that relates to civil offences, would give the Canadian civil courts the right to try such offenders in Canada in respect of offences committed out of Canada and would give military courts out of Canada the right to try such alleged offenders under Canadian criminal law. Clause 6 of this Bill would bring this provision into force only upon proclamation and such proclamation would be withheld until the Geneva Conventions have been ratified.

The purpose of subclause (18) is to correct an error in the French version of subsection (6) of section 177 of *The National Defence Act*. The words underlined on the opposite page are inserted in the text of the present subsection.

3. This clause would extend to a former member of the Royal Canadian Navy who served overseas during the Second World War otherwise than at sea, the option of electing to count such period of service for the purpose of the *Civil Service Superannuation Act*. By an amendment to the *Civil Service Superannuation Act* made by section 5 (2) of *The Canadian Forces Act, 1951,* Chapter 7 of the Statutes of Canada (Second Session), service of this nature may be counted under the *Civil Service Superannuation Act* but certain persons affected cannot elect to count that service without the addition of the subsection proposed in this clause.

4. Subclause (1) would enable an officer pensioner under Parts I to III of *The Defence Services Pension Act* who is employed in the public service of Canada or re-appointed to the forces, to receive that part of his pension which when totalled with his salary or pay and allowances, as the case may be, will not exceed the current rate of pay and allowances in effect for the rank which he held at the time of his retirement. Subsection (12) of section 4 of *The Defence Services Pension Act* now reads:

pay and allowances, as the case may be, will not at any time exceed the greater of

(a) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(b) the current pay and allowances in effect for an officer holding the same rank and under the same circumstances as the pensioner at the date of his retirement.

(13) Subsection twelve does not apply in respect of service in the reserve forces unless the service is for a full-time continuous period in excess of six months during which period the pensioner received the pay of his rank as though he were in the force."

(2) The said Act is further amended by adding thereto, immediately after section forty-one B thereof, the following section:

"Service".

"41c. For the purpose of computing a pension under any of Parts I to III with respect to an officer, "service" in any such Part, in addition to any periods specified in Parts I to III, includes any continuous period of full-time service of six months or more in the naval, army or air forces of Her Majesty raised in Canada other than the forces as defined in such Part, if

(a) during such period he received the pay of his rank as though he were in the forces as defined in such Part, and

(b) he is otherwise eligible for a pension under such Part,

but such service may not be counted as service under any other provision of any such Parts, except to the extent prescribed by paragraph *(e)* of section eight, subparagraph (ii) of paragraph *(e)* of section thirty-six or subparagraph (iii) of paragraph *(d)* of section thirty-nine, for the purpose of determining eligibility for pension."

(3) Paragraph *(i)* of subsection one of section forty-two of the said Act, as enacted by subsection two of section eight of chapter thirty-two of the statutes of 1950, is amended by adding thereto the following subparagraph:

"(vi) any continuous period of full-time service of six months or more in the naval, army or air forces of Her Majesty raised in Canada other than the forces, if

(A) the contributor during such period received the pay of his rank as though he were a member of the forces, and

(B) the contributor is otherwise eligible for a pension under this Part,

but such service may not be counted as service under any other subparagraph of this paragraph."

"(12) A retired officer who has been granted a pension under this Part and thereafter is employed in the public service of Canada or appointed to or enlisted in the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not exceed the pay and allowances of which he was in receipt at the date of his retirement from the force."

The proposed new subsection (13) would make it unnecessary to reduce the pension in payment to an officer pensioner under *The Defence Services Pension Act* by the amount of pay and allowances received by him while a member of the reserves provided his service in the reserves on a full-time basis with pay of rank is not longer than six consecutive months.

Subclause (2) would enable a member of the regular forces who under Parts I to III of *The Defence Services Pension Act*, is eligible for pension, to count periods of full-time reserve service provided his service as a member of the reserves was for a continuous period of six months or more during which he received the pay and allowances of his rank.

Subclause (3) would apply to persons contributing under Part V of *The Defence Services Pension Act* the same principle as explained in the Note to subclause (2).

(4) Section fifty-two of the said Act, as enacted by section twelve of chapter thirty-two of the statutes of 1950, is repealed and the following substituted therefor:

Employment of officer pensioner in the public service of Canada or the forces.

"**52.** (1) A contributor who has been retired as an officer or warrant officer and has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not at any time exceed the greater of

(a) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(b) the current pay and allowances in effect for an officer or warrant officer holding the same rank and under the same circumstances as the pensioner at the date of his retirement.

(2) Subsection one does not apply in respect of service in the reserve forces unless the service is for a full-time continuous period in excess of six months during which period the pensioner received the pay of his rank as though he were in the forces."

Senate and House of Commons Act.

5. (1) Section twelve of the *Senate and House of Commons Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

Members of the military forces.

"**12.** Nothing in this Act renders ineligible or disqualifies any person as a member of the House of Commons or to sit or vote therein, by reason of his being

(a) a member of Her Majesty's forces while he is on active service as a consequence of war, or

(b) a member of the reserve forces of the Canadian Forces who is not on full-time service other than active service as a consequence of war."

(2) Paragraphs *(d)* and *(e)* of section twenty of the said Act are repealed.

Coming into Force.

Coming into force.

6. Subsections two, three and seventeen of section two of this Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Subclause (4) would apply to officer and warrant officer pensioners in receipt of a pension under Part V of *The Defence Services Pension Act* the same principle as explained in the Note to subclause one.

5. This clause would make the provisions of the *Senate and House of Commons Act*, relating to the eligibility of members of the forces to sit as members of the House of Commons, consistent with the provisions of section 20 of *The Canada Elections Act* as amended by chapter 3 of the Statutes of 1951 (Second Session). Sections 12 and 20 *(d)* and *(e)* of the *Senate and House of Commons Act* now read:

"**12.** Nothing shall render ineligible as aforesaid, any person serving in the naval, military or air forces of Canada, or in any other of the naval, military or air forces of the Crown, while such forces are on active service in consequence of any war, and receiving salary, pay or allowance as a member of such forces while on such active service."

"**20.** This Act shall not extend to disqualify any person as a member of the House of Commons by reason of his being

(d) an officer of the militia, or militiaman, not receiving any salary or emolument out of the public money of Canada, except his daily pay when called out for drill or active service, or annual or other allowances of any kind prescribed by the *Militia Act*, or fixed or prescribed by the Governor in Council under the provisions of the *Militia Act*, or sums paid for enrolment, and any pay or remuneration allowed him for the care of arms or for drill instruction; or

(e) in the naval or military forces of Canada or in any other of the naval or military forces of the Crown while such forces are on active service in consequence of any war, and receiving salary, pay or allowance as a member of such forces while on such active service."

Section 20 (2) *(b)* and *(f)* of *The Canada Elections Act* now reads:

"(2) The provisions of this section shall not render ineligible

'*(b)* a member of His Majesty's Forces while he is on active service as a consequence of war;'

'*(f)* a member of the reserve forces of the Canadian Forces who is not on full-time service other than active ssrvice as a consequence of war'."

6. This clause would make it possible for the Governor in Council to bring the provisions of this Bill respecting grave breaches under the Geneva Conventions of 1949 into force upon the ratification of those Conventions.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 242.

An Act to amend The Emergency Gold Mining Assistance Act.

First reading, May 19, 1952.

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, 1952

51928

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 242.

1947-48, c. 15; 1949 (2nd Sess.), c. 20; 1950, c. 50; 1951 (1st Sess.), c. 49.

An Act to amend The Emergency Gold Mining Assistance Act.

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

1. (1) Subsection five of section three of *The Emergency Gold Mining Assistance Act*, chapter fifteen of the statutes of 1947-48, as enacted by section one of chapter forty-nine of the statutes of 1951 (1st session), is amended by repealing all the words before paragraph *(a)* thereof and substituting therefor the following:

Calculation. for 1950.

"(5) Notwithstanding anything in this section, the sum that may be paid in respect of gold produced from a mine and sold in the designated year nineteen hundred and fifty, shall be the amount calculated as prescribed in subsection two, two *a*, three or four, as the case may be, less the amount obtained by multiplying the rate of assistance or three dollars and fifty cents, whichever is the lesser, by a fraction of the number of ounces to which the rate of assistance was applied in such calculation, the numerator of such fraction being the aggregate of"

(2) This section shall be deemed to have come into force on the fifteenth day of June, nineteen hundred and forty-eight.

2. (1) Section three A of the said Act, as enacted by section two of chapter forty-nine of the statutes of 1951 (1st session), is repealed and the following substituted therefor:

Application of Act to 1951, 1952 and 1953.

"**3A.** This Act applies in respect of gold produced from a mine and sold in any of the calendar years nineteen hundred and fifty-one, nineteen hundred and fifty-two, and nineteen hundred and fifty-three, subject to the following modifications:

Explanatory Notes.

The purposes of this Bill are to amend and extend *The Emergency Gold Mining Assistance Act.*

1. Subsection five, enacted in 1951, was intended to modify the assistance payable in respect of the last quarter of 1950. Experience has shown that some mines would receive less assistance than was intended.

2. The purpose of this amendment is to extend the application of the Act to the years 1952 and 1953 and to clarify the conditions under which a mine operator may elect as a base year the calendar years 1948, 1949 or 1950.

(a) the expression "designated year" includes the calendar years nineteen hundred and fifty-one, nineteen hundred and fifty-two, and nineteen hundred and fifty-three;

(b) the expression "base year"

(i) in the case of a mine in which the first year of production commenced on or before the first day of January, nineteen hundred and fifty, means the calendar year nineteen hundred and forty-eight, nineteen hundred and forty-nine or nineteen hundred and fifty, as the operator of the mine may elect, if the first year of production of the mine commenced on or before the first day of January in the year elected and the normal operation of the mine was not suspended for more than six months in the year elected, but where none of those calendar years can be so elected, means the first period of twelve months following the first day of July, nineteen hundred and fifty, in which the mine was in normal operation for more than six months, and

(ii) in the case of a mine in which the first year of production commenced after the first day of January, nineteen hundred and fifty, means the first year of production;

(c) where the first year of production had not, on or before the thirtieth day of June, nineteen hundred and fifty-one, been established by or pursuant to paragraph *(e)* of subsection one of section two of this Act, 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 section seventy-four 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;

(d) the expression "rate of assistance" for a mine for any period means the amount that is fifty per cent of the amount by which the average cost of production of gold from the mine during the period exceeds twenty-two dollars, but not in any event exceeding eleven dollars and fifty cents; and

(e) the expression "one-half" shall be substituted for the expressions "one-third" and "two-thirds" wherever they occur in subsections two, two *a*, three and four of section three."

(2) This section shall be deemed to have come into force on the thirtieth day of June, nineteen hundred and fifty-one.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 245.

An Act respecting the Establishment of a National Library.

First reading, May 20, 1952.

THE PRIME MINISTER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58320

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 245.

An Act respecting the Establishment of a National Library.

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 Library Act.*

Interpretation.

2. In this Act,

(a) "Minister" means such member of the Queen's Privy Council for Canada as is named for the purpose by the Governor in Council;

(b) "book" includes library matter of every kind, nature and description; and

(c) "published in Canada" means released in Canada for public distribution or sale, otherwise than by Her Majesty in right of a province, any agent or servant of Her Majesty in right of a province or any municipality.

Establishment of National Library.

3. A National Library is hereby established, consisting of all books placed in the care and custody of the National Librarian or delivered to or otherwise acquired by the National Librarian in accordance with this Act.

National Librarian.

4. The Governor in Council may appoint a person to be called the National Librarian, who shall be the custodian of the National Library having the control and management of the National Library in accordance with this Act.

Assistant National Librarian.

5. The Governor in Council may appoint a person to be called the Assistant National Librarian, who shall assist the National Librarian in the performance of his duties under this Act, and shall act as National Librarian in the event of the absence or incapacity of the National Librarian.

Explanatory Notes.

The purpose of this Bill is to carry into effect the recommendation of the Royal Commission on National Development of the Arts, Letters and Sciences "That a National Library be established without delay".

Preliminary organization of a National Library has been in progress since 1950, when Parliament appropriated funds to establish a Bibliographic Centre. This Centre will be transferred to and become part of the National Library.

The Advisory Council to be established under section 8 is in effect the present National Library Advisory Committee (appointed in 1948-49) reconstituted.

When a National Library building is erected, and adequate book shelving becomes available, many of the departmental libraries will wish to transfer to the National Library a large number of seldom used or duplicate volumes. Section 9 provides authority for such transfers, and section 10 *(d)* would permit the National Librarian to sell or otherwise dispose of surplus duplicates.

Work on the national union catalogue referred to in section 10 *(b)* has been in progress since 1950. Present plans call for its completion within five years. The National bibliography authorized in section 10 *(c)* has been published regularly each month since January, 1951, by the Bibliographic Centre.

The Royal Commission points out that "the National Library should secure as complete a collection as possible of books published in Canada, of books published by Canadians, and of books on Canadian themes". In other countries corresponding publications are secured mostly under the provisions of copyright or deposit laws that require publishers to send copies of all new books, pamphlets, maps, etc., to the National Library. Section 11 would establish such a deposit system in Canada. Subsection (2) of section

Tenure of office, salary.

6. The National Librarian and the Assistant National Librarian shall hold office during pleasure, and shall be paid such salaries as the Governor in Council determines.

Library staff.

R.S., c. 22.

7. Such other officers, clerks and employees as are necessary for the proper control and management of the National Library may be appointed in accordance with the provisions of the *Civil Service Act*.

Establishment of Advisory Council.

8. (1) The Governor in Council may establish an Advisory Council, to advise and assist the National Librarian in connection with the organization and development of the National Library.

Membership.

(2) The membership of the Advisory Council shall consist of the following persons:

(a) the National Librarian, who shall be the Chairman;

(b) the General Librarian and the Parliamentary Librarian, who shall be members ex officio; and

(c) twelve other persons, at least one from each province, to be appointed by the Governor in Council for a term of four years, except that of those first appointed three shall be appointed for a term of one year each, three for a term of two years each and three for a term of three years each.

Eligibility for reappointment.

(3) A person who, as a member of the Advisory Council, has served two consecutive terms of four years each is not eligible to be reappointed to the Council during the two years following the completion of his second term.

Expenses of members.

(4) Members of the Advisory Council shall not receive any remuneration, but are entitled to receive all reasonable travelling and living expenses incurred in the course of their duties as members of the Council.

Transfers of custody of books.

9. The Governor in Council may direct that any books in the care or custody of any department or agency of the Government or Parliament of Canada shall be transferred from such department or agency and placed in the care and custody of the National Librarian.

Powers and duties of Librarian.

10. Subject to the direction of the Minister, the National Librarian may

(a) undertake the collection, by purchase or otherwise, of books for the Library,

(b) compile and maintain a national union catalogue in which the contents of the principal library collections throughout Canada may be listed,

(c) compile and publish a national bibliography in which books produced in Canada, written or prepared by Canadians or of special interest or significance to Canada may be noted and described,

11 avoids any conflict with the provisions of *The Copyright Amendment Act, 1931*. Subsection (4) of section 11 would enable the Minister to make regulations governing the deposit of publications in the National Library. Some time must pass before the Library will be able to accommodate all new publications issued in Canada. It is also obvious that many pamphlets, etc., printed for trade or other purposes are not of permanent interest, and need not be collected and preserved. The regulations would list the kinds of publications which for this or other reasons would be exempted from the deposit requirements.

Provision is made in clause 12 for purchase and operating accounts in the Consolidated Revenue Fund. Under the proposal, these funds do not lapse at the end of any fiscal year, but may be used for purchases at any time. Similar provision was made for the National Gallery last year in *The National Gallery Act*.

(d) lend, sell or otherwise dispose of books forming part of the Library, and enter into exchange agreements with libraries and other institutions both in Canada and elsewhere, and

(e) generally supervise and direct the work of the National Library in such a manner that the facilities of the Library may be made available to the Government and people of Canada to the greatest possible extent consistent with the sound administration of the Library.

Deposit of books with Librarian.

11. (1) Subject to this section, the publisher of a book published in Canada shall, at his own expense and within one month from the date of publication, deliver two copies of the book to the National Librarian, who shall give to the publisher a written receipt therefor.

Deemed to be compliance. 1931, c. 8.

(2) The publisher of a book published in Canada who has complied with the requirements of section eleven of *The Copyright Amendment Act, 1931*, is deemed to have complied with the requirements of this section.

Value of copies.

(3) Where the retail value of the two copies required by subsection one to be delivered to the National Librarian exceeds in the aggregate twenty-five dollars, the publisher of the book is deemed to have complied with the requirements of this section if, at his own expense, he delivers to the National Librarian one copy only of the book, equal in quality to the best quality produced.

Regulations.

(4) The Minister may make regulations

(a) respecting the quality of the copies required to be delivered to the National Librarian of any book the copies of which are not of uniform quality;

(b) prescribing generally the classes or kinds of books in respect of which only one copy is required to be delivered to the National Librarian; and

(c) prescribing the classes or kinds of books in respect of which no copies are required to be delivered to the National Librarian unless specially requested by him.

Offence and penalty.

(5) Every publisher of a book published in Canada who contravenes any of the provisions of this section is guilty of an offence and is liable on summary conviction to a fine not exceeding twenty-five dollars.

Purchase Account for acquisition of books.

12. (1) A special account in the Consolidated Revenue Fund is hereby established, called the National Library Purchase Account, to which shall be credited any money appropriated by Parliament in any fiscal year for the purpose of acquiring books for the National Library, and any expenditures made for that purpose in that or any subsequent fiscal year, including any costs in connection therewith, may be paid out of the money so appropriated and credited.

Special Operating Account.

(2) A special account in the Consolidated Revenue Fund is hereby established, called the National Library Special Operating Account, to which shall be credited all money received for the purpose of the National Library by way of donation, bequest or otherwise.

Amounts required.

(3) Any amounts required for the purposes of this Act may be paid out of the National Library Special Operating Account or out of any money appropriated by Parliament for such purposes.

Annual Report.

13. The National Librarian shall within three months from the termination of each fiscal year submit to the Minister a report, in the form required by the Minister, of all proceedings under this Act for the fiscal year, and the Minister shall lay the report before Parliament within fifteen days after he receives it or, if Parliament is not then in session, within fifteen days after the commencement of the next ensuing session thereof.

Coming into force.

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

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 246.

An Act to amend The Canada Grain Act.

First reading, May 20, 1952.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57823

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 246.

1930, c. 5; 1932-33, cc. 9, 24; 1934, c. 26; 1938, c. 5; 1939, c. 36; 1940, c. 6; 1947, c. 3; 1950, cc. 24, 50.

An Act to amend The Canada Grain Act.

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

1. (1) Section three of *The Canada Grain Act*, chapter five of the statutes of 1930, is amended by adding thereto, immediately after subsection one thereof, the following subsection:

Reappointment.

"(1*a*) A commissioner on the expiration of his first or subsequent term of office is, if not disqualified by age, eligible for reappointment for a period not exceeding ten years."

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

Retirement.

"(2) Notwithstanding subsections one and one *a*, no commissioner shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after the termination of such commissioner's tenure of office, that it is in the public interest that such commissioner shall remain in office for an additional period of twelve months, but no such declaration shall authorize the continuance in office of any commissioner after he has reached the age of seventy-five years."

2. Sections four and five of the said Act are repealed and the following substituted therefor:

Salaries.

"**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.

Assistant commissioners.

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.

EXPLANATORY NOTES.

1. (1) In the present section 3 of the Act there is not a specific provision for re-appointment of the Commissioners. This new subsection is therefore being added in order to clarify the position.

(2) In view of the new subsection being added to section 3 of the Act, it is necessary to include the additional reference in subsection (2) of section 3.

2. The present sections 4 and 5 of the Act read as follows:

4. "The Chief Commissioner shall be paid an annual salary of *twelve* thousand dollars and each of the commissioners an annual salary of *ten* thousand dollars."

5. (1) "The Governor in Council may appoint *four* Assistant Grain Commissioners who shall hold office during pleasure and each of whom shall receive such salary, *not exceeding seventy-five hundred dollars*, as may be fixed by the Governor in Council.

Head-quarters.

(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.

Subject to Board.

(3) The assistant grain commissioners are subject to the orders and shall carry out the directions of the Board."

3. (1) Section fifteen of the said Act is amended by adding thereto, immediately after paragraph *(o)* thereof, the following paragraph:

System of issuing tickets, etc.

"*(oo)* authorizing the use of any system of keeping and issuing tickets, receipts or notes in lieu of the books required by section eighty-five, if the Board is satisfied that by the use of such system at least one of each pair or set of tickets, receipts or notes will be retained as adequately and securely as if bound in a book, and modifying or adapting the provisions of section eighty-five accordingly;"

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

G. in C. may make regulations.

"(2) The Governor in Council may make regulations

(a) dispensing with any requirement of this Act and prescribing other provisions in lieu thereof whenever in his opinion there are special circumstances that make it necessary or advisable so to do; and

(b) generally for carrying the purposes and provisions of this Act into effect.

Publication.

(3) Every regulation made under subsection two shall be included in the regulations published by the Board pursuant to section nineteen as though it were a regulation of the Board, and, unless sooner revoked, every regulation made under paragraph *(a)* of subsection two shall expire on the last day of the first session of Parliament commencing after the day the regulation was made."

Schedules amended.

4. The statutory grades of Western Grain set out in Schedule One to the said Act are amended as follows:

(a) in the table for Amber Durum Wheat the figure "51" is inserted under the heading "Minimum weight per measured bushel in pounds" for No. 6 Canada Western Amber Durum;

(b) in the table for Mixed Wheat the figure "51" is inserted under the heading "Minimum weight per measured bushel in pounds" for each of the grades No. 2 Canada Western Mixed Wheat, No. 4 Canada Western Mixed Wheat and No. 6 Canada Western Mixed Wheat; and

(c) in the table for Flax Seed the figure "44" is inserted under the heading "Minimum weight per measured bushel in pounds" for the grade No. 4 Canada Western.

(2) One of such Assistant Grain Commissioners shall have his headquarters and office in the Province of Alberta, one in the Province of Saskatchewan, one in the Province of Manitoba, *and one in the Eastern Division or in the City of Fort William or Port Arthur in the Province of Ontario.*

(3) The Assistant Grain Commissioners shall be subject to the orders and shall carry out the directions of the Board."

The present salaries were fixed in the *Canada Grain Act* of 1930.

The amendment increases the salaries of the Chief Commissioner and the two Commissioners. Salaries of the Assistant Commissioners, however, will be fixed by the Governor in Council. The position of Assistant Commissioner in the Eastern Division or in Fort William or Port Arthur is being deleted.

3. (1) Section 85 of the Act provides that tickets, receipts and notes used by elevator operators shall be in the form of a book so bound that a carbon copy of each shall be undetachable from the book. The wording precludes the use of the modern system of a continuous form used in a registering machine which keeps locked-in carbon copies and which has a number of advantages over the present form of book.

This amendment to section 15 of the Act gives authority to the Board of Grain Commissioners to authorize the use of any system of tickets, etc., which will provide as adequate and secure a record as the present system.

(2) Section 15 of the Act provides that the Board of Grain Commissioners may make orders, not inconsistent with the Act, in respect of a number of matters but does not authorize the Governor in Council to make Regulations. This amendment would provide such authority.

Occasionally emergencies occur which make it impractical or even impossible, to comply with a requirement of the Act. The proposed amendment would give to the Governor in Council the power to issue Regulations dispensing with particular requirements of the Act. Such regulations would, however, lapse on the final day of the next succeeding session of Parliament.

4. and **5.** The definitions of statutory grades of grain in the Schedules do not show the minimum weight per bushel in all cases. Experience has shown that the minimum weight per bushel should be prescribed in respect of certain additional grades in order that they may be properly graded.

Idem.

5. Schedule Two to the said Act is amended by inserting in the table for Flax Seed the figure "44" under the heading "Minimum weight per measured bushel in pounds" for No. 4 Canada Eastern.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 275.

An Act to amend the Canadian Farm Loan Act.

First reading, May 26, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57918

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 275.

An Act to amend the Canadian Farm Loan Act.

R.S., c. 66; 1934, c. 46; 1935, c. 16; 1950, c. 51.

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

1. (1) Subsection one of section three of the *Canadian Farm Loan Act*, chapter sixty-six of the Revised Statutes of Canada, 1927, as enacted by section three of chapter sixteen of the statutes of 1935, is amended by striking out the words therein following the word "prescribe".

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

Member of Board.

"(1*a*) One of the members appointed in accordance with subsection one shall be the Deputy Minister of Finance or such other officer of the Department of Finance as the Governor in Council designates, and the Minister may designate another officer of the Department of Finance as the alternate of that member and the alternate shall, during the absence or incapacity of that member, be deemed to be a member of the Board."

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

"*(aa)* borrow money from the Minister for the purposes of the Board;"

3. Section five of the said Act, as enacted by section five of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Initial capital.

"**5.** (1) The Board shall pay interest to the Minister, at such rate and on such other terms as the Governor in Council from time to time determines, on the balance outstanding from time to time of the initial capital advanced

Explanatory Notes.

1. The words following "prescribe" in the present subsection one, section three are "One of such members shall be the Deputy Minister of Finance or the Comptroller, Government Guarantee Branch of the Department of Finance." The purpose of the amendment is to provide for the appointment of the Deputy Minister or any other officer of the Department as a member of the Board and to provide an alternate to act in his place when necessary. The position of Comptroller, Government Guarantee Branch no longer exists.

2. This paragraph is new. The Board now raises money for lending by the issue of bonds. This paragraph makes available to the Board an additional method of obtaining funds for lending purposes.

3. The present section five is as follows:

"**5.** The capital requirements of the Board shall be provided as follows:—

(1) The Government of Canada may subscribe to an initial capital to an amount not exceeding five million dollars and may pay the amount of any such subscription at such times and in such amounts as in the judgment of the Board are necessary for the purposes of the Board; and the amounts provided from time to time under this subsection shall be free from interest charges for a period of three years, after which time interest shall be paid at such rate as the Governor in Council shall direct, repayment of the amounts so provided shall be made from time to time out of the earnings of the Board: Provided that before any

to the Board by the Government of Canada, and the amount outstanding of the initial capital so advanced shall be repaid to the Minister, at such times as the Governor in Council directs, out of earnings of the Board, but no such repayment shall be made by the Board under this subsection unless, at the time the repayment is to be made, the amount in the reserve fund established under section nine is not less than the aggregate of the amount to be repaid and the amount of all repayments previously made.

Capital stock.

(2) The Board shall from time to time

(a) issue capital stock consisting of shares having a par value of one dollar each, and

(b) retire capital stock so issued,

in such amounts as are necessary to ensure that the par value of the stock outstanding at any time approximates five per cent of the principal amount of the loans outstanding at that time.

Idem.

(3) The Minister shall subscribe to and pay for the capital stock issued pursuant to subsection two, and when stock is retired pursuant to subsection two the Board shall pay to the Minister an amount equal to the par value of the stock so retired.

Coming into force.

(4) Subsections two and three shall come into force upon a day to be fixed by proclamation of the Governor in Council, after the principal amount of loans outstanding reaches twenty times the par value of the capital stock outstanding on the thirty-first day of March, nineteen hundred and fifty-two."

4. (1) Subsection one of section six of the said Act, as enacted by section six of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Outstanding bonds and loans.

"**6.** (1) The total principal amount outstanding of Farm Loan bonds and of loans made by the Minister pursuant to section six A shall not at any time exceed twenty times the par value of the outstanding capital stock of the Board."

(2) Subsection five of section six of the said Act, as enacted by section four of chapter forty-six of the statutes of 1934, is repealed and the following substituted therefor:

Form of bond.

"(5) Each Farm Loan bond shall be signed by the Commissioner or a member of the Board designated by the Board and by the secretary or treasurer of the Board and shall have printed thereon a certificate signed by the Commissioner or a member of the Board designated by the Board to the effect that the bond is issued under the authority of this Act and that at the time of issue the Board holds mortgages or charges on farm lands and personalty the

such proposed repayment is made, the reserve fund of the Board provided for by section nine of this Act, shall be at least equal to the total repayments, including the repayment then proposed to be made.

(2) In addition to the initial capital provided for in the next preceding subsection the Board shall issue capital stock in shares of one dollar each, which shares shall be subscribed for by the Government of Canada from time to time as loans are made under this Act to an amount equal to five per cent of the said loans, so that the total amount subscribed under this subsection shall equal at any time as nearly as may be, five per cent of the total amount of principal outstanding on loans theretofore made, the same to be called for by the Board as required.

(3) The Minister may purchase at a price not exceeding the par value thereof, the capital stock issued by the Board to any province and for the purpose of such purchase the Minister may make the necessary expenditure out of any unappropriated moneys in the Consolidated Revenue Fund.

(4) The Board may retire the outstanding capital stock subscribed by borrowers under the Act, by crediting the amount of the par value of the stock subscribed by the borrower as a payment upon the borrower's indebtedness under his loan from the Board, and when so credited, the borrower shall thereupon cease to be a stockholder of the Board."

The Government advanced $5,000,000 to the Board pursuant to the provision of subsection one. This advance is repayable out of earnings but there is no provision to require repayment. The purpose of the amendment is to give the Governor in Council the power to direct repayment.

The present subsection two requires subscription for capital stock by the Government to the amount of five per cent of the "principal outstanding on loans theretofore made".

The purpose of the new subsections two and three is to provide for a reduction in stock subscribed and held in the event of a reduction in principal on outstanding loans.

Subsection four is self explanatory.

The present subsections three and four are spent.

4. The present subsection one of section six is as follows:

"**6.** (1) The outstanding Farm Loan bonds shall not exceed at any time twenty times the paid up capital stock subscribed for by the Government of Canada in the manner provided in the next preceding section."

The new subsection one of section six is necessary by reason of the new paragraph *(aa)* of section four and the new section six A.

The present subsection five of section six is as follows:

"(5) Each Farm Loan bond shall be signed by the Commissioner, or by a member specially authorized thereunto by the Board, and by the secretary or treasurer of the Board, and it shall have printed thereon a certificate by the Commissioner that it is issued under the authority of this Act and that at the time of issue the Board holds mortgages or charges on farm lands, and personalty at least equal to the total amount of bonds issued under this Act."

The present subsection five provides that bonds may be signed by a member of the Board duly authorized but does not similarly provide that such member may sign the certificate required thereon. The new subsection five is to remedy this omission.

principal amount of which then outstanding is not less than the total principal amount then outstanding of Farm Loan bonds and of loans made by the Minister pursuant to section six A."

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

Loans by the Minister.

"**6A.** Subject to section six, the Minister may from time to time out of the Consolidated Revenue Fund lend money to the Board on such terms and conditions as the Governor in Council approves."

6. (1) Paragraph *(a)* of section seven of the said Act, as enacted by section seven of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Security.

"*(a)* Loans shall be made

(i) on the security of first mortgages on farm lands, the principal amount of which shall not exceed sixty per cent of the actual value of such lands and the buildings thereon as appraised by the Board, but in making its appraisal the Board shall consider the value of the buildings only to the extent to which they add to the value of the land as farm land, and

(ii) if, in the opinion of the Board, additional and collateral security is required, on such additional and collateral security as the Board considers proper,

but the total amount outstanding of loans made under this Part to any one person, alone or jointly with others, shall not at any time exceed ten thousand dollars."

(2) Paragraph *(e)* of the said section seven is repealed and the following substituted therefor:

Interest rate.

"*(e)* The interest rate on loans shall be a rate that, in the opinion of the Board, is sufficient to provide for the interest payable by the Board to the Minister and the expenses of the Board, including reasonable provision for reserves against losses."

7. Section eleven of the said Act, as enacted by section eleven of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Advisory Board.

"**11.** (1) There shall be a board to be known as the Canadian Farm Loan Advisory Board (herein referred to as the Advisory Board), consisting of not less than five and not more than ten members to be appointed by the Governor in Council.

5. This is new. The Minister is authorized to lend money to the Board, and this provision is consequent upon the new paragraph *(aa)* of section four.

6. The present section seven, paragraph *(a)* is as follows:

"*(a)* Loans shall be made only on the security of first mortgages on farm lands not exceeding fifty per cent of the actual value of such lands and the buildings thereon as appraised by the Board: Provided that in arriving at such actual value, the value of the buildings shall be considered only to the extent to which the same add to the actual value of the land as farm land and no one person and no two or more persons having joint or several ownership of the land to be mortgaged shall have by way of loan in the aggregate at any one time more than five thousand dollars."

The new paragraph *(a)* is to permit first mortgage loans up to 60 per cent of appraised value of the security and up to a maximum of $10,000.

The present paragraph *(e)* of section seven is as follows:

"*(e)* The interest rate on loans under this Act shall be such a rate in excess of the interest rate yielded at the time of issue by the last series of Farm Loan bonds issued by the Board as shall be sufficient, in the judgment of the Board, to provide for the expenses of operation and for the necessary reserves for losses, or if no such bonds have been issued, such a rate as in the judgment of the Board will be yielded by the Farm Loan bonds when issued, increased by provision for expenses and reserves as aforesaid."

The new paragraph *(e)* is consequent upon the additional method of borrowing provided by paragraph *(aa)* of section four.

7. The present section eleven is as follows:

"**11.** The Board may appoint for any province or for any two or more provinces in which the Board is authorized to make loans, a local loan advisory board of not more than three members. The chief executive officer appointed by the Board for such province or provinces shall, *ex officio*, be a member of such local loan advisory board and the chairman thereof. The associate members of such local board shall hold office at the pleasure of the Board, and shall be paid such fees as the Board may by regulation prescribe."

No provincial advisory boards were appointed under this section. The purpose of the new section is to provide for the appointment of one national advisory Board and its duties.

Chairman and Vice-Chairman.

(2) The Governor in Council may designate one of the members of the Advisory Board to be the Chairman and another of the members to be the Vice-Chairman.

Remuneration.

(3) The members of the Advisory Board shall be paid out of the revenues of the Board such remuneration as the Governor in Council determines.

Duties.

(4) The Advisory Board shall from time to time consider, discuss with the Board and make recommendations to the Board concerning the lending policies of the Board, the principles underlying the valuation of farm property and the conditions affecting or that may affect lending policy or outstanding or future loans.

Meetings.

(5) The Board shall determine the times and places at which the Advisory Board shall meet and the mode of calling meetings."

8. Section thirteen of the said Act, as enacted by section thirteen of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Audit.

"**13.** The accounts and financial transactions of the Board shall be audited by the Auditor General."

9. (1) Paragraph *(d)* of section seventeen of the said Act, as enacted by section seventeen of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

"*(d)* the form of applications for loans, Farm Loan bonds and mortgages;"

(2) Paragraphs *(f)* and *(j)* of the said section seventeen are repealed.

10. Subsections two and three of section nineteen of the said Act, as enacted by section twenty of chapter sixteen of the statutes of 1935, are repealed and the following substituted therefor:

Amount of loan.

"(2) The amount advanced to a person pursuant to this section shall not exceed one-third of the amount that was advanced by the Board on the security of the first mortgage.

Use of proceeds.

(3) The proceeds of a loan made under this Part shall not be used for any purpose other than a purpose set forth in paragraph *(b)* of section seven."

8. The present section thirteen is as follows:

"**13.** An audit of the books of the Board shall be made in accordance with regulations made under the provisions of section seventeen of this Act by a firm of chartered accountants appointed for that purpose by the Governor in Council, and a copy of the report of the said accountants on the annual statement of the Board shall be laid before Parliament by the Minister within the first fifteen days of the first session thereof following the date of the said report."

The purpose of the amendment is to substitute the Auditor General for a firm of chartered accountants as the auditors of the Board.

9. Paragraphs *(d)*, *(f)* and *(j)* of section seventeen are as follows:

"**17.** The Board may, subject to the approval of the Governor in Council, make regulations not inconsistent with the provisions of this Act for the conduct of the business of the Board, and without limiting the generality of the foregoing provision the Board shall have power to provide by regulation for

(d) the form of application for loans, farm loan bonds, mortgages, books of account and annual statements of the Board;

(f) the auditing and inspection of the accounts and assets of the Board;

(j) the duties, fees and scale of expenses of the local advisory loan committees appointed under section eleven."

The new paragraph *(d)* and the repeal of paragraph *(f)* are consequent upon the provisions relating to books of account and audit now contained in sections 85, 86 and 87 of *The Financial Administration Act.*

10. Subsections two and three of section 19 are as follows:

"(2) The aggregate of loans made to any one borrower under the provisions of Parts I and II of this Act shall not exceed, in those provinces of Canada where chattel security may be taken by the Board, two-thirds of the appraised value of the land and buildings in respect of which security is taken, and in any province where chattel security may not be taken sixty per cent of the said value and shall not exceed at any one time the sum of six thousand dollars. The amount advanced under this section shall not exceed one-half the amount advanced on the security of the first mortgage.

(3) Loans made under this Part of this Act shall be used for the following and no other purposes—

(a) to enable the debtor to pay existing liabilities;

(b) to purchase live stock, tools, machinery, implements and equipment necessary for the proper operation of the farm mortgaged;

(c) to erect farm buildings or to clear, drain, fence or make any other permanent improvement tending to increase the productive value of the land;

(d) for such other purposes relating to the development and operation of the farm as the Board approves."

The new subsections relate to short term loans secured by second mortgage and provide that they may be made for the same purpose as first mortgage loans and up to one-third of the amount of a first mortgage loan.

11. Section twenty of the said Act, as renumbered by section nineteen and amended by section twenty-one of chapter sixteen of the statutes of 1935, is repealed and the following substituted therefor:

Aggregate of loans under Parts I and II.

"**20.** The aggregate of loans outstanding made under Parts I and II to any one person, alone or jointly with others, shall not exceed

(a) where chattel security is taken, seventy per cent of the value as appraised by the Board, of the lands and buildings in respect of which security is taken, and

(b) where chattel security is not taken, sixty-five per cent of the value as appraised by the Board, of the land and buildings in respect of which security is taken,

but shall not in any case exceed twelve thousand dollars."

11. The present section 20 is as follows:

"**20.** (1) In addition the Board may, subject to the conditions hereinafter provided, lend to a mortgagee on the security of the assignment or hypothecation of a first mortgage on farm lands situate in any province in which the Board is empowered to make loans under this Act.

(2) Whenever a proposal for a composition, extension or scheme of arrangement made under *The Farmers' Creditors Arrangement Act, 1934*, has been duly approved, the mortgagee shall be eligible for a loan which shall be disbursed to the farmer for such purposes in connection with the proper operation of the farm lands covered by the first mortgage and in such instalments as may be agreed to by the Board.

(3) No loan made hereunder shall be for an amount exceeding one-quarter of the principal amount owing on account of the mortgage assigned or hypothecated.

(4) Each loan shall bear interest at the rate charged by the Board on loans made under Part I of this Act and shall be for a period not exceeding one year, but in any event shall be repayable with interest out of the first moneys received by the mortgagee or the Board on account of the mortgage assigned or hypothecated.

(5) The Board may on the application of the mortgagee extend the time for the repayment of the loan for a further period not exceeding one year.

(6) No loan shall be made to a mortgagee unless the mortgagee agrees that the rate of interest payable by the mortgagor to the mortgagee on advances made out of the proceeds of such loan shall not be in excess of the rate of interest payable on the mortgage assigned or hypothecated, and shall in no case be more than one per cent in excess of the rate charged the mortgagee by the Board.

(7) In the event of the proceeds of any loan not being expended as provided by this section, such loan shall at the option of the Board become forthwith payable in full.

(8) The provisions of subsection two of section five of Part I of this Act shall not apply with respect to loans made under this section.

(9) The Governor in Council may make advances to the Board out of any unappropriated moneys in the Consolidated Revenue Fund for the purposes of this section.

(10) In this section unless the context otherwise requires or implies, the expression,

(a) 'first mortgage' and 'mortgage' includes an agreement for sale securing the purchase price of farm lands to which the mortgagee has title;

(b) 'mortgagee' means any loan, trust or insurance company incorporated under Dominion or provincial laws and such other corporations or persons or classes of corporations or persons as may be designated by the Governor in Council."

No loans were made under the section. The new section twenty provides for aggregate maximum loans secured by first and second mortgages up to $12,000 and up to 70 per cent of valuation where chattel security is taken or 65 per cent where it is not taken.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 276.

An Act to amend The Tariff Board Act.

First reading, May 26, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58031

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 276.

An Act to amend The Tariff Board Act.

1931, c. 55; 1932-33, c. 51; 1940, c. 42; 1947-48, c. 70; 1950, c. 52.

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

1. Subsection four of section four of *The Tariff Board Act*, chapter fifty-five of the statutes of 1931, is repealed.

2. Section eight of the said Act, as enacted by section three of chapter seventy of the statutes of 1947-48, is repealed and the following substituted therefor:

Salaries of Board members.

"**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."

Explanatory Notes.

1. This subsection at present provides as follows:

"(4) The Governor in Council may empower the Board to make any investigation or hold any inquiry authorized by the provisions of the *Combines Investigation Act*, or of a relative nature, and for these purposes the Board shall have all the powers, authority and jurisdiction vested in the Registrar or in a commissioner appointed under that Act to hold investigations."

Such matters will no longer be referred to The Tariff Board.

2. Section eight at present provides as follows:

"**8.** (1) The Chairman of the Board shall be paid an annual salary of fifteen thousand dollars and the other two members shall each be paid an annual salary of ten thousand dollars.

(2) The Secretary shall be paid an annual salary of six thousand dollars."

The office of Secretary is now a classified position under the *Civil Service Act.*

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 279, see Senate Bills, Y8.)

BILL 277.

An Act to amend The Canada Elections Act.

First reading, May 26, 1952.

The Secretary of State.

EDMOND CLOUTIER. C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58324

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 277.

An Act to amend The Canada Elections Act.

1938, c. 46; 1947-48, c. 46; 1950, c. 35; 1951, (1st Sess.), c. 48; 1951 (2nd Sess.), c. 3.

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

1. Subsection one of section four of *The Canada Elections Act*, chapter forty-six of the statutes of 1938, as enacted by section two of chapter forty-six of the statutes of 1947-48, 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 not less than eight nor more than twelve thousand dollars per annum to be fixed by order of the Governor in Council. He shall be eligible as a contributor under and entitled to all the benefits of the *Civil 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."

R.S., c. 24.

Explanatory Notes.

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

"**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 not less than eight nor more than *ten* thousand dollars per annum to be fixed by Order of the Governor in Council. He shall be eligible as a contributor under and entitled to all the benefits of the *Civil 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."

288.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 288.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

AS PASSED BY THE HOUSE OF COMMONS
29th MAY, 1952.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58387

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 288.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

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 thirty-first day of March, one thousand nine hundred and fifty-three, 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, 1952.*

$263,348,439.58 granted for 1952-53.

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 sixty-three million, three hundred and forty-eight thousand, four hundred and thirty-nine dollars and fifty-eight cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, 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 thirty-first day of March, one thousand nine hundred and fifty-three, as laid before the House of Commons at the present session of Parliament.

$960,833.33 granted for 1952-53.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole nine hundred and sixty thousand, eight hundred and thirty-three dollars and thirty-three cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being one-sixth of the amount of each of the items to be voted set forth in Schedule A to this Act.

$2,069,454.41 granted for 1952-53.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole two million, sixty-nine thousand, four hundred and fifty-four dollars and forty-one cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted set forth in Schedule B to this Act.

Account to be rendered. 1951 (2nd Sess.), c. 12

5. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section sixty-four of *The Financial Administration Act.*

SCHEDULE A

Based on the Main Estimates, 1952-53. The amount hereby granted is $960,833.33, being one-sixth of 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, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	TERMINABLE SERVICES		
37	Freight Assistance on Western Feed Grains	5,750,000	
	JUSTICE		
179	Payments of gratuities to the widows or other dependents of judges who die while in office	15,000	
			*5,765,000

* Net Total $960,833.33.

SCHEDULE B

Based on the Main Estimates, 1952-53. The amount hereby granted is $2,069,454.41, 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, 1953, 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—		
21	Operation and Maintenance	5,384,946	
	PRODUCTION SERVICE		
	Health of Animals—		
24	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act	4,889,025	
	TERMINABLE SERVICES		
39	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs	6,224,590	
	MINES AND TECHNICAL SURVEYS		
	GEOLOGICAL SURVEY OF CANADA		
	Geological Surveys—		
229	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, and an amount of $2,200 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England	2,202,873	
	SURVEYS AND MAPPING BRANCH		
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
232	Administration, Operation and Maintenance	1,517,395	
	Canadian Hydrographic Service—		
234	Administration, Operation and Maintenance, including Canada's Annual Contribution of $5,750 to the International Hydrographic Bureau	2,083,822	
236	Geodetic Survey of Canada—Administration, Operation and Maintenance	686,473	
237	International Boundary Commission—Administration, Operation and Maintenance	61,292	
238	Legal Surveys and Aeronautical Charts—Administration, Operation and Maintenance, including a grant of $350 to the Canadian Institute of Surveying and Photogrammetry and the expenses of the Board of Examiners for Dominion Land Surveyors and payment of fees of B. W. Waugh, J. E. Lilly and J. E. R. Ross, members of the Board, and A. W. Cole, Secretary of the Board	630,195	

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	GEOGRAPHICAL BRANCH		
241	Geographical Branch—Administration, Operation and Maintenance	233,218	
	DOMINION OBSERVATORIES		
242	Dominion Observatory, Ottawa and Field Stations—Administration, Operation and Maintenance, including membership fee of $500 to the International Astronomical Union	381,244	
	TRADE AND COMMERCE		
	EXHIBITIONS		
448	Canadian International Trade Fair, 1952, including authority to refund, from revenue, deposits received for contracts for space	538,380	
			*24,833,453

* Net total $2,069,454.41.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 289.

An Act to amend The Canada-France Income Tax Convention Act, 1951.

First reading, May 30, 1952.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58523

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 289.

An Act to amend The Canada-France Income Tax Convention Act, 1951.

1951 (1st Sess.), c. 40.

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

Codicil approved.

1. The Codicil entered into between Canada and France, set out in the Schedule to this Act, is approved and declared to have the force of law in Canada, and is deemed to be included in and to form part of the Convention set out in the Schedule to *The Canada-France Income Tax Convention Act, 1951*.

1951 (1st Sess.), c. 40.

Coming into force.

2. This Act shall come into force on the day upon which *The Canada-France Income Tax Convention Act, 1951*, comes into force and shall continue in force while *The Canada-France Income Tax Convention Act, 1951*, continues in force, and no longer.

1951 (1st Sess.), c. 40.

SCHEDULE

CODICIL TO THE AGREEMENT

signed on March 16th, 1951

between France and Canada for
the avoidance of double taxation and the
prevention of fiscal evasion with respect
to income taxes

The Government of the French Republic and the Government of Canada, desiring to complete the Agreement signed on March 14th, 1951 for the avoidance of double taxation and the prevention of fiscal evasion, with respect to income taxes, have agreed as follows:

Article I.

Paragraph 6 of Article II of the Agreement of March 14th, 1951 is to be completed with a new sub-paragraph (iii) which reads as follows:

"(iii)—When a company of one of the States derives profits, in accordance with contracts settled in said State, from the sale of goods or merchandise kept in storage within the territory of the other State for the convenience of delivery and not for publicity purposes, such profits are not considered as resulting from a permanent establishment of the company located in the other State, notwithstanding the fact that offers of purchase have been collected by an agent who has transmitted them to the company for final acceptation".

Former sub-paragraph (iii) of above-mentioned paragraph 6 becomes sub-paragraph (iv).

Article II.

Both the French and English texts of the present codicil are equally valid.

It shall be part and parcel of the Agreement and shall come and stay in force under the provisions of Articles XXII paragraphs II and XXIII of said Agreement.

DONE at Ottawa, in duplicate, on October 6th, one thousand nine hundred and fifty-one.

For the Government of the French Republic:

HUBERT GUERIN.

For the Government of Canada:

L. B. PEARSON.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 305.

An Act respecting Immigration.

First reading, June 2, 1952.

THE MINISTER OF CITIZENSHIP AND IMMIGRATION.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58493

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 305.

An Act respecting Immigration

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 Immigration Act.*

Interpretation.

Definitions.

2. In this Act

"admission."

(a) "admission" includes entry into Canada, landing in Canada, and the return to Canada of a person who has been previously landed in Canada and has not acquired Canadian domicile;

"Canadian citizen".

(b) "Canadian citizen" means a person who is a Canadian citizen within the meaning of *The Canadian Citizenship Act;*

"Canadian domicile".

(c) "Canadian domicile" means Canadian domicile acquired and held in accordance with section four;

"deportation".

(d) "deportation" means the removal under this Act of a person from any place in Canada to the place whence he came to Canada or to the country of his nationality or citizenship or to the country of his birth, as the case may be;

"Director".

(e) "Director" means the Director of the Immigration Branch of the Department of Citizenship and Immigration or a person authorized by the Minister to act for the Director;

"entry".

(f) "entry" means the lawful admission of a non-immigrant to Canada for a special or temporary purpose and for a limited time;

Explanatory Notes and Cross References to the Immigration Act.

The purposes of this Bill are:—
To amend, consolidate and clarify *The Immigration Act.*

New.

Section 2*(b)*.

Section 2 *(bb)*.

Section 2*(c)*.

Section 2 *(dd)*.

New.

"family". (*g*) "family" includes the father and mother and any children who, by reason of age or disability, are, in the opinion of an immigration officer, mainly dependent upon the head of family for support;

"head of family". (*h*) "head of family" means the person in the family upon whom the other members are mainly dependent for support;

"immigrant". (*i*) "immigrant" means a person who seeks admission to Canada for permanent residence;

"immigrant station". (*j*) "immigrant station" means any place designated by the Minister for the examination, treatment or detention of persons for any purpose under this Act, and includes immigration quarters at ports of entry;

"Immigration Appeal Board". (*k*) "Immigration Appeal Board" means a board constituted under this Act to consider and decide appeals from deportation orders;

"immigration officer". (*l*) "immigration officer" means a person described in subsection one of section ten;

"immigration officer in charge". (*m*) "immigration officer in charge" means the immigration officer in immediate charge or control at a port of entry;

"landing". (*n*) "landing" means the lawful admission of an immigrant to Canada for permanent residence;

"master". (*o*) "master" means the person in immediate charge or control of a vehicle;

"medical officer". (*p*) "medical officer" means a person authorized or recognized by the Minister as a medical officer for the purposes of this Act;

"member of a crew". (*q*) "member of a crew" means any person, including a master, who is employed on board or belongs to the staff or crew of a vehicle;

"Minister". (*r*) "Minister" means the Minister of Citizenship and Immigration;

"non-immigrant". (*s*) "non-immigrant" means a person who is a member of any of the classes designated in subsections one and two of section seven;

"owner". (*t*) "owner" includes the agent of the owner of a vehicle or the charterer or consignee of a vehicle;

"permit". (*u*) "permit" means a valid and subsisting permit issued under section eight;

"place of domicile". (*v*) "place of domicile" means the place in which a person has his home or in which he resides or to which he returns as his place of permanent abode and does not mean a place in which he stays for a mere special or temporary purpose;

"port of entry". (*w*) "port of entry" means any place in Canada designated as such by the Minister for the examination of persons under this Act;

"prohibited class". (*x*) "prohibited class" means any of the classes of persons designated in section five;

Section 2 *(f)*.

