

Under the Tariff Board Act, the Board makes inquiry into and reports upon any matter in relation to goods that, if brought into Canada or produced in Canada, are subject to or exempt from duties of customs or excise and on which the Minister of Finance desires information. The investigation into any such matter may include inquiry as to the effect that an increase or decrease of the existing rate of duty upon a given commodity might have upon industry or trade and the extent to which the consumer is protected from exploitation. It is also the duty of the Board to inquire into any other matter in relation to the trade and commerce of Canada that the Governor in Council sees fit to refer to the Board for inquiry and report. Usually the references take one of two forms: authority for review of sections of the Customs Tariff relating to an entire industry, or for investigation in respect of specified commodities. Reports are tabled in Parliament.

Under the provisions of the Customs Act and the Excise Tax Act, the Tariff Board acts as a court to hear appeals from rulings of the Department of National Revenue in respect of matters of administration including those of excise taxes, tariff classification, value for duty, and drawback of customs duties. Declarations of the Board on appeals on questions of fact are final and conclusive, with provision for appeal on questions of law to the Exchequer Court of Canada. Tariff references and appeals receive public hearings at which interested parties submit oral statements and written briefs relating to matters under consideration.

Subsection 2.—Tariff and Trade Arrangements with Other Countries as at Oct. 1, 1955

Canada's tariff arrangements with other countries fall into three main categories: trade agreements with a number of Commonwealth countries; the General Agreement on Tariffs and Trade (GATT); and other agreements and arrangements.

The Commonwealth countries with which Canada has trade agreements are as follows: Australia, British West Indies, Ceylon, Ireland, New Zealand, Union of South Africa and the United Kingdom and Colonies. A preferential arrangement is also in force with respect to the Federation of Rhodesia and Nyasaland and preferences are accorded by Canada to India and Pakistan. These agreements and arrangements have been modified and supplemented by the GATT.

Canada exchanges most-favoured-nation treatment with 34 countries under the General Agreement on Tariffs and Trade. The Protocol of Provisional Application of the General Agreement on Tariffs and Trade was signed by Canada on Oct. 30, 1947 and brought the Agreement provisionally into force on Jan. 1, 1948.

The GATT is a multilateral trade Agreement and the concessions negotiated under it apply equally to all signatories. All GATT signatories exchange most-favoured-nation treatment. The Agreement consists of three parts: the general provisions related to the schedules of tariff concessions and the exchange of most-favoured-nation treatment; the provisions relating to commercial policy; and the administrative provisions.

Under the new system of multilateral tariff negotiations initiated under the GATT, four general rounds of negotiations have taken place: at Geneva, Switzerland, in 1947; at Annecy, France, in 1949; at Torquay, England, in 1950-51; and again at Geneva in 1955. The tariff concessions Canada granted and received at the first Geneva Conference are described in the 1948-49 Year Book, pp. 875-877, and those negotiated at Annecy are discussed in the 1950 Year Book, pp. 968-970. The Torquay negotiations were discussed in the 1952-53 edition, pp. 996-997. The existing tariff concessions remain in force until Jan. 1, 1958 and thereafter unless modified in accordance with the terms of the Agreement.

Canada already had most-favoured-nation trade agreements with a number of GATT members prior to the effective date of the General Agreement. These agreements with individual countries continue in force in conjunction with the General Agreement. As an exception however the Canada-U.S. Trade Agreement of 1938 is suspended for so long as both countries continue to be contracting parties to GATT.