

Section 11.—Harbour Commissions.

A number of the harbours of Canada are administered by corporate bodies known as Harbour Commissions. Each Commission is constituted by a special Act of the Dominion Parliament, the number of Commissioners varying from three to five. The property of the Crown in the harbour is placed under the jurisdiction of the Commission, and the Commissioners are authorized to acquire and hold real and personal property for the improvement and development of the harbour, but any property acquired from the Crown may not be alienated or in any way disposed of by the Commissioners without the consent of the Governor in Council. The Commissions are given power to make by-laws for all purposes of governing the harbour property and services and for the imposition and collection of rates on vessels and on cargo landed and shipped in the harbour, and also to impose penalties for infraction of their by-laws (but every such by-law must be confirmed by the Governor in Council before becoming effective), and they have control of the expenditure of the revenue received from these sources. For the purposes of harbour development and the construction of improvements, a Commission may, with the consent of the Governor in Council, expropriate land, and borrow money on debentures issued against the security of the real and other property and revenues of the harbour. For the harbours of Quebec, Montreal and Vancouver, the Dominion Government has, for some years past, lent to the Commissioners large sums on this security, and loans, on similar conditions, have now been authorized to the more recently created Commissions at Chicoutimi, Que., Saint John and Halifax. All the Commissions are under the direct supervision of an official of the Marine Department and are subject to the jurisdiction of the Minister of Marine in all matters.

The following harbours are administered by Commissions, the date of the Act under which each Commission received its present constitution and powers being given:—Montreal, 1894; Quebec, 1899; Three Rivers, 1882 (amended 1923); Toronto, 1911; Hamilton, 1912; Belleville, 1889; Winnipeg and St. Boniface, 1912; Vancouver, 1913; New Westminster, 1913; North Fraser, 1913; Trenton, Ont., 1922; Chicoutimi, 1926; Saint John, 1927; Halifax, 1927. The harbours of North Sydney and Pictou, Nova Scotia, were formerly under the commission form of administration, but the legislation providing for Commissions in these harbours was repealed, and all property and rights held by the Commissioners were re-vested in His Majesty by legislation passed in the years 1914 and 1920 respectively, repeal in each case being effective from Jan. 1 following.

Harbour Masters.—In the smaller maritime communities where the harbours are not under the commission form of administration, a harbour may be proclaimed a Public Harbour under Part 12 of the Canada Shipping Act (Chap. 186, R.S.C. 1927), and an officer known as Harbour Master appointed, who has charge of the harbour property and facilities, and whose duty it is to enforce the regulations made under the authority of the Act for the governance of persons and vessels using the harbour. He receives his remuneration from the fees levied on vessels under the terms of the Act, and operates under the direct control of the Department of Marine. Approximately 170 harbours on the coasts of Canada are administered in this manner.