Section 2 *(g)*.

Section 2 *(h)*.

Section 2 *(i)*.

New.

Section 2 *(o)*.

Section 2 *(k)*.

Section 2 *(l)*.

Section 2 *(m)*.

New.

New.

Section 2 *(n)*.

New.

Section 2 *(p)*.

New.

Section 2 *(l)*.

Section 2 *(r)*.

New.

"ship". *(y)* "ship" includes every boat and craft of any kind for travel or transport other than by land or air;

"Special Inquiry Officer". *(z)* "Special Inquiry Officer" means a person described in subsection one of section eleven;

"transportation company". *(aa)* "transportation company" means a corporate body, firm or person carrying or providing for the transit of persons, whether by vehicle or otherwise, and the Government of Canada or the government of any province or municipality of Canada so carrying or providing for the transport of persons, and any two or more transportation companies co-operating in the business of carrying persons; and

"vehicle". *(bb)* "vehicle" means any ship, railway train, bus, automobile, aircraft or other means of travel by sea, land or air.

PART I

Admission to Canada

Canadian Citizens and Persons with Canadian Domicile.

Canadian citizens. **3.** (1) A Canadian citizen has the right to come into Canada.

Persons with Canadian domicile. (2) Subject to subsection three, a person who is not a Canadian citizen but has acquired and has not lost Canadian domicile shall be allowed to come into Canada.

Persons who assist Canada's enemies. (3) Any person, other than a Canadian citizen, who

(a) within or without Canada, performed any military service for or otherwise aided or abetted a country then at war with Canada;

(b) within or without Canada, performed for or rendered to a country other than Canada any military service or other aid or assistance that is prejudicial to any action taken by Canada under the United Nations Charter, the North Atlantic Treaty or other similar instrument for collective defence that may be entered into by Canada; or

(c) left Canada for any of the purposes described in paragraphs *(a)* and *(b)*;

shall not be allowed to come into Canada unless authorized by the Minister to do so.

Canadian Domicile

Acquisition. **4.** (1) Canadian domicile is acquired for the purposes of this Act by a person having his place of domicile for at least five years in Canada after having been landed in Canada.

Certain periods do not count. (2) No period shall be counted towards the acquisition of Canadian domicile during which a person

Section 2 *(t)*.

New.

Section 2 *(v)*.

New.

New; see sections 3 (1) and (3), 18 and 43 (1).

Section 2A.

(a) is confined in or is an inmate of any penitentiary, gaol, reformatory or prison or any asylum or hospital for mental diseases;

(b) resides in Canada after the making of a deportation order against him and prior to the execution of such order or his voluntarily leaving Canada, unless an appeal against such order is allowed; or

(c) resides in Canada under a permit.

Loss through residence outside of Canada.

(3) Canadian domicile is lost by a person voluntarily residing out of Canada with the intention of making his permanent home out of Canada and not for a mere special or temporary purpose, but in no case shall residence out of Canada for any of the following objects cause loss of Canadian domicile, namely,

Exceptions.

(a) as a representative or employee of a firm, business, company or organization, religious or otherwise, established in Canada;

(b) in the public service of Canada or of a province thereof; or

(c) as the spouse or the child for the purpose of being with a spouse or parent residing out of Canada for any of the objects or causes specified in paragraph *(a)* or *(b)*.

Loss where activities detrimental to security of Canada.

(4) A person concerning whom a report is made under paragraph *(a)*, *(b)* or *(c)* of subsection one of section nineteen and who is found upon an inquiry under this Act to have engaged in or been convicted of any of the activities described in such paragraph shall be deemed to have lost, at the time of engaging in or conviction for such activity, any Canadian domicile he had acquired prior to that time, unless an appeal against his deportation order is allowed.

Loss where conviction for narcotics offences.

(5) A person concerning whom a report is made under paragraph *(d)* of subsection one of section nineteen and who is found upon an inquiry under this Act to have been convicted of an offence referred to in such paragraph shall be deemed to have lost, at the time of such conviction, any Canadian domicile he had acquired prior to that time.

Loss upon ceasing to be a Canadian citizen.

(6) A person who has acquired the status of a Canadian citizen, other than a natural-born Canadian citizen, and ceases to be a Canadian citizen under section fifteen, section seventeen or paragraph *(a)*, *(d)*, *(e)* or *(f)* of subsection one of section nineteen of *The Canadian Citizenship Act* shall be deemed to have lost Canadian domicile at the time he ceased to be a Canadian citizen.

Loss of periods counting towards Canadian domicile.

(7) Any period during which a person has his place of domicile in Canada that is less than the period required for the acquisition of Canadian domicile and that might otherwise be counted by a person towards the acquisition of Canadian domicile is lost upon the making of a deportation order against him, unless an appeal against such order is allowed.

Section 2A *(d)*.

Section 2A *(e)*.

Section 2A *(e)*.

Section 2A *(b)*.

Section 2A *(c)*.

Section 2A *(c)*.

Section 2A *(c)*.

Section 2A *(f)*.

New.

New.

New.

Prohibited Classes.

Prohibited classes.

5. No person, other than a person referred to in subsection two of section seven, shall be admitted to Canada if he is a member of any of the following classes of persons:

Mentally defective persons, etc.

(a) persons who

(i) are idiots, imbeciles or morons,

(ii) are insane or, if immigrants, have been insane at any time,

(iii) have constitutional psychopathic personalities, or

(iv) if immigrants, are afflicted with epilepsy;

Diseased persons.

(b) persons afflicted with tuberculosis in any form, trachoma or any contagious or infectious disease or with any disease that may become dangerous to the public health, but, if such disease is one that is curable within a reasonably short time, the afflicted persons may be allowed, subject to any regulations that may be made in that behalf, to come into Canada for treatment;

Physically defective persons.

(c) immigrants who are dumb, blind or otherwise physically defective, unless

(i) they have sufficient means of support or such profession, trade, occupation, employment or other legitimate mode of earning a living that they are not likely to become public charges, or

(ii) they are members of a family accompanying them or already in Canada and the family gives satisfactory security against such immigrants becoming public charges;

Criminals.

(d) persons who have been convicted of or admit having committed any crime involving moral turpitude, except persons whose admission to Canada is authorized by the Governor in Council upon evidence satisfactory to him that

(i) at least five years, in the case of a person who was convicted of such crime when he was twenty-one or more years of age, or at least two years, in the case of a person who was convicted of such crime when he was under twenty-one years of age, have elapsed since the termination of his period of imprisonment or completion of sentence and, in either case, he has successfully rehabilitated himself, or

(ii) in the case of a person who admits to having committed such crime of which he was not convicted, at least five years, in the case of a person who committed such crime when he was twenty-one or more years of age, or at least two years, in the case of a person who committed such crime when he was under twenty-one years of age, have elapsed since the date of commission of the crime and, in either case, he has successfully rehabilitated himself;

Section 3.

Section 3 (1) *(a)*.
Section 3 (1) *(a)*.

Amended, section 3 (1) *(k)*.

Section 3 (1) *(a)*.
Amended, section 3 (1) *(b)*.

Amended, section 3 (1) *(c)*.

Amended, section 3 (1) *(d)*.
This will permit admission of persons who during minority or early adult years have committed a crime involving moral turpitude and who have successfully rehabilitated themselves.

New.

New.

Amended, section 3 (1) *(e)*.

Prostitutes, etc.

(e) prostitutes, homosexuals or persons living on the avails of prostitution or homosexualism, pimps, or persons coming to Canada for these or any other immoral purposes;

Procurers.

(f) persons who attempt to bring into Canada or procure prostitutes or other persons for the purpose of prostitution, homosexualism or other immoral purposes;

Beggars and vagrants.

(g) professional beggars or vagrants;

Public charges.

(h) persons who are public charges or who, in the opinion of a Special Inquiry Officer, are likely to become public charges;

Alcoholics.

(i) persons who are chronic alcoholics;

Drug addicts.

(j) persons who are addicted to the use of any substance that is a drug within the meaning of *The Opium and Narcotic Drug Act, 1929;*

Drug pedlars.

(k) persons who are engaged or are suspected on reasonable grounds of being likely to engage in any unlawful giving, using, inducing other persons to use, distributing, selling, offering or exposing for sale, buying, trading or trafficking in any substance that is a drug within the meaning of *The Opium and Narcotic Drug Act, 1929*, or persons who at any time have been so engaged unless, in the latter case, at least five years have elapsed since they were so engaged and they are not, in the opinion of the Minister, likely to unlawfully use or deal in any way in such substances or cause other persons to do so;

Members of subversive organizations.

(l) persons who are or have been, at any time before or after the commencement of this Act, members of or associated with any organization, group or body of any kind concerning which there are reasonable grounds for believing that it promotes or advocates or at the time of such membership or association promoted or advocated subversion by force or other means of democratic government, institutions or processes, as they are understood in Canada, except persons who satisfy the Minister that they have ceased to be members of or associated with such organizations, groups or bodies and whose admission would not be detrimental to the security of Canada;

Persons who engage in or advocate subversion of democratic processes, etc.

(m) persons who have engaged in or advocated or concerning whom there are reasonable grounds for believing they are likely to engage in or advocate subversion by force or other means of democratic government, institutions or processes, as they are understood in Canada;

Spies, saboteurs, etc.

(n) persons concerning whom there are reasonable grounds for believing they are likely to engage in espionage, sabotage or any other subversive activity directed against Canada or detrimental to the security of Canada;

Amended, section 3 (1) *(f)*.

Amended, section 3 (1) *(g)*.
Amended, section 3 (1) *(j)*.

Amended, section 3 (1) *(l)*.
New.

New.

Amended, section 3 (1) *(n)*.

Amended, section 3 (1) *(o)*.

Amended, section 3 (1) *(q)*.

Members of family of non-admissible persons.

(o) other members of a family accompanying a member of that family who is not admissible to Canada, unless, in the opinion of a Special Inquiry Officer, no hardship would be involved by the separation of the family;

Persons not bona fide immigrants or non-immigrants.

(p) persons who are not, in the opinion of a Special Inquiry Officer, bona fide immigrants or non-immigrants;

Espionage.

(q) persons who have been found guilty of espionage with respect to Her Majesty or any of Her Majesty's allies;

Conspirators;

(r) persons who have been found guilty of high treason or treason against or of conspiring against Her Majesty or of assisting Her Majesty's enemies in time of war, or of any similar offence against any of Her Majesty's allies;

Persons medically certified as impaired.

(s) persons, not included in any other prohibited class, who are certified by a medical officer as being mentally or physically abnormal to such a degree as to impair seriously their ability to earn a living; and

Persons who cannot comply with Act.

(t) persons who cannot or do not fulfill or comply with any of the conditions or requirements of this Act or the regulations or any orders lawfully made or given under this Act or the regulations.

General Presumption

General presumption.

6. Every person seeking to come into Canada shall be presumed to be an immigrant until he satisfies the immigration officer examining him that he is not an immigrant.

Non-Immigrants

Persons who may enter Canada as non-immigrants.

7. (1) The following persons may be allowed to enter and remain in Canada as non-immigrants, namely,

Diplomats.

(a) persons who are diplomatic or consular officers or representatives or officials duly accredited of a country other than Canada or of the United Nations or any of its agencies or of any intergovernmental organization in which Canada participates, coming to Canada to carry out their official duties or passing through in transit, or members of the suites or families of such persons;

Members of allied forces.

(b) members of any naval, army or air forces who come to Canada for training or otherwise in connection with the defence and security interests of Canada, or under the provision of any treaty or agreement between Canada and another country, and whose entry into Canada is approved by the Minister, together with such members of their families or suites as may be so approved;

Tourists or visitors.

(c) tourists or visitors;

Persons in transit.

(d) persons passing through Canada to another country;

Amended, section 3 (1) *(u)*.

New.

New, Amended, section 3 (1) *(m)*.

Amended, section 3 (1) *(i)*.

New.

See section 2 *(h)*.

Clergymen, priests, etc.

(e) clergymen, priests or members of a religious order entering Canada or who, having entered, are in Canada, in connection with the carrying out of their religious duties;

Students.

(f) students entering Canada for the purpose of attending and, after entering Canada, while they are in actual attendance at any university or college authorized by statute or charter to confer degrees or entering Canada for and, after entering Canada, while they are actually taking some other academic, professional or vocational training approved by the Minister for the purposes of this paragraph;

Entertainers.

(g) members of dramatic, artistic, athletic or other groups entering Canada or who, having entered, are in Canada, for the purpose of giving performances or exhibitions of an entertaining or instructive nature;

Temporary professional services.

(h) persons engaged in a legitimate profession, trade or occupation entering Canada or who, having entered, are in Canada, for the temporary exercise of their respective callings;

Seasonal workers.

(i) persons entering Canada or who, having entered, are in Canada, for seasonal or other temporary employment, unless otherwise directed by the Minister; and

Members of crews.

(j) members of crews entering Canada or who, having entered, are in Canada, for shore leave or some other legitimate and temporary purpose.

Other classes of non-immigrants.

(2) In addition to the persons described in subsection one, the following persons may be allowed to enter and remain in Canada as non-immigrants:

Persons entering Canada for treatment.

(a) persons authorized by the Minister to enter Canada for treatment and care at any health resort, hospital, sanitarium, asylum or other place or institution for their cure and care and, after entering Canada, while they are actually under such treatment and care;

Under guard.

(b) persons passing in transit through Canada under escort or guard; and

Permit holders.

(c) holders of a permit.

Where person ceases to be a non-immigrant.

(3) Where any person who entered Canada as a non-immigrant ceases to be a non-immigrant or to be in the particular class in which he was admitted as a non-immigrant and, in either case, remains in Canada, he shall forthwith report such facts to the nearest immigration officer and present himself for examination at such place and time as he may be directed and shall, for the purposes of the examination and all other purposes under this Act, be deemed to be a person seeking admission to Canada.

Declaration by Minister.

(4) The Minister may at any time declare that a person who was admitted to Canada as a non-immigrant has ceased to be a non-immigrant and such person shall thereupon cease to be a non-immigrant.

New.

New. See section 53 (2)

Sections 35, 36 and 53 (3).

Section 33 (10).

New.

Minister may order deportation.

(5) The Minister may make a deportation order against a person referred to in subsection four and such person has no right of appeal from the deportation order and shall be deported as soon as practicable.

Entry under Permit

Issue of permits.

8. (1) The Minister may issue a written permit authorizing any person to enter Canada or, being in Canada, to remain therein.

For limited period and effect.

(2) A permit shall be expressed to be in force for a specified period only, and during the time that it is in force a permit stays the execution of any deportation order that may have been made against the person concerned.

Extension and cancellation.

(3) The Minister may at any time, in writing, extend or cancel a permit.

Deportation following termination of a permit.

(4) The Minister may, upon the cancellation or expiration of a permit, make a deportation order respecting the person concerned and such person has no right of appeal from the deportation order and shall be deported as soon as practicable.

Annual report to Parliament.

(5) The Minister shall submit to Parliament within thirty days of the commencement of the first session of Parliament in each year a report showing all permits, with particulars thereof, issued during the preceding calendar year.

Special landing of certain persons.

9. The Minister may, notwithstanding any provision of this Act, authorize the landing as an immigrant of any person who

(a) has, by virtue of a permit granted under the immigration laws that were in force in Canada before the commencement of this Act, been permitted to enter or remain in Canada;

(b) has, since the issue of such permit, resided in Canada for at least ten years; and

(c) will not, in his opinion, become a public charge or dangerous to the public health and, in his opinion, is not a person whose landing is contrary to the public interest.

PART II

Administration

Immigration Officers

Immigration officers.

10. (1) The following persons are immigration officers for the purposes of this Act:

(a) persons appointed as immigration officers in the manner authorized by law;

New.

Amended, section 4.

New.

This is to enable admission of persons who have resided in Canada for many years under permit and who are residing with their families without permanent status.

Sections 2 *(o)* and 5.

(b) where no immigration officer is available for duty at a port of entry, the chief customs officer at that port or any subordinate customs officer designated by him; and

(c) where any circumstances arise in which the Minister deems it necessary for the proper carrying out of this Act, persons or classes of persons recognized by the Minister as immigration officers.

Authority of special constable.

(2) Every immigration officer has the authority and powers of a peace officer to enforce any provision of this Act, the regulations or any order lawfully made under this Act or the regulations respecting the arrest, detention or deportation of any person.

Temporary assistants.

(3) For the purposes of subsection two, every immigration officer may, in cases of emergency, employ such temporary assistants as he deems necessary to enable him to carry out his duties under this Act and the regulations and such temporary assistants shall, during their employment, have the authority and powers referred to in subsection two, but no such employment shall continue for a period exceeding forty-eight hours unless approved by the Minister.

Oaths and evidence.

(4) Every immigration officer has authority to administer oaths and take evidence under oath or by affirmation in any matter arising under this Act.

Special Inquiry Officers

Special Inquiry Officers.

11. (1) Immigration officers in charge are Special Inquiry Officers and the Minister may nominate such other immigration officers as he deems necessary to act as Special Inquiry Officers.

Powers of inquiry.

(2) A Special Inquiry Officer has authority to inquire into and determine whether any person shall be allowed to come into Canada or to remain in Canada or shall be deported.

Power to examine witnesses, etc.

(3) A Special Inquiry Officer has all the powers and authority of a commissioner appointed under Part I of the Inquiries Act and, without restricting the generality of the foregoing, may, for the purposes of an inquiry,

(a) issue a summons to any person requiring him to appear at the time and place mentioned therein, to testify to all matters within his knowledge relative to the subject matter of the inquiry, and to bring with him and produce any document, book or paper that he has in his possession or under his control relative to the subject matter of the inquiry;

(b) administer oaths and examine any person upon oath, affirmation or otherwise;

Sections 2 *(o)*, 5 and 8.

Sections 2 *(o)* 5 and 9.

Section 10 (1).

Section 7.

Section 10 (2).

New. See sections 13 and 22 (1) and (2).

This makes provision for the substitution of a special inquiry officer for a three-man Board of Inquiry which is now required. It is anticipated that this will result in increased efficiency and economy of staff.

Sections 14 and 22 (2).

New.

See section 15 (2).

(c) issue commissions or requests to take evidence;
(d) engage the services of such counsel, technicians, clerks, stenographers or other persons as he may deem necessary for a full and proper inquiry; and
(e) do all other things necessary to provide a full and proper inquiry.

Immigration Appeal Boards

Nomination.

12. (1) The Minister may nominate such persons as he deems necessary to serve on Immigration Appeal Boards.

Number of members.

(2) An Immigration Appeal Board shall be composed of at least three persons.

Exception.

(3) The Special Inquiry Officer who made the deportation order appealed from shall not serve on the Immigration Appeal Board constituted to hear an appeal against such deportation order.

Duties and Rights of Peace Officers

Duties of police to execute orders.

13. Every constable and other peace officer in Canada, whether appointed under the laws of Canada or of any province or municipality thereof, and every person in immediate charge or control of an immigrant station shall, when so directed by the Minister, Deputy Minister, Director, a Special Inquiry Officer or an immigration officer, receive and execute, according to the tenor thereof, any written warrant or order made under the authority of this Act or the regulations for the arrest, detention or deportation of any person.

Right of local police to enter immigrant station.

14. For the preservation of the peace and in order that arrests may be made for offences against the laws of Canada or of any province or municipality thereof in which the various immigrant stations are located, the persons in immediate charge or control of such immigrant stations shall admit therein any constables or other peace officers charged with the enforcement of such laws, and, for the purposes of this section, the authority of such constables or other peace officers and the jurisdiction of the local court extends over such immigrant stations.

Arrest and Detention

Warrant for arrest.

15. (1) The Minister may issue a warrant for the arrest of any person respecting whom an examination or inquiry is to be held or a deportation order has been made under this Act.

Order for detention.

(2) The Minister, Deputy Minister, Director or a Special Inquiry Officer may make an order for the detention of or direct the detention of any such person.

New.

At present the Minister is required to decide on every appeal under the *Immigration Act*. It is anticipated this proposed new procedure will result in more expeditious handling of appeals.

Section 11.

Section 12.

New. See section 42 (1).

Where person is in prison.

(3) Where the person concerned is an inmate of a penitentiary, gaol, reformatory or prison, the Minister shall, unless he approves of the issue of a warrant or order under subsection one or two, issue an order to the warden, governor or other person in charge thereof commanding him, at the expiration of the sentence or term of imprisonment awarded to such person or at the expiration of his sentence or term of imprisonment as reduced by the operation of a statute or other law or by a valid act of clemency, to detain such person and deliver him to an immigration officer to take into custody and cause him to be detained as the warrant may direct.

Form and effect of warrants and orders.

(4) A warrant or order made or a direction given under this section is, notwithstanding any other Act or law, sufficient authority to the person to whom it is addressed or who may, under this Act, receive and execute it to arrest and take into custody or cause the detention of the person concerned, as the case may be.

Arrest without warrant in certain cases.

16. Every constable and other peace officer in Canada, whether appointed under the laws of Canada or of any province or municipality thereof, and every immigration officer may, without the issue of a warrant, order or direction for arrest or detention, arrest and detain for an inquiry or for deportation or both any person who upon reasonable grounds is suspected of being a person referred to in subparagraph (vii), (viii), (ix) or (x) of paragraph *(e)* of subsection one of section nineteen.

Detention.

17. Any person respecting whom an inquiry is to be held or a deportation order has been made may be detained pending inquiry, appeal or deportation at an immigrant station or other place satisfactory to the Minister.

Conditional release.

18. (1) Subject to any order or direction to the contrary by the Minister, a person taken into custody or detained may be released under such conditions, respecting the time and place at which he will report for examination, inquiry or deportation, payment of a security deposit or other conditions, as may be satisfactory to a Special Inquiry Officer.

Failure to comply.

(2) Where a person fails to comply with any of the conditions under which he is released from custody or detention, he may be retaken into custody forthwith and any security deposit that may have been made as a condition of his release shall be deemed to be forfeited and shall form part of the Consolidated Revenue Fund.

Section 43 (1).

See section 43 (2).

See sections 25, 33 (7) and 42 (5).

See sections 21, 33 (4) and 42 (1).

Sections 21, 33 (4) and (11) and 43 (3).

Section 33 (12).

Reports in Certain Cases

Reports on persons in Canada.

19. (1) Where he has knowledge thereof, the clerk or secretary of a municipality in Canada in which a person hereinafter described resides or may be, an immigration officer or a constable or other peace officer shall send a written report to the Director, with full particulars, concerning

Persons who are members of subversive organizations, etc.

(a) any person, other than a Canadian citizen, who engages in, advocates or is a member of or associated with any organization, group or body of any kind that engages in or advocates subversion by force or other means of democratic government, institutions or processes, as they are understood in Canada;

Persons convicted of offences involving disloyalty.

(b) any person, other than a Canadian citizen, who, if in Canada, has, by a court of competent jurisdiction, been convicted of any offence involving disaffection or disloyalty to Her Majesty;

Spies, saboteurs, etc.

(c) any person, other than a Canadian citizen, who, if out of Canada, engages in espionage, sabotage or any activity detrimental to the security of Canada;

Persons convicted of narcotics offences.

(d) any person, other than a Canadian citizen, who is convicted of an offence for the violation of paragraph *(a)*, *(d)*, *(e)* or *(f)* of subsection one of section four of *The Opium and Narcotic Drug Act, 1929;* or

Other cases.

(e) any person, other than a Canadian citizen or a person with Canadian domicile, who

(i) practices, assists in the practice of or shares in the avails of prostitution or homosexualism,

(ii) has been convicted of an offence under the *Criminal Code*,

(iii) has become an inmate of a penitentiary, gaol, reformatory or prison or of an asylum or hospital for mental diseases,

(iv) was a member of a prohibited class at the time of his admission to Canada,

(v) has, since his admission to Canada, become a person who, if he were applying for admission to Canada, would be refused admission by reason of his being a member of a prohibited class other than the prohibited classes described in paragraphs *(a)*, *(b)* and *(q)* of section five,

Sections 40 and 41.

New.

Briefly, section 26 of *The Opium and Narcotic Drug Act* provides that any alien whether domiciled in Canada or not who at any time after his entry into Canada is convicted of an offence under paragraphs *(a)*, *(d)*, *(e)* or *(f)* of section 4 of this Act, shall, upon the expiration or sooner determination of the imprisonment imposed on such conviction be kept in custody and deported in accordance with the provisions of *Immigration Act* relating to inquiry, detention and deportation.

Since causes for deportation should be a part of *The Immigration Act*, it is proposed that this provision be removed from the *Opium and Narcotic Drug Act* and re-enacted in *The Immigration Act*.

Section 72 of this Bill provides for the repeal of section 26 of the *Opium and Narcotic Drug Act*.

(vi) entered Canada as a non-immigrant and remains therein after ceasing to be a non-immigrant or to be in the particular class in which he was admitted as a non-immigrant,

(vii) came into Canada at any place other than a port of entry or eluded examination or inquiry under this Act or escaped from lawful custody or detention under this Act,

(viii) came into Canada or remains therein with a false or improperly issued passport, visa, medical certificate or other document pertaining to his admission or by reason of any false or misleading information, force, stealth or other fraudulent or. improper means, whether exercised or given by himself or by any other person,

(ix) returns to or remains in Canada contrary to the provisions of this Act after a deportation order has been made against him or otherwise, or

(x) came into Canada as a member of a crew and, without the approval of an immigration officer or beyond the period approved by such officer, remains in Canada after the departure of the vehicle on which he came into Canada.

Subject to deportation.

(2) Every person who is found upon an inquiry duly held by a Special Inquiry Officer to be a person described in subsection one is subject to deportation.

PART III

Examinations, Inquiries and Appeals

Examination by Immigration Officers

All persons coming into Canada to be examined.

20. (1) Every person, including Canadian citizens and persons with Canadian domicile, seeking to come into Canada shall first appear before an immigration officer at a port of entry or at such other place as may be designated by an immigration officer in charge, for examination as to whether he is or is not admissible to Canada or is a person who may come into Canada as of right.

Duty to answer questions.

(2) Every person shall answer truly all questions put to him by an immigration officer at an examination and his failure to do so shall be reported by the immigration officer to a Special Inquiry Officer and shall, in itself, be sufficient ground for deportation where so ordered by the Special Inquiry Officer.

Section 33 (10).

Section 33 (6).

Amended, section 33 (7).

Section 42 (5).

New.

Section 33 (1) and (6).

Section 33 (2).

Immediate admission if not contrary to Act.

(3) Unless the examining immigration officer is of opinion that it would or may be contrary to a provision of this Act or the regulations to grant admission to or otherwise let a person examined by him come into Canada, he shall, after such examination, immediately grant admission to or let such person come into Canada.

Medical examination.

21. Where so required under the regulations, a person seeking admission to Canada or a person referred to in section nineteen shall undergo a mental or physical examination or both by a medical officer.

Where person cannot be properly examined.

22. (1) Where, in the opinion of the examining immigration officer, a person appearing before him for examination cannot be properly examined due to the effects of alcohol, drugs, illness or other cause, the immigration officer may cause such person to be detained until such time as he may be properly examined or may make an order for his rejection.

Service of rejection order.

(2) A rejection order or copy thereof shall be served upon the person against whom it is made and upon the owner or master of the vehicle by which such person was brought to Canada.

No appeal.

(3) No appeal may be taken from a rejection order.

Cessation of order.

(4) A rejection order shall cease to be in force or to have effect when the person against whom it was made again appears before an immigration officer and can, in the opinion of such officer, be properly examined by him.

Inquiries

Report to Special Inquiry Officer.

23. Where an immigration officer, after examination of a person seeking to come into Canada, is of opinion that it would or may be contrary to a provision of this Act or the regulations to grant admission to or otherwise let such person come into Canada, he may cause such person to be detained and shall report him to a Special Inquiry Officer.

Persons who come from U.S.A. etc.

24. (1) Where the Special Inquiry Officer receives a report under section twenty-three concerning a person who seeks to come into Canada from the United States of America, Alaska or St. Pierre and Miquelon, he shall, after such further examination as he may deem necessary, admit such person or let him come into Canada or make a deportation order against such person, and in the latter case such person shall be returned as soon as practicable to the place whence he came to Canada.

Section 33 (3).

Amended, section 28.

New.

Section 33 (4).

New.

Other persons.

(2) Where the Special Inquiry Officer receives a report under section twenty-three concerning a person, other than a person referred to in subsection one, he shall admit him or let him come into Canada or may cause such person to be detained for an inquiry under this Act.

Immediate inquiry in certain cases.

25. Where a person is, pursuant to section sixteen, arrested without a warrant, a Special Inquiry Officer shall forthwith cause an inquiry to be held concerning such person.

Persons reported under section nineteen.

26. Subject to any order or direction by the Minister, the Director shall, upon receiving a written report under section nineteen and where he considers that an inquiry is warranted, cause an inquiry to be held concerning the person respecting whom the report was made.

Nature of hearing.

27. (1) An inquiry by a Special Inquiry Officer shall be separate and apart from the public but in the presence of the person concerned wherever practicable.

Right to counsel.

(2) The person concerned may be represented by counsel at his hearing.

Evidence.

(3) The Special Inquiry Officer may at the hearing receive and base his decision upon evidence considered credible or trustworthy by him in the circumstances of each case.

Burden of proof where person seeking to come into Canada.

(4) Where an inquiry relates to a person seeking to come into Canada, the burden of proving that he is not prohibited from coming into Canada rests upon him.

Burden of proof where person in Canada.

(5) Where an inquiry relates to a person other than a person seeking to come into Canada, the burden of proving that he should not be allowed to remain in Canada rests upon the persons seeking to establish that he should not be allowed to remain.

Decision after inquiry.

28. (1) At the conclusion of the hearing of an inquiry, the Special Inquiry Officer shall render his decision as soon as possible and shall render it in the presence of the person concerned wherever practicable.

Where person may be admitted or remain in Canada.

(2) Where the Special Inquiry Officer decides that the person concerned is a person who

(a) may come into or remain in Canada as of right;

(b) in the case of a person seeking admission to Canada, is not a member of a prohibited class; or

Amended, section 33 (4).

New, see sections 33 (7) and 42 (5).

Amended, section 42 (1).

Amended, see sections 15 (1) and 33 (4).

Section 16 (1).

Section 16 (1).

Section 16 (1).

Amended, see section 42 (3).

See section 33 (4).

(c) in the case of a person who is in Canada, is not proven to be a person described in paragraph *(a)*, *(b)*, *(c)*, *(d)* or *(e)* of subsection one of section nineteen,

he shall, upon rendering his decision, admit or let such person come into Canada or remain therein, as the case may be.

Where deportation to be ordered.

(3) In the case of a person other than a person referred to in subsection two, the Special Inquiry Officer shall, upon rendering his decision, make an order for the deportation of such person.

Future inquiries may be held.

(4) No decision rendered under this section shall prevent the holding of a future inquiry if required by reason of a subsequent report under section nineteen or pursuant to section twenty-five.

Reopening of inquiry.

29. An inquiry may be reopened by a Special Inquiry Officer or by order of the Minister, or by majority decision of an Immigration Appeal Board for the hearing and receiving of any additional evidence or testimony and a Special Inquiry Officer has authority, after hearing such additional evidence or testimony, to confirm, amend or reverse the decision previously rendered.

Appeals

Where no appeal allowed.

30. No appeal may be taken from a deportation order respecting any person who is ordered deported as a member of a prohibited class described in paragraph *(a)*, *(b)* or *(q)* of section five where the decision is based upon a certificate of the examining medical officer or as a person described in paragraph *(d)* of subsection one of section nineteen.

Where appeal allowed and how it is initiated.

31. (1) Except in the case of a deportation order referred to in subsection five of section seven, subsection four of section eight or section thirty, an appeal may be taken by the person concerned from a deportation order if the appellant forthwith serves a notice of appeal upon an immigration officer or upon the person who served the deportation order.

Who decides appeals.

(2) All appeals from deportation orders shall be reviewed and decided upon by an Immigration Appeal Board, with the exception of any appeal that

(a) the Minister directs the Immigration Appeal Board to refer to him; or

(b) the Immigration Appeal Board considers should be referred to the Minister for his decision.

Powers on appeal.

(3) An Immigration Appeal Board or the Minister, as the case may be, has full power to consider all matters pertaining to a case under appeal and to allow or dismiss

Amended, see sections 33 (4) and 42 (3).

Amended, see section 16 (2).

Amended, section 16 (2).

Section 18.

Amended, see section 19 (1).

New.

New.

any appeal, including the power to quash an opinion of a Special Inquiry Officer that has the effect of bringing a person into a prohibited class and to substitute the opinion of the Board or of the Minister for it.

Decision of Board or Minister is final.

(4) The decision of the majority of an Immigration Appeal Board or of the Minister, as the case may be, is final.

PART IV

DEPORTATION

Service of Order

Service of order.

32. A deportation order or copy thereof shall be served in such manner and upon such persons as may be prescribed by the regulations.

Execution of Deportation

Time of execution.

33. (1) Unless otherwise provided in this Act, a deportation order shall be executed as soon as practicable.

Not affected by lapse of time.

(2) No deportation order becomes invalid on the ground of any lapse of time between its making and execution.

Notice of appeal stays deportation.

34. (1) Except in the case of a person who, pursuant to subsection one of section twenty-four, is returned to the place whence he came to Canada pending the decision on his appeal, an appeal against a deportation order shall stay the execution of the order pending the decision thereon.

Reopening of inquiry stays deportation.

(2) A reopening of an inquiry pursuant to section twenty-nine shall stay the execution of a deportation order pending the decision of the Special Inquiry Officer at such inquiry.

May be prosecuted before deportation.

35. (1) A person who has committed an offence against this Act or the regulations may, notwithstanding the fact that a deportation order has been made against him, be prosecuted and required to undergo any punishment that may be imposed upon him in respect of such offence before he is deported.

Not to be executed until after sentence completed.

(2) A deportation order that has been made against a person who was at the time of its issue an inmate of any penitentiary, gaol, reformatory or prison or becomes an inmate of such an institution before the order can be executed shall not be executed until such person has completed the sentence or term of imprisonment awarded or as reduced by a statute or other law or by a valid act of clemency or being served under licence issued under the *Ticket of Leave Act*.

R. S., c. 197.

New.

Amended, see section 33 (5).

Section 19 (2).

Amended, see sections 20 and 35 (5).

New.

Section 3 (4).

Section 3 (4).

Deportation.

36. (1) Subject to subsection two, a person against whom a deportation order has been issued shall be deported to the place whence he came to Canada or to the country of which he is a national or citizen or to the country of his birth.

Voluntary departure.

(2) Unless otherwise directed by the Minister or an immigration officer in charge, a person against whom a deportation order has been made may be requested or allowed to leave Canada voluntarily.

Effect of Deportation Order

Where head of family deported.

37. (1) Where a deportation order is made against the head of a family, all dependent members of the family may be included in such order and deported under it.

Where dependent member deported.

(2) Where a deportation order is made against a dependent member of a family for the reason that he has become a public charge, the head of such family and any other members thereof who in the opinion of a Special Inquiry Officer wilfully neglected to support such dependent member and were morally bound to support him may be included in such order and deported under it.

Cannot re-enter without consent.

38. Unless an appeal against such order is allowed, a person against whom a deportation order has been made and who is deported or leaves Canada shall not thereafter be admitted to Canada or allowed to remain in Canada without the consent of the Minister.

Jurisdiction of courts.

39. No court and no judge or officer thereof has jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding, decision or order of the Minister, Deputy Minister, Director, Immigration Appeal Board, Special Inquiry Officer or immigration officer had, made or given under the authority and in accordance with the provisions of this Act relating to the detention or deportation of any person, upon any ground whatsoever, unless such person is a Canadian citizen or has Canadian domicile.

PART V

Transportation and Protection

Liability for deportation where U.S.A. refuses to allow return.

40. (1) Where a deportation order is made against a person who has come to Canada through the United States of America and that country refuses to allow him to return or be returned to it the transportation company that brought him to the United States of America shall, where he is deported, pay the costs of deportation from the port of entry from which he will leave Canada and shall at its expense convey him or cause him to be

Amended, see sections 33 (5) and 39.

New.

Amended, section 42 (6).

Amended, section 42 (5).

Section 23.

Amended, see section 39.

conveyed to the place whence he came to the United States of America or to the country of which he is a national or citizen or to the country of his birth as directed in the deportation order or other order or direction made by the Minister, Director or a Special Inquiry Officer.

Liability for deportation in other cases.

(2) Where a deportation order or rejection order is made against a person other than a person described in subsection one, the transportation company that brought him to Canada shall, where he is deported, pay the costs of deportation or rejection from the port of entry from which he will leave Canada and shall at its expense convey him or cause him to be conveyed to the place whence he came to Canada or to the country of which he is a national or citizen or to the country of his birth as directed in the deportation order, rejection order or other order or direction made by the Minister, Director, a Special Inquiry Officer or an immigration officer.

Transportation to port from which deported person will leave Canada.

(3) Where a person against whom a deportation order has been made is being detained in any place in Canada other than the port of entry from which he will leave Canada, the transportation company or companies that brought him to such place shall, where he is deported, at its or their expense, convey him or cause him to be conveyed to that port of entry in accordance with the direction or order made in that behalf by the Minister, Director, a Special Inquiry Officer or an immigration officer.

Where deportation five years after admission or due to causes arising after admission.

(4) Notwithstanding anything contained in this section, where deportation proceedings are instituted more than five years after the date on which the person concerned was admitted to Canada or where deportation is ordered due to causes that arose subsequent to admission, the Minister may, in his absolute discretion, direct that the deportation costs shall not be paid by the transportation company concerned.

Costs of detention of persons seeking admission to Canada.

41. (1) The transportation company that brought to Canada a person seeking admission thereto shall pay all costs of his detention.

No liability where detention after admission to Canada.

(2) A transportation company is not required to pay the detention costs of any person who is detained after he has been admitted to Canada, except in the case of a person described in subparagraph (x) of paragraph *(e)* of subsection one of section nineteen or in section forty-three.

Duties of transportation companies to carry out deportation directions.

42. Every transportation company that, by or under this Act, is directed to pay detention, deportation or rejection costs or to carry any person who is ordered deported or rejected shall

(a) detain and guard safely the person concerned until he can be placed on board the vehicle on which he is to be carried;

Amended, see sections 33 (5), 45 (1) and 46 (1).

Amended, see section 46 (1).

Section 46 (2).

Amended, section 45 (1).

Amended, see sections 31 (3) and 45 (2).

(*b*) accept on board such vehicle, guard safely and transport such person in accordance with the deportation or rejection order or other order or direction or any regulations issued or made in that behalf; and

(*c*) pay such costs, without in any way making any charge to or taking any remuneration or security from the deported person concerned in respect thereof.

Transportation of deported persons.

43. Where, pursuant to section forty, a transportation company is obligated to pay the costs of deportation of a person who is to be deported, it shall be notified thereof and given an opportunity of conveying him or causing him to be conveyed on one of its own vehicles or otherwise, but, where the transportation company, after being notified, is not prompt in furnishing transportation, the Minister may direct that such person be deported by other transportation at the expense of Her Majesty and the obligated transportation company shall, on demand, reimburse Her Majesty for the transportation expenses and any costs of the detention or safeguarding of the deported person incurred while en route or otherwise.

Duty to prevent passengers from leaving vehicle at unauthorized times or places.

44. A transportation company bringing persons to Canada shall not, upon the arrival of its vehicle in Canada, allow

(*a*) any persons to leave the vehicle at a place other than that designated by an immigration officer in charge; or

(*b*) individual persons or groups of persons to leave the vehicle until permission has been granted by an immigration officer in charge or by an immigration officer authorized by him.

Rights of immigration officers to inspect vehicles, documents, etc.

45. Immigration officers may inspect any vehicle bringing persons to Canada, examine the persons carried by it, examine any records or documents respecting such persons and take copies or extracts therefrom and may hold and detain such vehicle until their inspection and examination is completed.

Clearance.

46. No ship or aircraft bringing persons to Canada shall be granted clearance if the transportation company operating it or the owner or master thereof has, in the opinion of an immigration officer in charge, committed an offence under any provision of this Act or the regulations, but clearance may be granted, in the discretion of the immigration officer in charge, if a sum of money is deposited with him at least equal to the maximum fine that may be imposed for such offence.

Free transportation to immigration officers.

47. Transportation companies shall furnish to immigration officers such free transportation as may be required in connection with their official duties and shall also furnish

New.

Amended, section 25.

Amended, section 29 (1).

Sections 27 (1) and 31 (2).

Amended, section 29 (2).

Section 31 (4).

free transportation to one immigration officer of each of the governments of the provinces of Canada, as directed by the Minister.

Medical treatment.

48. (1) Where a medical officer is of opinion that a person seeking to come in to Canada is or may be, either pending his admission or pending his deportation where admission has not been granted, suffering from sickness or mental or physical disability or has been in contact with a contagious or infectious disease, such person may, where it is so directed by the Minister, Director, an immigration officer in charge or a medical officer, be afforded medical treatment or held for observation or diagnosis on board the vehicle by which he was brought to Canada or at an immigrant station or may be removed to a suitable hospital or other place for treatment, observation or diagnosis as so directed and the cost of treatment, medical attention and maintenance shall be paid by the transportation company that brought such person to Canada.

Costs of attendant accompanying sick person.

(2) The Minister, Director or an immigration officer in charge may, where he considers it advisable for the proper care of such person, direct that a member of his family or other suitable attendant be kept with him during his period of medical attention and treatment, including, in the case of deportation, his journey to the port of entry from which he will leave Canada, and the costs thereof shall be paid by the transportation company that brought him to Canada.

Regulations.

49. The Governor in Council may make regulations with respect to the protection of immigrants and other persons, their transportation to Canada and of deported persons from Canada and the obligations of transportation companies for such purposes and, without restricting the generality of the foregoing, may make regulations respecting

(a) the provision, equipping and maintenance by transportation companies of buildings, accommodation or other facilities for the proper detention and examination of persons brought to Canada or to be deported from Canada on the vehicles of such companies;

(b) manifests, bills of health or other records or documents concerning the persons carried by vehicles to or from Canada;

(c) the identification, supervision and detention of persons to be carried in transit through Canada and the deposit and forfeiture or recovery of bonds or other security by transportation companies carrying such persons;

(d) the proper accommodation, examination, detention and treatment on board vehicles or otherwise respecting persons who have been ordered deported both while awaiting and during deportation:

Sections 3 (1) *(b)* and 34 (1).

Section 34 (2).

Amended, section 31 (1).

Section 31 (3).

Section 26.

Section 33 (15) and (16).

Sections 46 (1) and 48.

(*e*) the obligations and duties of transportation companies and members of a crew to safeguard persons on board vehicles, to report escape from custody of persons in their custody and to take such other precautions or steps as may be required to prevent such persons from unlawfully coming into Canada or, in the case of persons in their custody who are ordered deported or rejected, from failing to leave Canada;

(*f*) the obligations and duties of transportation companies to ensure that immigrants or non-immigrants being carried to Canada by them are not within the prohibited classes and the medical examination and records of immigrants and non-immigrants carried by such companies to Canada;

(*g*) the reporting, detention, custody and return of stowaways or other persons who have secreted themselves in or upon a vehicle coming to Canada;

(*h*) lists or other information concerning the members of a crew, their discharge, transfer or desertion and the obligations and duties of transportation companies respecting the physical and mental fitness of members of a crew and the custody and return of deserters or any other members of a crew who are discharged from or leave the vehicle and come into or remain in Canada contrary to this Act or the regulations;

(*i*) the accommodation and facilities for immigrants and their right to remain on board a vehicle after its arrival in Canada and while awaiting inland passage from the port of entry;

(*j*) the boarding of ships or aircraft carrying immigrants to Canada after reaching Canada and before such immigrants have left the ship or aircraft and the entering of immigrant stations;

(*k*) the accommodation supplied to immigrants on board vehicles, including the space allotted per person, the number of persons carried in relation to tonnage and any other matter for their safety and protection; and

(*l*) the property carried by persons who die en route to Canada or in Canada while at an immigrant station or other place in the custody or under the supervision of immigration officers.

PART VI

Offences and Penalties

Specific offences respecting immigration.

50. Every person who,

(*a*) comes into Canada at any place other than a port of entry and fails to report to an immigration officer for examination;

(*b*) comes into Canada or remains therein by force or stealth or, knowing it to be false, misleading or im-

Sections 31 (3), 49 (1) and (2) and 50 (10).

Sections 49 (4) and (5), 50 (1), (2) and (3) and 53 (3) and (4).

Section 50 (1) and (10).

Section 53 (1), (2), (3), (4), (5) and (6).

Section 61.

Sections 59 (2) and 71.

Sections 58 (1), (2) and (3) and 60 (1) and (2).

Sections 50 (4), (5) and (6) and 65.

Section 33 (7).

Section 33 (7)

proper, by reason of a false or improperly issued passport, visa, medical certificate or other document pertaining to his admission or other false or misleading information or fraudulent means;

(c) escapes or attempts to escape from lawful custody or detention under this Act;

(d) eludes examination or inquiry under this Act or, having received a summons issued by a Special Inquiry Officer, fails, without valid excuse, to attend an inquiry or, where required by such summons, to produce any document, book or paper that he has in his possession or under his control relative to the subject matter of the inquiry;

(e) refuses to be sworn or to affirm or declare, as the case may be, or to answer a question put to him or does not truly answer all questions put to him at an examination or inquiry under this Act;

(f) knowingly makes any false or misleading statement at an examination or inquiry under this Act or in connection with the admission of any person to Canada or the application for admission by any person;

(g) knowingly makes a false promise of employment or any false representation by reason of which a person is induced to seek admission to Canada or is assisted in any attempt to seek admission to Canada or by reason of which his admission is procured;

(h) for the purpose of encouraging, inducing, deterring or preventing immigration into Canada and knowing it to be false or misleading, publishes, disseminates or causes or procures the publication or dissemination of any false or misleading information or representations as to the opportunities for employment in Canada or other false or misleading information or representations;

(i) makes any charge to or receives any fee, recompense or reward from any person upon representations that a bribe, fee or other consideration has been paid or is payable to secure or assist in securing the admission to Canada of any person; or

(j) knowingly induces, aids or abets or attempts to induce, aid or abet any person to violate a provision of this Act or the regulations or to commit any offence under this Act or the regulations,

is guilty of an offence and is liable on summary conviction, for the first offence to a fine not exceeding five hundred dollars and not less than fifty dollars or to imprisonment for a term not exceeding six months and not less than one month or to both fine and imprisonment, and, for the second offence to a fine not exceeding one thousand dollars and not less than one hundred dollars or to imprisonment for a term not exceeding twelve months and not less than three

Section 33 (7).

Section 33 (7).

Section 33 (2) and (9).

Section 33 (2) and (9).

Sections 39 (9) and 56.

Section 56.

New.

Section 33 (8) and (9).

months or to both fine and imprisonment, and, for the third or a subsequent offence to imprisonment for a term not exceeding eighteen months and not less than six months.

Offences respecting immigration officers.

51. (1) Every person who

(a) being an immigration officer, wilfully makes or issues any false document, certificate, declaration, statement or return touching upon any matter connected with his office or duty or accepts, agrees to accept or induces or assists another person to accept any bribe or other improper remuneration or benefit with respect to any matter connected with his office or duty or otherwise wilfully forsakes his duty;

(b) being an immigration officer, violates a provision of this Act or the regulations or commits any offence under this Act or the regulations or knowingly induces, aids or abets or attempts to induce, aid or abet any other person to do so;

(c) gives, offers or promises to give any bribe, recompense or consideration of any kind to or makes any agreement or arrangement with an immigration officer to induce him in any way to forsake his duty or to conceal or connive at any act or thing by which this Act or the regulations may be violated or an offence committed thereunder;

(d) personates or holds himself out to be an immigration officer or takes or uses any name, title, uniform or description or otherwise acts in any manner that may lead any person to infer that he is an immigration officer; or

(e) obstructs or impedes an immigration officer in the performance of his duties under this Act or the regulations,

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars and not less than fifty dollars or to imprisonment for a term not exceeding six months and not less than one month or to both fine and imprisonment, and is liable on conviction on indictment to a fine not exceeding five thousand dollars and not less than one thousand dollars or to imprisonment for a term not exceeding five years and not less than two years or to both fine and imprisonment.

Consent of Minister required for indictment proceedings.

(2) No proceedings by way of indictment for an offence under this section shall be commenced without the consent of the Minister.

General penalty.

52. Every person who violates any provision of this Act or the regulations or any order or direction lawfully made or given thereunder for which no punishment is elsewhere provided in this Act or the regulations is guilty

New.

New.

New.

New.

Section 33 (9).

New.

Section 79.

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.

Officers of corporations.

53. Where an offence under this Act or the regulations has been committed by a corporation and whether or not the corporation has been prosecuted or convicted, every person who at the time of the commission of the offence was a director or officer of the corporation is guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent or that he exercised due diligence to prevent the commission of such offence, and is liable on conviction to the punishment provided for the offence.

Offences outside Canada.

54. Any act, omission or thing that would by reason of this Act or the regulations, be punishable as an offence if committed in Canada, is, if committed outside Canada, an offence against this Act or the regulations and is triable and punishable in Canada.

Penalties in regulations.

55. The Governor in Council or the Minister may in any regulations made by him under this Act prescribe a fine or a term of imprisonment or both a fine and term of imprisonment that may be imposed upon summary conviction as a penalty for the violation of any regulation, but the fine so prescribed shall not exceed one thousand dollars and the term of imprisonment so prescribed shall not exceed one year.

Limitation.

