

MEMORANDUM

- 3. APR. 1937

CIRCULAR

No. 699-C
(Revised)

DEPARTMENT OF NATIONAL REVENUE, CANADA

OTTAWA, March 22, 1937.

SPECIAL SERVICES AND OVERTIME

(Superseding Memorandum No. 331 and Circular 699-C)

To Collectors of National Revenue and others concerned:

The Order in Council, dated 27th March, 1930, respecting the extra service of Customs-Excise officers reads as follows:—

“His Excellency the Governor General in Council, on the recommendation of the Minister of National Revenue, is pleased to order that the Regulations established by Order in Council, dated July 28, 1903, respecting the extra service of Customs officers, and all other orders inconsistent herewith, be cancelled on and from the 1st of April, 1930, and the following regulations, in regard to the attendance of Customs and Excise officers and their pay for overtime, and also in respect of the Special Services in the outside Customs and Excise Services of the Department of National Revenue, shall be and the same are hereby made and established to take effect on and after the 1st of April, 1930:—

1. Customs-Excise offices are to be kept open during days of business on Saturdays from 9 a.m. to 1 p.m. and on other days of business from 9 a.m. to 5 p.m. except as otherwise ordered by the Minister of National Revenue.

These hours are to be prolonged so far as relates to the attendance and service of any particular officers or class of officers, without extra compensation to officers, whenever deemed by the Minister of National Revenue to be required by the necessities or interests of the public service.

The usual and ordinary hours of service for outdoor Customs and Excise officers shall be from 8 a.m. to 5 p.m. with an allowance of one hour for lunch on all days of business. These hours may be changed, however, when necessary to meet special or peculiar conditions, or to enable staff to be employed more efficiently or economically.

2. The Minister of National Revenue may pay out of moneys available for the purpose, an overtime allowance to Customs and Excise officers for services performed on holidays, and in excess of 8 working hours per day on other days when the salaries of the officers do not cover such services, under regulations prescribed by the Minister of National Revenue, but no overtime shall be paid for services of less than one-half hour immediately following the officer's regular hours of duty.

The overtime allowance shall not exceed the rate or amount authorized by the Minister of National Revenue except in special cases approved by him.

Full Memo

3. The following services shall be deemed to be Special Customs or Excise Services for which a reasonable compensation, as fixed from time to time by the Minister of National Revenue, shall be paid by the persons accommodated, to His Majesty, viz:—

- (a) Services performed by a Customs or Excise officer for which an overtime allowance is authorized to be paid, except as otherwise from time to time determined by the Minister of National Revenue.
- (b) Services of a Customs officer performed outside of Canada at the request of the railway companies or others accommodated.
- (c) Services of Customs officers on board moving trains and vessels performed at the request of the railway companies or others accommodated, unless otherwise directed by the Minister.
- (d) Attendance of Excise officers outside of their regular hours at licensed Excise establishments.
- (e) Such other Customs or Excise service of a special character or class as may be granted with the approval of the Minister of National Revenue on application of the persons or others accommodated.

4. Requests for Customs or Excise special service and for service outside the usual business days and hours shall be presented to the proper officer in sufficient time to enable him to make arrangements for the attendance of the necessary officers to perform the service if approved and acceded to.

5. The charge for Customs and Excise Special Services shall be paid to the Collector of the Port having supervision of the Services, who shall keep accounts and make returns thereof, and also of officers' overtime, as directed by the Minister of National Revenue. Collectors shall deposit all collections of charges for Customs and Excise Special Services to the credit of the Receiver General.

When the service is performed by an officer who is not attached to any port the charge for the services of such officer shall be paid direct to the department.

(Sgd.) E. J. LEMAIRE,

Clerk of the Privy Council.

