

## PART II.—GOVERNMENT AIDS TO AND CONTROL OF DOMESTIC TRADE

During the post-war period, the elaborate system of government control of trade that the war effort made necessary was gradually relaxed (*see* the 1948-49 Year Book, pp. 837-841) until, by the beginning of 1949, only those measures to protect domestic requirements and prevent the forcing upward of prices in the Canadian market remained; since then even these have practically disappeared.

### Section 1.—Controls Affecting the Handling and Marketing of Grain

The agencies exercising control of the grain trade in Canada include the Board of Grain Commissioners, which since 1912 has administered the provisions of the Canada Grain Act, and the Canadian Wheat Board, which operates under the Canadian Wheat Board Act, 1935. The former is a quasi-judicial and administrative body which, through the powers vested in it in matters of interprovincial transportation and patents and copyrights, gives the Federal Government complete power to control the handling of grain; it has no power or duties in respect of grain prices. The Canadian Wheat Board, which began to function in the autumn of 1935, was a natural outgrowth of government stabilization measures that were taken during the depression years of the 1930's in regard to the marketing of grain crops. During this period, the Government acquired a considerable quantity of wheat and, in the 1935 session of Parliament, legislation was passed to serve the dual purpose of disposing of the holdings so acquired and, at the same time, arranging for the marketing of new crops.

An account of the organization and functions of the Board of Grain Commissioners appears in the 1941 Year Book, pp. 481-482. An article on the operations of the Canadian Wheat Board is commenced in the 1939 Year Book, pp. 569-580, and concluded in the 1947 edition.

### Section 2.—Combinations in Restraint of Trade\*

Federal legislative measures for aiding and regulating trade include specific prohibitions of operation against the public interest by monopolies and similar commercial combinations. Monopolistic trade arrangements tending to eliminate competition in price, supply or quality of goods, and thereby to restrain trade unduly, are illegal under the Combines Investigation Act and Sect. 498 of the Criminal Code. These laws are designed to promote reasonable competitive opportunities for the expansion of production, distribution and employment.

The first federal legislation in this field was enacted in 1889 and is still effective in amended form as Sect. 498 of the Criminal Code. Legislation providing for investigation of trusts or combines was first enacted in 1897 as part of the Customs Tariff Act. In 1910 a separate Combines Investigation Act was passed and further legislation was enacted in 1919 and 1923.

**The Combines Investigation Act.**—The Combines Investigation Act (R.S.C. 1952, c. 314), enacted in 1923, provides for the investigation of trade combinations, monopolies, trusts or mergers alleged to have operated to the detriment of the

\* Revised by T. D. MacDonald, Q.C., Director of Investigation and Research, Combines Investigation Act, Department of Justice, Ottawa.