56. Any proceeding in respect of an offence under this Act or the regulations that is punishable on summary conviction may be instituted at any time within three years after the offence was committed.

Venue.

57. (1) Any proceeding in respect of an offence under this Act or the regulations may be instituted, tried or determined at the place in Canada where such offence was committed or at the place in Canada in which the person charged with the offence is or has an office or place of business at the time of institution of such proceeding.

Where commission outside Canada.

(2) Any proceedings in respect of an offence under this Act or the regulations that is committed outside Canada may be instituted, tried or determined at any place in Canada.

Where more than one offence.

58. (1) In any proceedings in respect of offences under this Act or the regulations, any information may include more than one offence committed by the same person and all such offences may be tried concurrently and one conviction for any or all such offences may be made.

Amended, section 77 (5).

New.

New.

New.

New.

New.

Sufficiency of proceedings.

(2) No information, warrant, summons, conviction or other proceedings for such offences shall be deemed objectionable or insufficient on the ground that it relates to two or more offences.

Penalty by Director in certain cases.

59. (1) Where in the case of a ship or aircraft bringing persons to Canada the transportation company operating it or the owner or master thereof has, in the opinion of an immigration officer in charge, committed an offence under this Act or the regulations and a sum of money has been deposited with such officer pursuant to section forty-six, the Minister may impose a penalty against the offender up to but not exceeding the maximum fine that could be imposed for such offence and may retain such penalty from the sum of money deposited and shall return the balance, if any, of the deposit to the person who deposited it.

Effect.

(2) The imposition of a penalty under this section has the same effect as if such penalty had been imposed as a fine on a conviction for the offence.

Action for recovery.

(3) Any person upon whom a penalty was imposed may bring an action in the Exchequer Court for the recovery thereof on the ground that he did not commit the offence in respect of which the penalty was imposed, but the burden of proof shall lie upon him to show that he did not commit such offence.

Disposition of fines, etc.

60. All fines, penalties and forfeitures imposed or recovered under this Act or the regulations belong to Her Majesty for the public uses of Canada.

PART VII

General

Regulations.

General regulations.

61. 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,

Persons who require assistance to come to Canada.

(a) the terms and conditions under which persons who have received financial assistance to enable them to obtain passage to Canada or to assist them in obtaining admission to Canada may be admitted to Canada;

Literacy and other tests.

(b) literacy, medical and other examinations or tests and the prohibiting or limiting of admission of persons who are unable to pass them;

Funds, passports, etc.

(c) the terms, conditions and requirements with respect to the possession of means of support or of passports, visas or other documents pertaining to admission;

Sections 29 (2), 45 (2), 49 (6) and 53 (1), (2), (4) and (7).

Section 77 (3).

Section 82.

Section 3 (1) *(h)*.

Amended, section 3 (1) *(t)* and 3 (2).

Section 37.

Non-continuous journey.

(d) the admission to Canada of persons who have come to Canada otherwise than by continuous journey from the countries of which they are nationals or citizens;

Passengers brought by certain companies.

(e) the prohibiting or limiting of admission of persons brought to Canada by any transportation company that fails to comply with any provision of this Act or any regulation, order or direction made under it;

Nationals of countries that refuse to readmit.

(f) the prohibiting or limiting of admission of persons who are nationals or citizens of a country that refuses to readmit any of its nationals or citizens who are ordered deported;

For reasons of occupation, customs, etc.

(g) the prohibiting or limiting of admission of persons by reason of

(i) nationality, citizenship, race, ethnic group, occupation, class or geographical area of origin,

(ii) peculiar customs, habits, modes of life or methods of holding property,

(iii) unsuitability having regard to the climatic, economic, social, industrial, educational, labour, health or other conditions or requirements existing, temporarily or otherwise, in Canada or in the area or country from or through which such persons come to Canada, or

(iv) probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their admission; and

Quotas.

(h) the control of immigration by quotas applicable to nationality, citizenship, race, ethnic group, occupation or geographical area, including any exemptions therefrom and the allocation and administration of such quotas.

Regulations respecting procedure, duties, etc.

62. The Minister may make regulations, not inconsistent with this Act, respecting the procedure to be followed upon examinations, inquiries and appeals under this Act and the duties and obligations of immigration officers and the methods and procedure for carrying out such duties and obligations whether in Canada or elsewhere.

Forms, Notices, Uniforms, Etc.

Powers of Minister.

63. The Minister may

Forms and notices.

(a) prescribe such forms and notices as he deems necessary for the carrying out of this Act and the regulations;

Ports of entry, etc.

(b) designate ports of entry and immigrant stations for the purposes of this Act; and

Uniforms.

(c) prescribe and arrange for the procurement of suitable uniforms and insignia to be worn by immigration officers.

Section 38 *(a)*.

Section 38 *(b)*.

New.

Amended, section 38 *(c)*.

Amended, section 38 *(c)*.

New, see sections 9, 24, 27 (2) 32 and 59 (3).

Section 74.

New, see section 2 *(r)*

Amended, section 75.

Evidence.

Proof of documents.

64. (1) Every document purporting to be a deportation order, rejection order, warrant, order, summons, direction, notice or other document over the name in writing of the Minister, Director, Special Inquiry Officer, immigration officer or other person authorized under this Act to make such document shall, in any prosecution or other proceeding under or arising out of this Act, be prima facie evidence of the facts contained therein and shall be receivable in evidence without proof of the signature or the official character of the person appearing to have signed the same unless called in question by the Minister or some other person acting for him or Her Majesty.

Forms prescribed by Minister.

(2) Every form or notice purporting to be a form or notice prescribed by the Minister shall be deemed to be a form or notice prescribed by the Minister under this Act unless called in question by the Minister or some person acting for him or for Her Majesty.

Security and Liens.

General security by transportation companies.

65. (1) The Minister may require any transportation company that transports or carries immigrants, directly or indirectly, to Canada to deposit with the Director such sum of money or other security as the Minister deems necessary as a guarantee that such transportation company will comply with this Act and the regulations.

Forfeiture where Act not complied with.

(2) Where a transportation company fails to comply with a provision of this Act or the regulations, the Minister may order that the whole or any part of the security money deposited by it be forfeited and thereupon such money or part is forfeited or may order that proceedings be taken to enforce payment of the whole or part of such other security as may be deposited.

Return where no longer required.

(3) Any security or part thereof deposited under this section may be returned or cancelled, as the case may be, upon a direction from the Minister that such security or part is no longer required.

Security respecting deserters.

66. (1) Where a member of the crew of a vehicle deserts the vehicle while in Canada, or is, for any reason, to be left in Canada after the departure of the vehicle, the immigration officer in charge of the port of entry at which the vehicle may be may require the transportation company operating it or the owner or master thereof to deposit with him such sum of money as he deems necessary as security for the return of such member to the vehicle or his deportation or other departure from Canada.

New.

New.

Section 53 (7).

Return of deposit.

(2) Where within three years after the date of the deposit, such member of the crew returns to the vehicle, has voluntarily left Canada or is deported, the money deposited shall be returned, less any expenses for detention, maintenance, treatment or transportation or otherwise incurred by Her Majesty respecting him.

Forfeiture, etc.

(3) Where the member of the crew has not returned to the vehicle or has not voluntarily left Canada or been deported within three years after the date of the deposit, the Minister may order that the money deposited be forfeited and thereupon it is forfeited or that it be returned subject to any further security he may prescribe against the expenses that may be incurred by Her Majesty should such member of the crew be later found in Canada.

Security that non-immigrants will leave Canada.

67. (1) The immigration officer in charge at a port of entry may require any non-immigrant or group or organization of non-immigrants arriving at such port to deposit with him such sum of money as he deems necessary as a guarantee that such non-immigrant or group or organization of non-immigrants will leave Canada within the time prescribed by him as a condition for entry.

Disposal.

(2) Where the non-immigrant or group or organization of non-immigrants fails to leave Canada within the time prescribed, the immigration officer in charge may order that the sum of money so deposited be forfeited and thereupon it is forfeited and where the person or persons concerned leave Canada within the prescribed time the money deposited shall be returned, less any expenses for detention, maintenance, treatment or transportation or otherwise incurred by Her Majesty respecting such person or persons or any of them.

Costs, may be recovered as debt due to the Crown.

68. (1) All costs of deportation or detention and all fines, penalties or court costs that may be imposed on any person by or under this Act may be recovered as a debt due to Her Majesty.

Lien on property for costs, fines, etc.

(2) All costs of deportation or detention and all fines, penalties or court costs that may be imposed on any person by or under this Act shall, until payment thereof, be a lien upon the property of such person and may be enforced or collected by the seizure and sale of such property or a portion thereof under the warrant or order of a superior, county or district court.

Loans to Immigrants.

Loans to immigrants.

69. (1) The Minister of Finance may from time to time advance to the Minister out of the Consolidated Revenue Fund of Canada such sums as the Minister may require to

Section 53 (8).

Section 53 (9).

Section 33 (13).

Section 33 (14).

New.

New, see sections 53 (3) and (6) and 77 (4).

New.

enable him to make loans to immigrants in respect of the costs of their transportation to Canada, transportation from the port of arrival to their place of destination in Canada and their reasonable living expenses en route from the place whence they came to the place of destination in Canada.

Regulations.

(2) The Governor in Council may make regulations to give effect to subsection one, including the rate of interest, if any, to be charged on such loans and the terms of repayment.

Accounting.

(3) Expenditures that are made under subsection one shall be accounted for in the same manner as public moneys.

Repayment to Minister of Finance.

(4) The Minister shall pay to the Minister of Finance all moneys he receives from immigrants by way of repayments of loans made under subsection one.

Limitation.

(5) The total amount of outstanding advances to the Minister under this section shall not at any one time exceed twelve million dollars.

Report to Parliament.

(6) The Minister shall within three months after the termination of each fiscal year or, if Parliament is not then in session, within fifteen days after the commencement of the next ensuing session thereof, lay before Parliament a report setting out the total number and amount of loans made under subsection one during that year.

Assistance on leaving Canada.

Assistance in certain cases.

70. The Minister may direct that the costs of transportation from Canada be paid out of moneys appropriated by Parliament in the case of a person,

(a) whose transportation costs are not, under this Act, payable by a transportation company;

(b) who should, in the opinion of the Minister, be assisted in leaving Canada in order to avoid separation of a family or for other good cause; and

(c) who is, in the opinion of the Minister, unable to defray, without hardship, his own costs of transportation.

Deputy Minister and Director.

Authority of Deputy Minister or Director.

71. The Minister may authorize the Deputy Minister or the Director to perform and exercise any of the duties, powers and functions that may be or are required to be performed or exercised by the Minister under this Act or the regulations and any such duty, power or function performed or exercised by the Deputy Minister or the Director under the authority of the Minister shall be deemed to have been performed or exercised by the Minister.

New.

New.

Saving Clause.

Orders, etc., under former Act to be given effect as if made under this Act.

72. (1) Every deportation order, permit, warrant, order, direction, notice or other document that was issued, made or granted under the laws respecting immigration that were in force before the commencement of this Act and that was valid immediately prior to the commencement of this Act shall be given effect as if issued, made or granted under this Act.

Continuation and completion of inquiries, etc.

(2) Unless the Minister directs that they be continued and completed under the provisions of the laws respecting immigration that were in force before the commencement of this Act, all examinations, investigations, inquiries, appeals or other matters relating to landing, entry or deportation of any person that were commenced pursuant to such laws and are not completed at the time of the commencement of this Act shall be continued and completed pursuant to the provisions of this Act as far as such provisions can be adapted.

Repeal.

Repeal.

73. The *Immigration Act*, chapter ninety-three of the Revised Statutes of Canada, 1927, and section twenty-six of *The Opium and Narcotic Drug Act, 1929*, chapter forty-nine of the statutes of 1929, are repealed.

Commencement.

Coming into force.

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

New.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 307, see Senate Bills, B.)

BILL 306.

An Act to amend the Combines Investigation Act and the Criminal Code.

First reading, June 2, 1952.

THE MINISTER OF JUSTICE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

57700

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 306.

An Act to amend the Combines Investigation Act and the Criminal Code.

R.S., c. 26; 1935, c. 54; 1946, c. 44; 1949 (2nd Sess.), c. 12; 1950, c. 50; 1951 (2nd Sess.), c. 30.

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

1. (1) Paragraph two of section two of the *Combines Investigation Act*, chapter twenty-six of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

"Commission".

"(2) 'Commission' means the Restrictive Trade Practices Commission appointed under this Act;

"Director".

(2a) 'Director' means the Director of Investigation and Research appointed under this Act;"

(2) Paragraph six of section two of the said Act is repealed.

2. Sections five to ten, ten A, eleven to fourteen, sixteen to twenty, and twenty-two to twenty-nine are repealed and the following substituted therefor:

"PART I.

INVESTIGATION AND RESEARCH.

Director.

"**5.** (1) The Governor in Council may appoint an officer to be known as the Director of Investigation and Research.

Oath of office.

(2) The Director shall, before entering upon his duties, take and subscribe, before the Clerk of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:

I do solemnly swear that I will faithfully, truly and impartially, and to the best of my judgment, skill and ability, execute the powers and trusts reposed in me as Director of Investigation and Research. So help me God.

Explanatory Notes.

The purpose of this Bill is to give effect to the MacQuarrie Committee Report on Combines legislation.

1. Paragraphs (2) and (6) read as follows:

"(2) "Commissioner" means the Commissioner of the *Combines Investigation* Act appointed as hereinafter provided.

. . . . . .

"(6) "Special commissioner" means a temporary commissioner appointed as hereinafter provided for the purpose of conducting an investigation."

2. Sections 5 and 6 correspond to the present sections 5 and 6, which read as follows:

"**5.** (1) The Governor in Council may appoint an officer to be known as the *Commissioner of the Combines Investigation Act.*

(2) The *Commissioner* shall perform the duties and exercise the powers conferred upon him under this Act and shall report directly to the Minister as required by this Act.

(3) The Commissioner shall, before entering upon his duties, take and subscribe before the Clerk of the Privy Council, and shall file in the office of the said Clerk, an oath of office in the following form:—

"I do solemnly swear that I will faithfully, truly and impartially, and to the best of my judgment, skill and ability, execute the powers and trusts reposed in me as *Commissioner of the Combines Investigation Act.* So help me God."

(4) The *Commissioner* shall be paid such salary as may be from time to time fixed and allowed by the Governor in Council.

"**6.** (1) One or more persons may be appointed *Deputy Commissioners of the Combines Investigation Act* in the manner authorized by law.

(2) The Governor in Council may authorize a *Deputy Commissioner* to exercise the powers and perform the duties of the *Commissioner* whenever the *Commissioner* is absent or unable to act.

(3) The *Commissioner* may authorize a *Deputy Commissioner* to make inquiry regarding any matter into which the Commissioner has power to inquire, and when so authorized a *Deputy Commissioner* shall perform such of the duties of the *Commissioner* and may exercise such of the powers of the *Commissioner* as such *Deputy Commissioner* is, by this Act or any regulations made thereunder, required or authorized to perform or exercise."

Salary.

(3) The Director shall be paid such salary as may be from time to time fixed and allowed by the Governor in Council.

Deputy Directors.

"**6.** (1) One or more persons may be appointed Deputy Directors of Investigation and Research, in the manner authorized by law.

Powers of Deputy.

(2) The Governor in Council may authorize a Deputy Director to exercise the powers and perform the duties of the Director whenever the Director is absent or unable to act or whenever there is a vacancy in the office of Director.

Powers of other persons.

(3) The Governor in Council may authorize any person to exercise the powers and perform the duties of the Director whenever the Director and the Deputy Directors are absent or unable to act or, if one or more of those offices are vacant, whenever the holders of the other of such offices are absent or unable to act.

Inquiry by Deputy Director.

(4) The Director may authorize a Deputy Director to make inquiry regarding any matter into which the Director has power to inquire, and when so authorized a Deputy Director shall perform the duties and may exercise the powers of the Director in respect of such matter.

Powers of Director unaffected.

(5) The exercise, pursuant to this Act, of any of the powers or duties of the Director by a Deputy Director or other person does not in any way limit, restrict or qualify the powers or duties of the Director, either generally or with respect to any particular matter.

Application for inquiry.

"**7.** (1) Any six persons, Canadian citizens, resident in Canada, of the full age of twenty-one years, who are of the opinion that an offence has been or is being committed against section thirty-two or thirty-four of this Act, or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code*, may apply to the Director for an inquiry into such matter, and shall place before the Director the evidence on which such opinion is based.

R.S., c. 36.

Material to be submitted.

(2) The application shall be accompanied by a statement in the form of a solemn or statutory declaration showing

(a) the names and addresses of the applicants, and at their election the name and address of any one of their number, or of any attorney, solicitor or counsel, whom they may, for the purpose of receiving any communication to be made pursuant to this Act, have authorized to represent them; and

Sections 7 and 8 correspond to the present sections 11 and 12 respectively, which read as follows:

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

(2) The application shall be accompanied by a statement in the form of a solemn or statutory declaration showing

(a) the names and addresses of the applicants, and at their election the name and address of any one of their number, or of any attorney, solicitor or counsel, whom they may, for the purpose of receiving any communication to be made pursuant to this Act, have authorized to represent them;

(b) the nature of the alleged *combine* and the names of the persons believed to be concerned therein and privy thereto;

(c) the manner in which, and where possible the extent to which, the alleged combine is believed to operate or to be about to operate to the detriment or against the interest of the public whether consumers, producers or others.

12. The Commissioner shall, on application made under section *eleven* of this Act, or whenever he has reason to believe that *a combine exists or is being formed, or on direction by the Minister*, cause an inquiry to be made into all such matters as he considers necessary to inquire into with the view of determining *whether a combine exists or is being formed.*"

(b) the nature of the alleged offence and the names of the persons believed to be concerned therein and privy thereto;

and, if the application relates to an offence against section thirty-two of this Act, the manner in which, and where possible the extent to which, the alleged combine is believed to operate or to be likely to operate to the detriment or against the interest of the public whether consumers, producers or others.

Inquiry by Director.

"**8.** The Director shall

(a) on application made under section seven,

(b) whenever he has reason to believe that section thirty-two or thirty-four of this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* has been, is being or is about to be violated, or

(c) whenever he is directed by the Minister to inquire whether any of the sections mentioned in paragraph *(b)* of this section has been, is being or is about to be violated,

cause an inquiry to be made into all such matters as he considers necessary to inquire into with the view of determining the facts.

Notice for written returns.

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

Authority for notice.

(2) The Director shall not issue a notice under subsection one unless, on the *ex parte* application of the Director, a member of the Commission certifies, as such member may, that such notice may be issued to the person or officer of a corporation disclosed in the application.

Section 9 corresponds to the present section 14, which reads as follows:

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

Entry of premises.

"**10.** (1) Subject to subsection three, in any inquiry under this Act the Director or any representative authorized by him may enter any premises on which the Director believes there may be evidence relevant to the matters being inquired into and may examine any thing on the premises and may copy or take away for further examination or copying any book, paper, record or other document that in the opinion of the Director or his authorized representative, as the case may be, may afford such evidence.

Duty of persons in control of premises, etc.

(2) Every person who is in possession or control of any premises or things mentioned in subsection one shall permit the Director or his authorized representative to enter the premises, to examine any thing on the premises and to copy or take away any document on the premises.

Authority for entry.

(3) Before exercising the power conferred by subsection one to enter premises and examine any thing thereon, the Director or his representative shall, if required by the person in possession or control thereof, produce a certificate from a member of the Commission, which may be granted on the *ex parte* application of the Director, authorizing the exercise of such power.

Return of documents.

(4) Where any document is taken away under this section for examination or copying the original or a copy thereof shall be delivered to the custody from which the original came within sixty days after it is taken away or within such later time as may be directed by the Commission or agreed to by the person from whom it was obtained.

Application to court.

(5) When the Director or his authorized representative acting under this section is refused admission or access to premises or any thing thereon or when the Director has reasonable grounds for believing that such admission or access will be refused, a judge of a superior or county court on the *ex parte* application of the Director may by order direct a police officer or constable to take such steps as to the judge seem necessary to give the Director or his authorized representative such admission or access.

Inspection of documents.

"**11.** (1) All books, papers, records or other documents obtained or received by the Director may be inspected by him and also by such persons as he directs.

Copies.

(2) The Director may have copies made (including copies by any process of photographic reproduction) of any books, papers, records or other documents referred to in subsection one, and such copies, upon proof orally or by affidavit that they are true copies, in any proceedings under this Act or under section four hundred and ninety-

Section 10 is based on the present sections 16, 17 and 36, which read as follows:

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

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

. . . . . .

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

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

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

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

Section 11 corresponds to the present section 20 and subsection (2A) of section 27, which read as follows:

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

. . . . . .

27. (2A) The *Commissioner* may have copies made (including copies by any process of photographic reproduction) of any books, papers, records or other documents *referred to in the preceding subsection which, upon proof orally or by*

eight or four hundred and ninety-eight A of the *Criminal Code*, are admissible in evidence and have the same probative force as the originals in all cases in which and for all purposes for which such originals would have been received; where such evidence is offered by affidavit it is not necessary to prove the signature or official character of the deponent if that information is set forth in the affidavit or to prove the signature or official character of the person before whom such affidavit was sworn.

Affidavits.

"**12.** (1) The Director may, by notice in writing, require evidence upon affidavit or written affirmation, in every case in which it seems to him proper to do so, but the Director shall not so require unless, on the *ex parte* application of the Director, a member of the Commission certifies, as such member may, that the Director may make such a requirement to the person disclosed in the application.

Administration of oaths.

(2) The following persons, namely,

(a) each member of the Commission,

(b) the Director,

(c) a Deputy Director or other person exercising the powers of the Director under this Act,

(d) any person employed under this Act when so authorized by the Chairman of the Commission, and

(e) all persons authorized to administer oaths in or concerning any proceedings had or to be had in the Supreme Court of Canada, the Exchequer Court of Canada or any of the superior courts of any province,

may administer oaths to be used for the purposes of this Act.

Counsel.

"**13.** Whenever in the opinion of the Director the public interest so requires, the Director may apply to the Minister to instruct counsel to assist in an inquiry and upon such application the Minister may instruct counsel accordingly.

Discontinuation of inquiry.

"**14.** (1) At any stage of the inquiry, if the Director is of the opinion that the matter being inquired into does not justify further inquiry, the Director may discontinue the inquiry, but an inquiry shall not be discontinued without the written concurrence of the Commission in any case in which evidence has been brought before the Commission.

affidavit that they are true copies shall, in any proceedings under this Act or under sections four hundred and ninety-eight or four hundred and ninety-eight A of the Criminal Code, be admissible in evidence and have the same probative force as the originals in all cases in which and for all purposes for which such originals would have been received; where such evidence is offered by affidavit it shall not be necessary to prove the signature or official character of the deponent if that information is set forth in the affidavit or to prove the signature or official character of the person before whom such affidavit was sworn."

Section 12 corresponds to the present section 23, which reads as follows:

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

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

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

Section 13 corresponds to the present section 26, which reads as follows:

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

Section 14 corresponds to the present section 13, which reads as follows:

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

Report.

(2) The Director shall thereupon make a report in writing to the Minister showing the information obtained and the reason for discontinuing the inquiry.

Notice to applicant.

(3) In any case where an inquiry, made on application under section seven, is discontinued the Director shall inform the applicant of the decision giving the grounds therefor.

Review of decision.

(4) On written request of the applicants or on his own motion, the Minister may review the decision to discontinue the inquiry, and may, if in his opinion the circumstances warrant, instruct the Director to make further inquiry.

Reference to Attorney General of Canada.

"**15.** (1) The Director may, at any stage of an inquiry, and in addition to or in lieu of continuing the same, remit any records, returns or evidence to the Attorney General of Canada for consideration as to whether an offence has been committed against any of the provisions of this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code*, and for such action as the Attorney General of Canada may be pleased to take.

R.S., c. 36.

Prosecution by A. G. of Canada.

(2) The Attorney General of Canada may institute and conduct any prosecution or other proceedings under this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* and for such purposes he may exercise all the powers and functions conferred by the *Criminal Code* on the attorney general of a province.

R.S., c. 36.

"PART II.

Consideration and Report.

Commission.

"**16.** (1) There shall be a Commission to be known as the Restrictive Trade Practices Commission consisting of not more than three members appointed by the Governor in Council.

Membership.

(2) One of the members shall be appointed by the Governor in Council to be Chairman of the Commission; the Chairman is the chief executive officer of the Commission and has supervision over and direction of the work of the Commission.

Tenure of office.

(3) Each member holds office during good behaviour for a period of ten years from the date of his appointment.

Reappointment.

(4) A member on the expiration of his term of office is eligible for reappointment.

(2) *The Commissioner* shall thereupon make a report in writing to the Minister showing the inquiry made, the information obtained *and his conclusions*.

(3) On written request of the applicants or on his own motion, the Minister may review the decision *of the Commissioner under this section*, and may, if in his opinion the circumstances warrant, instruct the *Commissioner* to make further investigation."

Section 15 corresponds to the present section 31, which reads as follows:

"**31.** (1) Whenever in the opinion of the *Commissioner* an offence has been committed against any of the provisions of this Act, *the Commissioner* may remit to the attorney general of any province within which such alleged offence was committed, for such action as such attorney general may be pleased to institute because of the conditions appearing, any records, returns, evidence or report relevant to such alleged offence.

(2) The Attorney General of Canada may institute and conduct any prosecution or other proceedings under this Act, or under section four hundred and ninety-eight or section four hundred and ninety-eight A of the *Criminal Code*, and for such purposes he may exercise all the powers and functions conferred by the *Criminal Code* on the attorney general of a province."

Section 16 is new.

Salaries.

(5) Each member shall be paid such salary as may be from time to time fixed and allowed by the Governor in Council.

Temporary substitute members.

(6) When any member by reason of any temporary incapacity is unable to perform the duties of his office, the Governor in Council may appoint a temporary substitute member, upon such terms and conditions as the Governor in Council may prescribe.

Vacancy.

(7) A vacancy in the Commission does not impair the right of the remaining members to act.

Quorum.

(8) Where there is no vacancy in the Commission, or only one vacancy, two members constitute a quorum, and where there are two vacancies, the member holding office may exercise and perform all the powers duties and functions of the Commission under this Act.

Rules.

(9) The Commission may make rules for the regulation of its proceedings and the performance of its duties and functions under this Act, including the delegation to a single member of all the powers of the Commission save the power to report to the Minister.

Oath of office.

(10) Each member shall, before entering upon his duties, take and subscribe, before the Clerk of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:

I do solemnly swear that I will faithfully, truly and impartially, and to the best of my judgment, skill and ability, execute the powers and trusts reposed in me as a member of the Restrictive Trade Practices Commission. So help me God.

Head-quarters.

(11) The office of the Commission shall be in the City of Ottawa in the Province of Ontario, but sittings of the Commission may be held at such other places as the Commission may decide.

Oral examination.

"**17.** (1) On *ex parte* application of the Director, or on his own motion, a member of the Commission may order that any person resident or present in Canada be examined upon oath before, or make production of books, papers, records or other documents to such member or before or to any other person named for the purpose by the order of such member and may make such orders as seem to him to be proper for securing the attendance of such witness and his examination, and the production by him of books, papers, records or other documents and may otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are exercised by any superior court in Canada for the enforcement of subpoenas to witnesses or punishment of disobedience thereof.

Section 17 corresponds to the present section 22, which reads as follows:

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

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

(2A) *The Commissioner* shall not exercise power to penalize any person pursuant to this Act, whether for contempt or otherwise, unless, on the application of the *Commissioner* a judge of the Exchequer Court of Canada or of a superior or county court has certified, as such judge may, that such power may be exercised in the matter disclosed in the application: Provided that the Commissioner has given to such person twenty-four hours' notice of the hearing of such application or such shorter notice as the judge deems reasonable.

Witness competent and compellable.

(2) Any person so summoned is competent and may be compelled to give evidence as a witness.

Application to court.

(3) A member of the Commission shall not exercise power to penalize any person pursuant to this Act, whether for contempt or otherwise, unless, on the application of such member a judge of the Exchequer Court of Canada or of a superior or county court has certified, as such judge may, that such power may be exercised in the matter disclosed in the application, and such member has given to such person twenty-four hours' notice of the hearing of such application or such shorter notice as the judge deems reasonable.

Documents.

(4) Any books, papers, records, or other documents produced voluntarily or in pursuance of an order under subsection one shall within thirty days thereafter be delivered to the Director, who is thereafter responsible for the custody thereof, and within sixty days after the receipt of such books, papers, records or other documents by him the Director shall deliver the original or a copy thereof to the person from whom such books, papers, records or other documents were received.

Delivery to Director of seized articles.

(5) A justice before whom any thing seized pursuant to a search warrant issued with reference to an offence against this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* is brought may, on the application of the Director, order that such thing be delivered to the Director, and the Director shall deal with any thing so delivered to him as if delivery of it had been made to him pursuant to subsection four.

Fees.

(6) Every person summoned to attend pursuant to the provisions of this section is entitled to the like fees and allowances for so doing as if summoned to attend before a superior court of the province in which he is summoned to attend.

Commissions to take evidence.

(7) The Minister may issue commissions to take evidence in another country, and may make all proper orders for the purpose and for the return and use of evidence so obtained.

Orders to be signed by a member.

(8) Orders to witnesses issued pursuant to this section shall be signed by a member of the Commission.

Director may submit statement of evidence.

"**18.** (1) At any stage of an inquiry,

(a) the Director may, if he is of the opinion that the evidence obtained discloses a situation contrary to section thirty-two or thirty-four of this Act, or section four hundred and ninety-eight or four hundred and ninety- eight A of the *Criminal Code*, and

(2B) A justice before whom any thing seized pursuant to a search warrant issued with reference to an offence against this Act is brought may, on the application of the *Commissioner*, order that such thing be delivered to the *Commissioner* and the *Commissioner* shall deal with any thing so delivered to him as if production of it had been made to him pursuant to subsection one of this section.

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

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

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

Section 18 is new.

(b) the Director shall, if so required by the Minister, prepare a statement of the evidence obtained in the inquiry, which shall be submitted to the Commission and to each person against whom an allegation is made therein.

Time and place of hearing.

(2) Upon receipt of the statement referred to in subsection one, the Commission shall fix a place, time and date at which argument in support of such statement may be submitted by or on behalf of the Director, and at which such persons against whom an allegation has been made in such statement shall be allowed full opportunity to be heard in person or by counsel.

Consideration and report.

(3) The Commission shall, in accordance with this Act, consider the statement submitted by the Director under subsection one together with such further or other evidence or material as the Commission considers advisable.

Full opportunity to be heard.

(4) No report shall be made by the Commission under section nineteen or twenty-two against any person unless such person has been allowed full opportunity to be heard as provided in subsection two.

Report by Commission.

"**19.** (1) The Commission shall as soon as possible after the conclusion of proceedings taken under section eighteen, make a report in writing and without delay transmit it to the Minister; such report shall review the evidence and material, appraise the effect on the public interest of arrangements and practices disclosed in the evidence and contain recommendations as to the application of remedies provided in this Act or other remedies.

Return of documents.

(2) Within thirty days following the transmission of such report to the Minister, the Director shall cause to be delivered into the custody from which they came, if not already so delivered, all books, papers, records and other documents in his possession as evidence relating to the inquiry, unless the Attorney General of Canada certifies that all or any of such documents shall be retained by the Director for purposes of prosecution.

Publication of report.

(3) Any report of the Commission shall within thirty days after its receipt by the Minister be made public, unless the Commission states in writing to the Minister it believes the public interest would be better served by withholding publication, in which case the Minister may decide whether the report, either in whole or in part, shall be made public.

Copies of report.

(4) The Minister may publish and supply copies of a report referred to in subsection three in such manner and upon such terms as he deems proper.

Section 19 corresponds to subsections (1), (2) and (5) of the present section 27 and section 28, which read as follows:

"**27.** (1) *The Commissioner at the conclusion of every investigation which he conducts shall make a report in writing and without delay transmit it to the Minister. Such report shall set out fully the conclusions reached, the action, if any, taken, and any other material which may be required by regulation under this Act.*

(2) Within thirty days following the transmission of such report to the Minister the *Commissioner* shall cause to be delivered into the custody from which they came if not already so delivered, all books, papers, records and other documents in his possession as evidence relating to the investigation, unless with respect to particular documents the Attorney General of Canada or the attorney general of any province within which an offence is reported to have been committed certifies that such documents shall be retained by the *Commissioner* for purposes of prosecution.

(5) Any report of the *Commissioner or of a special commissioner, other than an interim report or a report of a preliminary inquiry under section thirteen of this Act, shall within fifteen days* after its receipt by the Minister be made public, unless the *Commissioner* states in writing to the Minister that he believes the public interest would be better served by withholding publication, in which case the Minister may decide whether the report, either in whole or in part, shall be made public.

28. The Minister may publish and supply copies of any report in such manner and upon such terms as he deems proper."

Representation by counsel.

"**20.** (1) A member of the Commission may allow any person whose conduct is being inquired into and shall permit any person who is being himself examined under oath to be represented by counsel.

No person excused from testifying on ground of incrimination.

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

Powers of Commission.

R.S., c. 99.

"**21.** The Commission or any member thereof has all the powers of a commissioner appointed under Part I of the *Inquiries Act*.

Interim report.

"**22.** (1) Notwithstanding subsection one of section nineteen of this Act, when, in any inquiry relating to alleged situations contrary to section thirty-two of this Act, or section four hundred and ninety-eight of the *Criminal Code*, the Commission, after reviewing the statement submitted by the Director and receiving argument in support thereof and in reply thereto, is then unable effectively to appraise the effect on the public interest of the arrangements and practices disclosed in the evidence, it shall make an interim report in writing, which shall contain a review of the evidence and a statement of the reasons why the Commission is unable to appraise effectively the effect of such arrangements and practices on the public interest, and without delay, such report shall be transmitted to the Minister.

R.S., c. 36.

Further inquiry.

(2) In any case where an interim report is made pursuant to subsection one, the Commission has authority at any time thereafter until a final report as hereinafter provided is made

(a) to exercise the powers conferred on a member by section seventeen,

(b) to require the Director to make further inquiry, and for such purpose the Director may exercise all the powers conferred on him by this Act with respect to an inquiry under section eight,

(c) to require the Director to submit to the Commission copies of any books, papers, records or other documents obtained in such further inquiry, and

Section 20 corresponds to the present section 24, which reads as follows:

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

Section 21 corresponds to the present section 18, which reads as follows:

"**18.** *All provisions of the Inquiries Act not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act, and* the Commissioner shall have all the powers of a commissioner appointed under the *Inquiries Act, except in so far as any such powers may be inconsistent with the provisions of this Act*".

Section 22 is new.

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

Final report.

(3) When the Commission has obtained such further information as it deems necessary to appraise effectively the effect on the public interest of the practices and arrangements referred to in subsection one, it shall make a final report in writing and without delay transmit it to the Minister, and the provisions of section nineteen of this Act apply to such report and to all books, papers, records or other documents obtained in the investigation and subsequent inquiry upon which such report is based; until such final report is made, the Commission shall, after making an interim report as provided in subsection one, as soon as possible after the thirty-first day of March in each year and in any event within three months thereof submit to the Minister an annual report setting out any further action taken and evidence obtained since such interim report was submitted.

S. 19(3), (4) applicable.

(4) Subsections three and four of section nineteen apply to an interim report and an annual report made pursuant to this section.

"PART III.

GENERAL.

Former civil servants contributors under Superannuation Act.
R.S., c. 24.

"**23.** (1) Notwithstanding any other statute or law, where a person who is appointed a member of the Commission was immediately prior to his appointment a contributor under the *Civil Service Superannuation Act*, he continues while he is a member of the Commission to be a contributor under the *Civil Service Superannuation Act*.

Retirement.
R.S., c. 24.

(2) For the purposes of the *Civil Service Superannuation Act* the service of a person to whom subsection one applies shall be counted as service in the civil service and he, his

Section 23 is new.

widow, children or other dependants, if any, or his legal representatives, may be granted the respective allowances or gratuities provided by the *Civil Service Superannuation Act*.

Idem.

(3) Where a person to whom subsection one applies is retired from his office under this Act for any reason other than misconduct, his retirement shall, for the purposes of the *Civil Service Superannuation Act*, be deemed to be retirement by reason of abolition of office.

R.S., c. 24.

Application of Superannuation Act to other members.

(4) The *Civil Service Superannuation Act* is applicable to a member to whom subsection one does not apply as though the Commission were listed in Schedule A to that Act.

Staff.

"**24.** All officers, clerks and employees required for carrying out this Act shall be appointed in accordance with the provisions of the *Civil Service Act*, except that the Director or the Commission may, with the approval of the Governor in Council, employ such temporary, technical and special assistants as may be required to meet the special conditions that may arise in carrying out the provisions of this Act.

Remuneration of temporary staff.

"**25.** (1) Any temporary, technical and special assistants employed by the Director or the Commission shall be paid for their services and expenses as may be determined by the Governor in Council.

Remuneration and expenses payable out of appropriations.

(2) The remuneration and expenses of the Director and of each member of the Commission and of the temporary, technical and special assistants employed by the Director or the Commission, and of any counsel instructed by the Minister under this Act, shall be paid out of money appropriated by Parliament to defray the cost of administering this Act.

Civil Service Act applies.

(3) Except as provided in this section and in sections five and sixteen, the *Civil Service Act* and other Acts relating to the Civil Service, in so far as applicable, apply to each member of the Commission, to the Director and to all other persons employed under this Act.

Authority of technical or special assistants.

"**26.** Any technical or special assistant or other person employed under this Act, when so authorized or deputed by the Director, has power and authority to exercise any of the powers and duties of the Director under this Act with respect to any particular inquiry, as may be directed by the Director.

Sections 24, 25, and 26 correspond to the present sections 8 and 9, which read as follows:

"**8.** (1) *The Commissioner may*, with the approval of the Governor in Council, employ such temporary, technical and special assistants as may be required to meet the special conditions that may arise in carrying out the provisions of this Act.

(2) Any technical or special assistant or other qualified person employed *under this Act* shall, when so authorized or deputed by the *Commissioner*, inquire into any matter within the scope of this Act as may be directed by the Commissioner.

9. (1) Any special commissioner and any temporary, technical and special assistants employed *by the Commissioner* shall be paid for their services and expenses as may be determined by the Governor in Council.

(2) The remuneration and expenses of the *Commissioner* and of *any special commissioner* and of the temporary, technical and special assistants employed by the *Commissioner*, and of any counsel instructed by the Minister of Justice under this Act, shall be paid out of *such appropriations as are provided* by Parliament to defray the cost of administering this Act.

(3) The *Civil Service Act* and other Acts relating to the Civil Service, in so far as applicable, shall, except as otherwise provided in section five of this Act, apply to the Commissioner and to all other permanent employees under this Act."

Minister may require interim report.

"**27.** The Minister may at any time require the Director to submit an interim report with respect to any inquiry by him under this Act, and it is the duty of the Director whenever thereunto required by the Minister to render an interim report setting out the action taken, the evidence obtained and the Director's opinion as to the effect of the evidence.

Inquiries to be in private.

"**28.** All inquiries under this Act shall be conducted in private, except that the Chairman of the Commission may order that all or any portion of any proceedings before the Commission or any member thereof shall be conducted in public.

Section 27 corresponds to subsection (4) of the present section 27, which reads as follows:

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

Section 28 corresponds to the present section 25, which reads as follows:

"**25.** *The proceedings before the Commissioner and any special commissioner* shall be conducted in private, *but the Commissioner* may order that all or any portion of the proceedings shall be conducted in public. *All preliminary investigations shall be conducted in private.*"

"PART IV.

SPECIAL REMEDIES.

Reduction or removal of customs duties.

"**29.** Whenever, from or as a result of an inquiry under the provisions of this Act, or from or as a result of a judgment of the Supreme Court or Exchequer Court of Canada or of any superior court, or circuit, district or county court in Canada, it appears to the satisfaction of the Governor in Council that with regard to any article of commerce, there exists any combine to promote unduly the advantage of manufacturers or dealers at the expense of the public, and if it appears to the Governor in Council that such disadvantage to the public is facilitated by the duties of custom imposed on the article, or on any like article, the Governor in Council may direct either that such article be admitted into Canada free of duty, or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Governor in Council, give the public the benefit of reasonable competition."

3. Sections thirty-one to thirty-seven of the said Act are repealed and the following substituted therefor:

Prohibitions.

"**31.** (1) Where a person has been convicted of an offence under section thirty-two or thirty-four of this Act or under section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code*

R.S., c. 36.

(a) the court may, at the time of such conviction, on the application of the Attorney General of Canada or the attorney general of the province, or

(b) a superior court of criminal jurisdiction in the province may at any time thereafter, upon proceedings commenced by information of the Attorney General of Canada or the attorney general of the province for the purposes of this section,

and in addition to any other penalty imposed on the person convicted, prohibit the continuation or repetition of the offence or the doing of any act or thing by the person convicted or any other person directed towards the continuation or repetition of the offence and where the conviction is with respect to the formation or operation of a merger, trust or monopoly, direct the person convicted or any other person to do such acts or things as may be necessary to dissolve the merger, trust or monopoly in such manner as the court directs.

Section 29 corresponds to the present section 29, which reads as follows:

"**29.** Whenever, from or as a result of an *investigation* under the provisions of this Act, or from or as a result of a judgment of the Supreme Court or Exchequer Court of Canada or of any superior court, or circuit, district or county court in Canada, it appears to the satisfaction of the Governor in Council that with regard to any article of commerce, there exists any combine to promote unduly the advantage of manufacturers or dealers at the expense of the public, and if it appears to the Governor in Council that such disadvantage to the public is facilitated by the duties of custom imposed on the article, or on any like article, the Governor in Council may direct either that such article be admitted into Canada free of duty, or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Governor in Council, give the public the benefit of reasonable competition."

Section 31 is new.

Idem.

(2) Where it appears to a superior court of criminal jurisdiction in proceedings commenced by information of the Attorney General of Canada or the attorney general of the province for the purposes of this section that a person is about to do or is likely to do any act or thing constituting or directed towards the commission of an offence under section thirty-two or thirty-four of this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code*, the court may prohibit the commission of the offence or the doing of any act or thing by that person or any other person constituting or directed towards the commission of such an offence.

R.S., c. 36.

Punishment for disobedience.

(3) A court may punish any person who contravenes or fails to comply with a prohibition or direction made or given by it under this section by a fine in the discretion of the court, or by imprisonment for a term not exceeding two years.

Procedure.

(4) Any proceedings pursuant to an information of the Attorney General of Canada or the attorney general of a province under this section shall be tried by the court without a jury, and the procedure applicable in injunction proceedings in the superior courts of the province shall, in so far as possible, apply.

Application of section.

(5) This section applies in respect of all prosecutions under this Act or under section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* whether commenced before or after the coming into force of this section and in respect of all acts or things, whether committed or done before or after the coming into force of this section.

R.S., c. 36.

"Superior court of criminal jurisdiction."

(6) In this section "superior court of criminal jurisdiction" means a superior court of criminal jurisdiction as defined in the *Criminal Code*.

"PART V.

OFFENCES AND PENALTIES.

Penalty for operating combine.

"**32.** (1) Every person who is a party or privy to or knowingly assists in the formation or operation of a combine is guilty of an indictable offence and liable on conviction to imprisonment for a term not exceeding two years.

Prohibition of double charges.

(2) No person shall be charged with an offence against this section on the same information or indictment as that on which he is charged with an offence against section four hundred and ninety-eight of the *Criminal Code*.

Court may require returns.

"**33.** (1) Notwithstanding anything contained in section thirty-two or thirty-four of this Act or in the *Criminal Code*, where any person is convicted of an offence against section thirty-two or thirty-four of this Act or section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code*, the court before whom such person was convicted and sentenced may, from time to time thereafter, for such period as it deems advisable, require the convicted person to submit such information with respect to the business of such person as the court deems advisable, and without restricting the generality of the foregoing the court may require a full disclosure of all transactions, operations or activities since the date of the offence under or with respect to any contracts, agreements or arrangements, actual or tacit, that the convicted person may at any time have entered into with any other person, touching or concerning the business of the person so convicted.

R.S., c. 36.

Punishment for contempt.

(2) The court may punish any failure to comply with an order under this section by a fine in the discretion of the court or by imprisonment for a term not exceeding two years."

4. (1) Section thirty-seven A of the said Act is renumbered as section thirty-four.

(2) Subsections four, five and six of the said section thirty-four, as renumbered by this section, are repealed and the following substituted therefor:

Penalty.

"(4) Every person who violates subsection two or three is guilty of an indictable offence and is liable on conviction to imprisonment for a term not exceeding two years."

5. Sections thirty-eight and thirty-nine of the said Act are repealed.

6. Section thirty-nine A of the said Act is renumbered as section forty-one.

Section 32 corresponds to subsections (1) and (2) of the present section 32, which read as follows:

"**32.** (1) Every one is guilty of an indictable offence and liable to a penalty not exceeding ten thousand dollars or to two years imprisonment, *or if a corporation to a penalty not exceeding twenty-five thousand dollars*, who is a party or privy to or knowingly assists in the formation or operation of a combine within the meaning of this Act.

(2) No person shall be charged with an offence against this Act on the same information or indictment as that on which he is charged with an offence against section four hundred and ninety-eight of the *Criminal Code*."

Section 33 is new.

4. Subsections (4), (5) and (6) of the present section 37A read as follows:

"**37A.** (4) Every person who violates subsection two or three is guilty of an indictable offence and is liable on conviction to a penalty not exceeding ten thousand dollars or to two years' imprisonment, or if a corporation to a penalty not exceeding twenty-five thousand dollars.

(5) The Commissioner has authority to institute and conduct an inquiry into all such matters as he considers necessary to inquire into with a view of determining whether this section has been or is being violated and to make a report thereon in writing to the Minister, and for such purposes the Commissioner has all the powers, authority, jurisdiction and duties that are conferred upon him by this Act, including sections sixteen and seventeen, with respect to an inquiry as to whether a combine exists or is being formed.

(6) A report of an inquiry under this section shall be dealt with in the same manner as a report of an inquiry or investigation under this Act as to whether a combine exists or is being formed."

5. Sections 38 and 39 of the present Act are replaced by the new sections 37 and 40, as hereinafter set out.

7. Sections forty and forty-one of the said Act are repealed and the following substituted therefor:

Civil rights not affected.

"**35.** Sections thirty-two and thirty-four shall not be deemed to deprive any person of any civil right of action.

Penalty for failure to attend, etc.

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

Obstruction.

"**37.** (1) No person shall in any manner impede or prevent or attempt to impede or prevent any inquiry or examination under this Act.

Penalty.

(2) Every person who violates subsection one is guilty of an offence and is liable on summary conviction or on conviction on indictment to a fine of not more than five thousand dollars or to imprisonment for a term not exceeding two years or to both.

Penalty for violation of s. 10 (2).

"**38.** (1) Every person who violates subsection two of section ten is guilty of an offence and is liable on summary conviction or on conviction on indictment to a fine of not more than five thousand dollars or to imprisonment for a term not exceeding two years or to both.

Penalty for failure to comply with notice under s. 9 or 22.

(2) Every person who, without good and sufficient cause, the proof whereof lies on him, refuses, neglects or fails to comply with a notice in writing requiring a written return under oath or affirmation, pursuant to section nine or subsection two of section twenty-two is guilty of an offence and liable on summary conviction or on conviction on indictment to a fine of not more than five thousand dollars or to imprisonment for a term not exceeding two years or to both.

Liability of directors assenting to offences.

(3) Where a corporation commits an offence against subsection one or two any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers.

7. Section 35 corresponds to subsection (3) of the present section 32, which reads as follows:

"(3) The provisions of this section which provide for the imposition of penalties shall not be deemed to deprive any person of any civil right of action."

Section 36 corresponds to the present section 34, which reads as follows:

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

Section 37 corresponds to the present sections 19 and 38 which read as follows:

"**19.** No person shall in any manner impede or prevent or attempt to impede or prevent any investigation, examination or inquiry under this Act.

38. Any person who, in any manner, impedes or prevents, or attempts to impede or prevent, any investigation, examination or inquiry under this Act, shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment."

Section 38 corresponds to the present sections 17, 35, 36 and 37 which read as follows:

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

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

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

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

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

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

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

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

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

37. If a corporation offend against either of the two last preceding sections any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers."

Penalty for failure to comply with notice under s. 12.

"**39.** Every person who, without good and sufficient cause, the proof whereof lies on him, refuses, neglects or fails to comply with a notice in writing requiring evidence upon affidavit or written affirmation, pursuant to subsection one of section twelve is guilty of an offence and liable on summary conviction or on conviction on indictment to a fine of not more than five thousand dollars or to imprisonment for a term not exceeding two years or to both.

Procedure for enforcing penalties.

"**40.** (1) Where an indictment is found against an accused, other than a corporation, for any offence against this Act, the accused may elect to be tried without a jury and where he so elects he shall be tried by the judge presiding at the court at which the indictment is found, or the judge presiding at any subsequent sittings of that court, or at any court where the indictment comes on for trial; and in the event of such election being made the proceedings subsequent to the election shall be regulated in so far as may be applicable by the provisions of the *Criminal Code*, relating to speedy trials of indictable offences.

R.S., c. 36.

Jurisdiction of courts.

(2) No court mentioned in section five hundred and eighty-two or section seven hundred and seventy-four or deriving jurisdiction under Part XVIII, of the *Criminal Code* has power to try any offence against section thirty-two of this Act.

R.S., c. 36.

Corporations tried without jury.

(3) Notwithstanding anything in the *Criminal Code* or in any other statute or law, a corporation charged with an offence under this Act or under section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* shall be tried without the intervention of a jury".

8. All the words preceding paragraph *(a)* of subsection two of section forty-one of the said Act, as renumbered by section six of this Act, are repealed and the following substituted therefor:

Evidence against a participant.

"(2) In a prosecution under section thirty-two or thirty-four of this Act or under section four hundred and ninety-eight or section four hundred and ninety-eight A of the *Criminal Code*".

R.S., c. 36.

9. The said Act is amended by adding thereto the following Part:

Section 39 is new.

Section 40 corresponds to the present section 39, which reads as follows:

"**39.** (1) When an indictment is found against any person for any offence against this Act the accused shall have the option to be tried before the judge presiding at the court at which the indictment is found, or the judge presiding at any subsequent sitting of such court, or at any court where the indictment comes on for trial, without the intervention of a jury; and in the event of such option being exercised the proceedings subsequent thereto shall be regulated in so far as may be applicable by Part XVIII of the *Criminal Code*, respecting speedy trials of indictable offences.