REGULATIONS ESTABLISHED BY THE MINISTER UNDER THE AUTHORITY OF THE ABOVE QUOTED ORDER IN COUNCIL

SPECIAL SERVICES, RAILWAY, STEAMSHIP AND OTHER TRANSPORTATION COMPANIES, OUTSIDE REGULAR HOURS

1. Railways, steamship and other transportation companies, until otherwise ordered, are exempt from payment of charges for the authorized attendance of Customs officers at offices, stations and wharves in Canada on holidays and outside of regular hours, except on Sundays and attendance for local delivery of goods.

"Customs Holiday" Defined

2. The expression "Customs holiday" is held to include: Sunday, New Year's Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, Labour Day, Christmas Day, the birthday or the day fixed by proclamation for the celebration of the birthday of the reigning Sovereign, and any day appointed by proclamation of the Governor General in Council for a general fast or thanksgiving.

Payment and Recording of Overtime

3. The overtime of officers, in all cases where authorized, will be paid by the department. The actual overtime of each officer is to be kept and stated in the overtime sheet in the form prescribed, and is to be certified and forwarded monthly by the Collector to the department and also to the District Inspector computing such overtime only as authorized in respect of services on holidays and in excess of eight working hours per day on other days.

It is the duty of the Collector to see that Overtime Service is not incurred unless necessary to facilitate the despatch of public business or for the protection of the revenue and he will be held strictly accountable to the department for the accuracy of the accounts rendered, as well as for the justification for the expenditures.

Where there is a surveyor he will be held directly responsible under the Collector.

4. An account of the charges for Special Customs or Excise Services is to be rendered by the Collector to the Company or person for whom the service has been granted. The Collector shall at the close of each month render an account of moneys received for Special Customs and Excise Services on Form K-2b.

Deposit of Charges Collected

5. The Collector shall deposit all collections of charges for special Customs and Excise Services to the credit of the Receiver General as Sundry Collections.

Rate and Computation of Overtime

6. Except when otherwise provided for in special instructions the rate prescribed for authorized overtime of Customs-Excise officers is seventy-five cents per hour of service, but no consideration is to be given to overtime of one-half hour or less when such overtime service is rendered immediately after the officer's regular hours of service.

As a general rule authorized overtime not exceeding two hours rendered at one time may be computed as two hours, when the service is not performed immediately before or after the officer's regular hours. For services rendered between 7 and 8 a.m. or between 5 and 6 p.m. only one hour will be allowed, and the same principle will apply if an officer's regular hours should be changed.

The maximum overtime to be allowed any Customs Officer on one day, not being a Sunday or other holiday, is two hours (except as otherwise authorized by the department under special circumstances).

Overtime may, however, be allowed under special conditions when actually served and when the charge to the Customs does not exceed 4 hours combined on two successive days.

Officers at limited service ports, outports and preventive stations where the salary is based upon the amount of business are not entitled to any additional remuneration under these regulations.

While the hours of outdoor officers are from 8 a.m. to 5 p.m. it is understood that such officers shall be allowed one hour for lunch and also that these hours may be changed when necessary to meet special or peculiar conditions, or to enable the staff to be more efficiently or more economically employed.

It is understood that Guards and Watchmen will serve their hours of duty without intermission.

Excise Officers

7. Officers in charge of Excise Surveys will be governed by the above regulations in respect to hours of service and compensation for overtime.

Christmas and New Year Extra Services in Postal Parcels Branches

8. During the Christmas and New Year period from December 15 to January 3, overtime will be allowed for services rendered by officers of the Customs Postal Parcels Branches in excess of eight working hours and for Sundays and holidays. Surveyors at city ports will be held strictly accountable to the department for the accuracy of accounts rendered for overtime services provided for in this paragraph. It is their duty and responsibility to see that accounts are rendered only for such overtime service as is actually performed and absolutely necessary to facilitate the despatch of public business.

Tourists' Vehicles

9. No fee is to be collected from the owners of Tourists' automobiles, motor cycles, or other vehicles for Customs attendance (on regular days, Sundays or holidays), but for services rendered in connection with inward or outward reports of such vehicles outside of regular hours of service Customs officers are entitled to regular overtime allowance, except at limited service ports, outports and preventive stations where the salary is based upon the amount of business and no regular hours are set for the officer. (Vide Section 12, Memorandum No. 2.)

