

Such control inevitably brings with it elements of monopoly and possible overcharge, and it has been deemed advisable in Canada, as in other countries, to set up authorities to control the rates to be charged and the other conditions under which services to the public are to be rendered by common carriers. This control, so far as the railways within the jurisdiction of the Dominion Government are concerned, is now in the hands of the Board of Transport Commissioners. From time to time the regulatory authority of the Commission has been extended to a limited extent to other utilities (see below).

Besides the Board of Transport Commissioners, there exist, in several of the provinces, bodies that undertake among their duties the supervision and control of local public utilities operating under the jurisdiction of the provinces, and the regulation of their rates for service. Among these are the Ontario Department of Municipal Affairs (formerly the Railway and Municipal Board of Ontario, established in 1906), the Quebec Commission of Public Utilities established in 1909, the Nova Scotia Board of Commissioners of Public Utilities and the Public Utilities Commission of Manitoba. In the three most westerly provinces these same duties are performed by provincial Departments of Railways.

**The Board of Transport Commissioners for Canada.\***—Introductory paragraphs explaining the situation that led to the introduction of railway regulation by commission in Canada, as well as other information relating to the organization of the Board, procedure, judgments, etc., are given at pp. 633-634 of the 1940 Year Book.

*Powers of the Board.*—With regard to transport by rail, these cover matters relating to the location, construction and operation of railways. The most important of these powers has to do with rate regulation. Passenger rates are divided into standard and special; freight rates into standard, special and competitive. Standard rates are maximum rates and the only ones that must be approved by the Board before they are applied. Special and competitive rates, being less than maximum rates, may be applied by railways without the Board's approval, provided that a change of rates has been advertised. But important rate adjustments usually come to the notice of the Commission, for a changed rate alters the extent of the territory in which a shipper can compete and on this account he is apt to appeal the case to the Commission.

By an amendment to the Railway Act, the regulation of telephone, telegraph and express rates was given to the Commission, but with narrower powers than were given to it in dealing with railways. By the Transport Act, 1938, as amended by 8 Geo. VI, c. 25 (1944), and since Jan. 15, 1939, following a proclamation of the Governor in Council to that effect, the Board has also the power to issue licences to ships engaged in the transportation of passengers or goods on the Great Lakes, as defined in Sect. 2, Subsection 1 (f), of the Transport Act, 1938. The Board is required to perform the functions vested in it under the Transport Act and the Railway Act with the object of co-ordinating and harmonizing the operations of all carriers engaged in transport by railways and ships. The Board may require every applicant for a licence under the Transport Act to establish public convenience and necessity to its satisfaction and take into consideration the financial responsibility of a licensee or applicant. The Board may, in the licence, state the ports between which the ships named therein may carry goods or passengers and the schedule of services which shall be maintained; every standard tariff and every amendment and supplement thereto shall require the approval of the Board before it becomes effective.

\* Revised by P. F. Baillargeon, Secretary, Board of Transport Commissioners for Canada, Ottawa.