(2) No court mentioned in section five hundred and eighty-two of the *Criminal Code* has power to try any offence against section thirty-two of this Act.

(3) Notwithstanding anything in the *Criminal Code* or in any other statute or law, a corporation charged with an offence under this Act or under section four hundred and ninety-eight or section four hundred and ninety-eight A of the *Criminal Code*, shall be tried without the intervention of a jury."

8. The opening words of subsection (2) of the present section 39A read as follows:

"(2) In a prosecution under section thirty-two or thirty-seven A of this Act or under section four hundred and ninety-eight or section four hundred and ninety-eight A of the *Criminal Code:*"

9. Section 42 corresponds to and is an extension of the present section 10 *(e)*, which reads as follows:

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

(e) to compile information and make studies concerning the existence in Canada of monopolistic conditions arising from the operations of international cartels or otherwise and to make reports from time to time to the Minister.

Sections 43 and 44 correspond to the present sections 40 (1) and 41, which read as follows:

"**40.** (1) The Governor in Council may make such regulations, not inconsistent with this Act, as to him seem necessary for carrying out the provisions of this Act for the efficient administration thereof.

. . . . . .

"**41.** The *Commissioner* shall, annually, report to the Minister his proceedings under this Act and he shall lay such report before Parliament if it be then sitting, and, if it be not then sitting, within the first fifteen days of its then next session."

"PART VI.

INVESTIGATION OF MONOPOLISTIC SITUATIONS.

Investigation of monopolistic situations.

"**42.** (1) The Director upon his own initiative may and upon direction from the Minister or at the instance of the Commission shall carry out an inquiry concerning the existence and effect of conditions or practices that are related to monopolistic situations or restraint of trade, and for the purposes of this Act any such inquiry shall be deemed to be an inquiry under section eight.

Consideration and report.

(2) It is the duty of the Commission to consider any evidence or material brought before it under subsection one together with such further evidence or material as the Commission considers advisable and to report thereon in writing to the Minister, and for the purposes of this Act any such report shall be deemed to be a report under section nineteen.

REGULATIONS AND REPORT TO PARLIAMENT.

Regulations.

43. The Governor in Council may make such regulations, not inconsistent with this Act, as to him seem necessary for carrying out the provisions of this Act and for the efficient administration thereof.

Annual report.

44. The Director shall annually report to the Minister the proceedings under this Act, and the Minister shall within thirty days after he receives it lay the report before Parliament if Parliament is then in session, or, if Parliament is not then in session, within the first fifteen days after the commencement of the next ensuing session."

Continuation of inquiries begun before passing of this Act. R.S., c. 26.

10. (1) Where, prior to the coming into force of this Act,

(a) the Commissioner of the *Combines Investigation Act* had caused an inquiry or investigation to be made under the *Combines Investigation Act*,

(b) no report had been made under subsection one of section twenty-seven of that Act, and

(c) the Commissioner had exercised any of the powers conferred upon him by section twenty-two of that Act,

the inquiry or investigation may be continued and completed and report thereon may be made as though this Act had not been passed.

10. These are transitional provisions.

Idem.

(2) Where, prior to the coming into force of this Act,

(a) the Commissioner of the *Combines Investigation Act* had caused an inquiry or investigation to be made under the *Combines Investigation Act*,

R.S., c. 26.

(b) no report had been made under subsection one of section twenty-seven of that Act, and

(c) the Commissioner had not exercised any of the powers conferred upon him by section twenty-two of that Act,

the Director of Investigation and Research may continue and complete the inquiry, and all the provisions of the *Combines Investigation Act*, as amended by this Act, are applicable to and in respect of such inquiry as though it were an inquiry under the *Combines Investigation Act*, as amended by this Act.

R.S., c. 26.

Continuation of inquiries by special commissions.

(3) Where, prior to the coming into force of this Act,

(a) a special commissioner was appointed under section seven of the *Combines Investigation Act* to conduct an inquiry or investigation, and

R.S., c. 26.

(b) no report had been made under subsection three of section twenty-seven of that Act,

the inquiry or investigation may be continued and completed and report thereon may be made as though this Act had not been passed.

Reports.

(4) In the case of an inquiry or investigation referred to in subsection one or subsection three of this section, the Commissioner of the *Combines Investigation Act* or the special commissioner, as the case may be, may, instead of making a report as therein provided, prepare a statement of evidence and submit it to the Restrictive Trade Practices Commission and to each person against whom an allegation is made therein, and for the purposes of the *Combines Investigation Act*, as amended by this Act, such statement shall be deemed to be a statement submitted to the Commission pursuant to subsection one of section eighteen of the said Act as enacted by this Act.

R.S., c. 26.

Evidence.

(5) For the purposes of any prosecution under the *Combines Investigation Act* or under section four hundred and ninety-eight or four hundred and ninety-eight A of the *Criminal Code* any copies of books, papers, records or other documents made by or at the instance of the Commissioner of the *Combines Investigation Act*, shall be deemed to have been made under the authority of subsection two of section eleven of the *Combines Investigation Act*, as enacted by this Act.

R.S., c. 26.

R.S., c. 36.

11. Sections four hundred and ninety-eight and four hundred and ninety-eight A of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, are repealed and the following substituted therefor:

11. Sections 498 and 498A correspond to the present sections 498 and 498A, which read as follows:

Conspiracy.

"**498.** (1) Every one who conspires, combines, agrees or arranges with another person

To limit commercial facilities.

(a) to limit unduly the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article,

To restrain commerce.

(b) to restrain or injure trade or commerce in relation to any article,

To lessen production.

(c) to prevent, limit or lessen, unduly, the manufacture or production of an article, or to enhance unreasonably the price thereof, or

To lessen competition.

(d) to prevent or lessen, unduly, competition in the production, manufacture, purchase, barter, sale, transportation or supply of an article, or in the price of insurance upon persons or property,

is guilty of an indictable offence and is liable on conviction to imprisonment for a term not exceeding two years.

"Article."

(2) For the purposes of this section, "article" means an article or commodity which may be a subject of trade or commerce.

Saving.

(3) This section does not apply to combinations of workmen or employees for their own reasonable protection as workmen or employees.

Punishment.

"**498A.** (1) Every person engaged in trade, commerce or industry is guilty of an indictable offence and liable on conviction to imprisonment for a term not exceeding two years, who

Discrimination in trade.

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

Lower prices in particular area.

(b) engages in a policy of selling goods in any area of Canada at prices lower than those exacted by such seller elsewhere in Canada, having or designed to have the effect of substantially lessening competition or eliminating a competitor in such part of Canada;

Lessening prices.

(c) engages in a policy of selling goods at prices unreasonably low, having or designed to have the effect of substantially lessening competition or eliminating a competitor.

"*498.* Every one is guilty of an indictable offence and liable to a penalty not exceeding four thousand dollars and not less than two hundred dollars, or to two years' imprisonment, or, if a corporation, is liable to a penalty not exceeding ten thousand dollars, and not less than one thousand dollars, who conspires, combines, agrees or arranges with any other person, or with any railway, steamship, steamboat or transportation company,

(a) to unduly limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article or commodity which may be a subject of trade or commerce; or

(b) to restrain or injure trade or commerce in relation to any such article or commodity; or

(c) to unduly prevent, limit, or lessen the manufacture or production of any such article or commodity, or to unreasonably enhance the price thereof; or

(d) to unduly prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation or supply of any such article or commodity, or in the price of insurance upon person or property.

2. Nothing in this section shall be construed to apply to combinations of workmen or employees for their own reasonable protection as such workmen or employees.

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

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

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

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

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

Defence.

(2) It is not an offence under paragraph *(a)* of subsection one to be a party or privy to, or assist in any sale mentioned therein unless the discount, rebate, allowance, price concession or other advantage was granted as part of a practice of discriminating as described in that paragraph.

Co-operative society not affected.

(3) The provisions of paragraph *(a)* of subsection one shall not prevent a co-operative society returning to producers or consumers, or a co-operative wholesale society returning to its constituent retail members, the whole or any part of the net surplus made in its trading operations in proportion to purchases made from or sales to the society."

Coming into force.

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

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 309, see Senate Bills, V10.)
(" 310, " " " , D11)

BILL 308.

An Act to revise the capital structure of the Canadian National Railway Company and to provide for certain other financial matters.

First reading, June 4, 1952.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58418

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 308.

An Act to revise the capital structure of the Canadian National Railway Company and to provide for certain other financial matters.

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 Capital Revision Act, 1952.*

Definitions.

2. In this Act

"Canadian Government Railways."

(a) "Canadian Government Railways" means all such railways or parts thereof, and all such properties, works, powers, rights and privileges or interests or any of them as may be designated whether generally or in detail in any order of the Governor in Council from time to time subsisting, entrusting the management and operation thereof to the Canadian National Railway Company under the provisions of section nineteen of the *Canadian National Railways Act*, and includes, unless expressly excepted, all properties, works, powers, rights and privileges incidental to those designated and commonly used, operated and enjoyed in connection therewith;

R.S., c. 172.

"four per cent preferred stock."

(b) "four per cent preferred stock" means shares of capital stock specified in section seven;

"Minister."

(c) "Minister" means the Minister of Finance;

"National company."

(d) "National Company" means the Canadian National Railway Company;

"National Railways."

(e) "National Railways" means the Canadian National Railway Company, as owner, operator, manager and

otherwise, and its transportation, communication and hotel system, which system shall be deemed to comprise all companies that are elements of the Canadian National Railways as defined in the *Canadian National Railways Act*, the respective undertakings of such companies, the Canadian National Railway Company in its capacity as owner, manager or operator, in whole or in part, of any railways, except Canadian Government Railways, or of any land, water or air transportation or communication services or hotel services, and the said railways and services, their works and property, and all such works and property as are ancillary;

R.S., c. 172.

"National System."

(f) "National System" means the Canadian National Railway Company as owner, operator, manager and otherwise, and its transportation, communication and hotel system, which system shall be deemed to comprise all companies that are elements of the Canadian National Railways as defined in the *Canadian National Railways Act*, the respective undertakings of such companies, the Canadian National Railway Company in its capacity as owner, manager or operator in whole or in part of any railways, including Canadian Government Railways, or of any land, water or air transportation or communication services or hotel services and the said railways, services, their works and property, and all such works and property as are ancillary; and

R.S., c. 172.

"Securities Trust."

(g) "Securities Trust" means The Canadian National Railways Securities Trust mentioned in section eleven.

Minister to release National Company from claims by Her Majesty.

3. (1) The Minister shall, by instrument in writing, release the National Company from all claims by Her Majesty to payments falling due after the thirty-first day of December, 1951, on account of principal and interest, in respect of each of the loans specified in the first column of Schedule A to the extent specified in the second column of the said Schedule, the total principal amount so released to be $736,385,405, being fifty per cent of the total indebtedness of the National Company to Her Majesty and the public as of the thirty-first day of December, 1951, on account of borrowed capital.

Company to deliver shares to the Minister.

(2) In consideration of the release by the Minister of the claims specified in subsection one, the National Company shall issue and deliver to the Minister 736,385,405 shares of four per cent preferred stock of the National Company.

National Company's relief for ten years.

4. In order to relieve the National Company for a period of ten years from its obligation to pay interest on a portion of its indebtedness to Her Majesty,

(a) the Minister shall, by instrument in writing, release the National Company from all claims by Her Majesty to payments falling due after the thirty-first day of December, 1951, on account of principal and interest, in respect of each of the loans specified in the first column of Schedule B, to the extent specified in the second column of the said Schedule, the total principal amount so released to be one hundred million dollars, and

(b) in consideration thereof, the National Company shall deliver to the Minister an instrument in writing evidencing an obligation of the National Company to pay to Her Majesty the sum of one hundred million dollars on the first day of January, 1972, with interest thereon at such rate and upon such other terms as the Governor in Council prescribes, except that interest shall not be payable by the National Company on the said sum in respect of the period of ten years commencing on the first day of January, 1952.

Minister to surrender instruments of indebtedness for cancellation.

5. (1) The Minister shall, upon releasing the National Company in accordance with sections three and four, surrender to the National Company for cancellation the instruments specified in the third column of Schedule A and the instruments specified in the third column of Schedule B evidencing the indebtedness of the National Company to Her Majesty in respect of the loans specified in Schedules A and B and shall also surrender to the National Company the collateral securities specified in the fourth column of Schedule A; and where it is indicated in the third column of Schedule B that part only of the principal amount of an instrument is to be surrendered, the Minister may surrender the instrument in exchange for an obligation of the National Company issued under subsection three of section seven to pay to Her Majesty an amount equal to that part of the principal amount of the instrument that is not to be surrendered.

Transfer of securities.

(2) The securities specified in the fourth column of Schedule A shall, upon being surrendered by the Minister, be transferred to the Securities Trust.

Repayments by Minister.

(3) The Minister shall out of the Consolidated Revenue Fund repay to the National Company

(a) the amount of any payment that has been made by it to Her Majesty after the thirty-first day of December, 1951, on account of the principal amount of a loan specified in Schedule A, and

(b) where a payment has been made by it to Her Majesty on account of interest on a loan specified in Schedule A in respect of a period part of which is before and part of which is after the commencement of 1952, an amount equal to that proportion of the interest so paid that the number of days in that part of the said period that

is after the commencement of 1952 is of the number of days in the whole of the said period.

Minister to purchase shares.

6. (1) The Minister shall, in respect of each fiscal year of the National Company commencing in the years 1952 to 1960 inclusive, purchase at par from the National Company shares of four per cent preferred stock of the National Company having a total par value equal to three per cent of the gross revenues of the National System in the fiscal year calculated to the nearest dollar as certified by the auditors of the National System.

Idem.

(2) The Minister may, from time to time during a fiscal year of the National Company to which subsection one applies, at the request of the National Company, purchase at par shares of four per cent preferred stock of the National Company having a total par value not exceeding three per cent of the gross revenues of the National System calculated to the nearest dollar in that part of the fiscal year that precedes the date of purchase, less the number of shares previously purchased in the fiscal year under this subsection.

Amounts to be credited to special account.

(3) The amounts received by the National Company from the purchase of four per cent preferred stock by the Minister pursuant to this section shall be credited to a special account in the books of the Company and shall be used to meet expenditures of the National System for additions and betterments that have been included in estimates of capital expenditures in an annual budget of the National System.

Issue of shares authorized.

7. (1) The National Company is hereby authorized to issue such shares of four per cent preferred stock as are necessary to carry out the provisions of this Act.

Value of shares.

(2) The four per cent preferred stock shall be in shares of the par value of one dollar each in respect of which non-cumulative dividends shall, from time to time, be paid to the extent that earnings are available for distribution in a fiscal year of the National Company after payment of

(a) interest on securities held by the public,

(b) interest on the indebtedness of the National Company to Her Majesty, and

(c) taxes payable under *The Income Tax Act*,

but a dividend shall not exceed four per cent of the par value of the shares outstanding when the dividend is paid and the shares shall be redeemable at any time at par with the consent of the Governor in Council.

National Company may issue obligation.

(3) The National Company may, for the purposes of section five, upon being tendered a security by the Minister, issue and deliver to the Minister in exchange therefor an obligation of the National Company in a smaller amount but otherwise subject to the same terms and conditions as the security tendered by the Minister.

Surplus or deficit to be included in surplus or deficit of National Railways.

8. (1) Notwithstanding section fifteen of the *Canadian National Railways Act*, the surplus or deficit of the Canadian Government Railways shall be included in, and deemed to be part of, the surplus or deficit, as the case may be, of the National Railways.

(2) This section does not apply to such Canadian Government Railways as are designated by the Governor in Council.

Earnings remaining after payment paid to Receiver General.

9. (1) Whenever the accounts of the National System for a fiscal year, as certified by the auditors thereof appointed by Parliament, show earnings remaining after payment, in the following order of priority, of

(a) interest on securities held by the public,

(b) interest on the indebtedness of the National Company to Her Majesty,

(c) taxes payable under *The Income Tax Act*, and

(d) dividends on the four per cent preferred stock of the National Company,

the earnings remaining shall be paid to the Receiver General of Canada.

Or applied in discharge of obligations.

(2) Notwithstanding subsection one, the Governor in Council may direct that the whole or any part of the earnings remaining shall be applied in discharge of such obligations of the National System as he prescribes.

What accounts to show.

10. (1) The accounts of the National System for the 1952 and subsequent fiscal years shall be stated in such a manner as to show

(a) the value of the no par value capital stock outstanding of the National Company,

(b) the par value of the four per cent preferred stock outstanding of the National Company, and

(c) the capital investment of Her Majesty in the Canadian Government Railways as shown in the accounts of Canada.

Stated value of no par value capital stock.

(2) For the purposes of subsection one, the no par value capital stock shall be shown on the books of the National Company, as at the first day of January, 1952, as having an initial stated value of $396,518,135.02 and thereafter its value is

(a) the aggregate of

(i) the initial stated value as at the first day of January, 1952,

(ii) the amounts of all capital gains of the National System for the 1952 and subsequent fiscal years retained by the National Company, and

(iii) the amounts of all earnings of the 1952 and subsequent fiscal years paid in discharge of obligations pursuant to subsection two of section nine,

minus

(*b*) the aggregate of the amounts of all capital losses of the National System for the 1952 and subsequent fiscal years in respect of which Her Majesty has not made any contribution.

Capital stock and investment to be stated as included in net debt of Canada.

(3) A footnote shall appear in the accounts of the National System stating that the capital stock of the National Company, (other than the four per cent preferred stock) and the capital investment of Her Majesty in the Canadian Government Railways included in the net debt of Canada and disclosed in the historical record of government assistance to railways as shown in the Public Accounts of Canada.

C.N.R. Securities Trust.

11. (1) The corporation known as The Canadian National Railways Securities Trust, established by chapter twenty-two of the statutes of 1937, shall continue and shall consist of the persons who, from time to time, are the members of the Board of Directors of the National Company, (hereinafter referred to as the Trustees) who shall serve without remuneration.

Head office.

(2) The head office of the corporation shall be at Montreal.

Object of Corporation.

12. The object of the Securities Trust is to hold the obligations, claims and collateral securities that are in its custody at the commencement of this Act, and the securities required by this Act to be delivered to it.

Capital stock.

13. (1) The capital stock of the Securities Trust shall consist of five million shares of no par value.

Transfer of shares of capital stock of Securities Trust.

(2) The Minister shall, with the approval of the Governor in Council, transfer to the National Company the shares of capital stock of the Securities Trust held by him at the commencement of this Act and in consideration thereof the National Company shall issue and deliver to the Minister an equal number of shares of no par value of the capital stock of the National Company which shall be shown in the accounts of Canada and the books of the National Company as having an initial stated value of $378,518,135.02.

Stated value of Securities Trust Capital Stock.

(3) The capital stock of the Securities Trust shall be shown on the books of the Securities Trust as having a stated value of $378,518,135.02 as at the first day of January, 1952.

Powers of Trustees.

14. (1) The Trustees shall be charged with the management of the Securities Trust and, with the approval of the Governor in Council, may make all necessary by-laws for carrying out the object of the Securities Trust.

By-laws.

(2) The by-laws shall provide for

(*a*) the custody of the corporate seal of the Securities Trust;

(*b*) the execution of instruments by two or more Trustees; and

(*c*) meetings of the Trustees, to be held at least once in every year, the giving of notices of meetings, the appointment of a chairman and the number of Trustees necessary to constitute a quorum at meetings.

Secretary of Securities Trust.

15. The Trustees shall appoint a person to be secretary of the Securities Trust who shall perform without remuneration such duties as are assigned to him by the Trustees.

Every company obligated, etc.

16. (1) Every company included in the National Railways is obligated to the Securities Trust in respect of all claims, obligations and collateral securities held by the Securities Trust in the same way and to the same extent as it was obligated to Her Majesty immediately prior to the transfer of the claims, obligations and securities to the Securities Trust.

Securities Trust not to sell, etc., except with approval of G. in C.

(2) The Securities Trust shall not sell, release, destroy or otherwise dispose of claims, obligations and securities held by it except with the approval of the Governor in Council.

Trustees to report annually to Parliament.

17. The Trustees shall present to Parliament annually, concurrently with the annual report of the National Company, through the Minister of Transport, a balance sheet together with a report setting forth in a summary manner the transactions of the Securities Trust during the preceding calendar year.

National Company not to sell, etc., capital stock without approval of G. in C.

18. The National Company shall not, without the approval of Parliament, sell, pledge, release or otherwise dispose of any of the capital stock of the Canadian Northern Railway Company that is held by it.

Minister to include statement of assistance in Public Accounts.

19. The Minister shall include annually in the Public Accounts a summary statement of all assistance, including land grants, guarantees and capital subsidies but not including grants made pursuant to statutes for the relief of unemployment, that has at any time been given by the Government of Canada to each of

(*a*) the National System, including its predecessor companies,

(*b*) the Pacific Railways as defined in *The Canadian National-Canadian Pacific Act, 1933*, including its predecessor companies, and

(*c*) any other railway,

in such a manner as to show the value of property granted, the amounts granted, paid or guaranteed, the amounts repaid, the amounts written off and the amounts outstanding.

1937, c. 22 repealed.

20. *The Canadian National Railways Capital Revision Act, 1937* is repealed.

SCHEDULE A.

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
C.N.R. Refunding Act, 1938....	76,890,029 45	Jan. 20, 1939	530,174 52	2		
		Jan. 20, 1939	7,801,479 29	2		
		Feb. 23, 1939	2,430,000 00	2		
		Feb. 23, 1939	4,166,856 45	2		
		May 30, 1939	6,760,882 27	2		
		June 29, 1939	3,000,000 00	2		
		Feb. 1, 1944	15,500,000 00	2½		
		Feb. 23, 1944	1,700,636 92	2½		
		Apr. 29, 1944	35,000,000 00	2½		
C.N.R. Financing and Guarantee Act—1940—Purchase of Grand Trunk Railway 4% Perpetual Consolidated Debenture Stock	108,158,072 99	Jan 1, 1949	108,157,889 61	3½	Grand Trunk Railway 4% Perpetual Consolidated Debenture Stock.....	£ 23,401,438
		Dec. 14, 1950	183 38	3½		
C.N.R. Financing and Guarantee Act, 1941—Purchase of Securities.....	8,585,465 40	Oct. 29, 1942	3,565,611 60	3½	Canada Atlantic Railway 4% Bonds due Jan. 1, 1955....	£ 7,000
		June 9, 1943	447 00	3½	Canadian National Railway 2% 1927 Debenture Stock..	22,329
		Jan. 1, 1947	5,019,406 80	3½	Canadian Northern Alberta Railway 3½% Stock due May 4, 1960.....	21,513
					Canadian Northern Ontario Railway 3½% Stock due May 19, 1961.....	121,167

SCHEDULE A—*Continued.*

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
					Canadian Northern Ontario Railway 4% Perp. Stock....	£ 107,362
					Canadian Northern Pacific Railway 4% Stock due April 2, 1950....	459,721
					Canadian Northern Quebec Railway 4% Perp. Stock....	28,867
					Canadian Northern Railway 3½% Stock due July 20, 1958 "N"....	21,831
					Canadian Northern Railway 4% Perpetual Stock.....	216,778
					Grand Trunk Pacific Railway 4% Bonds Series "B" (Mountain Section) due April 1, 1955.....	100
					Grand Trunk Pacific Railway 4% Bonds Series "A" (Prairie Section) due April 1, 1955.....	400
					Grand Trunk Railway 4% Perpetual Guaranteed Stock..	802,708
					Grand Trunk Western Railway 4% (Sterling) Bonds due July 1, 1950.....	6,100
					Grand Trunk Western Railway 4% (Currency) Bonds due July 1, 1950.....	$ 1,500
					Northern Railway of Canada 4% Perpetual Stock.....	£ 345
					Quebec & Lake St. John Railway 4% Perpetual Stock....	98,135
					St. John & Quebec Railway 4% Stock due June 1, 1962...	100
C.N.R. Financing and Guarantee Act, 1942—Purchase of Securities.....	18,276,036 27	Oct. 9, 1942	15,650,375 50	3½	Canadian National Railways 4½% Bonds due Sept. 1, 1951	$ 1,978,000
		Jan. 1, 1947	2,625,660 77	3½	Canadian National Railways 4½% Bonds due Feb. 1, 1956	2,632,000
					Canadian National Railways 4½% Bonds due July 1, 1957.	864,000
					Canadian Northern Pacific Railways 4½% Stock due April 2, 1950.....	£ 474,924
					Canadian Northern Railway 3½% Stock due July 20, 1958 "NS".....	15,532
					Canadian Northern Railway 3½% Stock due July 20, 1948 "NC".....	$ 116,268
					Grand Trunk Railway 5% Perp. Borrowed Capital Debenture Stock.....	£ 10,316

SCHEDULE A—*Continued.*

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
					Great Western Railway 5% Perp. Borrowed Capital Debenture Stock	£ 5,970
					Grand Trunk Pacific Railway 3% Bonds due January 1, 1962	1,754,500
					Grand Trunk Pacific Railway 4% Bonds due Jan. 1, 1962	90,900
					Northern Railway of Canada 6% Third Preferential Bonds	400
War Appropriation (United Kingdom Financing) Act, 1942—Purchase of Securities	256,432,469 69	Jan. 1, 1947	256,371,135 05	3½	Canada Atlantic Railway 4% Bonds due Jan. 1, 1955	£ 1,238,300
		Mar. 20, 1947	16,749 01	3½	Canadian National Railways 4¾% Bonds due June 15, 1955	$ 1,504,000
		Nov. 30, 1947	19,798 13	3½	Canadian National Railways 5% Bonds due July 1, 1969	3,317,000
		Dec. 24, 1947	268 62	3½	Canadian National Railways 5% Bonds due Oct. 1, 1969	2,271,500
		Dec. 24, 1947	2,565 72	3½	Canadian Natonal Railways 5% Bonds due Feb. 1, 1970	662,000
		Dec. 16, 1948	5,249 27	3½	Canadian National Railways 2% 1927 Deb. Stock	£ 3,790,921
		Sep. 15, 1949	5,412 42	3½	Canadian Northern Alberta 3½% Stock due May 4, 1960	512,584
		Dec. 2, 1949	631 00	3½	Canadian Northern Ontario Railway 3½% Stock due May 19, 1961	6,173,178
		Dec. 14, 1950	6,265 10	3½	Canadian Northern Ontario Railway 4% Per. Stock	1,502,470
		Dec. 29, 1950	3,625 85	3½	Canadian Northern Pacific Railway 4% Stock due April 2, 1950	2,748,824
		Dec. 31, 1951	769 52	3½	Canadian Northern Pacific Railway 4½% Stock due April 2, 1950	1,058,207
					Canadian Northern Quebec Railway 4% Perp. Stock	954,316
					Canadian Northern Railway 6½% Bonds due July 1, 1946	$ 145,000
					Canadian Northern Railway 3½% Bonds due July 20, 1958 "N"	£ 277,206

SCHEDULE A—*Continued.*

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
					Canadian Northern Railway 3½% Bonds due July 20, 1958 "N.C."	$ 392,398
					Canadian Northern Railway 3½% Bonds due July 20, 1958 "N.S."	£ 45,300
					Canadian Northern Railway 4% Perpetual Stock	8,197,624
					Canadian Northern Railway 3% Bonds due July 10, 1953	1,684,362
					Canadian Northern Western Railway 4½% Bonds due October 22, 1943	$ 6,000
					Canadian Northern Western Railway 4½% Stock due October 22, 1943	£ 187,937
					Grand Trunk Pacific Railway 4% Bonds Series "A" (Prairie Section) due April 1, 1955	1,364,100
					Grand Trunk Pacific Railway 4% Bonds Series "B" (Mountain Section) due April 1, 1955	1,402,800
					Grand Trunk Pacific Railway 4% Bonds (Superior) due April 1, 1955	1,107,200
					Grand Trunk Railway 5% Perpetual Borrowed Cap. Debenture Stock	3,957,286
					Grand Trunk Railway 4% Perpetual Guaranteed Stock	11,697,292
					Grand Trunk Western Railway 4% (Currency) Bonds due July 1, 1950	$ 1,292,000
					Grand Trunk Western 4% (Sterling) Bonds due July 1, 1950	£ 643,400
					Great Western Railway 5% Perpetual Borrowed Cap. Deb. Stock and Bonds	2,542,780
					Northern Railway of Canada 4% Perp. Deb. Stock	302,228
					Northern Railway of Canada 6% Third Preferential Bonds	14,000
					Quebec & Lake St. John Railway 4% Perp. Stock	717,035
					St. John & Quebec Railway Stock 4% due June 1, 1962	432,500
					Wellington, Grey & Bruce Railway 7% Bonds	6,100

SCHEDULE A—*Continued*

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
War Appropriation Acts—Hire-Purchase Agreement *re* purchase of Equipment	12,493,333 41	.....	.....	2¾		
War Appropriation Acts—Hire-Purchase Agreement *re* purchase of Equipment	6,949,826 65	.....	.....	2¾		
War Appropriation Acts—Hire-Purchase Agreement *re* purchase of Equipment	7,844,604 92	.....	.....	2¾		
C.N.R. Refunding Act, 1944	161,955,308 19	June 30, 1944	56,683,000 00(U.S.)	2½		
		Dec. 15, 1945	50,500,000 00	2½		
		Jan. 15, 1946	15,000,000 00	2½		
		June 29, 1946	23,502,000 00(U.S.)	2		
		Feb. 26, 1948	16,270,308 19	2½		
C.N.R. Financing and Guarantee Act, 1947	5,886,566 33	Feb. 26, 1948	5,886,566 33	2½		
C.N.R. Refunding Act, 1947	37,259,549 34	Feb. 26, 1948	1,561,666 68	2½		
		Feb. 26, 1948	6,968,190 85	2½		
			3,729,691 81	2½		
			25,000,000 00	2½		
Trans-Canada Airlines Act	19,043,022 71	Apr. 1, 1948	19,043,022 71	3		

SCHEDULE A—*Concluded.*

LOANS TO BE RELEASED IN EXCHANGE FOR PREFERRED STOCK

First Column	Second Column	Third Column			Fourth Column	
Authority for Loan	Amount of Loan to be released	Demand Notes and Other Instruments to be Surrendered			Collateral Securities to be Surrendered	
		Dated	Amount	Int. Rate	Issue	Amount
	$		$	%		
C.N.R. Financing and Guarantee Act, 1949	1,656,463 45	Mar. 28, 1951	1,656,463 45	3¾		
C.N.R. Financing and Guarantee Act, 1950	6,911,989 10	Mar. 28, 1951	6,911,989 10	3¾		
C.N.R. Financing and Guarantee Act, 1951	8,042,667 10	July 6, 1951 July 27, 1951	5,000,000 00 3,042,667 10	3¾ 3¾		
	$736,385,405 00					

SCHEDULE B.

LOANS TO BE RELEASED IN EXCHANGE FOR LONG-TERM SECURITY (INTEREST-FREE FOR 10 YEARS)

First Column	Second Column	Third Column		
		Demand Notes to be Surrendered		
Authority for Loan	Amount of Loan to be released	Date	Amount	Int. Rate
			$	%
C.N.R. Financing and Guarantee Act, 1951.....	36,540,944 88	July 27, 1951	4,957,332 90	3¾
		Aug. 14, 1951	5,000,000 00	3¾
		Aug. 28, 1951	7,000,000 00	3¾
		Sept. 14, 1951	10,000,000 00	3¾
		Sept. 27, 1951	9,583,611 98(Part)	3¾
C.N.R. Refunding Act, 1947	50,437,055 12	Mar. 28, 1951	10,863,223 78	3¾
		Aug. 30, 1951	35,000,000 00(U.S.)	3½
		Sept. 27, 1951	4,573,831 34	3¾
C.N.R. Refunding Act, 1951	13,022,000 00(U.S.)	Aug. 30, 1951	13,022,000 00(U.S.)	3½
	100,000,000 00		100,000,000 00	

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 331.

An Act to amend the British North America Acts, 1867 to 1951, with respect to the Readjustment of Representation in the House of Commons.

First reading, June 10, 1952.

THE MINISTER OF CITIZENSHIP AND IMMIGRATION.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

59527

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 331.

An Act to amend the British North America Acts, 1867 to 1951, with respect to the Readjustment of Representation in the House of Commons.

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

30 & 31, Vict. c. 3, (U.K.) amended.

1. Section fifty-one of the *British North America Act, 1867*, as enacted by the *British North America Act, 1946*, is repealed and the following substituted therefor:

Readjustment of representation in Commons.

"**51.** (1) Subject as hereinafter provided, the number of members of the House of Commons shall be two hundred and sixty-three and the representation of the provinces therein shall forthwith upon the coming into force of this section and thereafter on the completion of each decennial census be readjusted by such authority, in such manner, and from such time as the Parliament of Canada from time to time provides, subject and according to the following rules:

Rules.

1. There shall be assigned to each of the provinces a number of members computed by dividing the total population of the provinces by two hundred and sixty-one and by dividing the population of each province by the quotient so obtained, disregarding, except as hereinafter in this section provided, the remainder, if any, after the said process of division.

2. If the total number of members assigned to all the provinces pursuant to rule one is less than two hundred and sixty-one, additional members shall be assigned to the provinces (one to a province) having remainders in the computation under rule one commencing with the province having the largest remainder and continuing with the other provinces in the order of the magnitude of their respective remainders until the total number of members assigned is two hundred and sixty-one.

3. Notwithstanding anything in this section, if upon completion of a computation under rules one and two, the number of members to be assigned to a province is less than the number of senators representing the said province, rules one and two shall cease to apply in respect of the said province, and there shall be assigned to the said province a number of members equal to the said number of senators.

4. In the event that rules one and two cease to apply in respect of a province then, for the purpose of computing the number of members to be assigned to the provinces in respect of which rules one and two continue to apply, the total population of the provinces shall be reduced by the number of the population of the province in respect of which rules one and two have ceased to apply and the number two hundred and sixty-one shall be reduced by the number of members assigned to such province pursuant to rule three.

5. On any such readjustment the number of members for any province shall not be reduced by more than fifteen per cent below the representation to which such province was entitled under rules one to four of this subsection at the last preceding readjustment of the representation of that province, and there shall be no reduction in the representation of any province as a result of which that province would have a smaller number of members than any other province that according to the results of the then last decennial census did not have a larger population; but for the purposes of any subsequent readjustment of representation under this section any increase in the number of members of the House of Commons resulting from the application of this rule shall not be included in the divisor mentioned in rules one to four of this subsection.

6. Such readjustment shall not take effect until the termination of the then existing Parliament.

Yukon Territory and other part not comprised within a province.

(2) The Yukon Territory as constituted by chapter forty-one of the statutes of Canada, 1901, shall be entitled to one member, and such other part of Canada not comprised within a province as may from time to time be defined by the Parliament of Canada shall be entitled to one member."

Short title and citation.

2. This Act may be cited as the *British North America Act, 1952*, and the *British North America Acts 1867 to 1951* and this Act may be cited together as the *British North America Acts 1867 to 1952.*

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 332.

An Act to amend The Unemployment Insurance Act, 1940.

First reading, June 10, 1952.

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58702

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

HOUSE OF COMMONS OF CANADA.

BILL 332.

An Act to amend The Unemployment Insurance Act, 1940.

1940, c. 44; 1943-44, c. 31; 1946, c. 68; 1948, c. 29; 1950, c. 1.

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

Exempted persons.

1. Paragraph *(b)* of subsection one of section sixteen of *The Unemployment Insurance Act, 1940*, chapter forty-four of the statutes of 1940, as enacted by section one of chapter twenty-nine of the statutes of 1947-48, is repealed and the following substituted therefor:

"*(b)* habitually employed in insurable employment for a total of not more than four hours a day;"

Persons to be treated as employers in certain cases.

2. Subsection one of section twenty of the said Act is amended by striking out all the words after the end of paragraph *(b)* thereof and substituting the following therefor:

"the Commission may by special order provide that, in addition to the actual employer, such other person shall, for the purpose of payment of contributions under this Act, be deemed to be the employer of such employed persons."

Periods not counted in computing unemployment.

Sundays.

Day for which contribution required.

Holidays.

3. Section twenty-nine of the said Act is repealed and the following substituted therefor:

"**29.** (1) No insured person is unemployed within the meaning of this Act

(a) on a Sunday, unless otherwise prescribed;

(b) on a day in respect of which a contribution is required to be recorded under this Act or the regulations;

(c) on a day that is recognized as a holiday for his grade, class or shift in the occupation or at the factory,

Explanatory Notes.

1. Subsection one of section sixteen is as follows:—

"**16.** (1) Where an employed person establishes to the satisfaction of the Commission that he is either

(a) a person who is employed in an industry that is seasonal and that does not ordinarily extend over more than twenty weeks in any year and who is not ordinarily employed in any other insurable employment; or

(b) a person who habitually works for not more than one-half of the working hours in the normal working day at the office, plant, factory, premises or place where he is employed, and for not more than a total of four hours a day;

the Commission shall grant him a certificate exempting him from liability to contribute under this Act and the holder of such a certificate shall not be insured under this Act."

The present paragraph *(b)* provides that a certificate of exemption may be obtained by a person who fulfils two conditions: that he works *(a)* for not more than one-half the normal working day at his place of employment and *(b)* for not more than a total of four hours a day altogether. The amended paragraph eliminates the first condition and takes into account only the hours worked in insurable employment.

2. Subsection one of section twenty is as follows:—

"**20.** (1) In any case or class of cases where employed persons

(a) work under the general control or direct supervision of, or are paid by, some person other that their actual employer, or

(b) in the case of employment in lumbering and logging, work with the concurrence of some person other than their actual employer on the premises or property of that person,

the Commission may by special order provide that such other person shall for the purposes of this Act relating to the payment of contributions be deemed to be the employer."

The only proposed change is at the end of the subsection. The present subsection provides that the person *other than* the employer shall be deemed to be the employer. The purpose of the amendment is to make clear that the actual employer as well as the other person is liable for contributions.

3. Section twenty-nine is as follows:—

"**29.** (1) An insured person shall be deemed not to be unemployed

(a) during any period for which notwithstanding that his employment has terminated, he continues to receive

(i) remuneration, or

(ii) compensation for loss of, and substantially equivalent to, the remuneration he would have received if his employment had not terminated;

(b) on any day on which, notwithstanding that his employment has terminated, he is following an occupation for remuneration or profit unless

(i) that occupation could ordinarily be followed by him in addition to, and outside the ordinary working hours of, his usual employment and

(ii) the remuneration or profit received or earned therefrom for that day does not exceed two dollars or, where such remuneration or profit is in respect of a period longer than a day, the daily average of the remuneration or profit does not exceed that amount;

(c) on any day that is recognized as a holiday for his grade, class of shift in the occupation or at the factory, workshop or other premises at which he is employed unless otherwise prescribed;

workshop or other premises at which he is employed, unless otherwise prescribed;

Prior to claim.

(d) on a day prior to the day on which he makes a claim for benefit, unless otherwise authorized by subsection six of section thirty-six;

Full working week.

(e) on any day of a calendar week if during that calendar week he works the full working week;

While in receipt of moneys equivalent to wages, from employer.

(f) on a day in respect of which he receives from his employer or former employer any money that is equivalent to the normal daily remuneration received by him from such employer or former employer, and where such money is not so equivalent, the Commission may prescribe the days and the number of days in respect of which such money shall be deemed to be received; or

While following any occupation for remuneration.

(g) on a day on which he is following an occupation for the purpose of remuneration or profit, except where such occupation comes within the provisions of subsection two.

Periods counted in computing unemployment and availability.

(2) An insured person is unemployed and available for work within the meaning of this Act

(a) on a day on which he is following, for the purpose of remuneration or profit, an occupation

While following any occupation outside ordinary working hours where remuneration does not exceed two dollars a day.

(i) that could ordinarily be followed by him in addition to, and outside of, the ordinary hours of his usual employment, and

(ii) from which he receives or earns for that day a remuneration or profit not exceeding two dollars, or if it is in respect of a period longer than a day, when the daily average thereof does not exceed that amount; and

While attending approved course of instruction.

(b) on a day on which he is attending a course of instruction or training that the Commission has directed him to attend."

4. (1) Subsections one and two of section thirty-one of the said Act, as enacted by section eight of chapter one of the statutes of 1950, are repealed and the following substituted therefor:

Rates of benefit.

"**31.** (1) Where the average daily contribution, computed in accordance with subsection two, is the amount in column (1) below, the rates of benefit for a benefit year shall be the appropriate amounts set out in columns (2) to (5) inclusive below:

(d) on any day of any calendar week during which he works the full working week;
(e) on any Sunday;
(f) subject to the provisions of subsection six of section thirty-six, on any day prior to the day on which he makes a claim for benefit; or
(g) on any day for which a contribution is required under this Act or regulations made thereunder.

(2) An insured person shall be deemed not to have failed to prove that he is available for work on any day on which he is or was attending a course of instruction or training that the Commission has directed him to attend."

For clarification the section has been rewritten and the negative and affirmative clauses separated. In proposed subsection (1):

paragraph *(a)* replaces present paragraph *(e)*
" *(b)* " " " *(g)*
" *(c)* " " " *(c)*
" *(d)* " " " *(f)*
" *(e)* " " " *(d)*
" *(f)* " " " *(a)*
" *(g)* " " " *(b)* in part.

In proposed subsection (2), paragraph *(a)* replaces part of present paragraph *(b)* of subsection (1). Proposed paragraph *(b)* replaces present subsection (2).

The proposed paragraph *(f)* of subsection (1) uses the expression "money" in lieu of the expressions "remuneration" and "compensation for loss" of a person's remuneration. It incorporates the power, which is now in paragraph *(q)* of section 97, to prescribe the number of days for which the monies paid to the claimant are to be applied for the purpose of benefit.

4. (1) Subsections one and two of section thirty-one are as follows:

"**31.** (1) The daily rate of benefit for a benefit year
(a) for a person without a dependent, shall be thirty-four times the average of the one hundred and eighty most recent daily contributions paid by the insured person during the two years immediately preceding the commencement day of the benefit year; and
(b) for a person with a dependent, shall be forty-five times such average, less ten cents from the product so obtained,

and the weekly rate of benefit shall be six times the daily rate.

(2) In computing the average daily contribution
(a) any contributions paid by the insured person for any period prior to the first day of July, nineteen hundred and fifty-one, at the daily rate of nine cents shall be deemed to have been paid at the rate of eight cents, for the purpose of computing his rate of benefit for periods prior to the first day of July, nineteen hundred and fifty-one; and
(b) one cent shall be deducted from each daily contribution paid by the insured person after the first day of July, nineteen hundred and fifty;
(c) fractions of a cent less than one-half shall be disregarded and fractions of a cent equal to or greater than one-half shall be taken as a full cent."

The main effect of the proposed section is to increase the rates of benefit in all except the two lower classes. The maximum benefit is raised from $21.00 per week (or $3.50 per day) to $24.00 per week ($4.00 per day).

The language of the section has been clarified without changing the present provisions. Subsection three has not been changed.

Average Insured Person Daily Contribution	Rates of 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

Computation of daily average contribution.

(2) The average daily contribution shall be the average of the one hundred and eighty most recent daily contributions paid by the insured person during the two years immediately preceding the commencement day of the benefit year and in computing such average, fractions of a cent less than one-half shall be disregarded and fractions of a cent equal to or greater than one-half shall be taken as a full cent."

(2) Subsection four of section thirty-one of the said Act is repealed.

5. Paragraph *(b)* of subsection one of section thirty-five of the said Act, as enacted by section nine of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

Waiting days.

"*(b)* in addition to the days specified in paragraph *(a)*, for the first five days of unemployment in any benefit year, except that in the case of a subsequent benefit year the Commission may by regulation prescribe the conditions under which all or any of these days may be other than the first days of unemployment in that benefit year."

6. Subsection two of section forty-four of the said Act, as enacted by section eight of chapter twenty-nine of the statutes of 1947-48, is repealed and the following substituted therefor:

Disqualification for making false statement.

"(2) 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 a mis-

(2) Subsection four of section thirty-one is as follows:—

"(4) Where the average daily contribution, computed in accordance with subsection two is the amount in column (1) below, the rates of benefit shall be the respective amounts set out in columns (2) to (5) inclusive below:

Average Insured Person Contribution	Rate of Benefit			
	Person without a Dependant		Person with a Dependant	
Daily	Daily	Weekly	Daily	Weekly
(1)	(2)	(3)	(4)	(5)
Cents				
2	$0·70	$4·20	$0·80	$4·80
3	1·00	6·00	1·25	7·50
4	1·35	8·10	1·70	10·20
5	1·70	10·20	2·15	12·90
6	2·05	12·30	2·60	15·60
7	2·40	14·40	3·05	18·30
8	2·70	16·20	3·50	21·00"

The table in this subsection has been incorporated in subsection (1).

5. Subsection one of section thirty-five is as follows:—

"**35.** (1) An insured person shall not be entitled to benefit,

(a) for any period of unemployment consisting of one day or for the first day in any period of unemployment consisting of two or more consecutive days, subject to the following exceptions:

(i) not more than one such day shall be excluded from benefit under this paragraph in any claim week; and

(ii) where that person while unemployed becomes employed for monetary gain and continues to be so employed for a period of not more than three consecutive days, then subject to the prescribed proof of the facts of that employment, the first day of unemployment following that period shall not be excluded from benefit under this paragraph, but this subparagraph shall not apply if that person is regularly employed by the same employer for three days or less, whether consecutive or not, in a week; and

(b) in addition to the days specified in paragraph *(a)*, for the first eight days of unemployment in any benefit year."

There are two changes in the proposed paragraph *(b)*.

The first amendment *reduces* the number of waiting days by three, so that only *five* waiting days need be served in each benefit year.

The second amendment enables the Commission to defer the waiting days in the case of a claimant's second or subsequent benefit years. This will prevent hardship for a claimant whose benefit year ends at a time when, although able immediately to establish a new benefit year, he has been steadily unemployed and is most in need of benefit.

6. Subsection two of section forty-four is as follows:—

"(2) Where an insurance officer becomes aware of facts that in his opinion establish that an insured person has made a false statement or a misrepresentation for the purpose of obtaining benefit under this Act, he may disqualify the insured person from receiving benefit for not more than the first thirty-six compensable days that occur after such day as he may determine, and such disqualification may be imposed notwithstanding that proceedings have been taken under any other provision of this Act in respect of the false statement or misrepresentation."

representation, the insurance officer may disqualify the insured person from receiving benefit for not more than the first thirty-six compensable days that occur after such day as he may determine, and such disqualification may be imposed notwithstanding that proceedings have been taken under any other provision of this Act in respect of the false statement or misrepresentation; any day for which an insured person is disqualified under this subsection shall be deemed to be a day for which he received benefit."

7. Subsection one of section fifty-two of the said Act and the heading immediately preceding that section, are repealed and the following substituted therefor:

"Insurance Officers: Courts of Referees: Umpire.

Insurance officers.

"52. (1) The Commission may authorize such of its officers or employees as it may designate, to be insurance officers for the purposes of this Act."

8. Subsection one of section sixty-seven of the said Act, as enacted by section ten of chapter twenty-nine of the statutes of 1947-48, and subsection two of the said section, as enacted by section fourteen of chapter one of the statutes of 1950, are repealed and the following substituted therefor:

Penalty for false statement or misrepresentation.

"67. (1) If, for the purpose of obtaining any benefit or payment under this Act, either for himself or for any other person, or for the purpose of avoiding or enabling any person to avoid any payment required under this Act, any person makes a false statement or misrepresentation to the Commission or to any person concerned in the administration of this Act, he is guilty of an offence against this Act and liable on summary conviction, for the first conviction, to a fine not less than fifteen dollars nor more than one hundred dollars or to imprisonment for a term not exceeding three months, with or without hard labour, or to both fine and imprisonment, and, for any subsequent conviction, to a fine not less than twenty-five dollars nor more than two hundred and fifty dollars or to imprisonment for a term not exceeding three months, with or without hard labour, or to both fine and imprisonment.

Additional penalty.

(2) There shall be imposed on every person convicted of an offence under subsection one, in addition to the penalty provided therein, an additional penalty equal to whatever portion of the benefit or payment obtained or payment avoided as a result of the false statement or misrepresentation remains unpaid to or unrecovered by the Commission at the time of conviction and such additional penalty shall

The effect of the present wording of the subsection is that in many cases, the disqualification imposed becomes merely a *postponement*, instead of an actual *reduction*, of the claimant's entitlement to benefit. It thus creates anomalies. The proposed amendment would place all claimants on an equal footing by *reducing* the claimant's entitlement to benefit by the actual number of days of disqualification.

7. Subsection one of section fifty-two is as follows:

"*Insurance Officer: Referee: Umpire*

52. (1) The Commission may in each regional division established under this Act authorize such of its officers or employees as the Governor in Council may approve, to be insurance officers for such division."

The amendment will facilitate the administration in the authorizing of employees of the Commission to be insurance officers.

8. Subsections one and two of section sixty-seven are as follows:

"**67.** (1) If, for the purpose of obtaining any benefit or payment under this Act, either for himself or for any other person, or for the purpose of avoiding or enabling any person to avoid any payment required under this Act, any person makes a false statement or misrepresentation to the Commission or to any person concerned in the administration of this Act, he is guilty of an offence and liable on summary conviction to a fine not less than fifteen dollars nor more than one hundred dollars or to imprisonment for a term not exceeding three months, with or without hard labour, or to both fine and imprisonment.

(2) There shall be imposed on every person convicted of an offence under subsection one of this section, in addition to the penalty provided therein, an additional penalty equal to whatever portion of the benefit or payment obtained as a result of the false statement or misrepresentation remains at the time of conviction unrepaid to or unrecovered by the Commission and such additional penalty shall be paid over to the Unemployment Insurance Fund to be applied in repayment of the sum so obtained; and such benefit or payment or portion thereof or additional penalty may, without prejudice to any other mode of recovery, be recovered by the Commission by deduction from benefit."

In order to deal with persistent offenders, the proposed amendment to subsection (1) provides, in the case of second or subsequent convictions under the Act, a minimum fine higher than for a first conviction.