HOURS OF SERVICE IN THE LONG ROOM, CUSTOMS WAREHOUSES AND STATIONS

1. Collectors and Executive officers, such as the Surveyor and the Chief Clerk of the Long Room, should clearly understand that they are required to remain on duty until 1 p.m. on Saturday, and 5 p.m. on other business days, or later if necessary to finish the day's transactions.

2. Declaration Clerks shall take entries up to 4.30 p.m. of each business day except Saturday, when they shall take them up to 12.30. Entries taken up to 12 noon on Saturday and up to 4 p.m. on other days shall be dealt with by the Computing Clerks on the day on which they are taken. Entries taken between 12 and 12.30 on Saturday and between 4 and 4.30 on other days shall be dealt with by the Computing Clerks on the following business day.

3. Manifest Clerks are required to check and compare entries until 4.30 p.m. each business day except Saturday, when entries are to be checked and compared until 12.30 p.m. They are to cancel and acquit manifests and sign Collector's Permits (C 1 and C 2), up to 5 p.m. on each business day, except Saturday, when they will cancel and acquit manifests up to 1 p.m.

4. Computing Clerks are to check all entries received by them from the Chief Computing Clerk up to 4.30 p.m. each business day, except Saturday, when they will check all entries received up to 12.30 p.m. All entries received up to 4 p.m. on each business day, except Saturday, are to be checked by the Computing Clerks before leaving their desks and passed on to the Cashiers for action, and Computing Clerks are to remain until 5 p.m. or later if necessary to complete the transactions of the day, each business day except Saturday, when they are to remain until 1 p.m. or later if necessary to finish the day's transactions.

5. Cashiers employed at city ports are to accept Customs and Excise duties and taxes up to 4.30 p.m. each business day, except Saturday, when duties are to be accepted up to 1 p.m. They are to remain until the business of the day is finished and the cash balanced and accepted from them by the Port Accountant. Accountants are to remain until 1 p.m. on Saturdays and 5 p.m. on other business days, or later if necessary to complete the transactions of the day.

6. Postal Parcel and Express officers are subject to the same hours of service as officers performing similar service in the Long Room. The Postal Parcels Branch shall remain open for the transaction of business until 6 p.m. on each business day during the period from the 15th December to the 3rd January inclusive, in order to facilitate the prompt delivery of postal parcels during the Christmas season, but no overtime payment will be made for the service between the hours of 5 and 6 p.m.

7. Appraisers and Assistant Appraisers are to remain on duty until 1 p.m. on Saturdays and 5 p.m. on other business days, or later if necessary to complete the work of the day.

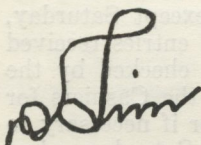
General

8. Long Room and Record Room officers and Warehouse Ledger Clerks are required to report for duty promptly at 9 a.m. each business day and to remain until 1 p.m. on Saturdays, and 5 p.m. on other business days, or later if necessary to complete the work of the day. The general rule that all current work of the day shall be finished on that day, if possible, is to be adhered to.

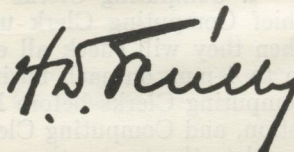
9. Customs-Excise examiners and other outside officers are to be on duty from 8 a.m. to 5 p.m. on each business day including Saturday. Customs truckmen and all other officers employed in the Examining and King's warehouses shall be on duty from 8 a.m. to 5 p.m. each business day except Saturday, when they are to remain on duty until 1 p.m. or later if required.

General Note

The above hours may be changed or staggered if by so doing the staff can be more efficiently or more economically employed.



Commissioner of Excise.



Commissioner of Customs.