

While marketing board legislation has been revised from time to time on the basis of experience and there are variations in detail from province to province, the same basic powers are given to producers in all provinces. These powers include authority for a duly constituted producer board to control the marketing of 100 p.c. of a specified commodity produced in a designated area. A producers' board, in at least some provinces, may set production quotas for each farmer. One producers' board may control the marketing of several related commodities and the designated area may be either the whole or part of a province. A producer vote is usually required to establish a producer marketing board whose powers are delegated either by a provincial marketing board, which has certain supervisory authority, or by the Lieutenant-Governor in Council.

The powers of a producers' board provided by provincial legislation are necessarily limited to intraprovincial trade. Under the Agricultural Products Marketing Act, the Federal Government may delegate to a marketing board with respect to interprovincial and export trade similar powers to those obtained with respect to intraprovincial trade under provincial authority. This Act also gives the Governor in Council the right to authorize a provincial marketing board to impose and collect levies from persons engaged in the production and marketing of commodities controlled by it for the purposes of the board, the creation of reserves and equalization of returns.

In 1966 there were 107 such marketing boards, including the Canadian Wheat Board (previously excluded from the total), organized in Canada, 62 of which were in the Province of Quebec and 20 in Ontario; each of the other provinces with the exception of Newfoundland had one or more boards. It is estimated that about 42 p.c. of the 1966 farm cash income was received from sales made under the control of provincial marketing board plans, including the following commodities: hogs, certain dairy products, poultry, wool, tobacco, wheat, soybeans, sugar beets, potatoes, other vegetables, fruits, seed corn, white beans, honey, maple products and pulpwood. As at Oct. 31, 1966, 41 of these provincial boards had received an extension of powers for purposes of interprovincial and export trade from the Federal Government. Five boards had received authority with regard to seven commodities to collect levies in excess of administrative expenses.

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

The purpose of Canadian anti-combines legislation is to assist in maintaining free and open competition as a prime stimulus to the achievement of maximum production, distribution and employment in a system of free enterprise. To this end, the legislation seeks to eliminate certain practices in restraint of trade that serve to prevent the nation's economic resources from being most effectively used for the advantage of all citizens.

By amendments that came into force on Aug. 10, 1960 (SC 1960, c. 45), all the provisions of the anti-combines legislation which previously had been divided between the Combines Investigation Act (RSC 1952, c. 314) and the Criminal Code were amended and consolidated in the Act. The substantive provisions now are contained in Sects. 2, 32, 33, 33A, 33B, 33C and 34 of the Combines Investigation Act. The Act was enacted in 1923 and was amended extensively in 1935, 1937, 1946, 1949, 1951 and 1952 as well as in 1960.

Sect. 32, generally speaking, forbids in Subsect. (1) combinations that prevent or lessen "unduly" competition in the production, manufacture, purchase, barter, sale, storage, rental, transportation or supply of an article of trade or commerce or in the price of insur-

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