The amendment to subsection (2) ensures that the courts, when imposing the additional penalty equal to the monies illegally obtained, will provide an alternative punishment for cases where the accused fails to pay such penalty.

be paid over to the Unemployment Insurance Fund to be applied in payment of the sum obtained or avoided; and at the time of the imposition of the penalties, the court shall, in accordance with the provisions of the *Criminal Code* relating to summary convictions, make an order for the recovery of the penalties by distress and imprisonment in default, or by imprisonment in the first instance in default of payment; and without prejudice to any other mode of recovery such benefit or payment or portion thereof or additional penalty may be recovered by the Commission by deduction from benefit."

9. (1) Subsection one of section sixty-eight of the said Act, as enacted by section fifteen of chapter sixty-eight of the statutes of 1946, is repealed and the following substituted therefor:

Penalty for contravention or non-compliance.

"**68.** (1) Every person who contravenes or fails to comply with any of the requirements of this Act or the regulations is guilty of an offence; and every person who is guilty of an offence under this Act is, if no penalty is elsewhere provided, liable on summary conviction, for the first conviction, to a fine not less than twenty-five dollars nor more than two hundred and fifty dollars or to imprisonment for a term not exceeding three months, with or without hard labour, or to both fine and imprisonment, and, for any subsequent conviction, to a fine not less than fifty dollars nor more than two hundred and fifty dollars, or to imprisonment not exceeding three months, with or without hard labour, or to both fine and imprisonment.

Additional penalty.

(1*a*) In any case where a person is convicted of the offence of failing or neglecting to pay contributions within the times prescribed, there shall be imposed on him, in addition to the penalty mentioned in subsection one, a further penalty equal to whatever portion of the amount of contributions that he has failed or neglected to pay remains unpaid at the time of conviction and such additional penalty shall be paid over to the Unemployment Insurance Fund to be applied in payment of the contributions in arrears in respect of which the conviction is made; and at the time of the imposition of the penalties, the court shall, in accordance with the provisions of the *Criminal Code* relating to summary convictions, make an order for the recovery of the penalties by distress and imprisonment in default, or by imprisonment in the first instance in default of payment."

9. (1) Subsection one of section sixty-eight is as follows:—

"**68.** (1) If any person is guilty of any contravention of or non-compliance with any of the requirements of this Act or the regulations made thereunder, or if any employer deducts or attempts to deduct from the wages or other remuneration of any employed person the whole or any part of the employer's contribution or fails or neglects to pay any contribution for which he is liable under this Act he shall be guilty of an offence against this Act and for each offence, in respect of which no penalty is provided, be liable on summary conviction, to a fine not exceeding two hundred and fifty dollars, or to imprisonment for a period not exceeding three months, or to both fine and imprisonment;

Provided that in any case where an employer is convicted of the offence of failing or neglecting to pay a contribution there shall be imposed on him, in addition to the aforesaid penalty, a further penalty equal to the amount of the contribution which he has failed or neglected to pay, which additional penalty shall be paid over to the Unemployment Insurance Fund and applied in payment of the contributions in arrears in respect of which the conviction is made."

For purposes of uniformity with the penalty provision of section 67, the first amendment to subsection (1) of section 68 establishes a minimum fine in cases of first conviction and a higher minimum fine in cases of second or subsequent convictions.

The amendment to the proviso is similar to the amendment to section 67 (2).

(2) Subsection four of the said section, as enacted by section fifteen of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

Certificate of inspector.

"(4) In any legal proceedings under this Act, a copy of the payroll of any person, or any part thereof, a copy of any letter, demand or notice sent to any person by an officer of the Commission, purporting to be certified under the hand of any inspector of the Commission, or a certificate purporting to be signed under the hand of any such inspector and stating the amount of contributions not paid within the times prescribed, payable or owing, by any person, shall be receivable in evidence as *prima facie* proof of the amount of contributions not paid within the times prescribed, payable or owing, or of the contents of such payroll, letter, demand or notice, as the case may be, without proof of the signature or the official character of the person appearing to have signed the same and without further proof thereof."

10. Subsection three of section seventy-two of the said Act, as enacted by section eighteen of chapter sixty-eight of the statutes of 1946, is repealed and the following substituted therefor:

Recovery of benefit erroneously obtained.

"(3) Where it is found at any time that a person has received a sum by way of benefit for any day in respect of which he is disqualified or is not entitled to benefit, unless he received it while he did not fulfil the statutory conditions and there was no false statement or misrepresentation made by him or any person on his behalf in connection with such receipt, he is liable to repay to the Unemployment Insurance Fund a sum equal to the amount so received by him, and the Commission may recover that sum by way of deduction from benefit, without prejudice to any other mode of recovery and notwithstanding that proceedings may be or have been taken under any other provisions of this Act in respect of any such false statement or misrepresentation."

11. Section seventy-four of the said Act, as enacted by section eighteen of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

Occupiers of premises to facilitate inspection.

"**74.** (1) The following persons, namely

(a) the occupier of any premises or place that an inspector is by section seventy-three authorized to enter, and the servants and agents of such occupier;

(2) Subsection four of section sixty-eight is as follows:—

"(4) In any legal proceedings under this Act, a certificate purporting to be signed under the hand of any inspector of the Commission and stating the amount of contributions owing by any employer, or a copy of the payroll or any part thereof of any employer purporting to be certified under the hand of any such inspector, shall be receivable in evidence as *prima facie* proof of the amount of contributions owing or the contents of such payroll, as the case may be, without proof of the signature or the official character of the person appearing to have signed the same and without further proof thereof."

The proposed subsection (4) includes the certification by an inspector of the Commission, of a copy of a letter, demand or notice, as being a true copy of the original sent to a person. It also enables the inspector to certify (in addition to the amount of contributions left owing at the time of conviction, which can be done at present), the amount of contributions that were originally payable, and also to certify that the amount of contributions in question have not been paid within the times prescribed by the regulations. These amendments make such certificates receivable in evidence but only as *prima facie* proof which can be rebutted in court. They will eliminate certain costs to the Commission and eventually upon conviction to the accused.

10. Subsection three of section seventy-two is as follows:

"(3) If it is found at any time that a person has received a sum by way of benefit while the statutory conditions or any other conditions for the receipt of benefit imposed by or pursuant to this Act were not fulfilled, or while the insured person was disqualified from receiving benefit, he shall be liable to repay to the Unemployment Insurance Fund a sum equal to the amount so received by him."

The effect of the amendment is to provide that where a benefit year has been established erroneously, a person shall retain the benefit received through that erroneous decision, unless such benefit has been obtained through *fraud*.

11. Section seventy-four is as follows:—

"**74.** (1) The following persons, namely,

(a) the occupier of any premises or place that an inspector is by section seventy-three authorized to enter, and the servants and agents of such occupier;

(b) any person who is considered by an inspector on reasonable grounds to be or to have been 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 for inspection any registers, books, cards, wage sheets, records of wages, ledgers, accounts or other documents requested by the inspector, and shall furnish to such inspector all such information with respect thereto as the inspector requests.

Employer to furnish proof of stamps in his possession, etc.

(2) Any person who is considered by an inspector on reasonable grounds to be or to have been an employer, shall, forthwith, upon being requested so to do by the inspector, furnish to him the prescribed proof of the amounts 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 the period.

Offence where contributions paid are less than contributions payable.

(3) Any person who is or has been an employer, whose contributions paid during any period, are less than all the contributions payable by him during that period, is guilty of an offence.

Determination of contributions owing.

(4) 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 to the Fund by such person.

Contributions paid.

(5) For the purposes of subsections three and four 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

(b) any person who is supposed by an inspector on reasonable grounds to be or to have been an employer, and the servants and agents of any such person; and

(c) any person who is or has been employed by any person mentioned in paragraph *(a)* or *(b)*;

shall furnish to any inspector all such information and shall produce for inspection all such registers, books, cards, wage sheets, records of wages, ledgers and other documents as the inspector requests.

(2) An employer shall, forthwith upon being requested so to do by an inspector, furnish to him the prescribed proof of the amount of unemployment insurance stamps lawfully in his possession at the commencement of any period specified by the inspector, the amount of such stamps lawfully purchased by him during the period and the amount of such stamps lawfully in his possession at the end of the said period.

(3) In any legal proceedings under this Act evidence that the aggregate amount of unemployment insurance stamps lawfully in the possession of an employer at the commencement of the period specified by the inspector plus the amount of such stamps lawfully purchased by him during the period, plus the amount of any contributions paid otherwise, less the amount of such stamps lawfully in his possession at the end of the period, was not sufficient to enable the employer to pay all contributions payable by him during the period, shall be *prima facie* evidence that the employer is guilty of an offence against this Act.

(4) The inspector may determine that the amount by which such contributions exceeds such stamps and other payments is the aggregate amount of the contributions that the employer failed or neglected to pay, and the amount so determined shall *prima facie* be deemed to be contributions due and owing to the fund by the employer."

There are two amendments to the present subsection (1) of section 74. The first is in paragraph *(b)* and enlarges for greater certainty, upon the expression "agent" by including the expressions "trustees in bankruptcy, administrators or liquidators" concerned with the employer's estate.

The second amendment is to make clear what information certain persons must furnish to, and what documents they must produce for inspection by, an inspector of the Commission.

The only amendment to the present subsection (2) is the replacement of the word "employer" by the expression "any person who is considered by an inspector on reasonable grounds, to be or to have been an employer". This will permit an inspector to inquire from an ex-employer about his previous purchases of stamps, etc.

The present subsection (3) has been redrafted to make it more easily understood. It has been condensed by substituting the expression "contributions paid" for the description of the method used in arriving at the amount of contributions paid.

The present subsection (4) has been slightly amended to conform to the phraseology used in the new subsection (3).

The new subsection (5) is merely an explanation, in accounting terms, of the expression, "contributions paid", which formerly was contained in subsection (3).

(e) the unemployment insurance stamps lost, stolen or destroyed or refunded to him by the Commission during the period."

12. Section eighty-three of the said Act is amended by adding thereto the following subsection:

Absence or incapacity.

"(11) In the event of absence or temporary incapacity of any member of the Committee the Governor in Council may appoint a person to act in his stead during such absence or incapacity."

13. Subsection three of section eighty-seven B of the said Act, as enacted by section twenty of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

"(3) For the purposes of this Part, where a person makes a claim for supplementary benefit on or after the first day of April in any year in respect of the supplementary benefit period ending on the fifteenth day of April in that year, the thirty-first day of March immediately preceding the day on which he makes that claim shall be deemed to be the thirty-first day of March of the immediately preceding year."

14. Subsection three of section eighty-seven C of the said Act, as enacted by section twenty of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

Rates of Supplementary Benefit.

"(3) Where the average daily contribution 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

12. This subsection is new. It is to provide that the Governor in Council may appoint a person to act temporarily in the place of a member who is absent or temporarily incapacitated. Subsection (5) of the same section provides for cases where the office is declared vacant.

13. Subsection three of section eighty-seven B is as follows:—

"(3) For the purposes of subsection one, where a person in Class 1 or Class 2 makes a claim for supplementary benefit on or after the first day of April, nineteen hundred and fifty, in respect of the supplementary benefit period ending on the fifteenth day of April in that year, the thirty-first day of March immediately preceding the day on which he makes that claim shall be deemed to be the thirty-first day of March, nineteen hundred and forty-nine."

An amendment is required to this subsection due to the extension of the supplementary benefit period from April 1st to April 15th, provided in clause 15 below. The amendment is to prevent anomalies that would otherwise arise as between different classes of claimants. It will enable all classes to benefit through the extension of the supplementary benefit period.

14. Subsection three of section eighty-seven C is as follows:—

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

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

The only change in the table is in column 1 and this now conforms to the changes made in this column in section 31 dealt with in clause 4 of the Bill. New subsection (4) applies to calculations made prior to the coming into force of the new section.

(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 three."

15. (1) That part of subsection one of section eighty-seven D of the said Act that precedes paragraph *(a)* thereof, as enacted by section twenty of chapter one of the statutes of 1950, is repealed and the following substituted therefor:

Duration of Supplementary Benefit.

"**87D.** (1) Notwithstanding section thirty of this Act, supplementary benefit may be paid for one period of entitlement only in respect of the period from the first day of January to the fifteenth 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:"

(2) All the words after the end of paragraph *(b)* of subsection three of the said section eighty-seven D of the said Act are repealed and the following substituted therefor: "may be substituted for any of the five days mentioned in paragraph *(b)* of subsection one of section thirty-five."

16. Section eighty-eight of the said Act, as amended by section twenty-three of chapter sixty-eight of the statutes of 1946, is further amended by adding, immediately after subsection two thereof the following as subsection three, and renumbering the remaining subsections accordingly:—

No discrimination in referring to employment.

"(3) It shall be the duty of the Commission to ensure that there shall be no discrimination in referring any worker seeking employment, subject to the needs of the employment, either in favour of, or against any such worker, by reason of his racial origin, colour, religious belief or political affiliation."

17. Paragraph *(q)* of section ninety-seven of the said Act, as enacted by subsection one of section sixteen of chapter twenty-nine of the statutes of 1947-48, is repealed and the following substituted therefor:

Regulations relating to section twenty-nine.

"*(q)* prescribing the conditions under which contributions shall be paid in respect of Sundays, holidays and any day mentioned in paragraph *(f)* of subsection one of section twenty-nine;"

15. (1) The first part of subsection one of section eighty-seven D is as follows:—

"87D. (1) Notwithstanding section thirty of this Act, supplementary benefit may be paid only in respect of the period from the coming into force of this Part to the fifteenth day of April in the year nineteen hundred and fifty and in any other year from the first day of January to the thirty-first day of March next following (herein referred to as "supplementary benefit period") for the number of days calculated as follows:"

In February, 1950, the Act was amended to provide for the payment of supplementary benefit to persons who had exhausted their entitlement to, or could not qualify for, regular benefit. At present this supplementary benefit is payable from January 1st to March 31st, in each year. Experience has shown that because of the seasonal pattern of unemployment the period within which supplementary benefit may be paid is too short. The amendment provides an extension of two weeks beyond March 31st, whereby supplementary benefit may be paid from January 1st until *April 15th,* in each year.

(2) Subsection three of section eighty-seven D reads as follows:—

"(3) Any day of unemployment
(a) before the commencement of the supplementary benefit period but after the thirtieth day of November immediately preceding that period, or
(b) within the thirty days immediately preceding the coming into force of this Part,
may be substituted for any of the eight days mentioned in paragraph *(b)* of subsection one of section thirty-five."

The reference in paragraph *(b)* to eight waiting days has been changed to read five waiting days to conform with the amendment to section 35 (1) *(b)* contained in clause 5 of this Bill.

16. This subsection is new. It amends section eighty-eight of the Act which deals with the employment service. It confirms by statute the existing practice of non-discrimination by the employment service in referring workers for employment.

17. Paragraph *(q)* of section ninety-seven is as follows:—

"97. In addition to the authority elsewhere in this Act conferred upon the Commission to make regulations, the Commission may also make regulations:—
(q) notwithstanding subsection one of section twenty-nine, prescribing the conditions under which contributions and benefit shall be paid in respect of Sundays and holidays and any period mentioned in paragraph *(a)* of that subsection, and for determining the period for which the remuneration or compensation mentioned in that paragraph is deemed to have been received;"

The features of the present paragraph concerning the payment of benefit are being incorporated in the new section twenty-nine and as a result paragraph *(q)* relates only to the payment of contributions.

18. Subsection one of section ninety-nine of the said Act, as amended by section seventeen of chapter thirty-one of the statutes of 1943, and renumbered by section twenty-six of chapter sixty-eight of the statutes of 1946, is repealed and the following substituted therefor:

Annual report by Commission.

"**99.** (1) Within three months after the thirty-first day of March in each year, or within such longer period as may be approved by the Governor in Council, the Commission shall submit to the Minister a report covering the business and affairs of the Commission, for the twelve months ending on the said thirty-first day of March, in such detail as the Minister may from time to time direct; and such report shall contain a statement of the costs arising out of the administration of this Act, including the indirect costs as nearly as they may be ascertainable and also a statement of the services rendered to the Commission by other departments of the public service."

19. Section one hundred and six of the said Act is amended by adding thereto the following subsection:

Consent or certificate of authorized officer.

"(2) A consent to institute proceedings purporting to be signed by an officer authorized under subsection one of section seventy, and a certificate purporting to be signed by such an officer certifying as to the date on which evidence came to the knowledge of the Commission, shall be received in evidence without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof."

Coming into force.

20. Sections three, four, five, fourteen, fifteen and seventeen of this Act shall come into force on a day or days to be fixed by proclamation of the Governor in Council and all other sections of this Act shall come into force on the day this Act is assented to.

18. Subsection one of section ninety-nine is as follows:

"**99.** (1) Within two months after the thirty-first day of March in each year, or within such longer period as may be approved by the Governor in Council, the Commission shall submit to the Minister a report covering the business and affairs of the Commission, for the twelve months ending on the said thirty-first day of March, in such detail as the Minister may from time to time direct; and such report shall contain a statement of the costs arising out of the administration of this Act, including the indirect costs as nearly as they may be ascertainable and also a statement of the service rendered to the Commission by other departments of the public service."

The only amendment to this subsection is to increase by one month the period within which the annual report of the Commission must be presented.

19. Section one hundred and six of the Act is as follows:—

"**106.** A consent or certificate of the Commission, or a copy of a consent or certificate, resolution, regulation, special order, record, document, other proceeding of the Commission or other proceeding under this Act, purporting to be signed or certified under the hand of any Commissioner or the Secretary of the Commission, shall be receivable in evidence without proof of the signature or the official character of the person or persons appearing to have signed the same and without further proof thereof."

Subsection two which is added is new. It makes the provisions of section 106 applicable to an officer authorized under subsection (1) of section 70 with respect to consents issued by him under the Commission's direction.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 333.

An Act to amend The International Boundary Waters Treaty Act.

First reading, June 10, 1952.

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS.

EDMOND CLOUTIER. C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

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6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 333.

An Act to amend The International Boundary Waters Treaty Act.

1911, c. 28; 1914, c. 5.

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

1. Sections six and seven of *The International Boundary Waters Treaty Act*, chapter twenty-eight of the statutes of 1911, are repealed and the following substituted therefor:

Salaries of Canadian Commissioners.

"**6.** (1) The members of the Canadian section of the Commission shall be paid such salaries as are fixed by the Governor in Council, but the salary of the Chairman shall not exceed fifteen thousand dollars per annum and the salary of each of the other members shall not exceed ten thousand dollars per annum.

Secretary and other employees.

(2) A Secretary of the Canadian section of the Commission and such other officers, clerks and employees as are required for the purposes of this Act may be employed under the provisions of the *Civil Service Act*.

Expenses.

7. All expenses incurred in carrying out the provisions of this Act and the said Treaty shall be paid out of money appropriated by Parliament for the purpose.

Administration.

8. This Act shall be administered by the Secretary of State for External Affairs."

Explanatory Notes.

The purposes of this Bill are:

(1) To increase the maximum salaries of the members of the Canadian section of the International Joint Commission.

(2) To bring the Secretary and all other employees under the provisions of the *Civil Service Act.*

(3) To provide that all expenses are to be paid out of moneys appropriated by Parliament.

The present sections 6 and 7 read as follows:

"**6.** The Governor in Council may appropriate annually, out of the Consolidated Revenue Fund, a sum not exceeding seventy-five thousand dollars, toward the payment of the salaries of the Commissioners to be appointed by His Majesty on the recommendation of the Governor in Council, as well as the salaries of the Secretary and other officers and employees, and also all other expenses which may be incurred by such Commissioners with the approval of the Minister of Public Works, together with one-half share of all reasonable and necessary joint expenses of the said Commission incurred by it and, under the terms of the said Treaty, required to be paid in equal moieties by the High Contracting Parties.

7. (1) Each of the said Commissioners who is appointed by His Majesty shall receive as compensation for his services an amount to be fixed by the Governor in Council, but not in any case to exceed the sum of seventy-five hundred dollars per annum. The Secretary appointed by the Canadian section of the Commission under the provisions of the said Treaty shall receive as compensation for his services a sum not exceeding three thousand dollars per annum.

(2) In addition to the said compensation the Commissioners and Secretary shall receive their actual travelling and other expenses necessarily incurred in connection with and in the course of the discharge of their official duties.

(3). The Commissioners may from time to time employ, subject to the approval of the Minister of Public Works, such clerical and other assistance as is deemed advisable; their compensation and expenses to be fixed at such amounts as may be determined by the Commissioners and approved by the Minister of Public Works, and the Commissioners are further authorized to expend an amount to be fixed by the Minister of Public Works, not in excess of three thousand dollars per annum, for office accommodation, equipment and supplies."

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 334.

An Act to amend The Army Benevolent Fund Act, 1947.

First reading, June 10, 1952.

THE MINISTER OF VETERANS AFFAIRS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

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6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 334.

1947, c. 49.

An Act to amend The Army Benevolent Fund Act, 1947.

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

1. (1) Subsection seven of section three of *The Army Benevolent Fund Act, 1947*, chapter forty-nine of the statutes of 1947, is repealed and the following substituted therefor:

Interest.

"(7) The Receiver General shall credit to the Fund semi-annually interest on the minimum balance to the credit of the Fund in each month, at the following rates:

(a) three and one-half per cent per annum, to the extent that the minimum balance does not exceed five million dollars, and

(b) two and one-half per cent per annum, to the extent that the minimum balance exceeds five million dollars."

(2) The said section three is further amended by adding thereto the following subsection:

Amounts received or recovered.

"(9) Any money or securities received for the purposes of the Fund by way of gift, bequest, voluntary repayment of grant or otherwise, and any money recovered by virtue of paragraph *(d)* of subsection two of section nine, shall be paid or transferred to the Receiver General of Canada and credited to the Fund."

Coming into force.

2. Subsection one of section one shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-two.

Explanatory Notes.

1. (1) Subsection (7) of section 3 now reads:

"(7) The Receiver General shall credit the fund with interest at the rate of two and one-half per centum per annum semi-annually on the minimum monthly balances to the credit of the Fund."

This subsection increases the rate of interest from two and one-half per centum per annum to three and one-half per centum per annum on minimum monthly balances to the credit of the Fund not in excess of five million dollars and retains the present rate of interest at two and one-half per centum per annum on the minimum monthly balances in excess of five million dollars. This amendment is effective 1st April 1952.

(2) This subsection authorizes the Army Benevolent Fund Board to receive money and securities for the purposes of the Act and to cause such money and securities and any money recovered under the Act to be credited to the Army Benevolent Fund.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 335.

An Act to amend the Cold Storage Act.

First reading, June 11, 1952.

THE MINISTER OF AGRICULTURE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

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6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 335.

An Act to amend the Cold Storage Act.

R.S., c. 25; 1950 (1st Sess.), cc. 10, 50.

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

1. Section five of the *Cold Storage Act*, chapter twenty-five of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

Subsidy payable.

"**5.** The Governor in Council may, out of any money appropriated by Parliament for the purpose, grant towards the construction and equipment of a warehouse in respect of which a contract has been entered into pursuant to section three a subsidy not exceeding thirty-three and one-third per cent of the amount expended or approved of in such construction and equipment, payable upon the completion of the warehouse to the satisfaction of the Minister and the provision therein of cold storage that, in the opinion of the Minister, is suitable for the preservation of perishable foods and food products."

2. The Governor in Council may, on the recommendation of the Minister, authorize the payment in full of all or any unpaid instalments of a subsidy that is or may become payable under a contract entered into by the Governor in Council pursuant to section three of the said Act, prior to the coming into force of this Act.

3. Section six of the said Act is repealed.

Explanatory Notes.

1. The section to be repealed reads as follows:

"**5.** The Governor in Council may, out of any moneys appropriated by Parliament for the purpose, *if the warehouse is maintained and operated to the satisfaction of the Minister*, grant towards the construction and equipment of any such warehouse a subsidy not exceeding in the whole *thirty per cent of the amount expended or approved of in such construction and equipment, and payable in instalments as follows:—*

(a) Upon the warehouse being completed and cold storage at suitable temperatures being provided therein, all to the satisfaction of the Minister, a sum not exceeding fifteen per cent of the amount so expended;

(b) At the end of the first year thereafter seven per cent of the said amount;

(c) At the end of the second year thereafter four per cent of the said amount;

(d) At the end of each of the two next succeeding years two per cent of the said amount."

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 336.

An Act respecting Marine and Aviation War Risks Insurance and Reinsurance Agreements.

First reading, June 11, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

59129

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 336.

An Act respecting Marine and Aviation War Risks Insurance and Reinsurance Agreements.

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 Marine and Aviation War Risks Act.*

Definitions.

2. In this Act,

"Account".

(a) "Account" means the Marine and Aviation War Risks Insurance Account established under section five;

"aircraft".

(b) "aircraft" means an aircraft that is

(i) registered in Canada pursuant to regulations made under the *Aeronautics Act*, or

(ii) registered in any country other than Canada designated by the Governor in Council;

"Canadian".

(c) "Canadian" means

(i) a person who is a Canadian citizen,

(ii) a company or corporation created or incorporated under the laws of Canada or of a province thereof or that is licensed under any such laws to carry on business in Canada or a province thereof, or

(iii) the Government of Canada or the government of a province or municipality of Canada or a department, branch or agency of any of them;

"cargo".

(d) "cargo" means any goods, securities, currency, articles or things defined as cargo by the Governor in Council;

"Minister".

(e) "Minister" means the Minister of Finance;

"vessel".

(f) "vessel" means a ship, boat or other type of watercraft that is

(i) registered in Canada under the *Canada Shipping Act, 1934*, or under the Merchant Shipping Acts before the coming into force of the *Canada Shipping Act, 1934*,

(ii) registered in the United Kingdom and owned, chartered or otherwise controlled by a Canadian,

(iii) registered in any country designated by the Governor in Council, whether or not it is owned, chartered or otherwise controlled by a Canadian, or

(iv) owned, chartered or otherwise controlled by a Canadian and employed, in or from Canada, in water transportation of goods or persons or in the fishing trade and industry,

and includes the machinery, tackle, furniture, goods and stores thereof but does not include cargo; and

"war risks". *(g)* "war risks" means the risks of loss or damage arising from hostilities, rebellion, revolution, civil war, piracy, action taken to repel an imagined attack or from civil strife consequent on the happening of any of them.

Insurance and reinsurance agreements.

3. The Minister may enter into an agreement, in such form and containing such terms and conditions as are prescribed by the regulations or otherwise approved by the Governor in Council, with any person or association of persons for the insurance or reinsurance by him against any or all war risks of

(a) aircraft;

(b) vessels; or

(c) cargo.

Regulations.

4. The Governor in Council may make regulations for carrying the purposes and provisions of this Act into effect and, without restricting the generality of the foregoing, may make regulations,

(a) respecting the nature of insurances and reinsurances to be made under this Act and the form, terms and conditions of agreements and other matters relating thereto;

(b) providing for the definition of cargo, including the description, either by class or individual items and either for general or specific purposes, of the goods, securities, currency, articles or things that are cargo, the place and time at which they become or cease to be cargo and any other matter related to the manner of determining cargo; and

(c) respecting the designation of countries of registry for the purposes of subparagraph (ii) of paragraph *(b)* of section two and subparagraph (iii) of paragraph *(f)* of section two.

Marine and Aviation War Risks Insurance Account.

5. (1) There shall be established in the Consolidated Revenue Fund an Account to be known as the Marine and Aviation War Risks Insurance Account to which shall be credited,

(a) amounts equal to the pemiums and other moneys received for or arising out of agreements for insurance or reinsurance entered into under this Act;

(b) all sums that are allocated to the Account from appropriations by Parliament; and

(c) amounts directed to be credited to the Account by the Minister under section six.

Payments.

(2) All payments of losses, costs, return of premiums or other moneys payable by the Minister under or arising out of agreements for insurance or reinsurance entered into under this Act and any other costs or expenses incurred in the administration of this Act shall be paid out of the Consolidated Revenue Fund.

Charges to Account.

(3) All moneys paid out of the Consolidated Revenue Fund under subsection two and all amounts directed to be charged to the Account by the Minister under section six shall be charged to the Account.

Temporary credits and charges.

6. Where the Minister is of opinion that the aggregate amount to the credit of the Account is or will be less than the aggregate amount required to pay the amounts charged or to be charged to the Account, he may from time to time direct that amounts be credited to the Account and at such times as he deems advisable direct that the amounts so previously credited be charged to the Account.

Audit.

7. (1) An audit of the Account and of the transactions in connection therewith shall, at such times and in such manner as he thinks proper, be made by the Auditor General, with a view to ascertaining whether or not such transactions have been carried out in accordance with this Act and whether or not the records of the Account clearly show the state of the Account.

Report to Parliament.

(2) The Auditor General shall, in such detail as he thinks proper having regard to the public interest and the security of Canada, submit to Parliament, within three months after the completion of each audit or, if Parliament is not then in session, within thirty days after the commencement of the next ensuing session thereof, a report of his findings on the audit and his recommendations, if any, arising therefrom.

Tabling of agreements.

8. The Minister shall lay copies of reinsurance agreements before Parliament within thirty days after they have been made or, if Parliament is not then in session, within thirty days after the commencement of the next ensuing session thereof.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 337.

An Act respecting the Northwest Territories.

First reading, June 16, 1952.

THE MINISTER OF RESOURCES AND DEVELOPMENT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

59195

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 337.

An Act respecting the Northwest Territories.

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 Northwest Territories Act.*

Interpretation.

Definitions.

2. In this Act,

"Commissioner".

(a) "Commissioner" means the Commissioner of the Territories;

"Commissioner in Council".

(b) "Commissioner in Council" means the Commissioner acting by and with the advice and consent of the Council;

"Council".

(c) "Council" means the Council of the Territories;

"Court".

(d) "Court" means the Territorial Court for the Territories;

"intoxicant".

(e) "intoxicant" includes alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks, drinkable liquids, preparations or mixtures capable of human consumption that are intoxicating;

"Minister".

(f) "Minister" means the Minister of Resources and Development;

"ordinance".

(g) "ordinance" includes an ordinance of the Territories passed before or after the commencement of this Act;

"public lands".

(h) "public lands" means any lands, in the Territories, belonging to Her Majesty in right of Canada or of which the Government of Canada has power to dispose; and

Explanatory Notes.

The main purpose of the Bill is to revise and consolidate the *Northwest Territories Act* which is now contained in Chapter 142 of the Revised Statutes of Canada 1927, and four amending Acts passed in 1938, 1940, 1948 and 1951.

A number of provisions contained in the present Act are dropped, as they are being brought within the legislative jurisdiction of the Territorial Council. These are:

(1) Roads, (Sections 77–81), Wills, (Sections 19–27), the Property of Married Women, (Sections 28–33), Coroners and Inquests, (Sections 65–70). These are all matters in which under the British North America Act it is customary for jurisdiction to be exercised by the provinces rather than the federal government; and, since the enlargement of, and inclusion of elected members in the Council of the Territories it is considered desirable that jurisdiction in respect of these matters be conferred upon the Commissioner in Council.

(2) Sale and possession of intoxicants, (Sections 93–106). The Territorial Liquor Ordinance also contains provisions regarding the sale and consumption of liquor. This dual legislation has caused some confusion and it is considered desirable to delete such sections from the Act in order that all legislation relating to these subjects may be contained in one statute, the Territorial Liquor Ordinance.

(3) Sale of arms and ammunition, (Sections 107-111). These sections have never been brought into force, and are no longer considered necessary.

(4) Sections relating to criminal matters have been deleted and are now contained in the *Criminal Code*.

The Bill also makes a number of changes in the present Act, particulars of which are set out in these notes.

Unless otherwise indicated, a reference to a section, subsection, paragraph or subparagraph is to the provision in the present Act that corresponds with the provision that appears in the text of the Bill.

1. Section 1. No change.

2 *(a)*. Section 2 *(b)*. No change in substance.

2 *(b)*. Section 2 *(c)*. No change in substance.

2 *(c)*. Section 2 *(d)*. No change in substance.

2 *(d)*. New. See notes to section 20.

2 *(e)*. Section 2 *(f)* and *(g)* now read:

"*(f)* 'intoxicant' includes opium or any preparation thereof, and any other intoxicating drug or substance, and tobacco or tea mixed, compounded or impregnated with opium, or with any other intoxicating drug, spirit or substance, and whether the same or any of them is liquid or solid;

(g) 'intoxicating liquor' means and includes all spirits, strong waters, spirituous liquors, wines, fermented or compounded liquors or intoxicating fluids."

The new definition is similar to the definition in the *Indian Act*. The former section 2 *(f)* is now covered by the *Narcotics Act*.

2 *(f)*. Section 2 *(h)*. No change.

2 *(g)*. Section 2 *(i)* now reads:

" 'ordinance of the Territories' means an ordinance passed by the Lieutenant-Governor in Council or the Legislative Assembly of the Northwest Territories, or by the Commissioner in Council".

There is no change in substance.

2 *(h)*. New. The definition is necessary, as "public lands" are referred to in section 13 *(s)* and 40.

"Territories". *(i)* "Territories" means the Northwest Territories, which comprise

(i) all that part of Canada north of the Sixtieth Parallel of North Latitude, except the portions thereof that are within the Yukon Territory, the Province of Quebec or the Province of Newfoundland, and

(ii) the islands in Hudson Bay, James Bay and Ungava Bay, except those islands that are within the Province of Manitoba, the Province of Ontario or the Province of Quebec.

PART I.

GOVERNMENT.

Commissioner.

Appointment of Commissioner. **3.** (1) The Governor in Council may appoint for the Territories a chief executive officer to be styled and known as the Commissioner of the Northwest Territories.

Deputy Commissioner. (2) The Governor in Council may appoint a member of the Council to be Deputy Commissioner of the Territories.

Powers of Deputy Commissioner. (3) The Deputy Commissioner has and may perform and exercise, either in the absence of the Commissioner or where the office of Commissioner is vacant, all the powers and functions conferred on the Commissioner by this Act.

Administration of government. **4.** The Commissioner shall administer the government of the Territories under instructions from time to time given by the Governor in Council or the Minister.

Executive powers. **5.** The executive powers that were, immediately before the first day of September, one thousand nine hundred and five, vested by any laws of Canada in the Lieutenant-Governor of the Northwest Territories or in the Lieutenant-Governor of the Northwest Territories in Council shall be exercised by the Commissioner so far as they are applicable to and capable of being exercised in relation to the government of the Northwest Territories as it is constituted at the time of the exercise of such powers.

Oaths of office. **6.** Upon the coming into force of this Act or before assuming the duties of his office, the Commissioner shall take and subscribe such oaths of office and allegiance and in such manner as the Governor in Council may prescribe.

2 *(i)*. Section 2 *(k)*. No change in substance.

3 (1). Section 3. No change.

3 (2). Section 8c (5). No change.

3 (3). Section 8c (6) now reads:

"The Deputy Commissioner has and may perform and exercise, in the absence of the Commissioner, all the powers and functions conferred on the Commissioner by this Act".

Provision is made for the Deputy Commissioner to act when the office of Commissioner is vacant.

4. Section 4 (2). No change.

5. Section 4 (1). No change in substance.

6. New.

Seat of Government.

Seat of government.

7. The seat of government of the Territories shall be that prescribed by the Governor in Council and may, from time to time, be changed by him.

Council.

Council.

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

Tenure of appointed members.

(2) Appointed members of the Council shall hold office during pleasure.

Tenure of elected members.

(3) Unless otherwise provided in this section, an elected member of the Council shall hold office for three years from the date of the return of the writ after his election.

Removal of elected member for incapacity.

(4) Where, in the opinion of the Governor in Council, an elected member is unable to perform his duties by reason of incapacity or absence, the Governor in Council may remove him from office and may appoint a member in his stead for the balance of his term of office.

Death of elected member.

(5) Where an elected member dies while in office, the Governor in Council may appoint a member in his stead for the balance of his term of office.

Controverted elections.

(6) Where the election of an elected member is declared void pursuant to the laws in force in the Territories respecting controverted elections, the candidate at such election who received the next greatest number of votes shall sit as a member of the Council instead of such elected member and where there is no such candidate or where the number of votes is equal, the Governor in Council may appoint a person to sit as a member of the Council instead of such elected member.

May dissolve Council after two years.

(7) The Governor in Council may, at any time after the expiration of two years from the date of the return of the writs of election of elected members of the Council, dissolve the Council and cause a new Council to be elected and appointed.

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

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

7. Section 7. No change in substance.

8 (1). Section 8, subsections (1) and (2). No change in substance.

8 (2). Section 8 (3). No change.

8 (3). Section 8 (4). No change in substance.

8 (4). Section 8 (5). No change.

8 (5). Section 8 (6). No change.

8 (6). New. The present Act makes no provision for filling such a vacancy.

8 (7). New. The first elections were held on September 17, 1951, and writs of elections were returned at varying dates from October 31, 1951, to November 3, 1951. Climatic conditions make it desirable that future elections be held before communications are disrupted by the fall freeze-up. It is therefore necessary to provide for dissolution of Council before the expiry of the full three-year term for which members are elected. Without such provision the next election cannot be held until after November 3, 1954. It is considered undesirable to hold elections after the middle of September.

9 (1). Section 8A (1) now reads:

"Subject to subsection two, the Commissioner in Council may prescribe the qualifications of those entitled to vote at an election of members to the Council".

The new subsection provides that the Governor in Council may prescribe the qualifications of electors and candidates.

Minimum qualifications.

(2) A person is not entitled to vote at an election or to be nominated or elected as a member of the Council unless he is a Canadian citizen or other British subject, has attained the age of twenty-one years and has been ordinarily resident in the Territories for a period of at least twelve months immediately prior to the date of election.

Oaths of office.

10. Each member of the Council shall, before entering the duties of his office, take and subscribe before the Commissioner such oaths of office and allegiance as the Governor in Council may prescribe.

Sessions of Council.

11. (1) The Commissioner shall convene at least two sessions of the Council in every calendar year so that twelve months shall not intervene between the last sitting of the Council in one session and its first sitting in the next session.

Where sessions held.

(2) In each year one of the sessions of the Council convened in that year shall be held at a place in the Territories designated by the Governor in Council and all other sessions of the Council convened in that year shall be held at the seat of government of the Territories.

Quorum.

(3) Four members of the Council constitute a quorum.

Voting.

(4) Each member has one vote in the transaction of the business of the Council and, if the number of votes is equal, the Commissioner may cast a deciding vote.

Sessional indemnity to elected members.

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.

Expenses of councillors.

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

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

(b) an allowance for living expenses, not exceeding twenty-five dollars for each day in which the Council is in session.

Living expense allowance not subject to income tax.

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

9 (2). Section 8A (2) now reads:

"A person is not entitled to vote at an election unless he is a Canadian citizen, has attained the age of twenty-one years and has been ordinarily resident in the Territories for a period of at least twelve months immediately prior to the date of the election."

The new subsection conforms with the *Canada Elections Act.*

10. Section 8B. No change.

11 (1). Section 8C (1). No change.

11 (2). Section 8C (2). No change.

11 (3). Section 8C (3). No change.

11 (4). Section 8C (4). No change.

12 (1). Section 8D (1). No change.

12 (2). Section 8D (2) now reads:

"In addition to the payments under subsection one, each member of the Council, whether elected or appointed, may be paid,

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

(b) an allowance for living expenses, not exceeding fifteen dollars for each day in which the Council is in session, but the amount that is paid to a member of the Council pursuant to this paragraph shall not exceed two hundred dollars in respect of any one session".

The allowance for living expenses is increased, and the limitation is removed on the maximum amount payable.

12 (3). Section 8D (3). No change.

Legislative Powers of Commissioner in Council.

Legislative powers.

13. The Commissioner in Council may, subject to the provisions of this Act and any other Act of the Parliament of Canada, make ordinances for the government of the Territories in relation to the following classes of subjects, namely,

Direct taxation.

(a) direct taxation within the Territories in order to raise a revenue for territorial, municipal or local purposes;

Territorial offices.

(b) the establishment and tenure of territorial offices and the appointment and payment of territorial officers;

Municipal institutions.

(c) municipal institutions in the Territories, including local administrative districts, school districts, local improvement districts and irrigation districts;

Controverted elections.

(d) controverted elections;

Licences.

(e) the licensing of any business, trade, calling, industry, employment or occupation in order to raise a revenue for territorial, municipal or local purposes;

Incorporation of companies.

(f) the incorporation of companies with territorial objects, including tramways and street railway companies but excluding railway, steamship, air transport, canal, telegraph, telephone or irrigation companies;

Marriage.

(g) the solemnization of marriage in the Territories;

Property and civil rights.

(h) property and civil rights in the Territories;

Administration of justice.

(i) the administration of justice in the Territories, including the constitution, organization and maintenance of territorial courts of civil jurisdiction and the procedure in such courts but excluding the appointment of any judicial officers except coroners or the constitution, organization and maintenance of courts of criminal jurisdiction or procedure in criminal matters except the fees and expenses payable to jurors, witnesses and other persons;

Fees of witnesses, etc.

(j) the fees and expenses of witnesses, jurors, interpreters and coroners in civil and criminal matters;

Coroners.

(k) the appointment, powers and duties of coroners and coroners' inquests;

Juries.

(l) the summoning of juries, enforcement of their attendance and all matters relating to juries;

Sheriffs and clerks of court.

(m) the powers, duties and obligations of sheriffs and clerks of the courts and their deputies;

Alimony.

(n) the conferring of jurisdiction in matters of alimony upon the Court;

Scientists and explorers.

(o) the issuing of licences or permits to scientists or explorers to enter the Territories or any part thereof and the prescription of the conditions under which such licences or permits may be issued and used;

13. The Governor in Council has authorized the Commissioner in Council to legislate on all matters presently listed in section 10 of the Act.

13 *(a)*. Section 10 *(a)*. No change.

13. *(b)*. Section 10 *(b)*. No change in substance.

13 *(c)*. Section 10 *(d)*. No change in substance.

13 *(d)*. New.

13 *(e)*. Section 10 *(f)*. No change in substance. See section 13 *(t)*.

13 *(f)*. Section 10 *(g)*. No change in substance. Air transport companies have been added.

13 *(g)*. Section 10 *(h)*. No change.

13 *(h)*. Section 10 *(i)*. No change.

13 *(i)*. Section 10 *(j)* now reads:

"The administration of justice in the Territories, including the constitution, organization and maintenance of territorial courts of civil jurisdiction, and procedure in such courts, but not including the appointment of any judicial officers or the constitution, organization and maintenance of courts of criminal jurisdiction, or procedure in criminal matters".

Coroners are now provided for in section 13 *(k)*. The fees of jurors, witnesses and interpreters are now provided for in section 13 *(j)*.

13 *(j)*. New. These powers were formerly exercised by the Governor in Council. See section 71 of the present Act.

13 *(k)*. New. Replaces sections 65-70, giving the Commissioner in Council power to enact an Ordinance regarding coroners. The power to appoint coroners was previously vested in the Commissioner.

13 (*l*). Section 10 *(k)*. No change in substance.

13 *(m)*. Section 10 (*l*). No change in substance.

13 *(n)*. Section 10 *(m)*. No change in substance.

13 *(o)*. Section 10 *(p)*. No change in substance.

Fur tax. *(p)* the levying of a tax upon furs or any portions of fur-bearing animals to be shipped or taken from the Territories to any place outside the Territories;

Game. *(q)* the preservation of game in the Territories;

Education. *(r)* education in the Territories, subject to the conditions that any ordinance respecting education shall always provide that a majority of the ratepayers of any district or portion of the Territories, or of any less portion or subdivision thereof, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and in such case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof;

Roads. *(s)* the closing up, varying, opening, establishing, building, management or control of any roads, streets, lanes or trails on public lands;

Intoxicants. *(t)* intoxicants;

Hospitals. *(u)* the establishment, maintenance and management of hospitals in and for the Territories;

Agriculture. *(v)* agriculture;

Local and private matters. *(w)* generally, all matters of a merely local or private nature in the Territories;

Fines and penalties. *(x)* the imposition of fines, penalties, imprisonment or other punishments in respect of the violation of the provisions of any ordinance; and

Matters designated by Governor in Council. *(y)* such other matters as are from time to time designated by the Governor in Council.

Restriction on powers. **14.** Nothing in section thirteen shall be construed to give the Commissioner in Council greater powers with respect to any class of subjects described therein than are given to legislatures of the Provinces of Canada under sections ninety-two and ninety-five of the *British North America Act, 1867*, with respect to similar subjects therein described.

Ordinances to be laid before Parliament. **15.** (1) A copy of every ordinance made by the Commissioner in Council shall be transmitted to the Governor in Council within thirty days after the passing thereof and shall be laid before both Houses of Parliament as soon as conventiently may be thereafter.

Disallowance. (2) Any ordinance or any provision thereof may be disallowed by the Governor in Council at any time within two years after its passage.

13 *(p)*. Section 10 *(r)*. No change in substance.

13 *(q)*. Section 10 *(s)*. No change.

13 *(r)*. Section 12. No change in substance.

13 *(s)*. Section 10 *(e)* now reads:

"The closing up or varying the direction of any road allowance, or of any trail which has been transferred to the Territories, the opening and establishing of any new highway instead of any road or trail so closed, and the disposition of the land in any such road or trail".

13 *(t)*. New. This gives to the Commissioner in Council power to enact an Ordinance respecting intoxicants, which was formerly provided for in sections 93–106 of the Act.

13 *(u)*. New. This authority is not contained in the present Act.

13 *(v)*. New. This authority is not contained in the present Act.

13 *(w)*. Section 10 *(q)*. No change.

13 *(x)*. Section 10 *(n)*. No change in substance.

13 *(y)*. Section 9. No change in substance. See section 14.

14. Section 11. The only change is to add a reference to section 95 of the *British North America Act* which is necessary because of new section 13 *(v)*.

15. Section 13. The only change is to extend the time from ten to thirty days.

Enforcement of ordinances.

16. Unless otherwise therein specially provided, proceedings for enforcing any ordinance by the imposition of punishment by fine, penalty or imprisonment may be brought summarily before a justice of the peace under the provisions of the Criminal Code relating to summary convictions.

Laws Applicable to the Territories.

Laws of England.

17. Subject to this Act, the laws of England relating to civil and criminal matters, as such laws existed on the fifteenth day of July, one thousand eight hundred and seventy, shall be in force in the Territories, in so far as they are applicable to the Territories and in so far as they have not been or will hereafter be, respecting the Territories, repealed, altered, varied, modified or affected by any Act of the Parliament of the United Kingdom or of the Parliament of Canada or by any ordinance.

Where no officer in Territories.

18. (1) Where in any Act of the Parliament of Canada or ordinance an officer is designated to perform any duty therein mentioned and there is no such officer in the Territories, the Commissioner may order by what other person or officer such duty shall be performed, and the performance of the duty by such other person pursuant to the order is lawful and valid.

Transmission of documents.

(2) Where in any Act of the Parliament of Canada or ordinance a document or thing is to be transmitted to an officer, court, territorial division or place and there is then in the Territories no such officer, court, territorial division or place, the Commissioner may order to what officer, court, territorial division or place such transmission shall be made or may dispense with the transmission and the transmission or dispensation of transmission pursuant to the order is lawful and valid.

Northwest Territories Revenue Account.

Territorial revenues.

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

Composition of Northwest Territories Revenue Account.

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

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

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

16. Section 82. No change in substance.

17. Section 14. No change in substance.

18 (1). Section 18 (1). No change in substance.

18 (2). Section 18 (2). No change in substance.

19. New. Formerly Territorial revenues were kept in a trust account in the Consolidated Revenue Fund of Canada under the name "Northwest Territories Trust Fund". Since April 1, 1952, this trust fund has been known as "The Northwest Territories Revenue Account". This section provides statutory authority for the Northwest Territories Revenue Account.

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

Territorial expenditures.

(3) The Commissioner in Council may make ordinances providing for the expenditure of territorial revenues for territorial purposes and, subject to subsection five, 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.

To be charged to Account.

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

Limitation on payments.

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

PART II.

Administration of Justice.

Territorial Court.

Composition of Court.

20. There shall be a superior court of record in and for the Territories to be called the Territorial Court, consisting of the judges of the Territorial Court of the Yukon Territory who shall be *ex officio* judges of the Territorial Court of the Northwest Territories and such other deputy judges as may from time to time be appointed by the Governor in Council.

Deputy judges.

21. (1) The Governor in Council may, from time to time, in the case of sickness, absence or engagement upon other duty of a judge of the Court or at the request of a judge of the Court, specially appoint any person who is or has been a judge of a superior, county or district court of any of the provinces of Canada or a barrister or advocate of at least ten years' standing at the bar of any such province to be a deputy judge of the Court.

Tenure of office.

(2) A deputy judge may be appointed pursuant to this section for any particular case or cases or for any specified period of time and his appointment shall be terminated at the pleasure of the Governor in Council.

Powers.

(3) A deputy judge shall be sworn to the faithful performance of his duties in the same manner as a judge of the Court and shall, during his appointment, temporarily

20-25. New. *The Northwest Territories Act, 1905,* replaced the Supreme Court of the Territories by Stipendiary Magistrates empowered to exercise the functions of judges of the Supreme Court. The increase in population in recent years has resulted in an increase in the number of civil and criminal cases requiring trial by an experienced judge. These sections establish a Territorial Court. The judge of the Territorial Court of the Yukon Territory will be *ex officio* the judge of the Territorial Court of the Northwest Territories, thus providing for the proper trial of cases without the necessity of appointing an additional judge.

have and may exercise all the powers, authorities and functions of a judge of the Court and the expression "judge of the Court" shall be deemed to include a deputy judge of the Court.

Oath of office.

22. (1) Every judge of the Court shall, before entering upon the duties of his office, take the following oath of office:

"I, , do solemnly and sincerely promise and swear that I will duly and faithfully and to the best of my skill and knowledge execute the powers and trusts reposed in me as one of the judges of the Territorial Court of the Northwest Territories. So help me God."

Taking of oath.

(2) The oath shall be administered by a judge of the Court or by the Commissioner or by a person authorized by the Commissioner to administer such oath.

General powers.

23. (1) The Court is a superior court of record having civil and criminal jurisdiction throughout the Territories.

Civil jurisdiction of former stipendiary magistrates.

(2) The Court shall, throughout the Territories, have and may exercise in civil cases all the powers, duties and functions that were, immediately prior to the commencement of this Act, vested in stipendiary magistrates of the Territories.

Judge has powers of Court.

(3) A judge of the Court shall, throughout the Territories, have and may exercise all the powers, duties and functions that are vested in the Court.

To exercise powers of a court.

24. (1) Where under any Act, ordinance or other law in force in the Territories, any power or authority is to be exercised or anything is to be done by a judge of a court, such power or authority shall, in the Territories, be exercised or such thing shall be done by a judge of the Court, unless some other provision is made in that behalf by such Act, ordinance or other law.

To exercise powers heretofore given to stipendiary magistrate.

(2) Where in any Act, ordinance or other law in force in the Territories it is expressed that a power or authority is to be exercised or a thing is to be done by a stipendiary magistrate of the Territories, such power or authority shall be exercised or such thing shall be done by a judge of the Court or, where the power, authority or thing is within the jurisdiction given to him pursuant to this Act, by a police magistrate.

Sittings.

25. Sittings of the Court shall be held at such times and places as a judge of the Court deems necessary or as may be directed by the Commissioner.

Has jurisdiction to try criminal cases outside Territories.

26. (1) Every judge of the Court shall, with respect to any criminal offence committed or charged to have been committed within the Territories, have and may exercise, not only within the Territories but also in any place in Canada that is not within the Territories, all the powers, duties and functions of the Court.

Application of laws.

(2) All statutory and other provisions of the law applicable to criminal proceedings within the Territories shall in like manner apply to proceedings instituted or to be instituted or prosecuted under this section at any place not within the Territories.

Enforcement of decisions.

(3) Any judgment, conviction, sentence or order pronounced or made in any proceedings held outside the Territories under this section may be enforced or executed at the place at which it is pronounced or made or elsewhere, either within or without the Territories, as the judge of the Court may direct, and the proper officers of the Territories shall have and may exercise all powers and authority necessary or requisite for the enforcement or execution thereof at the place where it is directed to be enforced or executed, notwithstanding that such place is not within the Territories.

No grand jury.

27. No grand jury shall be summoned or sit in the Territories.

Appeals from the Court in Civil Cases.

Meaning of "court of appeal".

28. (1) In this section, "court of appeal" means

(a) for those parts of the Territories west of the One Hundred and Second Meridian of West Longitude, the court of appeal for the Province of Alberta; and

(b) for those parts of the Territories east of the One Hundred and Second Meridian of West Longitude, the court of appeal for the Province of Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island or Newfoundland.

Where appeal lies.

(2) Subject to subsection three, an appeal lies from the final judgment of a judge of the Court to the appropriate court of appeal in any civil case where

Matter involves five hundred dollars or more.

(a) the matter in controversy amounts to the sum or value of five hundred dollars or upwards;

Title to real property.

(b) the title to real property or some interest therein is affected;

Patent.

(c) the validity of a patent is affected;

Future rights.

(d) the matter relates to the taking of an annual or other rent, customary or other duty or fee or a like demand of a public or general nature affecting future rights;

Mandamus, etc.

(e) the proceedings are for or upon mandamus, prohibition or injunction;

26. Section 64. No change in substance.

27. Section 41 (2). No change.

28. Section 38 *(a)*. Formerly all appeals went to the court of appeal for Alberta. The new section provides that the court of appeal for those parts of the Territories east of the 102nd meridian is the Court of Appeal for the province of Saskatchewan or any other province east of Saskatchewan.

Mining claims.

(f) the action is for the recovery of, the establishment of title to or the right of the claimant to or the establishment of the boundaries of or the inclusion of land or property in a claim, mining property, mineral claim or location, or interest therein, as defined in any regulations respecting quartz mining in the Territories made under a statute of Canada; or

Divorce and judicial separation.

(g) the action is for divorce or judicial separation.

Exception.

(3) No appeal lies from the final judgment of a judge of the Court on appeal from the decision of a mining recorder respecting a dispute in regard to mining property previous to the issue of a lease of a claim.

Powers of court of appeal.

(4) The court of appeal and the judges thereof shall have the same powers, jurisdiction and authority with reference to any such appeal and the proceedings thereon as if it were an appeal duly authorized from a like judgment, order or decree made by a superior court of the province concerned, or a judge thereof, in the exercise of its or his ordinary jurisdiction.

Notice of appeal.

(5) Notice of any such appeal shall be given within twenty days from the day upon which the judgment appealed from is pronounced or given or within such further time as the judge of the Court who gave such judgment may allow.

Stay of execution.

(6) Execution of the judgment appealed from shall not be stayed except upon order of the judge of the Court who gave such judgment or the court of appeal, or a judge thereof, and upon such terms as may be just.

Quorum.

(7) Three judges of the court of appeal constitute a quorum for the hearing of such appeals.

Procedure.

(8) The procedure upon such appeals shall be regulated by the ordinary practice and procedure upon similar appeals coming before the court of appeal, so far as such practice and procedure are applicable and are not inconsistent with anything in this section and except in so far as it is otherwise provided by the general rules pursuant to this section.

General rules.

(9) The judges of the court of appeal may make general rules not inconsistent with this Act for regulating the practice and procedure upon such appeals.

Appeal to Supreme Court of Canada.

(10) An appeal lies to the Supreme Court of Canada from the judgment upon any appeal authorized by this section wherever such an appeal to the Supreme Court of Canada would have been authorized had the judgment appealed from been delivered in a like case in the exercise of the ordinary jurisdiction of the court of appeal upon appeal in respect of cases originating in the courts of the province in which such court of appeal sits.

Concurrent Civil Jurisdiction of Provincial Courts.

Concurrent civil jurisdiction respecting eastern portion of Territories.

29. (1) Any superior court in the provinces of Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland may, within the province in which its ordinary jurisdiction is exercised, exercise, in civil matters respecting persons and property in the Territories east of the One Hundred and Second Meridian of West Longitude and actions, suits or proceedings affecting them, the like jurisdiction that such court has in civil matters respecting persons and property within the territorial limits of its ordinary jurisdiction and actions, suits or proceedings affecting them.

Concurrent surrogate jurisdiction respecting the Territories.

(2) Any court having surrogate powers in a province of Canada may, within the province in which its ordinary jurisdiction is exercised, exercise, respecting the granting or revoking of probate of wills and letters of administration of the property of deceased persons in the Territories and all matters arising out of or connected therewith, the like jurisdiction that such court has respecting the granting or revoking of probate and letters of administration of the property of deceased persons within the territorial limits of its ordinary jurisdiction and all matters arising out of or connected therewith.

Practice and procedure.

30. (1) Except as otherwise provided in this section, the practice and procedure in the exercise of concurrent jurisdiction pursuant to section twenty-nine shall be the practice and procedure of the court in the exercise of its ordinary jurisdiction, but the court or a judge thereof may, in any case in which the court or judge considers such practice and procedure inapplicable or inconvenient, make orders varying it to suit the circumstances of the case.

Service outside jurisdiction.

(2) A writ of summons or other initiatory proceeding in the exercise of such concurrent jurisdiction shall not be served outside the territorial limits of the ordinary jurisdiction of the court without the leave of the court or a judge thereof and such leave shall not be granted where any of the following apply, namely,

Where leave not to be granted.

(a) the plaintiff or claimant has failed to submit an affidavit showing that he has a good cause of action or claim upon the merits of the case setting forth all relevant grounds;

(b) the court or judge is of opinion that the action, suit, proceeding or other matter ought not to be taken in the province in which the plaintiff or claimant is seeking to proceed; or

(c) the court or judge is of opinion that the action, suit, proceeding or other matter may be prosecuted more

29 (1). Section 35 (1) now reads:

"The superior courts of the provinces of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island shall, in all parts of the Territories east of the eighty-ninth meridian of west longitude, and the superior courts of the provinces of Manitoba, Saskatchewan, Alberta and British Columbia shall, in all parts of the Territories west of the eighty-ninth meridian of west longitude, have and exercise in civil matters the like jurisdiction and powers with respect to persons and property and to actions, suits and proceedings affecting them as the said courts have with respect to persons and property within the territorial limits of their ordinary jurisdiction and to actions, suits and proceedings affecting them"

With the establishment of a superior court in the Northwest Territories, there is no necessity to give provincial superior courts concurrent jurisdiction in matters west of the 102nd meridian of west longitude.

29 (2). Section 35 (2). No change in substance.

30. Sections 36, 37 and 38. No change in substance.

conveniently or with less expense in the Territories or in another province.

Terms of order.

(3) The court or judge may, in the order granting leave, limit a time for appearance and impose or prescribe such other conditions as are deemed just.

Appeals.

31. An appeal lies from the final judgment of a court or judge in the exercise of concurrent civil jurisdiction to the appropriate appellate tribunal of the province concerned wherever such an appeal would have been authorized had the judgment appealed from been delivered in a like case in the exercise of the ordinary jurisdiction of the court and would have been authorized pursuant to section twenty-eight had the judgment appealed from been delivered by a judge of the Territorial Court.

Police Magistrates.

Appointment.

32. (1) The Governor in Council may appoint one or more persons who are barristers or advocates of at least three years' standing at the bar of any of the provinces of Canada to be police magistrates in and for the Territories and may fix their salaries and allowances.

Tenure, residence, etc.

(2) A police magistrate shall hold office during pleasure, shall reside in the Territories during his term of office and shall not, during such term, practice as a barrister or solicitor.

Has powers of justices of the peace.

33. A police magistrate shall have and may exercise the powers, duties and functions of a justice of the peace or any two justices of the peace under this Act or any other law or ordinance in force in the Territories.

Civil jurisdiction.

34. (1) Subject to subsection two, the Governor in Council may, by order, vest in any police magistrate named in such order civil jurisdiction in

Contract and debt.

(a) actions arising out of contract, expressed or implied, and actions of debt, where the debt, demand or damages claimed do not exceed one thousand dollars;

Tort.

(b) personal actions of tort, where the damages claimed do not exceed one thousand dollars;

Recovery of personal property.

(c) all actions for the recovery of personal property, including actions of replevin and for detinue, where the value of the property claimed does not exceed one thousand dollars;

Interpleader proceedings.

(d) interpleader proceedings

(i) where the person seeking relief is under liability for any debt, money or chattels to an amount or value not exceeding one thousand dollars for and

31. New. This provides for an appeal from the Superior Courts of provinces exercising concurrent jurisdiction.

32-35. New. Provide for the appointment of police magistrates in the Territories and for vesting them with part of the civil jurisdiction formerly exercised by stipendiary magistrates and justices of the peace.

in respect of which adverse claims are made by two or more persons, or

(ii) where the applicant is a sheriff or some other officer charged with the execution of process and claim is made to any money or chattels taken or intended to be taken in the execution, or the proceeds or value thereof, by a person other than the person against whom the process issued, where the money, proceeds or value of the chattels claimed does not exceed one thousand dollars;

Garnishment proceedings.

(e) garnishment proceedings for the attachment of debt due, obligations and liabilities owing, payable or accruing due by a third person to a person against whom an action for a debt or liquidated demand not exceeding one thousand dollars is or is about to be commenced or against whom a judgment has been given; and

Attachment proceedings.

(f) attachment proceedings for the recovery of a sum not exceeding one thousand dollars for debt or damages arising upon a contract, expressed or implied, or upon a judgment upon the personal property of a person who

(i) being a non-resident of the Territories, is so indebted or liable to a resident of the Territories; or

(ii) with intent to defeat or defraud his creditors or those who have causes of action against him, absconds or is about to abscond from the Territories leaving personal property or to remove his personal property out of the Territories or did or is about to assign, transfer, dispose of or secrete such property or to conceal himself to avoid service of process.

Jurisdiction excluded in certain cases.

(2) A police magistrate shall not be vested with civil jurisdiction in

Where title to land involved.

(a) actions in which the title to land or to an interest in land is brought in question;

Devises, bequests, etc.

(b) actions in which the validity of any devise, bequest or limitation is disputed;

Malicious prosecution, etc.

(c) actions for malicious prosecution, false imprisonment, libel, slander, criminal conversation, seduction or breach of promise of marriage; and

Actions against justices of the peace.

(d) actions against a justice of the peace for anything done by him in the execution of his office.

Appeals from police magistrates in civil cases.

35. (1) An appeal may be taken from the final judgment of a police magistrate in any civil case to a judge of the Court where the matter in controversy, exclusive of costs, amounts to the sum or value of not less than one hundred dollars.

Further title.

(2) An appeal from the final judgment of a judge of the Court on an appeal referred to in subsection one may be

taken in the same manner, for the same causes and subject to the same limitations as are prescribed in section twenty-eight with reference to appeals from trial judgments of judges of the Court.

Justices of the Peace.

Appointment.

36. (1) The Governor in Council may, from time to time, appoint any person to be a justice of the peace in and for the Territories who shall hold office during pleasure.

R.C.M.P. officers are *ex officio* justices of the peace.

(2) Every commissioned officer of the Royal Canadian Mounted Police is, when he is in the Territories, *ex officio*, a justice of the peace in and for the Territories.

Have powers of two justices of the peace.

(3) Every justice of the peace in and for the Territories shall, throughout the Territories, have and may exercise the powers, duties and functions of two justices of the peace under any law or ordinance in force in the Territories.

Other Officers.

Other officers.

37. The Governor in Council may appoint the clerk of the Court, sheriff and such other officers for the due administration of justice in the Territories as are deemed necessary and may fix their salaries and allowances.

Confinement of Prisoners.

Prisons in the Territories.

38. (1) The following places in the Territories are prisons, gaols or lockups for the confinement of persons charged with the commission of any offence under a statute, ordinance or other law in force in the Territories or sentenced thereunder to a term of imprisonment not exceeding two years, namely,

(a) every guardhouse, guardroom or other place of confinement that is maintained or managed by the Royal Canadian Mounted Police; and

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

Where no prison may be kept in custody of R.C.M.P.

(2) Where it is impossible or inconvenient, by reason of absence or remoteness, to confine a person referred to in subsection one in a prison, gaol or lockup, such person may be sentenced or directed by a judge of the Court, police magistrate or justice of the peace, as the case may be, to be placed and kept in the custody of the Royal Canadian Mounted Police.

36. Section 6. The only change is to delete the authority of the Commissioner and members of the Territorial Council to act as justices of the peace.

37. Section 34 (3). No change in substance. The duties are provided for in section 13 *(m)*.

38. Sections 59, 60 and 61. The principal change is the deletion of any reference to "penitentiaries". This is done because under section 19 of the *Penitentiaries Act*, penitentiaries in Manitoba and Saskatchewan are penitentiaries for the Territories.

Regulations respecting prisons and prisoners.

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

PART III.

GENERAL.

Roads.

Subject to control of Commissioner.

40. Subject to any ordinance respecting them, all roads, streets, lanes and trails on public lands are subject to the direction, management and control of the Commissioner.

Reindeer.

Regulations respecting reindeer.

41. (1) The Governor in Council may make regulations,

(a) authorizing the Minister to enter into agreements with Eskimos or Indians, or persons with Eskimo or Indian blood living the life of an Eskimo or Indian, for the herding of reindeer that are the property of Her Majesty, such agreements, if deemed advisable by the Minister, to include provisions for the transfer of such portions of the herds as may be therein specified to the herders upon satisfactory completion of the agreements;

(b) for the control, management, administration and protection of reindeer in the Territories, whether they are the property of Her Majesty or otherwise;

(c) for the sale of reindeer and the slaughter or other disposal of surplus reindeer and the carcasses thereof; and

(d) controlling or prohibiting the transfer or shipment by any means of reindeer or their carcasses or parts thereof, whether they are the property of Her Majesty or otherwise, from any place in the Territories to any other place within or without the Territories.

Seizure.

(2) Where a peace officer or any person who is a game officer under any ordinance has reasonable grounds for believing that any reindeer or part thereof has been taken, killed, transferred, shipped or had in possession in violation

39. Section 62. The only change is to provide for the employment of prisoners outside gaols.

40. Section 76 now reads:

> "All road allowances in townships now or hereafter surveyed and subdivided in the Territories, and all road allowances set out on block lines now or hereafter surveyed in the Territories, the plans of survey whereof have been duly approved, shall be subject to the direction, management and control of the Commissioner for the public use of the Territories, subject to any ordinances made or to be made with respect thereto".

Although jurisdiction regarding roads is conferred upon the Commissioner in Council by section 13 *(s)*, it is necessary to retain this section as title to roads in the Territories remains vested in the Crown in right of Canada. The Commissioner in Council has legislative authority; the Commissioner has administrative authority.

41. New. Since 1933 the Government of Canada has maintained reindeer herds in the Territories for the benefit of natives. This section confers upon the Governor in Council authority to make regulations concerning such reindeer.

of the regulations or that any vessel, vehicle, aeroplane, firearm, trap or other article or thing has been used in violation of the regulations, he may, in the Territories, without a warrant, effect seizure thereof.

Forfeiture.

(3) Every seizure made under subsection two shall be reported as soon as practicable to a justice of the peace who may, upon satisfying himself that the reindeer or part thereof or the vessel, vehicle, aeroplane, firearm, trap or other article or thing has been taken, dealt with or used in violation of the regulations, declare it to be forfeited to Her Majesty and, upon such declaration, it is forfeited.

Application of *The Game Export Act*.

(4) *The Game Export Act* applies to reindeer or the carcasses or part thereof and for that purpose, "game" under that Act shall be deemed to include such reindeer, carcasses or part thereof, "killed" to include the taking or capture of or dealing in live reindeer and "export permit" to include a permit or licence issued under the regulations made pursuant to this section.

Intoxicants.

Manufacture and importation of intoxicants.

42. (1) No intoxicant shall be manufactured, compounded or made in the Territories or imported or brought into the Territories from any place outside the Territories, whether it is in Canada or elsewhere, except by permission of the Commissioner.

Subject to customs and excise laws.

(2) Intoxicants manufactured, compounded or made in the Territories or imported or brought into the Territories are subject to the customs and excise laws of Canada.

Seizure.

(3) Where a peace officer has reasonable grounds for believing that any intoxicant has been manufactured, compounded or made in the Territories or imported or brought into the Territories from any place outside the Territories in violation of this Act or that any vessel, vehicle, aeroplane, appliance, article or thing has been used for any of the above purposes in violation of this Act, he may, in the Territories, without a warrant, effect seizure thereof.

Forfeiture.

(4) Every seizure made under subsection three shall be reported as soon as practicable to a justice of the peace who may, upon satisfying himself that the intoxicant or the vessel, vehicle, aeroplane, appliance, article or thing has been manufactured, compounded, made, imported, brought in or dealt with or used in violation of this Act, declare it to be forfeited to Her Majesty and, upon such declaration, it is forfeited.

42 (1) and (2). Sections 91 and 92 now read:

"**91.** No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the Territories, except by special permission of the Governor in Council; nor shall any intoxicating liquor or intoxicant be imported or brought into the Territories from any province of Canada, or elsewhere, or be sold, exchanged, traded or bartered, or had in possession therein, except by special permission in writing of the Commissioner.

92. Intoxicating liquors or intoxicants imported or brought from any place out of Canada into the Territories, by special permission in writing of the Commissioner, shall be subject to the customs and excise laws of Canada".

Permission for the manufacture of liquor may be given by the Commissioner instead of by the Governor in Council.

42 (3) and (4). Section 98. The old section is brought up to date.

Insane Persons.

Arrangements for transfer to provincial institutions.

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

Payment out of territorial revenues.

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

Recapture of escaped insane persons.

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

Warrants.

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

Custody of recaptured persons.

(3) An escaped person who is returned to custody under this section shall remain in custody under the authority by virtue of which he was detained prior to his escape.

Neglected Children.

Arrangements for care in provincial institutions.

45. (1) The Commissioner may, subject to the approval of the Minister, arrange with any province of Canada for the removal of neglected children from the Territories to foster homes or suitable institutions in that province, for their care, education and maintenance therein and for the compensation to be paid to that province in respect of the care, education and maintenance of such neglected children.

Payment out of territorial revenues.

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

43 and **44.** Sections 72 to 75. These sections provide for insane persons. Sections 72 and 73 are now dropped as the Commissioner in Council has power to legislate regarding insane persons. Sections 74 and 75 are retained, as this power is necessary when insane persons are confined outside the Territories.

45. New. This authority is not contained in the present Act.

Offence and Penalty.

Offence and penalty.

46. Every person who violates a provision of this Act or the regulations is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both fine and imprisonment.

Repeal.

Repeal R.S.C. c. 142.

47. (1) The *Northwest Territories Act*, chapter one hundred and forty-two of the Revised Statutes of Canada, 1927, is repealed.

Certain sections of the *Land Titles Act* cease to be effective.

(2) Sections five to eleven, inclusive, and sections fourteen, fifteen and sixteen of the *Land Titles Act*, chapter one hundred and eighteen of the Revised Statutes of Canada, 1927, do not apply with respect to the Northwest Territories.

Commencement.

Coming into force.

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

46. Section 99. Provides for penalties for offences under the Act.

47 (1). Provides for the repeal of the present Act.

47 (2). These sections in the *Land Titles Act* deal with descent of land and married women's property, and it is necessary to repeal the sections in order that a uniform Ordinance on wills and married women's property may be enacted.

48. As many provisions relating to criminal law are in the present Act, the new Act must come into force on the same day as the *Criminal Code* is proclaimed.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 346.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1952, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company.

First reading, June 17, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

59660

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 346.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1952, 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.

1. This Act may be cited as *Canadian National Railways Financing and Guarantee Act, 1952.*

Definitions.

"National Company".

"National Railway System".

"securities".

2. In this Act

(a) "National Company" means the Canadian National Railway Company;

(b) "National Railway System" means the National Railway System as defined in *The Canadian National Railways Capital Revision Act, 1937;*

(c) "securities" means the notes, equipment trust certificates, bonds, debentures and other securities described in subsection one of section four.

Capital expenditures authorized.

3. (1) The National Railway System is authorized,

(a) to make capital expenditures in the calendar year 1952 in the following amounts and for the following purposes:

Additions and Betterments (excluding new equipment)		
Obligations incurred prior to 1952 that become due and payable in 1952	$23,014,271	
Obligations incurred in 1952 that become due and payable in 1952	27,363,257	
		$ 50,377,528
Branch Line Construction— Sherridon – Lynn Lake		7,800,000

New Equipment		
Obligations incurred prior to 1952 that become due and payable in 1952.....	93,647,760	
Obligations incurred in 1952 that become due and payable in 1952.....	2,413,092	
		96,060,852
Acquisition of Securities.....		516,900
TOTAL.....		$154,755,280;

Additional working capital,

(b) to acquire additional working capital in the calendar year 1952 in an amount not exceeding fifteen million dollars;

Capital expenditures in 1953.

(c) to make capital expenditures not exceeding in the aggregate fifty million dollars in the calendar year 1953 prior to the first day of July of that year in discharge of obligations incurred prior to that year that have become due and payable before that day; and

Contracts for new equipment prior to July 1, 1953.

(d) with the approval of the Governor in Council, to enter into contracts prior to the first day of July, 1953, for the acquisition of new equipment that will come in course of payment after the calendar year 1952, in amounts not exceeding in the aggregate $123,135,710.

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, 1953, 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)*, *(b)* and *(c)* of subsection one, and

(b) by the issue and sale of securities, to borrow money to repay loans made under section six.

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 *(c)* of subsection one shall be included in the annual budget of the National Railway System for the calendar year 1953.

Amount payable included in budget.

(5) Any amount payable under a contract entered into pursuant to paragraph *(d)* of subsection one shall be included in the annual budget of the National Railway 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.

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 three.

Application of amounts available.

(2) Amounts available from reserves for depreciation and debt discount amortization shall be applied towards meeting the expenditures authorized by section three.

Maximum amount of securities.

(3) The aggregate principal amount of securities issued under this section outstanding at any one time shall not exceed $202,405,280 less the amount that the National Company receives in respect of the whole calendar year 1952 from the sale to the Minister of Finance of preferred stock of the National Company.

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 three 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 one shall not exceed $202,405,280 less the amount that the National Company receives in respect of the whole calendar year 1952 from the sale to the Minister of Finance of preferred stock of the National Company.

Securities for repayment.

(3) Securities may be issued and guaranteed under the provisions of this Act to repay loans, or any parts thereof, made pursuant to subsection one.

Power to aid other companies.

7. The National Company may aid and assist, in any manner not inconsistent with the terms of section three, any others of the companies and railways comprised in the National Railway 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 three 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 three 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.

9. (1) Where, at any time before the first day of July, 1953, the available revenues of the National Railway System are not sufficient to pay all the operating and income charges of the National Railway 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 one shall be reimbursed to the Minister of Finance from the annual revenues of the National Railway 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, 1953, the available revenues of Trans-Canada Air Lines and its subsidiaries 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 and its subsidiaries 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 one shall be reimbursed to the Minister of Finance from the annual revenues of Trans-Canada Air Lines and its subsidiaries in so far as such revenues are sufficient and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

Newfoundland Railway.

11. (1) An obligation of the Government of Newfoundland in respect of equipment of the Newfoundland Railway that has been transferred to Canada pursuant to the Terms of Union of Newfoundland with Canada is deemed to be an obligation of the National Company and an instrument evidencing the obligation is deemed to be a security of the National Company.

Coming into force.

(2) This section shall be deemed to have come into force on the first day of April, 1949.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 366, see Senate Bills, F12.)

BILL 347.

An Act to authorize the Government of Canada to enter into Agreements with the Governments of the Provinces pursuant to which, in return for compensation, the Provinces agree to refrain from levying certain taxes for a limited period.

First reading, June 17, 1952.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

58611

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 347.

An Act to authorize the Government of Canada to enter into Agreements with the Governments of the Provinces pursuant to which, in return for compensation, the Provinces agree to refrain from levying certain taxes for a limited period.

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 Tax Rental Agreements Act, 1952.*

INTERPRETATION.

Definitions.

2. (1) In this Act,

"agreement".

(a) "agreement" means an agreement entered into under subsection one of section three and includes any amending agreement entered into under subsection three of the said section;

"statutory subsidies".

(b) "statutory subsidies" means the subsidies payable to any province, with which an agreement has been entered into, under any of the following enactments:

(i) *The British North America Acts, 1867 to 1951*, and Orders in Council thereunder;

1900, c. 7.

(ii) *An Act respecting the construction of a Branch Railway from Charlottetown to Murray Harbour*, chapter seven of the statutes of 1900;

1912, c. 32.

(iii) *The Manitoba Boundaries Extension Act, 1912;*

1912, c. 42.

(iv) *The Prince Edward Island Subsidy Act, 1912;*

R.S., c. 192.

(v) *The Provincial Subsidies Act;*

1930, c. 3.

(vi) *The Alberta Natural Resources Act;*

1930, c. 37.

(vii) *The Railway Belt and Peace River Block Act;*

1930, c. 29.

(viii) *The Manitoba Natural Resources Act;*

1930, c. 41.

(ix) *The Saskatchewan Natural Resources Act;* and

1942-43, c. 14.

(x) *The Maritime Provinces Additional Subsidies Act, 1942.*

"value of gross national product".

(c) "value of gross national product" means, with respect to any year, the value of all goods and services produced in the year by persons resident in Canada as determined by the Dominion Statistician.

Population how determined.

(2) For the purposes of an agreement, the population of a Province or of Canada for any year in which a census thereof was taken means the said population as ascertained by the census, and for any other year means the said population as estimated by the Dominion Statistician in such manner as may be agreed upon.

AGREEMENTS.

Minister of Finance may enter into agreement with Provinces.

3. (1) The Minister of Finance, with the approval of the Governor in Council may, on behalf of the Government of Canada, enter into an agreement with the the Government of any of the Provinces of Canada to provide, in accordance with and subject to such terms and conditions as may be so approved, that the Government of Canada will pay compensation, not exceeding the amount hereinafter authorized, to the Government of the Province if the Government of the Province and the municipalities in that Province,

(a) refrain from levying individual income taxes, corporation income taxes and corporation taxes as defined in the agreement in respect of the period of five years commencing on the first day of January, nineteen hundred and fifty-two, and ending on the thirty-first day of December, nineteen hundred and fifty-six, or any lesser period ending on the said thirty-first day of December; and

(b) refrain from levying succession duties as defined in the agreement in respect of successions or transmissions consequent upon, or on property passing upon any death occurring during the period of five years commencing on the first day of April, nineteen hundred and fifty-two, and ending on the thirty-first day of March, nineteen hundred and fifty-seven, or any lesser period ending on the said thirty-first day of March.

Further provisions.

(2) Notwithstanding anything contained in subsection one, an agreement may provide that the Government of the Province may,

(a) levy or empower a municipality to levy taxes on income earned during the whole or any part of the period mentioned in paragraph *(a)* of subsection one derived from mining operations or on income earned

therein derived from logging operations as defined in the agreement or on income so earned derived from both mining and logging operations; and

(b) impose succession duties in respect of deaths occurring during the whole or any part of the period mentioned in paragraph *(b)* of subsection one but in such case provision shall be made in the agreement that there be deducted from the amount of compensation otherwise payable to the Government of the Province, an amount not less than the amount allowed by the Government of Canada as a deduction from succession duties imposed by the Government of Canada on successions consequent upon the death of persons occurring during the said period or part thereof, in respect of succession duties paid to the Government of the Province on successions or transmissions consequent upon, or on property passing upon the said deaths.

Terms or conditions may be amended.

(3) The Minister of Finance, with the approval of the Governor in Council may, on behalf of the Government of Canada, enter into an agreement, not inconsistent with the provisions of this Act, amending the terms or conditions of an agreement.

Compensation payable.

4. (1) Subject to subsection two of section three, the compensation payable by the Government of Canada to the Government of a Province under an agreement shall be an annual amount payable in respect of each of the fiscal years in respect of which the agreement is entered into, which annual amount shall not exceed the amount by which

(a) the guaranteed minimum annual amount herein fixed for that Province, or

(b) the adjusted annual amount calculated as hereinafter provided with reference to the said guaranteed minimum annual amount for that Province,

whichever is greater, exceeds the amount payable by the Government of Canada to the Government of that Province in respect of statutory subsidies during the fiscal year commencing in 1952.

Limitation.

(2) The amount of compensation payable by the Government of Canada to the Government of a Province under an agreement in respect of a part of a year shall not exceed that proportion of the amount that would have been payable in respect of the whole of the year, if the agreement had been entered into with respect to the whole of the year, that the part of the year is of the whole of the said year.

Guaranteed minimum annual amount.

(3) The guaranteed minimum annual amount with respect to a Province shall not exceed the amount specified hereunder with respect to that Province, namely:

Alberta	$20,985,710
British Columbia	29,647,487
Manitoba	18,634,954
New Brunswick	12,576,093
Newfoundland	9,174,624
Nova Scotia	15,348,220
Ontario	101,801,370
Prince Edward Island	2,977,015
Quebec	85,080,466
Saskatchewan	20,026,085

Adjusted annual amount.

(4) The adjusted annual amount with respect to a Province shall not exceed

(a) the amount for the single calendar year immediately preceding the fiscal year in respect of which payment is to be made, or

(b) the amount that is the average of the amounts for the two calendar years immediately preceding the fiscal year in respect of which payment is to be made,

whichever the agreement provides, the amount for such a calendar year being the greater of

(c) the guaranteed minimum annual amount for that Province fixed herein or

(d) the amount that is the product of the guaranteed minimum annual amount for that Province, multiplied by the product obtained by multiplying

(i) the ratio that the value of the gross national product per capita in that calendar year bears to the said value in the calendar year nineteen hundred and forty-eight

by

(ii) the ratio that the population of that Province for the calendar year bears to the said population for the calendar year nineteen hundred and forty-eight,

the said ratios to be computed as provided in the agreement.

5. (1) Where the Minister and a Province consider it desirable, in order to bring to an early conclusion the deductions by Canada from amounts payable by Canada to a Province, and payments by the Province to Canada, under clause three of the agreement made with the Province pursuant to *The Dominion-Provincial Tax Rental Agreements Act, 1947*, in respect of corporation income taxes, the Minister may, with the approval of the Governor in Council, enter into an agreement with the Province under which

1947, c. 58.

(a) in consideration of the release by the Province of its right to all further payments by Canada under the Corporation Income Tax Collection Agreement made between Canada and the Province pursuant to section six of *The Dominion-Provincial Tax Rental Agreements Act, 1947*, Canada releases its right to all further payments by the Province and to make all further deductions under the said clause three,

(b) in consideration of the payment by Canada of an agreed amount, the Province releases its right to payment by Canada under the said Corporation Income Tax Collection Agreement of interest and penalties in respect of overdue taxes, and

(c) Canada will retain all further amounts collected by it under the said Corporation Income Tax Collection Agreement,

or under which

(d) Canada agrees to pay to the Province at such times and in such manner as may be agreed, the amount that in the opinion of the Minister of National Revenue is the estimated amount of all future payments by Canada under the said Corporation Income Tax Collection Agreement, including interest and penalties, in full settlement of all claims by the Province under the said agreement,

(e) the Province agrees to pay to Canada at such times and in such manner as may be agreed, the amount that in the opinion of the Minister of National Revenue is the estimated amount of all future payments by the Province to Canada under the said Clause three, in full settlement of all claims by Canada under the said Clause three, and

(f) Canada will retain all further amounts collected by it under the said Corporation Income Tax Collection Agreement.

(2) An agreement made pursuant to this section may form part of an agreement made under section three or may be a separate agreement.

SHARE OF INCOME TAX ON SPECIFIED CORPORATIONS.

Payments respecting Income Tax on specified corporations.

6. (1) Subject to the provisions of this section, the Minister of Finance may, at such time or times as he may determine, pay to the Government of each Province amounts hereinafter specified, in respect of income tax collected from corporations whose main business is the distribution to or generation for distribution to the public of electrical energy, gas or steam in respect of income of the corporations derived from the said distribution or generation

in the Province to which payment is made during the whole or any part of the period commencing on the first day of January, nineteen hundred and fifty-two, and ending on the thirty-first day of December, nineteen hundred and fifty-six.

Limitation.

(2) The amount that may be paid by the Minister of Finance under this section in respect of income tax collected on income of any taxation year of a corporation shall not exceed the amount remaining after deducting from such amount as is determined by the Minister of National Revenue to be one-half of the said tax collected on that part of the said income that was derived from distribution to or generation for distribution to the public of electrical energy, gas or steam in the Province to which payment is made, the following amounts:—

(a) the amount by which any royalties and rentals of a class that was payable by the corporation on the first day of July, nineteen hundred and forty-seven, paid by the corporation to the Government of the Province during the taxation year, exceed the amount that would have been so payable during that taxation year if the rates in force on that date were in force during the taxation year;

(b) the amount of any other royalties and rentals paid by the corporation to the said Government during the said taxation year; and

(c) the amount of all taxes and fees paid by the corporation to the Government of the Province or to a municipality in the Province during the said taxation year that in the opinion of the Minister of National Revenue are attributable to the distribution to or generation for distribution to the public by the corporation of electrical energy, gas or steam, and of all taxes or fees imposed on the use or consumption of electrical energy, gas or steam collected by the corporation during the taxation year on behalf of the said Government or of a municipality which in the opinion of the said Minister are not part of a sales tax of general application; but there shall not be required to be deducted under this paragraph any amount in respect of

(i) taxes on gross revenues or receipts of the corporation levied by the Province or a municipality in accordance with the terms of an agreement entered into under section three of this Act between the Government of the Province and the Government of Canada, or if the Government of the Province has not entered into such an agreement, that portion of the taxes on net income of the corporation derived from the specified sources

levied by the Province that does not exceed the amount that would have been paid if the rate at which the taxes were levied were five per cent of the said net income, or

(ii) any other taxes or fees (not including taxes on gross revenues or receipts of the corporation or on use or consumption aforesaid collected as aforesaid) that may be levied by a province or municipality under the terms of any agreement entered into under the said section three between the Government of any Province and the Government of Canada.

Discretion of Minister.

(3) The Minister of National Revenue may, for the purposes of this section, determine whether the main business of a corporation is the distribution to or generation for distribution to the public of electrical energy, gas or steam and the proportion of the income of the corporation in any taxation year that is derived from such distribution or generation in any Province.

Certain distribution and generation not included.

(4) For the purposes of this section, distribution to or generation for distribution to the public by a corporation of electrical energy, gas or steam does not include distribution or generation for distribution to,

(a) another corporation controlled by the first mentioned corporation;

(b) another corporation that controls the first mentioned corporation; or

(c) another corporation that is controlled by persons who control the first mentioned corporation

except to the extent that, in the opinion of the Minister of National Revenue, any of the electrical energy, gas or steam is distributed by that or any other corporation otherwise than to a corporation controlled by it, or that it controls, or that is controlled by the same persons who control it.

Proportionate amounts payable.

(5) Where part only of a taxation year of a corporation falls within the period mentioned in this section, the amount payable in respect of that part of the taxation year shall be that proportion of the amount that might be payable for the whole of the taxation year computed in accordance with the preceding subsections of this section, that the number of days in the said part of the taxation year is of the number of days in the taxation year.

Person deemed to control corporation.

(6) For the purposes of this section, a person is deemed to control a corporation if he owns more than fifty per cent of the shares of the corporation that have full voting rights in all circumstances.

Return to be made to Minister of National Revenue.

(7) Every corporation engaged in the distribution or generation of electrical energy, gas or steam shall make a return to the Minister of National Revenue in such form as

he may prescribe for the purpose of obtaining information required for the administration of this section, within six months after the end of each fiscal year of the corporation.

Special return on request of Minister of National Revenue.

(8) The Minister of National Revenue may require any corporation mentioned in subsection seven to make a special return in such form and containing such information in its possession as he may require for the purpose of the administration of this section.

Officer responsible for signing return.

(9) Any return made by a corporation under this section shall be signed by the president, secretary, treasurer or chief agent having personal knowledge of the affairs of the corporation.

Penalty for non-compliance.

(10) Where any return required to be made by a corporation under subsection seven is not made in the prescribed form within the time therein fixed or any special return required under subsection eight is not made by the corporation in the prescribed form within ninety days after notice has been given to the corporation by the Minister of National Revenue that the return is required, the corporation is liable to a penalty of ten dollars for each day thereafter during which it does not deliver the return or five hundred dollars, whichever is less, and the penalty may be recovered as a debt due to the Crown.

(11) In this section "income tax" does not include tax payable by virtue of the *Old Age Security Act* and "gas" does not include a commodity that is sold in portable containers or that is distributed by a corporation through a system of the corporation itself for the distribution of gas by means of which it distributes gas to less than one hundred different customers.

APPROPRIATION.

Amount payable a charge upon C.R. Fund.

7. The amount payable to the Government of a Province under an agreement entered into pursuant to section three or section five, or that is payable under section six shall be paid out of the Consolidated Revenue Fund at such time and in such manner as may be specified in the agreement or otherwise as the Minister of Finance determines.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

(for 391, see Senate Bills, E11.)

BILL 390.

An Act respecting Currency, the Royal Canadian Mint and the Exchange Fund.

First reading, June 24, 1952.

THE MINISTER OF FINANCE

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

59723

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA

BILL 390.

An Act respecting Currency, the Royal Canadian Mint and the Exchange Fund.

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 Currency, Mint and Exchange Fund Act.*

Interpretation.

Definitions. "Minister" "Mint" "subsidiary coin".

2. In this Act

(*a*) "Minister" means the Minister of Finance;

(*b*) "Mint" means the Royal Canadian Mint; and

(*c*) "subsidiary coin" means a coin other than a gold coin.

PART I.

CURRENCY AND COINAGE.

Monetary Unit.

Monetary unit.

3. (1) The monetary unit of Canada is the dollar.

Denominations.

(2) The denominations of money in the currency of Canada are dollars, cents and mills, the cent being one one-hundredth of a dollar and the mill one-tenth of a cent.

Gold Coins.

Gold coins.

4. Where the par value of the dollar has been established by or under an Act of the Parliament of Canada and is being maintained, the Governor in Council may by proclamation

Explanatory Notes.

The purpose of this Bill is to revise and consolidate the *Currency Act* and Part II of the *Department of Finance and Treasury Board Act*, and to provide for the repeal of *The Foreign Exchange Control Act* and the continuation of the Exchange Fund Account established by the *Exchange Fund Act* of 1935.

PART I

The references to sections, subsections and paragraphs in this Part are references to the provisions of the present *Currency Act* that correspond with the provisions dealt with in the text of the Bill. The present *Currency Act* is chapter 40 of the Revised Statutes of Canada, 1927.

3. (1) New.

(2) Section 2.

4. New.

authorize the issue of gold coins of the denominations and standards of fineness specified in Part I of the Schedule, and the Governor in Council may, by such proclamation, amend Part I of the Schedule by prescribing the standard weight and remedy allowance for each coin specified therein, but the standard weight so prescribed for a coin shall be such that the value of the gold contained therein is equal to the amount that appears on the coin as the denomination thereof.

Subsidiary Coins.

Subsidiary coins.

5. (1) Every subsidiary coin made under the authority of this Act shall be of a description and of the standards applicable thereto specified in Part II of the Schedule.

Additional subsidiary coins.

(2) The Governor in Council may by proclamation amend Part II of the Schedule by prescribing denominations of subsidiary coins other than those specified therein; a coin of a denomination so prescribed shall be of a composition specified in Part II of the Schedule and of the fineness specified in Part II of the Schedule for coins of that composition and shall be of a standard weight that bears the same proportion to the weight specified in Part II of the Schedule as the denomination of the coin bears to the denomination of coins of like composition specified in Part II of the Schedule.

Temporary alteration of composition.

(3) Notwithstanding subsection two, where the Governor in Council by reason of a shortage of metals used in making any of the subsidiary coins specified in Part II of the Schedule deems it advisable in the public interest to curtail the use of such metals in making coins, he may by proclamation authorize the issue of a subsidiary coin of a denomination mentioned in Part II of the Schedule and amend Part II of the Schedule by prescribing the composition, standard weight and standard fineness thereof and the remedy allowance therefor.

Current Coins.

Current coins.

6. (1) Subject to subsection two, each of the following coins shall pass current for the amount in the currency of Canada that appears on the coin as the denomination thereof, namely,

(a) a coin that was issued under the authority of the Crown for circulation in Canada, and

(b) a coin that was issued under the authority of the Crown for circulation in any province of Canada before it became part of Canada and immediately before the coming into force of this Act was current and legal

5. (1) New.

(2) Sections 4 (3) and 20 *(b)*.

(3) New.

6. (1) Sections 4 (1), 11, 11A and 12.

tender in Canada for the amount in the currency of Canada that appears on the coin as the denomination thereof.

Defaced coins not current.

(2) No coin that is bent, mutilated or defaced, or that has been reduced in weight otherwise than by abrasion through ordinary use, shall pass current.

Legal Tender.

Legal tender.

7. (1) Subject to this section, a tender of payment of money is a legal tender if it is made

(a) in gold coins issued under the authority of section four;

(b) in subsidiary coins that are current under the provisions of section six; or

1934 c. 43

(c) in notes issued by the Bank of Canada pursuant to the *Bank of Canada Act* that are payable to bearer on demand and are intended for circulation in Canada.

Limit on amounts of tenders.

(2) A tender of payment of money in coins specified in subsection one is a legal tender

(a) in the case of gold coins, for payment of any amount;

(b) in the case of coins of the denomination of ten cents or greater but not exceeding one dollar, for payment of an amount not exceeding ten dollars, but for no greater amount;

(c) in the case of coins of the denomination of five cents or greater but less than ten cents, for payment of an amount not exceeding five dollars, but for no greater amount; and

(d) in the case of coins of the denomination of one cent or greater, but less than five cents, for payment of an amount not exceeding twenty-five cents, but for no greater amount.

Different amounts payable on same day.

(3) Where more than one amount is payable by one person to another on the same day, whether under one or more obligations, subsection two applies as though the total of the amounts payable were one amount due and payable on that day.

Certain coins not legal tender.

(4) A coin described in subsection two of section six or a coin that has been called in is not legal tender.

Powers of Governor in Council.

8. (1) The Governor in Council may by proclamation

(a) prescribe the dimensions and design of any coin;

(b) amend the Schedule by diminishing the remedy allowance for coins of any denomination;

(c) amend the Schedule by prescribing or altering the least current weight of coins of any denomination; and

(d) call in coins of any date and denomination.

Redemption of coins.

(2) The Governor in Council may make regulations for the redemption by the Minister of coins that are current under the provisions of this Act.

(2) Section 14.

7. Section 8.

8. (1) Section 20.

(2) New, but see section 20 *(e)*.

Counterfeit coins.

Revenue officers to deface counterfeit coins.

9. Every officer employed in the collection of the revenue in Canada shall cut, break or deface or cause to be cut, broken or defaced every piece of counterfeit coin that is paid to him in payment of an amount payable to Her Majesty, and shall forthwith forward the counterfeit coin to the Minister of Finance.

Melting gold coins.

Melting down gold coins.

10. (1) Except under and in pursuance of a licence granted by the Minister, no person shall melt down, break up or use otherwise than as currency any gold coin that is for the time being current and legal tender in Canada.

Penalty.

(2) Every person who violates subsection one or any condition attached to a licence granted under subsection one is liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding twelve months or to both fine and imprisonment and in addition to any fine or imprisonment imposed the court may order that the articles by means of or in relation to which the offence was committed be forfeited to Her Majesty.

Accounts, contracts, etc.

Public accounts and statements to be in currency of Canada.

11. All public accounts throughout Canada shall be kept in the currency of Canada; and any statement as to money or money value in any indictment or legal proceeding shall be stated in the currency of Canada.

All contracts, etc., to be in currency of Canada.

12. (1) Every contract, sale, payment, bill, note, instrument and security for money and every transaction, dealing, matter and thing whatever relating to money, or involving the payment of or the liability to pay any money, that is made, executed or entered into, done or had, shall be made, executed, entered into, done and had according to the currency of Canada, unless it is made, executed, entered into, done or had, according to the currency of a country other than Canada.

Previous contracts, etc.

(2) Every contract, sale, payment, bill, note, instrument and security for money and every transaction, dealing, matter and thing relating to money or involving the liability to pay any money, that was made, executed or entered into, done or had before the coming into force of this Act, so far as anything remains to be or may be executed, done or had thereunder after the coming into force of this Act, shall be construed and operates as though this Act had not been passed.

9. Section 24.

10. Section 25.

11. Section 15 (1).

12. (1) Sections 15 (3), 17 and 18.

(2) Section 15 (2).

Sums mentioned in Acts.

13. All sums mentioned in dollars and cents in the *British North America Acts, 1867 to 1951*, and in all Acts of the Parliament of Canada shall, unless it is otherwise expressed, be understood to be sums in the currency of Canada.

PART II.

THE ROYAL CANADIAN MINT

Royal Canadian Mint.

14. (1) There shall be a branch in Ottawa of the Department of Finance called the Royal Canadian Mint, at which there shall be provided facilities for making coins of the currency of Canada, and for melting, assaying and refining gold.

Assay offices.

(2) The Governor in Council may establish outside of Ottawa a branch of the Mint to provide facilities for melting and assaying gold or performing any other function of the Mint other than making coins.

Staff.

R.S., c. 22.

15. (1) The Master of the Mint and such other officers, clerks and employees as are required for the operation of the Mint shall be appointed in accordance with the *Civil Service Act*.

Superannuation.

R.S., c. 24.

(2) An officer, clerk or employee who was, on the first day of December, nineteen hundred and thirty-one, employed in the Mint, who has continually since that date been so employed and has not elected to become a contributor under the *Civil Service Superannuation Act*, is entitled to receive the benefits that he would have received if he had remained under the *Superannuation Act, 1859*, or the *Superannuation Act, 1909*, as the case may be, and amending Acts, of the statutes of Great Britain, as they were in force on the first day of December, nineteen hundred and thirty-one, and for such purposes his service with the Mint shall be deemed to be service with the Royal Mint.

Idem.

(3) An officer, clerk or employee who was, on the first day of December, nineteen hundred and thirty-one, employed in the Mint, and who, being eligible to become a contributor under the *Civil Service Superannuation Act*, has elected to become such a contributor within three months after the said date, is subject to the *Civil Service Superannuation Act* and his prior service with the Royal Mint or a branch thereof is deemed to be service in the Civil Service within the meaning of the *Civil Service Superannuation Act*.

Payments out of C.R.F.

(4) The amounts necessary to provide for payment of retirement benefits under subsection two shall be paid out of the Consolidated Revenue Fund, and the Minister may out of the Consolidated Revenue Fund reimburse the

13. Section 16.

PART II

The references to sections, subsections and paragraphs in this Part, unless otherwise indicated, are references to the provisions of the present Part II of the *Department of Finance and Treasury Board Act* that correspond with the provisions dealt with in the text of the Bill. Part II is enacted by chapter 48 of the statutes of 1931.

14. (1) Section 14.

(2) New.

15. Sections 15 and 16.

government of any country for any pension or annuity paid by that government to any person in respect of his service with the Ottawa Branch of the Royal Mint.

All coins to be made at Mint.

16. All coins of the currency of Canada that are to be issued for circulation in Canada shall be made at and issued from the Mint.

Regulations.

Regulations.

17. (1) The Governor in Council may make regulations,

(a) for buying such quantities of gold, silver and other metals as are necessary to provide adequate supplies of coin for circulation in Canada;

(b) for buying and selling gold at the Mint;

(c) for assaying, refining, storing and otherwise dealing with gold at the Mint for the account of Her Majesty or others;

(d) prescribing prices, charges and other terms upon which metals may be bought, sold, assayed, refined and stored at the Mint;

(e) for the making of coins at the Mint for countries other than Canada and the terms and conditions upon which such coins may be made; and

(f) with respect to any matters relating to the coinage and the Mint within the present prerogative of the Crown that are not provided for by this Act, including the making of medals, plaques and other devices.

Consolidated Revenue Fund.

(2) All amounts received from the issue of coins and from the sale, assay, refining or storage of metals at the Mint shall be paid into the Consolidated Revenue Fund and all amounts payable for metals bought pursuant to this section and for the redemption of coins shall be paid out of the Consolidated Revenue Fund.

Assay.

Appointment of Commissioners.

18. (1) The Governor in Council shall appoint no fewer than three persons to be Assay Commissioners, for the purpose of determining whether coins issued from the Mint are of the standards applicable thereto as provided for in the Schedule, and they shall serve without remuneration.

Examination and test.

(2) The Assay Commissioners shall, in accordance with the regulations, but not less frequently than once in each year, meet and examine and test, in the presence of such officers of the Mint as the Governor in Council prescribes, the fineness and weight of the coins reserved for the purpose, and shall declare whether, in their opinion, the coins are of the standards applicable thereto as provided for in the Schedule, and in what respects, if any, they deviate therefrom.

16. Section 17.

17. (1) Section 18 (1).

(2) New, but see sections 6, 7 and 23 of the *Currency Act*.

18. Section 21 of the *Currency Act*.

Findings.

(3) The findings of the Assay Commissioners shall be published in the Canada Gazette.

Regulations.

(4) The Governor in Council may make regulations respecting proceedings at and the conduct of the examination and test of coins required by this section (hereinafter referred to as the trial of the pyx), and all matters incidental thereto, and in particular respecting

(a) the time and place of the trial of the pyx;

(b) the setting apart out of the coins made at the Mint of certain coins for the trial of the pyx and the custody and production of the coins so set apart, and the production of the standard weights and trial plates mentioned in section nineteen;

(c) the persons who shall attend at the trial of the pyx; and

(d) the recording of the findings of the Assay Commissioners as a result of the trial of the pyx and the proceedings, if any, to be taken in consequence thereof.

Standard of weight.

19. (1) The ounce troy is the standard for measuring the weight of coins under this Act.

Local standards.

(2) Local standards derived from the reference standards of troy bullion weights in the custody of the Minister of Trade and Commerce under the provisions of *The Weights and Measures Act*, and compared and verified under the direction of the Minister of Trade and Commerce in accordance with that Act, shall be used for the purpose of determining the justness of the weight of coins under this Act.

1951 (1st Sess.), c. 36.

Minister of Trade and Commerce to supply standards.

(3) The Minister of Trade and Commerce shall, for the trial of the pyx, provide the local standards referred to in subsection two and any weighing machines that may be required.

Custody of standards.

(4) Except when required for the trial of the pyx, local standards and weighing machines referred to in this section shall remain in the custody of the Minister of Trade and Commerce.

Trial plates.

(5) The Minister of Finance shall from time to time when necessary cause trial plates of pure gold and of pure silver to be made, duly verified and deposited with the Minister of Trade and Commerce and such trial plates shall be used to determine the justness of the gold and silver coins examined and tested pursuant to this Act.

Inspection by Auditor General.

20. The Auditor General shall, at least once in each year, inspect the store of bullion and coin at the Mint.

Report on Mint Operations.

Report on operations of Mint.

21. The Master of the Mint shall on or before the thirty-first day of March in each year prepare and submit

19. Section 22 of the *Currency Act*.

20. Section 19.

21. New.

Report to be laid before Parliament.

to the Minister a report respecting the operation of the Mint for the immediately preceding calendar year, and the Minister shall lay the report before Parliament forthwith or, if Parliament is not then sitting, within fifteen days after the commencement of the next ensuing session.

PART III.

EXCHANGE FUND

Exchange Fund Account continued.

1946, c. 53.

22. (1) The special account in the name of the Minister, known as the Exchange Fund Account, established pursuant to *The Exchange Fund Act*, to aid in the control and protection of the external value of the Canadian monetary unit, and continued by *The Foreign Exchange Control Act*, is further continued, and all gold, currency, deposits and securities purchased or acquired with money out of the Account by or on behalf of the Minister and held by him or on his behalf for the Account shall continue to be so held.

Purchases with money in Account.

(2) The Minister may from time to time purchase or acquire, or cause to be purchased or acquired, with money in the Exchange Fund Account,

(a) gold;

(b) currency of the United States; deposits in currency of the United States held in the name of the Minister with the Bank of Canada or any bank designated by the Minister; Treasury bills or other obligations of the United States;

(c) currencies of any country other than Canada or the United States that are freely convertible into gold or United States dollars; and deposits in such currencies held in the name of the Minister with the Bank of Canada or any bank designated by the Minister; and

(d) securities of or guaranteed by the Government of Canada.

Sale of gold, currency, etc.

(3) The Minister may sell or cause to be sold any gold, currency, deposits or securities purchased or acquired by him or on his behalf at any time with moneys in, or held by or on his behalf for, the Exchange Fund Account, and the proceeds of the said sales, together with all earnings and interest from the said gold, currency, deposits and securities or dealings therein or therewith, shall be credited to the Account.

Advances out of C.R.F.

23. The Minister may make advances to the Exchange Fund Account out of the Consolidated Revenue Fund on such terms and conditions as the Governor in Council may prescribe.

PART III

The references to sections, subsections and paragraphs in this Part, unless otherwise indicated, are references to the provisions of the present *Foreign Exchange Control Act* that correspond with the provisions dealt with in the text of the Bill. The present *Foreign Exchange Control Act* is chapter 53 of the statutes of 1946 as amended by chapter 51 of the statutes of 1948, chapter 4 of the statutes of 1949 and chapter 7 of the statutes of 1951 (1st Sess.).

22. (1) Section 5 (1).

(2) Section 5 (2).

(3) Section 5 (3).

23. Section 7 (1).

Earnings.

24. The amount of any interest or discount on securities credited to the Exchange Fund Account in any calendar year, less any amounts paid out of the Account pursuant to section twenty-nine, shall be paid into the Consolidated Revenue Fund within three months after the end of the year.

Bank of Canada not required to maintain certain reserves.

25. (1) Notwithstanding section twenty-six of the *Bank of Canada Act*, the Bank of Canada is not, unless the Governor in Council otherwise prescribes, required to maintain a minimum or fixed reserve ratio of gold or foreign exchange to its liabilities.

Schedule C to Bank of Canada Act amended.

(2) The form of Schedule C to the *Bank of Canada Act* is, until such time as the Governor in Council otherwise prescribes, amended by deleting the statement of the ratio of the net reserve to notes and deposit liabilities.

Report to Parliament.

26. Within five months after the thirty-first day of December in each year, the Minister shall report to Parliament on the operations of the Exchange Fund Account for the twelve months ending on the said thirty-first day of December, or, if Parliament is not then sitting, he shall so report within thirty days after the commencement of the next ensuing session.

Financial Administration Act. 1951 (2nd Sess.), c. 12.

27. (1) The provisions of *The Financial Administration Act* do not apply to the Exchange Fund Account or operations or transactions in connection therewith.

Audit.

(2) An annual audit of the Exchange Fund Account and of the transactions in connection therewith shall be made by the Auditor General in such manner as he thinks proper, with a view to ascertaining whether the transactions in connection with the Account have been in accordance with the provisions of this Act, and he shall certify to Parliament that, in his opinion, having regard to such examination, the transactions in connection with the Account have or have not been in accordance with the provisions of this Act, and that the records of the Account do or do not show truly and clearly the state of the Account.

Communication of information prohibited.

28. (1) No person employed in the service of Her Majesty or the Bank of Canada shall communicate to any person not legally entitled thereto under the provisions of this Act or by direction of the Minister, or allow any such person to have access to, or any information or written statement with respect to, the Exchange Fund Account or the operation thereof.

Penalty.

(2) Every person who violates this section is liable on summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

24. Section 8.

25. Section 70 (2) and (3).

26. Section 39.

27. Section 9.

28. (1) Section 67.

(2) Section 10 (2) of the *Exchange Fund Act*, 1935 c. 60.

Expenses.

29. Any expenses incurred in the operations of the Exchange Fund Account shall be paid out of the Account.

PART IV.

REPEAL AND COMMENCEMENT

Repeal.
R.S., c. 40.
R.S., c. 71.
1934, c. 43.
1946, c. 53.

30. The *Currency Act*, Part II of the *Department of Finance and Treasury Board Act*, sections twenty-eight, twenty-nine and thirty of the *Bank of Canada Act* and *The Foreign Exchange Control Act* are repealed.

Coming into force.

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

29. Section 11 of the *Exchange Fund Act*.

SCHEDULE

PART I

Gold Coins

I DESCRIPTION		II STANDARDS		III REMEDY ALLOWANCE		IV LEAST CURRENT WEIGHT
Denomination	Composition	Standard weight	Standard fineness	Weight per piece	Millesimal fineness	
		Grains		Grains		
Twenty dollars Ten dollars Five dollars	Gold		Nine-tenths fine; or millesimal fineness, 900			

The standards specified in Column II are deemed to be satisfied with respect to a coin of a description specified in Column I if the coin does not vary in weight or fineness in an amount greater than the amount set opposite the description of the coin in Column III, and a coin that has been in circulation shall not be deemed to fall below the standard weight applicable thereto by reason only that its weight has diminished by abrasion through ordinary use if its weight is not less than the least current weight applicable thereto in Column IV.

PART II

Subsidiary Coins

I Description		II Standards		III Remedy Allowance		IV Least Current Weight
Denomination	Composition	Standard weight	Standard fineness	Weight per piece	Millesimal fineness	
		Grains		Grains		
One dollar	Silver	360	Eight-tenths fine; or millesimal fineness, 800	5·00	6	
Fifty cents		180		4·00	6	
Twenty-five cents		90		3·00	6	
Ten cents		36		*3·00	6	
Five cents	Pure nickel	70	—	†2·00	—	
Cent	Bronze (copper, tin and zinc).	50	—	‡140·00	—	

* This remedy is on a group of one dollar's worth, ten pieces.
† This remedy is not to exceed one hundred grains per avoirdupois pound of one hundred pieces.
‡ This remedy is on a group of one hundred and forty pieces weighed against a weight of one pound avoirdupois.

The standards specified in Column II are deemed to be satisfied with respect to a coin of a description specified in Column I if the coin does not vary in weight or fineness in an amount greater than the amount set opposite the description of the coin in Column III, and a coin that has been in circulation shall not be deemed to fall below the standard weight applicable thereto by reason only that its weight has diminished by abrasion through ordinary use if its weight is not less than the least current weight applicable thereto in column IV.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 392.

An Act to provide Retiring Allowances, on a contributory basis, to persons who have served as Members of the House of Commons of Canada.

First reading, June 25, 1952.

THE PRIME MINISTER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

60040

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 392.

An Act to provide Retiring Allowances, on a contributory basis, to persons who have served as Members of the House of Commons of Canada.

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

Short Title.

Short title.

1. This Act may be cited as *The Members of Parliament Retiring Allowances Act.*

Interpretation.

Definitions.

"Account".

"member".

"session".

"sessional indemnity".

R.S., c. 147.

"dissolution".

2. (1) In this Act,

(a) "Account" means the Members of Parliament Retiring Allowances Account established by this Act;

(b) "member" means a member of the House of Commons;

(c) "session" means a session of the Parliament of Canada; and

(d) "sessional indemnity" means the allowance that is payable to a member pursuant to sections thirty-three to forty of the *Senate and House of Commons Act* in respect of his attendance at a session.

(2) A House of Commons that is not dissolved before the expiration of the period fixed for its duration shall, for the purposes of this Act, be deemed to be dissolved on the expiration of that period.

Members of Parliament Retiring Allowance Account.

Members of Parliament Retiring Allowance Account.

3. (1) There shall be established in the Consolidated Revenue Fund an account to be known as the Members of Parliament Retiring Allowances Account to which shall be credited

(a) the contributions paid pursuant to sections six and eight;

(b) interest paid in accordance with section eight; and

(c) the amounts specified in section four.

Allowances paid out of C.R.F. and charged to Account.

(2) All allowances payable under this Act shall be paid out of the Consolidated Revenue Fund and charged to the Members of Parliament Retiring Allowances Account.

Amounts to be credited to the Account.

4. The Minister of Finance shall, in accordance with the regulations, credit to the Account, in each fiscal year,

(a) an amount equal to the contributions paid in that fiscal year pursuant to section six;

(b) an amount equal to the total of the amounts that have become payable in that fiscal year pursuant to subsection one of section eight; and

(c) an amount representing interest on the balance that is, from time to time, to the credit of the Account.

Account to be kept.

5. An account shall be kept in respect of each member, in which shall be shown all payments made by him or to him or his legal representatives under this Act.

Contributions.

Members' contributions.

6. A member shall, by reservation from his sessional, indemnity, contribute to the Consolidated Revenue Fund six per cent of all amounts that are payable to him by way of sessional indemnity.

Election to contribute in respect of previous sessions.

7. (1) A member may, as prescribed by this section, elect, within one year from the commencement of this Act or from the day on which the House of Commons first is in session after he becomes a member, whichever is the later, to contribute under this Act in respect of any previous session during which he was a member.

Interrupted membership.

(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 section twelve, 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.

Member entitled to allowance prior to becoming a member.

(3) A member who, immediately prior to becoming a member was entitled to an annual allowance under section eleven, may make an election under this section in respect of a prior session only if, when he was previously entitled to elect to contribute in respect of that prior session, he did not do so and the time for doing so had not expired when he previously ceased to be a member.

Form and date of election.

(4) An election pursuant to this section shall be made to the Minister of Finance in a form prescribed by the regulations and is deemed to be made on the day on which the form, duly signed by the member, is placed in course of delivery to the Minister.

Contributions in respect of previous session, how made.

8. (1) Where a member elects, pursuant to section seven, 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) a contribution equal to six per cent of the amount received by the member by way of sessional indemnity in respect of that session,

(b) except in respect of the portion of that contribution specified in paragraph *(c)*, interest on that contribution at the rate of four per cent per annum, compounded annually, from the day on which the final payment by way of sessional indemnity was made to the member in respect of that session to the day on which he makes his election, and

(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.

Interest on unpaid balance.

(2) Interest at the rate of four per cent per annum is payable by a person to the Consolidated Revenue Fund on the balance unpaid from time to time of the amount payable by him under subsection one and if the interest is not paid it may be recovered as a debt due to Her Majesty.

Interest paid by reservation from indemnity.

(3) The interest payable by a person under subsection two shall, while he is a member, be paid by reservation from his sessional indemnity.

Reservation from allowance.

(4) Where a person becomes entitled to an allowance under section eleven and any part of the amount payable by him under subsection one remains unpaid, he shall pay the balance thereof, together with the interest prescribed by subsection two, by reservation of the full amount of his allowance until the whole is paid, or the balance may otherwise be recovered as a debt due to Her Majesty.

Termination of liability.

(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 one, the unpaid amount need not be paid; but interest payable under subsection two shall be paid and may be deducted from the withdrawal allowance.

Revocation of election.

(6) A person may, at any time while he is not a member, revoke his election under this section with respect to the contributions then owing by him under subsection one by giving to the Minister of Finance a notice of revocation, in a form prescribed by the regulations, and thereupon

(a) he is not required to pay the amount owing under subsection one to which the revocation applies, but interest is payable on that amount under subsection two to the date of revocation;

(b) for the purpose of computing an allowance under section eleven, he shall be deemed not to have elected to contribute the amount of the contributions to which the revocation applies and if the allowance has been calculated, it shall be recalculated accordingly; and

(c) he may not again at any time elect to make those contributions.

Limits to contribution.

9. (1) Notwithstanding anything in this Act no contribution shall be paid under this Act by a member

(a) unless, at the time when the contribution is to be paid, the total amount of the contributions that have been or elected to be paid by him is less than the amount that, at that time, is payable by way of sessional indemnity to a member who attends all the sittings of the House of Commons at a session that extends over a period of sixty-five days or more; or

(b) in respect of any session in the course of which he was expelled from the House of Commons.

What not to be included in computation.

(2) In computing the total amount of the contributions that a member has paid or elected to pay under this Act, there shall not be included

(a) any contributions in respect of which a withdrawal allowance has been paid under this Act;

(b) any contributions in respect of which his election has been revoked under subsection six of section eight; or

(c) any amount paid by him by way of interest.

Allocation of payments on account for previous sessions.

(3) Where a person makes a payment on account of the amount payable by him under subsection one of section eight, the part thereof that is the same proportion of the whole payment as the contribution specified in paragraph *(a)* of that subsection is of the aggregate of the amounts specified in paragraphs *(a)*, *(b)* and *(c)* of that subsection is deemed to be paid in respect of the contribution specified in the said paragraph *(a)*.

ALLOWANCES.

When allowances paid.

10. (1) An allowance shall be paid in accordance with this Act to or in respect of a person who, being a member, ceases to be a member or dies.

Interpretation.

(2) For the purposes of this Act,

(a) a person does not cease to be a member by reason only of the dissolution of the House of Commons, and

(b) a person who, immediately before a dissolution of the House of Commons, was a member, ceases to be a member if he is not elected as a member at the general election next following the dissolution, and he is deemed to have ceased to be a member on the day on which that general election was held.

Amount of allowance.

11. (1) Subject to section fifteen, where a person, at the time he ceases to be a member, has contributed or elected to contribute under this Act in respect of sessions in more than two Parliaments, there shall be paid to him annually, during his lifetime, an allowance equal to seventy-five per cent of the total amount of the contributions that he has paid and elected to pay under this Act.

To be paid monthly.

(2) An allowance payable under this section shall be paid monthly in arrears in approximately equal instalments.

Withdrawal allowance.

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.

Withdrawal allowance if member expelled.

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.

Withdrawal allowance in case of death.

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.

When allowance discontinued.

15. (1) An allowance payable to a person under section eleven shall be discontinued while that person

(a) is a Senator or a member,

(b) is employed in the public service of Canada, or

(c) renders services the remuneration for which is paid out of the Consolidated Revenue Fund or by an agent of Her Majesty in right of Canada,

and where that person is a Senator or member, or is so employed or renders service at any time during a month, the whole amount payable on account of the allowance in that month shall be withheld.

When person deemed employed in public service.

(2) For the purposes of this section a person is deemed to be employed in the public service of Canada who

(a) is a member of the staff of the Senate or House of Commons,

(b) holds any office or employment under Her Majesty in right of Canada, or

(c) is an officer, member or employee of a corporation, board or commission that is an agent of Her Majesty in right of Canada.

Reductions.

16. Where a person who is entitled to be paid an allowance under section eleven

(a) is eligible to receive a pension under the *Old Age Security Act*, the amount of the allowance that would otherwise be payable to him in any month under section eleven shall be reduced by the amount of the pension that is payable to him in that month under the *Old Age Security Act* or would be so payable if he applied for it; or

1951 (2nd (Sess.), c. 18.

(b) is in receipt of an annuity, pension or allowance payable out of the Consolidated Revenue Fund or by an agent of Her Majesty pursuant to a retirement pension scheme to which persons who may benefit therefrom are not required to contribute and the amount of which, except for determining eligibility to receive benefits, is not related to length of service, the amount of the allowance that would otherwise be payable to him in any month under section eleven shall be reduced by the amount of the annuity, pension or allowance that is payable to him in that month under the pension scheme, or, if it is not paid monthly, the amount that the Treasury Board deems to be payable in respect of that month.

Regulations.

Regulations.

17. The Governor in Council may make regulations

(a) prescribing for the purposes of section four the rate of interest, the manner of calculating interest and the times at which interest shall be credited to the Account;

(b) prescribing, in the case of an annual allowance, the days on which the payments of allowances shall be made and providing that payment may be made in respect of any fractional period and that where a recipient dies payment may be made in respect of the full month in which he dies;

(c) providing, where a recipient of an annual allowance is incapable of managing his affairs, that the allowance may be paid to another person on his behalf;

(d) prescribing forms that are by this Act to be prescribed or that he considers necessary for the administration of this Act; and

(e) for any other purpose deemed necessary to give effect of this Act.

Report.

Report to Parliament.

18. The Minister of Finance shall, as soon as possible after the end of each fiscal year, lay before Parliament a report on the administration of this Act during the preceding fiscal year and shall include therein a statement of the amounts received by way of contributions and interest under this Act, the amounts paid by way of allowances, the number of contributors, the number of persons receiving annual allowances, and such other information as the Governor in Council prescribes.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 393.

An Act to readjust the Representation in the House of Commons.

First reading, June 27, 1952.

THE MINISTER OF CITIZENSHIP AND IMMIGRATION.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

60146

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 393.

An Act to readjust the Representation in the House of Commons.

Preamble.

WHEREAS the results of the census of 1951 necessitate a readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Acts, 1867 to 1952*, and the other statutes in that behalf: 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 Representation Act, 1952.*

Total number of members.

2. Eighty-five members of the House of Commons shall be elected for the Province of Ontario, seventy-five for the Province of Quebec, twelve for the Province of Nova Scotia, ten for the Province of New Brunswick, fourteen for the Province of Manitoba, twenty-two for the Province of British Columbia, four for the Province of Prince Edward Island, seventeen for the Province of Saskatchewan, seventeen for the Province of Alberta, seven for the Province of Newfoundland, one for the Yukon Territory and one for Mackenzie district of the Northwest Territories, thus making a total of two hundred and sixty-five members.

Division into electoral districts.

3. The said provinces respectively shall, for the purpose of the election of members to serve in the House of Commons, be divided into electoral districts, which shall be represented as provided in the Schedule.

Construction of Schedule.

4. The whole of that part of the Schedule relating to any province shall be read together, and shall, so far as possible, be construed as including the whole of such province in some one or other of the electoral districts therein de-

scribed, the description of each electoral district being accordingly construed as intended, unless the contrary is expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described that appears to have been intended to be included; in any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days of the session of Parliament next following any such determination, report the same, with the reasons therefor, to the Speaker of the House of Commons.

Doubtful cases decided by Chief Electoral Officer.

Report to Speaker.

Interpretation.

5. Wherever in the Schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect description.

6. Wherever in the Schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class, namely, city, town or village, as the case may be, specified in the Schedule, the reference shall be taken to be to that municipality or place.

Maps of electoral districts, provinces and certain cities.

7. As soon as possible after the passing of this Act, the Surveyor General shall, in accordance with the definitions set out in the Schedule, and with the co-operation of the Chief Electoral Officer, prepare and print

(a) individual maps showing the boundaries of the electoral districts established in each province;

(b) individual maps of each province showing the boundaries of the electoral districts established therein; and

(c) individual maps of all cities portions of which are in more than one electoral district.

Commencement of Act.

8. This Act shall take effect only upon the dissolution of the present Parliament, except that for the purpose only of authorizing and enabling the appointment, pursuant to section eight of *The Canada Elections Act* of returning officers, whenever required, this Act shall be deemed to be in force on the date upon which it has been assented to.

1938, c. 46.

SCHEDULE

394.

Sixth Session, Twenty-First Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 394.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

AS PASSED BY THE HOUSE OF COMMONS, 4th JULY, 1952.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952

55353

6th Session, 21st Parliament, 1 Elizabeth II, 1952.

THE HOUSE OF COMMONS OF CANADA.

BILL 394.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1953.

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 thirty-first day of March, one thousand nine hundred and fifty-three, 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, 1952.*

$2,363,584,-922.60 Main Estimates granted for 1952–53.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two billion, three hundred and sixty-three million, five hundred and eighty-four thousand, nine hundred and twenty-two dollars and sixty cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, 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, 1952*, and *The Appropriation Act, No. 3, 1952.*

$82,732,188 Supplementary Estimates granted for 1952-53.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eighty-two million, seven hundred and thirty-two thousand, one hundred and eighty-eight dollars, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-two, to the thirty-first day of March, one thousand nine hundred and fifty-three, not otherwise provided for, and being the amount of each of the several items voted, set forth in Schedule B to this Act.

Power to raise loan of $500,000,000 for public works and general purposes. 1951 (2nd Sess.), c. 12.

4. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of *The 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 four of chapter sixty-five of the statutes of 1951 (1st Session) which are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to be rendered. 1951 (2nd Sess.), c. 12.

5. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section sixty-four of *The Financial Administration Act*.

SCHEDULE A.

Based on the Main Estimates, 1952-53. The amount hereby granted is $2,363,584,922.60, being the amount of each of the items in the Estimates as contained in this Schedule, less the amounts voted on account of the said items by *The Appropriation Act, No. 1, 1952*, and *The Appropriation Act, No. 3, 1952*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION SERVICE		
1	Departmental Administration	344,433	
2	Information Service	381,216	
3	Advisory Committee on Agricultural Services	5,000	
4	Contributions to Commonwealth Agricultural Bureaux	107,579	
	SCIENCE SERVICE		
	Science Service Administration—		
5	Operation and Maintenance	456,586	
6	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,331,525	
	Animal Pathology—		
7	Operation and Maintenance	462,546	
8	Construction or Acquisition of Buildings, Works, Land and New Equipment	81,895	
9	Bacteriology and Dairy Research	191,189	
	Botany and Plant Pathology—		
10	Operation and Maintenance	1,233,231	
11	Construction or Acquisition of Buildings, Works, Land and New Equipment	139,700	
12	Chemistry	641,705	
	Entomology—		
13	Operation and Maintenance	1,814,150	
14	Construction or Acquisition of Buildings, Works, Land and New Equipment	124,830	
	Forest Biology (formerly Forest Entomology)—		
15	Operation and Maintenance	1,644,580	
16	Construction or Acquisition of Buildings, Works, Land and New Equipment	195,555	
17	Plant Protection	834,340	
	EXPERIMENTAL FARMS SERVICE		
18	Experimental Farms Service Administration	171,213	
	Central Experimental Farm including Research and Co-ordinating Divisions for the Experimental Farm Service—		
19	Operation and Maintenance	1,937,431	
20	Construction or Acquisition of Buildings, Works, Land and New Equipment	325,765	
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
21	Operation and Maintenance	5,384,946	
22	Construction or Acquisition of Buildings, Works, Land and New Equipment	976,070	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Continued*		
	PRODUCTION SERVICE		
23	Production Service Administration	57,998	
	Health of Animals—		
24	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act	4,889,025	
25	Compensation for animals slaughtered, including compensation for eggs destroyed from infected premises under terms and conditions approved by the Governor in Council	1,040,880	
26	Live Stock and Poultry	1,547,745	
27	Plant Products— Seeds, Feeds, Fertilizers, Insecticides and Fungicides Control, including Grant of $40,000 to Canadian Seed Growers Association	1,386,188	
28	Grants to Fairs and Exhibitions, under such terms and conditions as may be approved by the Governor in Council and subject to allocation by the Treasury Board	645,700	
29	Grants to Agricultural Organizations, as detailed in the Estimates	64,500	
	MARKETING SERVICE		
30	Marketing Service Administration	259,498	
31	Agricultural Economics	579,455	
32	Dairy Products	731,243	
33	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates	446,066	
34	Fruit, Vegetables and Maple Products, and Honey, including Grant of $5,000 to the Canadian Horticultural Council	1,171,560	
35	Live Stock and Live Stock Products	1,370,682	
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	5,750,000	
38	Agricultural Lime Assistance	460,000	
39	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs	6,224,590	
	SPECIAL		
40	Agricultural Products Board Administration	10,000	
41	To provide for assistance to encourage the improvement of cheese and cheese factories	1,000,000	
42	To provide assistance for the replacement of maple production equipment	500,000	
43	For assistance in construction of potato warehouses under terms and conditions to be approved by the Governor in Council	50,000	
44	Prairie Farm Rehabilitation Act and Water Storage	3,249,270	
45	Major Irrigation and Reclamation Projects in the Prairie Provinces	7,064,630	
46	Prairie Farm Assistance Act Administration	528,744	
47	Land Protection, Reclamation and Development in British Columbia under such terms and conditions as may be approved by the Governor in Council	184,996	
48	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council	250,000	
49	Maritime Marshland Rehabilitation Act	1,655,520	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Concluded*		
	SPECIAL—*Concluded*		
50	Assiniboine River—Dyking and Cut-off	50,000	
51	To provide for Administrative Expenses, Agricultural Prices Support Act, 1944	92,700	
52	To provide for a Contribution to the Federated Women's Institutes of Canada to help defray the costs of the International Conference of the Associated Country Women of the World to be held in Canada in 1953	10,000	
			60,156,475
	AUDITOR GENERAL'S OFFICE		
53	Salaries and Expenses of Office	.....	597,111
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
54	Maintenance and Operation including authority to credit to the Appropriation revenue from rental of facilities in Radio Canada Building to an amount of $140,000 and to re-expend it for the purposes of the International Service	1,982,675	
55	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision	56,595	
			2,039,270
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
56	Salaries and Expenses of Office	.....	60,963
	CITIZENSHIP AND IMMIGRATION		
	A—DEPARTMENT		
57	Departmental Administration	244,046	
	CITIZENSHIP		
58	Citizenship Registration Branch	221,187	
59	Citizenship Branch	364,837	
	IMMIGRATION BRANCH		
60	Administration of the Immigration Act	839,128	
61	Field and Inspectional Service, Canada—Operation and Maintenance, including $10,000 for Grants to Immigrant Welfare Organizations	4,795,069	
62	Field and Inspectional Service, Abroad—Operation and Maintenance	1,748,250	
63	To provide, subject to the approval of the Treasury Board, for Trans-Oceanic and Inland Transportation Assistance for Immigrants, including care en route and while awaiting employment	2,600,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION—*Concluded*		
	INDIAN AFFAIRS BRANCH		
64	Branch Administration	327,142	
	Indian Agencies—		
65	Operation and Maintenance	2,118,495	
66	Construction or Acquisition of Buildings, Works, Land and New Equipment	636,410	
	Reserves and Trusts—		
67	Operation and Maintenance	118,008	
68	Acquisition of Land	16,000	
	Welfare of Indians—		
69	Operation and Maintenance	2,309,562	
70	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,096,002	
71	Grants to Agricultural Exhibitions and Indian Fairs	7,450	
72	Fur Conservation— Operation and Maintenance	334,011	
	Education—		
73	Operation and Maintenance	6,158,943	
74	Construction or Acquisition of Buildings, Works, Land and New Equipment	3,981,850	
75	Grant to provide Additional Services to Indians of British Columbia	100,000	
	B—NATIONAL GALLERY OF CANADA		
76	Administration, Operation and Maintenance	215,368	
77	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	100,000	
			28,331,758
	CIVIL SERVICE COMMISSION		
78	Salaries and Contingencies of the Commission	.....	1,912,064
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
79	Departmental Administration and payments to Canadian Commercial Corporation and other corporate agencies for services provided in connection with defence purchasing and production	7,332,492	
80	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	85,000,000	
81	To provide for the liquidation of contracts, including commitments of previous years related to the acquisition of assets operated by the Departments of Munitions and Supply and Reconstruction and Supply or an agency of these Departments; the liquidation of the assets and liabilities of closed Crown Companies and Crown Plants; and for miscellaneous and unforeseen expenses	150,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	DEFENCE PRODUCTION—*Concluded*		
	B—Crown Companies		
82	To provide for expenses incurred by Defence Construction Limited in procuring the construction of defence projects on behalf of the Department of National Defence	3,308,500	
	Canadian Arsenals Limited—		
83	Administration and Operation	750,000	
84	Construction, Improvements and New Equipment	1,650,000	
			98,190,992
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
85	Departmental Administration	2,613,057	
86	Passport Office Administration	222,847	
87	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	4,938,357	
88	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, new equipment and furnishings	312,930	
89	Representation Abroad—To authorize the construction, acquisition, improvement and furnishing of properties for Canadian Government offices and residences abroad, payment therefor to be made in foreign currencies that are not convertible into Canadian or United States dollars and that may be used only for governmental or other limited purposes and that have been acquired in respect of reparations or pursuant to the settlement of claims arising out of military operations or war expenditures, or in exchange for other such currencies so acquired	1,654,500	
90	To provide for official hospitality	20,000	
91	To provide for relief of distressed Canadian citizens abroad 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	
92	Canadian Representation at International Conferences	225,000	
93	Canadian Section of Canada—United States Permanent Joint Board on Defence including $7,500 for the Chairman, notwithstanding anything contained in the Civil Service Act	10,000	
94	Grant to the United Nations Association in Canada	10,000	
95	Grant to the International Committee of the Red Cross	25,000	
96	To provide for the construction and execution in Canada of seven doors to be donated by Canada to the United Nations Permanent Headquarters in New York	50,000	
	B—General		
	The Canadian Government's Assessment for Membership in the following International or Commonwealth Organizations		
97	United Nations Organization	1,463,200	
	Specialized Agencies—		
98	Food and Agriculture Organization of the United Nations	246,800	
99	International Labour Organization	248,900	
100	United Nations Educational, Scientific and Cultural Organization	331,800	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	B—General—*Concluded*		
	The Canadian Government's Assessment for Membership in the following International or Commonwealth Organizations—*Concluded*		
	Specialized Agencies—*Concluded*		
101	International Civil Aviation Organization	128,320	
102	World Health Organization	270,800	
103	Commonwealth Economic Committee	16,830	
104	Commonwealth Shipping Committee	510	
105	Inter-American Committee on Social Security	4,600	
106	The Canadian Government's Contribution to the Administration of the General Agreement on Tariffs and Trade	13,900	
107	Contribution to the North Atlantic Treaty Organization to meet the Canadian Government's share of the cost of civil administration	178,000	
108	United Nations Expanded Program for Technical Assistance to Under-Developed Countries	850,000	
	International Civil Aviation Organization		
109	To provide the International Civil Aviation Organization with office accommodation at less than commercial rates	76,046	
	International Joint Commission		
110	To provide for preliminary studies and surveys of the Mid-Western Watershed	10,000	
111	To provide for Canada's share of an investigation on the matter of air pollution in the vicinity of Detroit and Windsor	52,784	
112	To provide for Canada's share of the expenses of the Niagara Falls Reference	10,000	
	Terminable Services		
113	Colombo Program for Technical Co-operation in South and South-East Asia	400,000	
114	To provide for and authorize grants or loans to governments of countries in South and South East Asia to assist in the economic development of such countries, and special administrative expenses in connection therewith	25,000,000	
115	Contribution to the Provisional Inter-governmental Committee for the Movement of Migrants from Europe	154,600	
			39,553,781
	FINANCE		
	General Administration		
116	Departmental Administration (including the former Administration of the Farmers' Creditors Arrangement Act, 1943, and the Administration of the Municipal Grants Act, and the custody of paid cheques formerly administered by the Auditor General's Office)	1,643,396	
117	Comptroller of the Treasury—Central Office and Branch Offices Administration	13,610,929	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Continued*		
	ADMINISTRATION OF VARIOUS ACTS AND COSTS OF SPECIAL FUNCTIONS		
118	Superannuation and Retirement Acts, Administration	193,086	
119	The Bank Act—Salaries and expenses of the Inspector General of Banks' Office	29,836	
120	Administration of The Farm Improvement Loans Act, 1944, and The Veterans' Business and Professional Loans Act, 1946	69,687	
121	Expenses of the Tariff Board	108,830	
	Expenses of The Royal Canadian Mint and the Assay Office, Vancouver, B.C.—		
122	Administration, Operation and Maintenance	1,058,487	
123	Construction or Acquisition of New Equipment	113,279	
124	Commodity Prices Stabilization Corporation—Adjustment payments in respect of subsidies previously paid, and costs of administration	30,500	
125	Administration of Employees' Instalment Purchase Plan, including sale and delivery of Canada Savings Bonds to Government employees, and of Employees' Group Insurance Plans	120,447	
126	Administration of the Consumer Credit (Temporary Provisions) Act	92,936	
	PAYMENTS TO MUNICIPALITIES		
127	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with The Municipal Grants Act; 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	2,360,800	
	CONTINGENCIES AND MISCELLANEOUS		
128	To provide, subject to the approval of the Treasury Board, for miscellaneous minor and unforeseen expenses and to authorize the re-use of any sums repaid to this appropriation from other appropriations	1,000,000	
129	Cost of Telephone Service at Ottawa for all Departments	778,000	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
130	To provide for a Government contribution to the Superannuation Fund in an amount equal to the estimated current and arrears payments of individual contributors in the previous fiscal year	13,269,149	
131	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages and other paylist charges	1,500,000	
132	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	1,150,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	MISCELLANEOUS GRANTS		
133	Canadian General Council of the Boy Scouts	15,000	
134	Canadian Council of the Girl Guides Association	9,000	
135	Royal Astronomical Society of Canada	3,000	
136	Royal Canadian Academy of Arts	4,025	
137	Canadian Writers Foundation	4,000	
138	Canadian Olympic Association	20,000	
139	Boys' Clubs of Canada	10,000	
140	Canadian Association of Consumers (formerly included under Wartime Prices and Trade Board)	6,000	
			37,200,387
	FISHERIES		
	GENERAL SERVICES		
141	Departmental Administration	294,900	
142	Information and Educational Service, including $3,500 for Grants to Fisheries Exhibitions	136,600	
143	Markets and Economics Service	194,600	
144	Administrative expenses of the Newfoundland Fisheries Board	33,900	
145	Industrial Development Service	40,000	
146	To provide for transportation, dressing and dyeing and other expenses incidental to receiving and disposing of fur seal skins accruing to Canada pursuant to Provisional Fur Seal Agreement between Canada and the United States by exchange of Notes dated December 26, 1947	700,000	
	FIELD SERVICES		
147	Field Services Administration	417,500	
	Protection Branch—		
148	Operation and Maintenance	2,747,294	
149	Construction or Acquisition of Buildings, Works, Land and New Equipment	169,340	
	Inspection Branch—		
150	Operation and Maintenance	907,438	
151	Construction or Acquisition of Buildings, Works, Land and New Equipment	32,850	
	Fish Culture and Development Branch—		
152	Operation and Maintenance	711,835	
153	Construction or Acquisition of Buildings, Works, Land and New Equipment	193,190	
154	Consumer Branch	46,060	
155	To provide for the destruction of Harbour and Gray Seals	45,000	
	FISHERIES RESEARCH BOARD		
156	Headquarters Administration	92,794	
157	Operation and Maintenance	1,759,395	
158	Construction or Acquisition of Buildings, Works, Land and New Equipment	184,225	
	INTERNATIONAL COMMISSIONS		
159	To provide for Canadian share of expenses of the International Fisheries Commission appointed under Treaty dated January 29, 1937, between Canada and the United States for the preservation of the North Pacific Halibut Fisheries	52,750	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES—*Concluded*		
	INTERNATIONAL COMMISSIONS—*Concluded*		
160	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....	164,200	
161	To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission to overcome obstructions to the ascent of sockeye salmon at Hell's Gate Canyon and for investigating and overcoming obstructions to such salmon at other points on the Fraser River Watershed (Revote).....	8,000	
162	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	
163	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.	20,000	
	SPECIAL		
164	To provide for operation and maintenance of Newfoundland Bait Service.....	342,500	
165	To provide for the extension of educational work in co-operative producing and selling among fishermen.....	80,000	
166	To provide for administration expenses of the Fisheries Prices Support Act, 1944.....	80,625	
167	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.	150,000	
168	To provide for assistance in the construction of bait freezing and storage facillties, subject to the approval of the Governor in Council.....	30,000	
			9,637,496
	GOVERNOR GENERAL AND LIEUTENANT-GOVERNORS		
169	Office of the Secretary to the Governor General, including the salary of the Secretary to the Governor General at $7,600 additional to salary authorized by Chap. 182, R.S. 1927..	120,224	
170	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	
			206,224
	INSURANCE		
171	Departmental Administration.....	428,968	
172	Expenses of work in the interests of Fire Prevention.....	50,398	
			479,366

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	JUSTICE		
	A—Department		
173	Departmental Administration	338,505	
174	Remission Service, including remuneration to members of the Royal Canadian Mouuted Police, other Police Forces and members of Social Welfare organizations (to be expended under Order in Council, and not to exceed $4,400) for assistance to this Service, and an amount of $13,830 to reimburse the Royal Canadian Mounted Police Force the amounts disbursed by them in salary payment to their men on loan to this Service	122,501	
175	Administration of Justice—Miscellaneous Expenditure, including expenses of litigated matters	21,200	
176	Supreme Court of Canada—Administration	165,216	
177	Exchequer Court of Canada—Administration	98,177	
178	Yukon Territorial Court—Administration	12,590	
179	Payments of gratuities to the widows or other dependents of judges who die while in office	15,000	
180	Combines Investigation Branch	261,055	
181	Bankruptcy Act Administration	42,219	
	General		
182	To provide for the Revision, Classification and Consolidation of the Public General Statutes of Canada	172,600	
183	To provide for the Revision of the Criminal Code, including payment of $25,000 notwithstanding Section 37 of the Judges Act, 1946, as amended, of honoraria for services rendered during the years 1949, 1950 and 1951, to the following Commissioners of the Criminal Code Revision Commission: Chief Justice William M. Martin, Regina, Sask., Honourable Mr. Justice Fernand Choquette, Quebec City, P.Q., His Honour Judge Robert Forsyth, Toronto, Ont., H. J. Wilson, Q.C., Edmonton, Alta., Joseph Sedgwick, Q.C., Toronto, Ont.	35,500	
	B—Penitentiaries		
	Office of the Commissioner of Penitentiaries		
184	Administration of the Office of the Commissioner of Penitentiaries, including $35,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Governor in Council	338,771	
185	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	7,963,398	
186	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 reformotion of Federal prisoners	1,383,474	
			10,970,206

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
187	Departmental Administration	598,070	
188	To provide for expenses of the Economics and Research Branch	499,783	
189	Annuities Act—Administration	956,386	
190	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	428,093	
191	Canada Labour Relations Board	6,250	
192	International Labour Conferences	62,608	
193	Labour Gazette, authorized by Labour Department Act	126,996	
194	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	280,000	
195	To provide for investigations and inspection work in relation to working conditions in industries where the Federal Government has exclusive responsibility; field work in respect to Wages and Hours Legislation; co-operation in accident prevention and workmen's compensation	25,000	
	Vocational Training Co-ordination		
196	Administration	40,800	
	To provide for carrying out the purposes of the Vocational Training Co-ordination Act, 1942, 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 for the training of persons to fit them for defence industries, the training of members of Her Majesty's Forces and other persons to fit them for skilled armed services occupations and training under youth training projects and to provide for the expenditures thereunder and under vocational training agreements entered into in previous years—		
197	Training Payments to the Provinces	4,027,000	
198	Payments to the Provinces for Capital Expenditures for vocational schools, buildings and equipment	1,134,000	
	Government Employees Compensation		
199	Administration of the Government Employees Compensation Act	65,745	
	Terminable Services		
200	To provide for expenditures incurred in implementing recommendations of the National Advisory Council on Manpower, and for the administrative costs of the Council	107,950	
201	Vocational Training for discharged members of Canada's Armed Forces, including undischarged commitments of previous years	5,000	
202	To provide for payment to the National Film Board for educational films for exhibition	24,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR—*Concluded*		
	A—DEPARTMENT—*Concluded*		
	TERMINABLE SERVICES—*Concluded*		
203	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 under former authorized labour movements and administrative expenses connected therewith	876,933	
204	Co-ordination of Rehabilitation of Disabled Persons	77,000	
	B—UNEMPLOYMENT INSURANCE ACT, 1940		
205	Administration, including expenditures incurred in connection with the activities of the National Employment Service as delegated by the Minister of Labour in accordance with Section 88 of the Act	25,390,583	
206	Government's contribution to the Unemployment Insurance Fund	32,000,000	
207	To provide for the transfer of labour to and from places where employment is available in agriculture and industry and expenses incidental thereto, in accordance with regulations of the Governor in Council	200,000	
			66,932,197
	LEGISLATION		
	THE SENATE		
208	The Speaker of the Senate— Allowance in lieu of Residence	3,000	
209	General Administration	393,448	
	HOUSE OF COMMONS		
210	The Speaker of the House of Commons— Allowance in lieu of Residence	3,000	
211	Deputy Speaker of the House of Commons— Allowance in lieu of Apartments	1,500	
212	General Administration—Estimates of the Clerk	1,027,657	
213	Estimates of the Sergeant-at-Arms	624,236	
214	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	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION—*Concluded*		
	HOUSE OF COMMONS—*Concluded*		
215	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	
216	To provide for an allowance to the Deputy Chairman of Committees	2,000	
217	To provide an amount required for defraying expenses of the Commonwealth Parliamentary Association's visit to Canada	150,000	
	GENERAL		
218	Printing of Parliament, including salaries of staff of the Joint Distribution Office	270,865	
	LIBRARY OF PARLIAMENT		
219	General Administration	162,001	
	PENSIONS AND OTHER BENEFITS		
220	Pension to the unmarried sister of the late Colonel Harry Baker, M.P.	700	
			2,704,407
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
221	Departmental Administration	431,397	
	EXPLOSIVES ACT ADMINISTRATION		
222	Explosives Act—Administration, Operation and Maintenance	89,404	
	MINES BRANCH		
223	Mines Branch Administration	73,589	
	Mineral Resources Investigations—		
224	Administration, Operation and Maintenance	1,998,887	
225	Construction or Acquisition of New Equipment	233,000	
	Investigations of Radioactive Ores—		
226	Administration, Operation and Maintenance	301,418	
227	Construction or Acquisition of New Equipment	49,500	
228	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine	120,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Continued*		
	A—Department—*Concluded*		
	Geological Survey of Canada		
	Geological Surveys—		
229	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, and an amount of $2,200 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England..	2,202,873	
230	Construction or Acquisition of New Equipment.....	124,500	
	Surveys and Mapping Branch		
231	Surveys and Mapping Branch Administration.....	40,796	
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
232	Administration, Operation and Maintenance.....	1,517,395	
233	Construction or Acquisition of New Equipment.....	103,000	
	Canadian Hydrographic Service—		
234	Administration, Operation and Maintenance, including Canada's Annual Contribution of $5,750 to the International Hydrographic Bureau.....	2,083,822	
235	Construction or Acquisition of New Equipment.....	191,615	
236	Geodetic Survey of Canada—Administration, Operation and Maintenance.....	686,473	
237	International Boundary Commission—Administration, Operation and Maintenance.....	61,292	
238	Legal Surveys and Aeronautical Charts—Administration, Operation and Maintenance, including a grant of $350 to the Canadian Institute of Surveying and Photogrammetry and the expenses of the Board of Examiners for Dominion Land Surveyors and payment of fees of B. W. Waugh, J. E. Lilly and J. E. R. Ross, members of the Board, and A. W. Cole, Secretary of the Board.....	630,195	
	Map Compilation and Reproduction—		
239	Administration, Operation and Maintenance.....	667,443	
240	Construction or Acquisition of New Equipment.....	11,925	
	Geographical Branch		
241	Geographical Branch—Administration, Operation and Maintenance.....	233,218	
	Dominion Observatories		
	Dominion Observatory, Ottawa and Field Stations—		
242	Administration, Operation and Maintenance, including membership fee of $500 to the International Astronomical Union.....	381,244	
243	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	119,950	
244	Dominion Astrophysical Observatory, Victoria, B.C.— Administration, Operation and Maintenance.....	104,556	
	General		
245	Payments to Royal Canadian Air Force and Commercial Companies for Air Photography, and to defray the expenses of the Interdepartmental Committee on Air Surveys.....	1,200,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	B—Dominion Coal Board		
246	Administration and Investigations of the Dominion Coal Board.	111,753	
247	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council.....	6,000,000	
			19,769,245
	NATIONAL DEFENCE		
	Defence Services		
248	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, and notwithstanding section thirty of the Financial Administration Act, to authorize total commitments for the foregoing purposes of $3,988,568,232 regardless of the year in which such commitments will come in course of payment (of which it is estimated that $2,346,221,325 will come due for payment in future years): and to provide for the estimated actual expenditures in the fiscal year 1952-53.....	1,642,346,907	
	Special		
249	To authorize and provide for additional expenditures under the provisions of Section 3 of the Defence Appropriation Act, 1950, and supplementary contributions towards the military costs of the North Atlantic Treaty Organization, in the amount of $324,000,000 and commitments against future years in the amount of $32,550,000.....	324,000,000	
	General Services		
250	Grants to Military Associations, Institutes and Others, as detailed in the Estimates.....	227,325	
251	War Museum.....	22,518	
	Pensions and Other Benefits		
252	Civil Pensions, as detailed in the Estimates.....	2,977	
253	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.....	2,172	
	Defence Services Pension Act—		
254	Government's contribution to the Permanent Services Pension Account.....	30,008,601	
			1,996,610,500

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL FILM BOARD		
255	Administration, Production and Distribution of Films and Other Visual Materials	2,804,131	
256	Acquisition of New Equipment	115,820	
			2,919,951
	NATIONAL HEALTH AND WELFARE		
	A—Department		
257	Departmental Administration	970,160	
	National Health Branch		
	Health Services		
258	National Health Branch—Administration	139,507	
259	Administration of the Quarantine and Leprosy Acts	322,001	
260	Immigration Medical Services	1,198,360	
261	Sick Mariners Treatment Services	588,129	
262	Grants to Institutions Assisting Sailors, in the amounts detailed in the Estimates	2,600	
	Laboratory of Hygiene—		
263	Operation and Maintenance	390,000	
264	Construction or Acquisition of Buildings, Works, Land and New Equipment	424,000	
265	Public Health Engineering	164,065	
266	Industrial Health	232,348	
267	Civil Service Health	262,457	
268	Epidemiology (including the former Venereal Disease Control)	96,492	
269	Administration of the Food and Drugs and the Proprietary or Patent Medicines Acts	917,832	
270	Administration of the Opium and Narcotic Drugs Act	160,372	
	Indians and Eskimos Health Services—		
271	Operation and Maintenance	11,518,246	
272	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,814,400	
273	Special Technical Services	401,710	
274	Health Insurance Studies and Administration of General Health Grants	74,305	
	General Health Grants		
275	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 $53,968,409	27,500,000	
	Grants to Health Organizations		
276	Canadian Mental Health Association	10,000	
277	Health League of Canada	10,000	
278	Canadian Public Health Association	5,000	
279	Canadian National Institute for the Blind	45,000	
280	L'Association Canadienne Française des Aveugles	6,000	
281	L'Institut Nazareth de Montreal	4,050	
282	Montreal Association for the Blind	4,050	
283	Canadian Tuberculosis Association	20,250	
284	Victorian Order of Nurses	13,100	
285	St. John Ambulance Association	10,000	
286	Canadian Red Cross	10,000	
287	Canadian Paraplegic Association	15,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Concluded*		
	A—Department—*Concluded*		
	Welfare Branch		
288	Welfare Branch Administration	35,846	
	Family Allowances and Old Age Security—		
289	Administration	2,519,943	
	Old Age Assistance and Blind Persons Allowances—		
290	Administration of the Old Age Assistance and Blind Persons Allowances Acts	115,537	
	National Physical Fitness Act—		
291	To provide for the administration of the Act, the sum hereby provided, notwithstanding Sections 8 and 9 of the said Act, to be credited to a separate account in the Consolidated Revenue Fund, to be subject to Section 35 of the Financial Administration Act and to be paid out by the Minister of Finance upon the requisition of the Minister of National Health and Welfare	65,540	
292	Assistance to Provinces	146,100	
293	Grant to Canadian Welfare Council	16,000	
	B—Civil Defence		
	(Formerly under Department of National Defence)		
294	To provide for the Civil Defence Program and to authorize total commitments against future years in the amount of $575,000	6,508,839	
			56,737,239
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY CONTROL BOARD		
	National Research Council		
295	Salaries and Other Expenses	12,198,684	
296	Construction or Acquisition of Buildings, Works, Land and New Equipment (Revote $1,345,000)	3,358,320	
	Atomic Energy Control Board		
297	Administration Expenses of the Atomic Energy Control Board	59,302	
298	Researches and Investigations with respect to Atomic Energy	300,000	
	Atomic Energy Project—		
299	Operation and Maintenance	7,089,371	
300	Construction or Acquisition of Buildings, Works, Land, and New Equipment, and to provide for payment to Central Mortgage and Housing Corporation for housing and other works to be constructed at Deep River during 1952-53	3,141,850	
301	Construction of a New Reactor and Auxiliary Buildings and Services (Revote $4,300,000)	7,000,000	
			33,147,527

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
302	General Administration	2,105,832	
303	Inspection, Investigation and Audit Services	2,924,216	
	Ports, Outports and Preventive Stations—		
304	Operation and Maintenance	19,643,329	
305	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,064,050	
306	Customs Excise Seizure Expenses and Adjustments	191,000	
	TAXATION DIVISION		
307	General Administration	1,537,200	
308	Internal Inspection and Verification	832,322	
309	District Offices	21,062,690	
	INCOME TAX APPEAL BOARD		
310	Administration Expenses	74,360	
			49,434,999
	POST OFFICE		
311	Departmental Administration	1,118,455	
312	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	61,196,517	
313	Transportation—Movement of Mail by Land, Air and Water, including Administration	40,542,048	
314	Financial Services, including audit of revenue, money order and savings bank business; and postage stamps	2,525,240	
			105,382,260
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
315	General Administration	346,391	
	PRIME MINISTER'S RESIDENCE		
316	Maintenance and Operation	25,000	
	GENERAL		
317	To provide for expenses of the Royal Commission on the South Saskatchewan Irrigation and Power Project	70,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PRIVY COUNCIL—*Concluded*		
	FEDERAL DISTRICT COMMISSION		
318	To provide for maintenance and improvement of grounds adjoining Government Buildings at Ottawa, and to authorize an amount not exceeding $142,400 for construction, improvements, maintenance and operation of the Parkway System under the control of the Federal District Commission which is additional to the sum of $300,000 granted by Chapter 55, Statutes of 1927, as amended	433,794	
319	Expenses of the National Capital Planning Committee	45,000	
320	To authorize payment of the fifth instalment to a special account in the Consolidated Revenue Fund, known as the National Capital Fund, established under Vote No. 809, Appropriation Act, No. 4, 1947-48	2,500,000	
			3,420,185
	PUBLIC ARCHIVES		
	A—DEPARTMENT		
321	General Administration and Technical Services	262,306	
	B—BIBLIOGRAPHIC CENTRE		
322	Bibliographic Centre (National Library)	48,109	
			310,415
	PUBLIC PRINTING AND STATIONERY		
323	Departmental Administration, including in 1952-53 Procurement and Accounting Services to meet stationery and printing requirements for other Departments	353,732	
324	Stationery Branch—Operation of Stationery Stores	348,943	
325	Printing and Binding the Annual Statutes	40,000	
326	Canada Gazette	130,000	
327	Plant Equipment and Replacements	197,244	
328	Distribution of Official Documents	165,574	
329	Printing and Binding Official Publications for sale and distribution to Departments and the Public	430,000	
			1,665,493
	PUBLIC WORKS		
330	Departmental Administration	584,997	
	ARCHITECTURAL BRANCH		
331	Branch Administration	506,848	
332	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, furnishings, heating, etc., and to authorize commitments against future years in the amount of $500,000	12,112,418	
333	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, furnishings, heating, etc., and to authorize commitments against future years in the amount of $800,000	18,273,243	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Continued*		
	ARCHITECTURAL BRANCH—*Concluded*		
	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—		
334	Newfoundland	700,000	
335	Nova Scotia	1,250,000	
336	Prince Edward Island	175,000	
337	New Brunswick	1,130,000	
338	Quebec	9,741,000	
339	Ottawa	7,945,000	
340	Ontario (other than Ottawa)	6,458,000	
341	Manitoba	1,025,000	
342	Saskatchewan	1,000,000	
343	Alberta	1,045,000	
344	British Columbia	2,820,000	
345	Yukon and Northwest Territories	350,000	
346	Unforeseen Improvements	1,200,000	
	ENGINEERING BRANCH		
347	Branch Administration	472,221	
	Engineering Services—		
348	Salaries, Surveys, Inspections, etc.	1,669,456	
349	Construction or Acquisition of Buildings, Works, Land and New Equipment	171,800	
	Dredging		
350	Maintenance and Operation of Plant and Contract and Day Labour Works	3,077,989	
351	New Plant	1,089,000	
	Graving Docks		
352	Maintenance and Operation	344,486	
	Locks and Dams		
353	Maintenance and Operation	355,562	
	Snagboats		
354	Maintenance and Operation	113,178	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	ENGINEERING BRANCH—*Concluded*		
	Roads and Bridges		
355	Maintenance and Operation	321,230	
356	Towards International Bridge over the St. Croix River between St. Stephen, N.B., and Calais, Me., the State of Maine to pay a like amount (Revote)	10,000	
357	Towards Interprovincial Bridge over the Ottawa River between Pembroke, Ontario, and Allumette Island, Quebec, the Provinces of Ontario and Quebec each to pay one-third of the cost and maintenance thereof (Revote)	50,000	
	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 upon individual listed projects—		
358	Newfoundland	2,341,300	
359	Nova Scotia	3,401,000	
360	Prince Edward Island	1,950,000	
361	New Brunswick	2,755,000	
362	Quebec	5,165,600	
363	Ontario	5,609,000	
364	Manitoba	125,000	
365	Saskatchewan, Alberta and Northwest Territories	148,500	
366	British Columbia and Yukon	6,992,000	
	Harbours and Rivers Generally		
367	Repairs and Upkeep for the maintenance of services, including reconstruction and replacements, and to authorize commitments against future years in the total amount of $660,000, no new works to be undertaken	2,975,000	
	Generally		
368	Fraser River—50% of the cost of investigations to be carried out by the "Dominion Provincial Board Fraser River Basin"	137,500	
369	Protection Works Generally	300,000	
	GENERAL		
370	Miscellaneous works not otherwise provided for, not more than $10,000 to be expended upon any one work	440,000	
371	National Capital Planning Service	52,400	
372	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	
373	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 1952-53	250,000	
			107,033,728

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT		
374	Departmental Administration	403,389	
	NATIONAL PARKS BRANCH		
375	Branch Administration	23,545	
	National Parks and Historic Sites Services—		
376	Administration, Operation and Maintenance	3,646,974	
377	Construction or Acquisition of Buildings, Works, Land and New Equipment	3,506,443	
378	Grant to the Jack Miner Migratory Bird Foundation	5,000	
379	Canadian Wildlife Service— Wildlife Resources Conservation and Development, including Administration of the Migratory Birds Convention Act—Administration, Operation and Maintenance	332,680	
380	National Museum of Canada — Administration, Operation and Maintenance	259,823	
	ENGINEERING AND WATER RESOURCES BRANCH		
381	Branch Administration	65,172	
	Water Resources Division— Water Resources Division, including the Administration of the Dominion Water Power and Irrigation Acts—		
382	Administration, Operation and Maintenance including Grant of $350 to the International Executive Council, World Power Conference	606,345	
383	Construction or Acquisition of Buildings, Works, Land and New Equipment	22,423	
384	To provide for studies and surveys of the Columbia River Watershed in Canada	387,535	
385	To provide for studies and surveys of the Red River Basin in Canada, including Assiniboine and Pembina Rivers	255,553	
386	To provide for studies and surveys of the Saint John River Watershed in Canada	120,000	
387	Lake of the Woods Control Board	15,590	
388	To provide for the expenses incurred under the agreement between Canada, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, moneys expended to be largely reimbursed	17,750	
389	Engineering and Architectural Division—Administration, Operation and Maintenance	461,964	
	Projects Division—		
390	Administration	38,238	
391	To provide for a contribution by Canada to the improvement and reconstruction of the road between Patricia Bay Airport, Vancouver Island, and the city limits of Victoria, B.C., in accordance with the terms of the agreement between Canada and the Province of British Columbia	147,974	
392	To provide for a contribution to the cost of constructing a dam on the Upper Thames River near Fanshawe, Ontario, for the purposes of flood control and conservation, in accordance with the terms of an agreement between Canada, the Province of Ontario and the Upper Thames River Conservation Authority	1,158,220	
393	To provide for a contribution to the cost of constructing a mining road between Black Bay and Ace Lake in Saskatchewan in accordance with the terms of an agreement between Canada and the Province of Saskatchewan	16,666	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Continued*		
	ENGINEERING AND WATER RESOURCES BRANCH—*Concluded*		
	Projects Division—*Concluded*		
394	To provide, subject to allocation by Treasury Board, for the design and planning of deferrable projects, the acquisition of sites and the initiation of construction	200,000	
	Trans-Canada Highway Division—		
395	Administration, Operation and Maintenance	424,785	
396	To provide for surveys and construction of the Trans-Canada Highway through National Parks	500,000	
397	To provide for general investigations by the Northwest Territories Power Commission of the electric power requirements of settlements and industries in the Northwest Territories and the Yukon Territory (Revote)	1,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
398	Branch Administration	23,180	
399	Lands Division—Administration of Territorial and Public Lands; Seed Grain Collections	301,629	
	Northern Administration Division—		
400	Administration	262,212	
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
401	Operation and Maintenance	772,851	
402	Construction or Acquisition of Buildings, Works, Land and New Equipment	227,400	
	Forest Conservation and Wildlife Management, including Wood Buffalo Park—		
403	Operation and Maintenance	332,717	
404	Construction or Acquisition of Buildings, Works, Land and New Equipment	94,211	
	Yukon Territory, including Forest Conservation—		
405	Operation and Maintenance	309,898	
406	Construction or Acquisition of Buildings, Works, Land and New Equipment	328,050	
407	Grant to the Arctic Institute of North America	5,000	
	FORESTRY BRANCH		
408	Branch Administration	132,885	
	Forest Research Division—		
409	Operation and Maintenance	909,447	
410	Construction or Acquisition of Buildings, Works, Land and New Equipment	54,161	
	Forestry Operations Division—		
411	Administration, Operation and Maintenance	93,092	
412	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	
	Forest Products Laboratories Division—		
413	Operation and Maintenance	515,729	
414	Construction or Acquisition of Buildings, Works, Land and New Equipment	41,955	
415	Grant to Canadian Forestry Association	6,000	
416	Grant to Pulp and Paper Research Institute of Canada	100,000	
	Eastern Rockies Forest Conservation Board—		
417	Salaries and expenses of Federal members of the Board	13,680	
418	Federal contribution towards annual maintenance, including staff and expenses	75,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Concluded*		
	CANADIAN GOVERNMENT TRAVEL BUREAU		
419	To assist in promoting the Tourist Business in Canada	1,496,900	
	GENERAL		
420	Emergency Shelter Administration	100,000	
421	To provide for the expenses incurred by Central Mortgage and Housing Corporation in constructing and supervising construction of married quarters, schools and related services on behalf of the Department of National Defence	900,000	20,938,066
	ROYAL CANADIAN MOUNTED POLICE		
422	General Administration	367,953	
	Land Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
423	Operation and Maintenance	25,210,272	
424	Construction or Acquisition of Buildings, Works, Land and New Equipment and to authorize commitments against future years in the amount of $500,000	4,298,491	
	Marine Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
425	Operation and Maintenance	1,222,248	
426	Construction or Acquisition of New Equipment and to authorize commitments against future years in the amount of $200,000	409,000	
	Aviation Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
427	Operation and Maintenance	281,666	
428	Construction or Acquisition of New Equipment	138,300	
429	Grant to the Chief Constables' Association of Canada	500	
	PENSIONS AND OTHER BENEFITS		
430	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates	6,863	
431	Pension to Basil Burke Currie	685	
432	Pension to Annie A. Greer	254	31,936,232
	SECRETARY OF STATE		
433	Departmental Administration	213,883	
434	Companies Branch	87,658	
435	Trade Marks Branch, including a contribution of $2,400 to the International Office for the Protection of Industrial Property	93,704	
436	Bureau for Translations	898,025	
437	Canada Temperance Act	1,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	SECRETARY OF STATE—*Concluded*		
	PATENT AND COPYRIGHT OFFICE		
438	Administration Division	74,469	
439	Patent Division (including the former Patent Record Division)	840,391	
440	Copyright and Industrial Designs Division, including a contribution of $2,100 to the Union Office for the Protection of Literary and Artistic Works	20,279	
			2,229,409
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
441	Departmental Administration	617,795	
442	Commodities Services, including assistance in the development of markets and new industry, the procurement of supplies, and contributions as detailed in the Estimates	620,352	
443	Trade Commissioner Service, including payment of compensation to Trade Commissioners for damage to and loss of furniture and effects, under terms and conditions approved by the Governor in Council	2,329,134	
444	Information Division, including publicity and advertising in Canada and abroad	177,854	
445	Economics Division, including conducting of investigations and reporting upon current economic conditions and outlook (formerly the Economic Research and Forecasting Divisions)	157,923	
446	International Trade Relations Division, including investigating and reporting on commercial relations and foreign tariffs and a contribution of $6,300 to the International Customs Tariffs Bureau	150,156	
	EXHIBITIONS		
447	Exhibitions generally	253,236	
448	Canadian International Trade Fair, 1952, including authority to refund, from revenue, deposits received for contracts for space (Revote $74,500)	538,380	
	STANDARDS DIVISION		
449	Administration, including administration of the Precious Metals Marking Act	113,359	
450	Electricity and Gas Inspection Services, including administration of the Electricity and Fluid Exportation Act—Operation and Maintenance	599,176	
451	Laboratory—Operation and Maintenance	67,814	
452	Weights and Measures Inspection Services—Operation and Maintenance	743,803	
	DOMINION BUREAU OF STATISTICS		
453	Administration	167,714	
454	Statistics, including contribution of $3,100 to the Inter-American Statistical Institute	4,088,614	
455	Census of Population and Agriculture and the 1951 Census of Distribution	1,731,366	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE—*Concluded*		
	WHEAT AND GRAIN DIVISION		
456	Salaries and other expenses	28,918	
457	To provide for the Canadian Government's annual assessment for membership in the International Wheat Council	18,500	
	CANADA GRAIN ACT		
458	Administration	137,981	
459	Board of Grain Commissioners— Operation and Maintenance Expenses, including inspection, weighing, registration, etc	2,868,720	
	Canadian Government Elevators—		
460	Operation and Maintenance Expenses	877,777	
461	Construction of Safety Devices, and Acquisition of New Equipment	11,368	
	SPECIAL		
462	International Economic and Technical Co-operation Division, including the administration of the Colombo Plan and of certain United Nations co-operation plans	88,192	
			16,388,132
	TRANSPORT		
	A—DEPARTMENT		
463	Departmental Administration	1,370,576	
	CANAL SERVICES		
464	Administration	119,043	
465	Operation and Maintenance	5,061,650	
466	Construction or Acquisition of Buildings, Works, Land and New Equipment	4,553,100	
467	To provide for expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations	60,000	
	MARINE SERVICES		
468	Marine Services Administration, including Agencies	571,414	
	Marine Service Steamers—		
469	Administration	63,435	
470	Operation, Maintenance and Repairs	4,670,783	
471	Construction or Acquisition of Vessels and Equipment, as detailed in the Estimates—Capital	4,351,000	
	Aids to Navigation—		
472	Administration, Operation and Maintenance	4,819,338	
473	Construction or Acquisition of Buildings, Works, Land and New Equipment	1,439,210	
	Nautical Services—		
474	Administration	158,952	
475	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 296 of the Canada Shipping Act	318,364	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	MARINE SERVICES—*Concluded*		
476	Pilotage Service, including authority for temporary recoverable advances not exceeding $20,000	421,264	
477	Steamship Inspection and the carrying out of the provisions of the conventions for the safety of life at sea and load lines	543,764	
478	Marine Signal Services	190,900	
	River St. Lawrence Ship Channel Service—		
479	Administration, Operation and Maintenance	981,300	
480	Contract Dredging—Capital	2,821,326	
481	Surveys and Investigations	30,000	
	RAILWAY AND STEAMSHIP SERVICES		
482	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department	54,700	
	Hudson Bay Railway—		
483	To provide for the difference between the expenditures for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1953, not exceeding	325,000	
484	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital	136,500	
485	Prince Edward Island Car Ferry and Terminals— To provide for the payment during the fiscal year 1952-53 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 1952	1,485,000	
486	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, 1952, 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	734,000	
487	Strait of Canso—Transportation improvements and facilities—Capital	1,800,000	
	Canadian Government Railways—		
488	Enlargement of Dock and Terminal Facilities at North Sydney, N.S.—Capital	1,180,000	
489	Construction of New Dock and Terminal Facilities at Port-aux-Basques, Nfld.—Capital	1,810,000	
490	Construction or Acquisition of Auto-Ferry Vessels, as detailed in the Estimates—Capital	4,015,000	
491	To provide towards the cost of surveys of Newfoundland Railway properties entrusted to the Canadian National Railway Company	17,500	
492	Degaussing and strengthening of sea-going merchant ships of Canadian registry of 1,000 gross tons and over	500,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
493	Maritime Freight Rates Act—For the payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1952-53, 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 1952, (Chap. 79, Statutes of 1927, as amended).....	9,910,000	
	PENSIONS AND OTHER BENEFITS		
494	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; George Larochelle; Auguste Santerre.....	2,100	
495	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, 1952, to March 31, 1953, the sum of $30 per month instead of $20 as fixed by the said Act.....	13,350	
	AIR SERVICES		
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
496	Administration, Operation and Maintenance.....	5,081,429	
497	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital.....	1,750,000	
	Radio Act and Regulations—		
498	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....	1,009,074	
499	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	206,400	
	Radio Aids to Marine Navigation—		
500	Administration, Operation and Maintenance.....	2,035,699	
501	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	300,000	
	Suppression of Radio Interferences—		
502	Administration, Operation and Maintenance.....	408,495	
503	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	31,600	
504	Issue of Radio Receiving Licences (Transport Department only)	769,752	
	Telegraph and Telephone Service—		
505	Administration, Operation and Maintenance.....	1,519,852	
506	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	552,000	
	Northwest Communication System—		
507	To provide for the difference between the expenditures for operation and maintenance and revenue accruing from operations during the year ending March 31, 1953.....	276,596	
508	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital.....	365,514	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—Department—*Concluded*		
	Air Services—*Concluded*		
	Meteorological Division		
509	Administration, Operation and Maintenance	6,484,500	
510	Construction or Acquisition of Buildings, Works, Land and New Equipment	462,200	
	Civil Aviation Division		
511	Control of Civil Aviation, including the Administration of the Aeronautics Act and Regulations issued thereunder	831,861	
	Airways and Airports—		
	Operation and Maintenance—		
512	Civil Aviation Services	9,325,320	
513	Airway and Airport Traffic Control	1,425,396	
	Construction Services—		
514	Administration	790,837	
515	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital	7,517,450	
516	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates	330,000	
517	Contributions, subject to the approval of the Governor in Council, to assist municipalities in the development of and improvement to airports, the sites of which have been provided by such municipalities	67,000	
518	Contributions, as specified in the details of the Estimates, to other Governments or International Agencies for the operation and maintenance of airports, air navigation and airways facilities	275,153	
	Administrative Division		
519	Air Services Administration	235,047	
	B—General		
	Air Transport Board		
520	Salaries and Other Expenses, including the Canadian Delegation to the International Civil Aviation Organization	259,746	
	Board of Transport Commissioners for Canada		
	Board of Transport Commissioners for Canada—		
521	Administration, Operation and Maintenance	850,364	
	Canadian Maritime Commission		
522	Administration	156,510	
523	Steamship Subventions for Coastal Services, as detailed in the Estimates	3,706,625	
524	Steamship Subventions for Ocean Services—		
	Pacific Ocean—		
	Canada, New Zealand and Australia, service between, and if either or both the Governments of Australia and of New Zealand should request or authorize the Canadian Maritime Commission to act on its or their behalf in contracting for this service, the Canadian Maritime Commission is hereby empowered so to act	166,667	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General—*Concluded*		
	National Harbours Board		
525	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 1952 on any or all of the following accounts:		
	(a) Retirement of Maturing Debentures—		
	Saint John	667,954	
	(b) Reconstruction and Capital Expenditures—		
	Halifax $ 455,150		
	Saint John 1,000,000		
	Quebec 900,000		
	Generally—		
	Unforeseen and Miscellaneous 100,000		
	2,455,150		
	Less—Amount to be expended from Replacement Funds 273,500		
		2,181,650	
526	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 1952, in the operation of the Churchill Harbour	149,978	
			104,719,238
	VETERANS AFFAIRS		
527	Departmental Administration	2,217,425	
528	District Services—Administration	2,867,375	
529	Veterans' Welfare Services	3,355,306	
	Treatment Services—		
530	Operation of Hospitals and Administration	37,828,001	
531	Medical Research and Education	350,000	
532	Hospital Construction, Improvements, New Equipment and Acquisition of Land	4,865,050	
533	Prosthetic Services—Supply, Manufacture and Administration	1,056,117	
	Canadian Pension Commission—		
534	Administration Expenses	2,166,655	
535	Veterans Bureau	517,075	
536	War Veterans' Allowance Board—Administration	178,347	
537	Veterans' Insurance	97,024	
	Pensions and Other Benefits		
538	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order P.C. 45/8848 of 22nd November, 1944, which shall be subject to the Pension Act	125,546,000	
539	Newfoundland Special Awards	30,000	
540	War Veterans' Allowances	22,505,000	
541	Assistance Fund (War Veterans' Allowances)	950,000	
542	Unemployment Assistance	25,000	
543	Hospital and Other Allowances	3,225,000	
544	Gallantry Awards—World War II	18,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS—*Concluded*		
	MISCELLANEOUS PAYMENTS		
545	To provide for payments to the Imperial War Graves Commission, for Battlefields Memorials and Erection of Headstones in Canada (formerly provided for in Department of National Defence Appropriations) and for payments to the Last Post Fund, maintenance of Departmental Cemeteries, payments of Funerals and Cemetery Charges including costs of Headstones and Cemetery Plots	1,638,655	
546	Employers Liability Compensation	180,000	
547	Grant to Canadian Legion	9,000	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
548	To provide for the cost of administration of Veterans' Land Act; Soldier Settlement and British Family Settlement	4,780,354	
549	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	77,000	
550	To provide for the payment of grants to veterans settled on Provincial Lands in accordance with agreements with Provincial Governments under Section 35 of the Veterans' Land Act, 1942, as amended, and payment of grants to veterans settled on Dominion Lands, in accordance with an agreement with the Minister of Resources and Development under Section 35 of the Veterans' Land Act, 1942, as amended	600,000	
551	To provide for the payment of grants to Indian veterans settled on Indian Reserve Lands under Section 35A of the Veterans' Land Act, 1942, as amended	175,000	
552	To provide for the reduction of indebtedness to the Director of Soldier Settlement of a settler under the Soldier Settlement Act, in respect of a property in his possession, the title of which is held by the Director, by an amount which will reduce his indebtedness to an amount in keeping with the productive capacity of the property and his ability to repay his indebtedness to the Director, under regulations approved by the Governor in Council	150,000	
553	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	15,000	
554	To authorize and provide, subject to the approval of the Governor in Council in each case, for the completion of necessary remedial work to houses and services constructed under the 1945 building program	16,700	
	TERMINABLE SERVICES		
555	Post Discharge Rehabilitation Benefits, including the training of Merchant Seamen and Salt Water Fishermen Pensioners	3,677,500	
			219,116,584

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	AGRICULTURE		
556	To authorize and provide for 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 improved and new varieties of seeds, including administrative expenses; and for the acquiring of livestock for experimental purposes; the amount to be charged to the revolving fund at any one time not to exceed..	250,000	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
557	To provide for advances to Central Mortgage and Housing Corporation for the purposes of subsection one of section 34 of the National Housing Act, 1944, in respect of housing projects for veterans, housing projects at Deep River, Ontario, for sale to Atomic Energy of Canada, Limited, and housing projects at Gander, Newfoundland, for sale or rental.....	8,300,000	
	RESOURCES AND DEVELOPMENT		
558	To provide for advances to the Northwest Territories Power Commission for the construction on the Mayo River, Yukon Territory, of a storage and hydro-electric development to serve the Mayo mining district.....	1,300,000	
	TRANSPORT		
	Air Services		
559	To authorize and provide for a revolving fund for the purchase of materials and supplies to be held in Northwest Communications System stores for use on both Capital and Maintenance works.....	100,000	
	National Harbours Board		
560	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 1952 on any or all of the following accounts: Reconstruction and Capital Expenditures— Montreal..... $ 768,075 Vancouver..... 845,000 $1,613,075 *Less*—Amount to be expended from Replacement Funds..... $ 138,700	1,474,375	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
561	To provide for protection of security—Soldier Settlement, and refunds of surplus to veterans.....	25,000	
562	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment, refund of surplus to veterans (Section 19); and for protection of security under the Veterans' Land Act.....	18,000,000	
			29,449,375
			*3,160,181,275

* Net total $2,363,584,922.60.

SCHEDULE B

Based on the Supplementary Estimates, 1952-53. The amount hereby granted is $82,732,188, 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, 1953, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	SCIENCE SERVICE		
	Science Service Administration—		
659	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	410,800	
	Animal Pathology—		
660	Operation and Maintenance—Further amount required	6,700	
661	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	2,100	
	Botany and Plant Pathology—		
662	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	62,000	
	Forest Biology—		
663	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	101,000	
	EXPERIMENTAL FARMS SERVICE		
	Central Experimental Farm, including Research and Co-ordinating Divisions for the Experimental Farms Service—		
664	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	4,000	
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
665	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	108,300	
	PRODUCTION SERVICE		
	Health of Animals—		
666	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act—Further amount required	130,000	
667	To provide for payment of compensation to owners of animals and poultry affected with diseases coming under the operation of the Animal Contagious Diseases Act, which have died or have been slaughtered under circumstances unprovided for under the above Act and Regulations thereunder, in the amounts detailed in the Estimates, and to authorize payment from Vote 25 of the Main Estimates, 1952-53, of compensation in conformity with the terms of the Act for the Control and Extirpation of Foot and Mouth Disease	75,398	
668	Grants to Fairs and Exhibitions, under such terms and conditions as may be approved by the Governor in Council and subject to allocation by the Treasury Board—Further amount required	10,000	
	MARKETING SERVICE		
669	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required	832,354	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Concluded*		
	TERMINABLE SERVICES		
670	Freight Assistance on Western Feed Grains—Further amount required	11,250,000	
	SPECIAL		
671	Prairie Farm Rehabilitation Act and Water Storage—Further amount required	500,000	
672	Major Irrigation and Reclamation Projects in the Prairie Provinces—Further amount required	500,000	
673	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council—Further amount required	100,000	
674	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 1951-52	186,390	
675	To provide for price adjustment on overweight hogs	100,000	
			14,379,042
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
676	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision—Further amount required	.....	228,138
	CITIZENSHIP AND IMMIGRATION		
	A—DEPARTMENT		
	IMMIGRATION BRANCH		
677	Field and Inspectional Service, Canada—Operation and Maintenance—Further amount required	37,000	
678	Field and Inspectional Service, Abroad—Operation and Maintenance—Further amount required	96,600	
	INDIAN AFFAIRS BRANCH		
	Indian Agencies—		
679	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	71,900	
	Reserves and Trusts—		
680	Operation and Maintenance — Further amount required	25,500	
681	Acquisition of Buildings, Works, Land, Permanent Improvements and New Equipment—Further amount required	162,750	
	Education—		
682	Operation and Maintenance — Further amount required	147,237	
	B—NATIONAL GALLERY OF CANADA		
683	Payment to National Gallery Purchase Account for the purpose of acquiring works of art in conformity with Section 8 of the National Gallery Act—Further amount required to purchase works of art with foreign currencies owned by Canada and available only for governmental or other limited purposes	30,000	
			570,987

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	DEFENCE PRODUCTION		
684	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 —Further amount required	25,000,000	
685	To provide for payment of grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	250,000	
			25,250,000
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
686	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—Further amount required	100,000	
687	To provide for the construction and execution in Canada of seven doors to be donated by Canada to the United Nations Permanent Headquarters in New York—Further amount required	28,500	
688	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 $4,000 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	44,000	
	B—General		
	North Atlantic Treaty Organization		
689	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)	55,000	
	International Civil Aviation Organization		
690	To provide the International Civil Aviation Organization with office accommodation at less than commercial rates—Further amount required	141,972	
	International Joint Commission		
691	Salaries and expenses of the Commission (formerly provided by Statute)	81,011	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	TERMINABLE SERVICES		
692	Contribution to the United Nations International Children's Emergency Fund	500,000	
693	Contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East	600,000	
694	To provide for a gift of wheat as a contribution to Famine Relief for Greece	30,000	
			1,580,483
	FINANCE		
	PAYMENTS TO MUNICIPALITIES		
695	To provide grants in lieu of taxes under regulations approved by the Governor in Council to rural municipalities that do not qualify under the Municipal Grants Act, but which incur substantial increased expenses or loss of tax revenue by reason of the existence within their borders of federal property	100,000	
	CONTINGENCIES AND MISCELLANEOUS		
696	To authorize *(a)* the Custodian of Enemy Property to transfer to the Minister of Finance such property, including the proceeds and earnings of property, that is vested in the Custodian in respect of World War II as the Governor in Council prescribes, *(b)* the Minister of Finance to hold, sell or otherwise administer property received by him from the Custodian under paragraph *(a)* or from other sources by way of reparations by former enemies (except Italy) in respect of World War II, and *(c)* the Minister of Finance to establish a special account in the Consolidated Revenue Fund to be known as the War Claims Fund, to which shall be credited all money received by him from the Custodian under paragraph *(a)* or from other sources by way of reparations by former enemies (except Italy) in respect of World War II, the proceeds of sale of property under paragraph *(b)*, the earnings of property specified in paragraph *(b)* and amounts recovered from persons who have received overpayments in respect of claims arising out of World War II; and, notwithstanding section 35 of the Financial Administration Act, to provide for payments out of the War Claims Fund in the current and subsequent fiscal years, in accordance with regulations of the Governor in Council, to persons who claim compensation in respect of World War II, for the payment out of the War Claims Fund in the current and subsequent fiscal years of expenses incurred in investigating and reporting on claims of those persons and for the repayment out of the War Claims Fund to Vote 128 (miscellaneous minor and unforeseen expenses) of all amounts that have been paid out of that Vote pursuant to The War Claims Interim Compensation Rules established by Order in Council, P.C. 667 of February 4, 1952	1	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	CONTINGENCIES AND MISCELLANEOUS—*Concluded*		
697	To authorize the Minister of Finance to establish a Special Account in the Consolidated Revenue Fund to be called The War Claims (Italy) Account, to which shall be credited all amounts received from Italy by way of settlement of its obligations under the Treaty of Peace between Canada and Italy that was signed at Paris on February 10, 1947, and, notwithstanding section 35 of the Financial Administration Act, to provide for payment out of the said Account in the current and subsequent fiscal years, in accordance with the War Claims (Italy) Settlement Regulations established by Order in Council P.C. 5818 of November 6, 1951, and any amendments that may be made thereto by the Governor in Council	1	
698	Amount required to cover losses incurred on foreign exchange tendered in payment of accounts receivable	5,000	
	GRANTS TO UNIVERSITIES		
699	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"	7,250,000	
			7,355,002
	FISHERIES		
	GENERAL SERVICES		
700	Industrial Development Service—Further amount required	218,000	
	FIELD SERVICES		
	Protection Branch—		
701	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	18,000	
	Fish Culture and Development Branch—		
702	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	125,000	
703	Consumer Branch—Further amount required	18,500	
	FISHERIES RESEARCH BOARD		
704	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	122,000	
	SPECIAL		
705	Amount required to recoup the Fisheries Prices Support Account to cover net operating loss of the Fisheries Prices Support Board during the fiscal year 1951-52	1,219,263	
			1,720,763

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	JUSTICE		
	A—Department		
	Supreme Court of Canada—		
706	Administration—Further amount required	7,000	
	Yukon Territorial Court—		
707	Construction or Acquisition of Buildings, Works, Land and New Equipment	23,000	
708	Combines Investigation Branch—Further amount required	58,500	
	B—Penitentiaries		
	Office of the Commissioner of Penitentiaries		
709	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	199,950	
			288,450
	LABOUR		
	General Administration		
710	Departmental Administration—Further amount required	8,890	
711	Annuities Act—		
	Subject to sections four, seven and eight of the Government Annuities Act, but notwithstanding any other provisions of the Act, to authorize the Minister of Labour in accordance with regulations approved by the Governor in Council on the recommendation of the Treasury Board to enter into an agreement to vary the terms of a contract for the payment of an annuity entered into under the said Act or other authority of Parliament or to substitute another contract for such a contract containing such terms and with effect from such date as the Minister of Labour deems necessary, and to authorize the Minister of Labour to enter into a contract with a purchaser, in terms approved by the Governor in Council, for payment of an annuity the amount of which decreases on a day specified in the contract, under which there may be paid an annuity greater than the maximum permitted under the Act between the due date of the first instalment of annuity and the said day, provided the annuity agreed to be paid does not exceed the actuarial equivalent of a constant annuity for the maximum amount so permitted in respect of the annuitant, having the same date of commencement and the same term certain, if any, as the annuity payable under the contract, and to provide for payments in the current and subsequent fiscal years out of the Government Annuities Account in accordance with the contracts so amended or entered into	1	
712	Labour Gazette, authorized by Labour Department Act—Further amount required	5,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR—*Concluded*		
	VOCATIONAL TRAINING CO-ORDINATION		
713	Administration—Further amount required..... To provide for carrying out the purposes of the Vocational Training Co-ordination Act, 1942, 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 for the training of persons to fit them for defence industries, the training of members of Her Majesty's Forces and other persons to fit them for skilled armed services occupations and training under youth training projects and to provide for the expenditures thereunder and under vocational training agreements entered into in previous years—	5,000	
714	Training payments to the Provinces—Further amount required.....	320,000	
	TERMINABLE SERVICES		
715	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 under former authorized labour movements and administrative expenses connected therewith—Further amount required.....	227,500	
			566,391
	LEGISLATION		
	THE SENATE		
716	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment of the full sessional indemnity for the Sixth Session of the Twenty-first Parliament, 1952, to Members of the Senate for days lost through absence caused by public business, by illness, or on account of death. Payments to be made as the Treasury Board may direct.....	11,500	
717	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 Sixth Session which commenced on February 28, 1952, and ended on April 9, 1952, 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 9, 1952, 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 the Sixth Session of the Twenty-first Parliament, $5,000; and in addition thereto a sum of $500 for the payment to Members of the Senate of the actual transportation and living expenses incurred during the Christmas adjournment of the Fifth Session of the Twenty-first Parliament, and not previously paid.....	5,500	
718	General Administration—Further amount required.....	12,337	
	HOUSE OF COMMONS		
719	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment of the full sessional indemnity for the Sixth Session of the Twenty-first Parliament, 1952, to members of the House of Commons for days lost through absence caused by public business, by illness, or on account of death. Payments to be made as the Treasury Board may direct.....	13,175	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION—*Concluded*		
	HOUSE OF COMMONS—*Concluded*		
720	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 Sixth Session, which commenced on February 28, 1952, and ended on April 9, 1952, 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 9, 1952, 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 the Sixth Session of the Twenty-first Parliament.....	18,000	
721	General Administration—Estimates of the Clerk—Further amount required.....	52,600	
722	Estimates of the Sergeant-at-Arms—Further amount required.	28,300	
			141,412
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	MINES BRANCH		
723	Mineral Resources Investigations— Construction or Acquisition of New Equipment—Further amount required.....	50,000	
	SURVEYS AND MAPPING BRANCH		
724	International Boundary Commission—Administration, Operation and Maintenance—Further amount required.....	16,650	
725	Legal Surveys and Aeronautical Charts—Administration, Operation and Maintenance—Further amount required.....	47,000	
726	Map Compilation and Reproduction— Construction or Acquisition of New Equipment—Further amount required.....	94,425	
	DOMINION OBSERVATORIES		
727	Dominion Observatory, Ottawa and Field Stations— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	13,000	
	B—DOMINION COAL BOARD		
728	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council—Further amount required.....	1,471,000	
			1,692,075
	NATIONAL HEALTH AND WELFARE		
	NATIONAL HEALTH BRANCH		
	Health Services		
729	Immigration Medical Services—Further amount required.....	46,544	
730	Laboratory of Hygiene— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	200,000	
731	Special Technical Services—Further amount required.....	30,000	
			276,544

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
732	Ports, Outports and Preventive Stations—Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	.....	66,000
	POST OFFICE		
733	Departmental Administration—Further amount required	75,000	
734	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—Further amount required	218,376	
735	Transportation—Movement of Mail by Land, Air and Water, including Administration—Further amount required	460,900	
			754,276
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
736	General Administration—Further amount required	5,500	
	GENERAL		
737	To provide for expenses of the Royal Commission on the South Saskatchewan Irrigation and Power Project—Further amount required	35,000	
			40,500
	PUBLIC ARCHIVES		
	B—BIBLIOGRAPHIC CENTRE		
738	Bibliographic Centre (National Library)—Further amount required	.....	10,600
	PUBLIC PRINTING AND STATIONERY		
739	Departmental Administration—Further amount required	18,137	
740	Distribution of Official Documents—Further amount required	3,000	
			21,137

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
	ARCHITECTURAL BRANCH		
741	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, furnishings, heating, etc.—Further amount required	645,000	
	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—		
742	Nova Scotia	1	
743	New Brunswick	1	
744	Quebec	625,000	
745	Ottawa	580,000	
746	Ontario (other than Ottawa)	583,000	
747	Manitoba	260,000	
748	Saskatchewan	241,000	
749	Alberta	116,000	
750	British Columbia	409,000	
	ENGINEERING BRANCH		
	Dredging		
751	Maintenance and Operation of Plant and Contract and Day Labour Works—Further amount required	121,000	
	Graving Docks		
752	Maintenance and Operation—Further amount required	14,100	
753	Prince Rupert Dry Dock and Shipyard and appurtenant works—To provide for operating losses and essential repairs in the period from January 1, 1952 to March 31, 1952 in accordance with the terms of Order in Council P.C. 95/6770 of December 15, 1951	20,000	
	Roads and Bridges		
754	Maintenance and Operation—Further amount required	100,000	
	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 upon individual listed projects—Further amounts required—		
755	Newfoundland	235,200	
756	Nova Scotia	814,000	
757	Prince Edward Island	12,000	
758	New Brunswick	190,000	
759	Quebec	750,000	
760	Ontario	1,163,600	
761	Manitoba	84,000	
762	Saskatchewan, Alberta and Northwest Territories	14,000	
763	British Columbia and Yukon	1,028,500	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	ENGINEERING BRANCH—*Concluded*		
	Harbours and Rivers Generally		
764	Repairs and Upkeep for the maintenance of services, including reconstruction and replacements, no new works to be undertaken—Further amount required	200,000	
	Generally		
765	Protection Works Generally—Further amount required	300,000	
	GENERAL		
766	Miscellaneous works not otherwise provided for, not more than $10,000 to be expended upon any one work—Further amount required	150,000	
767	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 1952-53—Further amount required	165,000	
			8,820,402
	RESOURCES AND DEVELOPMENT		
	NATIONAL PARKS BRANCH		
768	National Parks and Historic Sites Services— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	50,927	
	ENGINEERING AND WATER RESOURCES BRANCH		
769	Water Resources Division— Water Resources Division, including the Administration of the Dominion Water Power and Irrigation Acts— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	32,800	
770	Projects Division— To provide for a contribution by Canada to the improvement and reconstruction of the road between Patricia Bay Airport, Vancouver Island, and the city limits of Victoria, B.C., in accordance with the terms of the agreement between Canada and the Province of British Columbia—Further amount required	171,013	
771	To provide for advances made in the fiscal year 1951-52 by the Minister of Finance to the Northwest Territories Power Commission for power development in accordance with Section 17 (2) of the Northwest Territories Power Commission Act, Chapter 64, 11-12 George VI	1,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
772	Lands Division—Administration of Territorial and Public Lands; Seed Grain Collections—Further amount required	9,350	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Continued*		
	NORTHERN ADMINISTRATION AND LANDS BRANCH—*Continued*		
	Northern Administration Division—		
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
773	Operation and Maintenance—Further amount required.	45,600	
774	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required...	9,000	
775	To authorize payments to be made from the Consolidated Revenue Fund in respect of each of the five fiscal years commencing on the first day of April in the period from April 1, 1952, to March 31, 1957, to the Territorial Revenue Account of the Northwest Territories in accordance with an agreement to be entered into by the Minister of Finance, with the approval of the Governor in Council on behalf of the Government of Canada, and the Commissioner of the Northwest Territories with the approval of the Council of the Northwest Territories, on behalf of the Government of the Northwest Territories, such agreement to provide, on such terms and conditions as may be agreed upon, for payment of the total of amounts calculated on the following basis: *(a)* annual subsidy hereafter called the "population subsidy" to the Government of the Northwest Territories of eighty cents per head in respect of a population of sixteen thousand and four persons, being the population for the year 1951 as determined by the census taken in that year, $12,803.20, *(b)* compensation to the Government of the Northwest Territories in consideration of its agreement to suspend and to refrain from levying, and to require the municipalities in the Northwest Territories to suspend and to refrain from levying, individual income taxes, corporation income taxes, corporation taxes and succession duties, as defined in the agreement, for the five year period specified in the agreement, the amount of compensation for each year to be the amount by which the greater of (i) the guaranteed minimum annual amount of $186,000, or (ii) the adjusted annual amount which is an amount that is, in respect of a fiscal year, the average of amounts determined in respect of each of the two calendar years immediately preceding the fiscal year, each of such amounts to be the greater of (A) the guaranteed minimum annual amount, or (B) the amount that is the product of the guaranteed minimum annual amount and the product of the ratio that the value of the gross National product per capita in the respective calendar year bears to the said value in the calendar year 1948 and the ratio that the population of the Northwest Territories for the respective calendar year bears to the said population in the calendar year 1948, the said ratios to be determined by the Dominion Statistician, exceeds the amount of the population subsidy, the estimated amount of compensation for the fiscal year 1952-53 being $226,473.02,		

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Continued*		
	NORTHERN ADMINISTRATION AND LANDS BRANCH—*Continued*		
	Northern Administration Division—*Continued*		
	Northwest Territories, etc.—*Concluded*		
	the estimated total amount required for the fiscal year 1952-53 being $239,276.22	239,277	
	Forest Conservation and Wildlife Management, including Wood Buffalo Park—		
776	Operation and Maintenance—Further amount required.	8,150	
777	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required...	49,650	
	Yukon Territory, including Forest Conservation—		
778	Operation and Maintenance—Further amount required.	261,400	
779	To authorize payments to be made from the Consolidated Revenue Fund in respect of each of the five fiscal years commencing on the first day of April in the period from April 1, 1952, to March 31, 1957, to the Yukon Consolidated Revenue Fund in accordance with an agreement to be entered into by the Minister of Finance, with the approval of the Governor in Council on behalf of the Government of Canada, and the Commissioner of the Yukon Territory with the approval of the Council of the Yukon Territory, on behalf of the Government of the Yukon Territory, such agreement to provide, on such terms and conditions as may be agreed upon, for payment of the total of amounts calculated on the following basis: *(a)* grant in lieu of grants to the Government of the Yukon Territory for support of Government and Legislature and other special grants, $30,000, *(b)* annual subsidy hereafter called the "population subsidy" to the Government of the Yukon Territory of eighty cents per head in respect of a population of nine thousand and ninety-six persons, being the population for the year 1951 as determined by the census taken in that year, $7,276.80, and *(c)* compensation to the Government of the Yukon Territory in consideration of its agreement to suspend and to refrain from levying, and to require the municipalities in the Yukon Territory to suspend and to refrain from levying, individual income taxes, corporation income taxes, corporation taxes and succession duties, as defined in the agreement for the five year period specified in the agreement, the amount of compensation for each year to be the amount by which the greater of (i) the guaranteed minimum annual amount of $170,487, or (ii) the adjusted annual amount which is an amount that is, in respect of a fiscal year, the average of amounts determined in respect of each of the two calendar years immediately preceding the fiscal year, each of such amounts to be the greater of (A) the guaranteed minimum annual amount, or (B) the amount that is the product of the guaranteed minimum annual amount and the product of the ratio that the value of the gross national product per capita in the respective calendar year bears to the said value in the calendar		

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	RESOURCES AND DEVELOPMENT—*Concluded*		
	NORTHERN ADMINISTRATION AND LANDS BRANCH—*Concluded*		
	Northern Administration Division—*Concluded*		
	Yukon Territory—*Concluded*		
	year 1948 and the ratio that the population of the Yukon Territory for the respective calendar year bears to the said population in the calendar year 1948, the said ratios to be determined by the Dominion Statistician,		
	exceeds the amount of the population subsidy, the estimated amount of compensation for the fiscal year 1952-53 being $222,233.45,		
	and to authorize payment of an amount not exceeding $182.92 to the Government of the Yukon Territory in consideration of the release of its right to payment by the Government of Canada of interest and penalties in respect of overdue taxes under Clause four of the Agreement, as amended, entered into pursuant to chapter 21, Ordinances of the Yukon Territory, 1948; the estimated total amount required for the fiscal year 1952-53 being $259,693.17...	259,694	
			1,137,861
	ROYAL CANADIAN MOUNTED POLICE		
	Land Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
780	Operation and Maintenance—Further amount required.....	303,698	
781	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	608,851	
	Marine Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
782	Operation and Maintenance—Further amount required.....	9,000	
783	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	850	
	Aviation Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
784	Operation and Maintenance—Further amount required.....	4,000	
785	Construction or Acquisition of New Equipment—Further amount required.....	3,000	
	PENSIONS AND OTHER BENEFITS		
786	Government's contribution to the Royal Canadian Mounted Police Pension Account.....	452,910	
			1,382,309
	SECRETARY OF STATE		
	PATENT AND COPYRIGHT OFFICE		
787	Copyright and Industrial Designs Division—Further amount required.....	.....	7,009

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	EXHIBITIONS		
788	Canadian International Trade Fair, 1953—To provide for preparatory expenses of a Canadian International Trade Fair in 1953, the remaining amount required to be provided in the Main Estimates for 1953-54	319,000	
	CANADA GRAIN ACT		
	Canadian Government Elevators—		
789	Operation and Maintenance Expenses—Further amount required	192,909	
	SPECIAL		
790	To provide hereby, notwithstanding anything contained in the Financial Administration Act or any other Act or Law, for payment out of the Consolidated Revenue Fund to the widow of the late Joseph MacLeod Boyer of an annuity at the rate of $1,248 to commence from February 1, 1952, and to continue during her lifetime	1,456	
			513,365
	TRANSPORT		
	A—DEPARTMENT		
	CANAL SERVICES		
791	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	597,220	
792	To provide for expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations—Further amount required	15,000	
793	For settlement of some 257 petitions of right, in accordance with the judgment of the Privy Council in 1952, in the petition of right of Canada Steamship Lines, Ltd., versus the Queen as a result of destruction by fire in 1944 of St. Gabriel Shed No. 1, of the Department, on the Lachine Canal	400,000	
	MARINE SERVICES		
	Marine Service Steamers—		
794	Construction or Acquisition of Vessels and Equipment, as detailed in the Estimates—Capital—Further amount required	827,500	
	Aids to Navigation—		
795	Administration, Operation and Maintenance—Further amount required	50,421	
796	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	63,020	
	Nautical Services—		
797	Operation and Maintenance—Further amount required	16,400	
	Pilotage Service—		
798	Operation and Maintenance—Further amount required	35,800	
799	Construction or Acquisition of Buildings, Works, Land and New Equipment	11,500	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	MARINE SERVICES—*Concluded*		
800	Steamship Inspection—Further amount required	9,300	
801	To reimburse Ecole Technique de Rimouski, Inc., in an amount not exceeding $200,000, 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: Gross estimated cost $200,000 *Less:* Expenditures for this purpose under Vote 804, Estimates of 1951-52 143,226	56,774	
	RAILWAY AND STEAMSHIP SERVICES		
802	Strait of Canso—Transportation improvements and facilities—Capital—Further amount required	450,000	
	Canadian Government Railways—		
803	Construction or Acquisition of Auto-Ferry Vessels, as detailed in the Estimates—Capital—Further amount required	300,000	
804	Construction or Acquisition of Vessels for Newfoundland Coastal Services—Preliminary plans and specifications.	100,000	
	AIR SERVICES		
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
805	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required	174,800	
	Radio Act and Regulations—		
806	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	20,500	
	Radio Aids to Marine Navigation—		
807	Administration, Operation and Maintenance—Further amount required	100,000	
	Telegraph and Telephone Service—		
808	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	210,000	
	Northwest Communication System—		
809	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required	23,500	
	Meteorological Division		
810	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required	33,000	
	Civil Aviation Division		
	Airways and Airports—		
	Operation and Maintenance—		
811	Airway and Airport Traffic Control—Further amount required	33,800	
	Construction Services—		
812	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required	398,810	
813	Contributions, subject to the approval of the Governor in Council, to assist municipalities in the development of and improvement to airports, the sites of which have been provided by such municipalities—Further amount required	94,105	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General		
	Canadian Maritime Commission		
814	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	55,000	
	National Harbours Board		
815	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 1952 on the following account:		
	Reconstruction and Capital Expenditures—Halifax—Further amount required	430,000	
			4,506,450
	VETERANS AFFAIRS		
	Pensions and Other Benefits		
816	War Veterans' Allowances—Further amount required	5,850,000	
817	Gallantry Awards—World War II and Special Force—Further amount required	3,000	
	Soldier Settlement and Veterans' Land Act		
818	To authorize the expenditure of funds provided under Vote 552 of the 1952-53 Main Estimates 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	1	
			5,853,001
	LOANS, INVESTMENTS AND ADVANCES		
	Canadian Broadcasting Corporation		
819	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	2,000,000	

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	TRANSPORT		
	National Harbours Board		
820	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 1952 on the following account:		
	Reconstruction and Capital Expenditures—Montreal—Further amount required	1,070,000	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
821	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment; refund of surplus to veterans (Section 19); and for protection of security under the Veterans' Land Act—Further amount required	2,500,000	
			5,570,000
	TOTAL		82,732,188