

Judges of the Federal Court of Canada as at December 31, 1973

Chief Justice, Hon. Wilbur Roy Jaccett (*first appointed to Exchequer Court, May 4, 1964—changed to Federal Court, June 1, 1971*)

Associate Chief Justice, Hon. Camilien Noël (*first appointed to Exchequer Court, March 12, 1962—changed to Federal Court, June 1, 1971*)

Court of Appeal Judges: Hon. Mr. Justice Arthur Louis Thurlow (*appointed August 29, 1956—June 1, 1971*), Hon. Mr. Justice Louis Pratte (*appointed January 25, 1973, first appointed to Trial Division, June 10, 1971*), Hon. Mr. Justice John James Urie (*appointed April 19, 1973*)

Trial Division Judges: Hon. Mr. Justice Angus Alexander Cattanach (*appointed March 27, 1962—June 1, 1971*), Hon. Mr. Justice Hugh Francis Gibson (*appointed May 4, 1964—June 1, 1971*), Hon. Mr. Justice Allison Arthur Mariotti Walsh (*appointed July 1, 1964—June 1, 1971*), Hon. Mr. Justice Roderick Kerr (*appointed November 1, 1967—June 1, 1971*), Hon. Mr. Justice Darrel Verner Heald (*appointed June 30, 1971*), Hon. Mr. Justice Francis Urquhart Collier (*appointed September 16, 1971*), Hon. Mr. Justice Patrick Morgan Mahoney (*appointed September 13, 1973*), Hon. Mr. Justice Raymond G. Decary (*appointed September 13, 1973*), Hon. Mr. Justice George Arthur Addy (*appointed September 17, 1973*)

Deputy Judges of the Federal Court of Canada: Hon. Mr. Justice Robert S. Furlong, Hon. Mr. Justice James D. Higgins, Hon. Mr. Justice Dalton C. Wells.

Miscellaneous courts. The Railway Act, 1903 (RSC 1970, c.R-2) established the Board of Railway Commissioners for Canada as a court of record; by the Transport Act, 1938 (RSC 1970, c.T-14) the name was changed to the Board of Transport Commissioners for Canada, and by the National Transportation Act, 1967 (RSC 1970, c.N-17) to the *Canadian Transport Commission*. This court exercises jurisdiction with respect to transport matters under the Railway Act and the National Transportation Act, and with respect to telegraph and telephone matters under the Railway Act. The Governor in Council is given jurisdiction to vary or rescind any order of the Commission and an appeal lies from the Commission to the Supreme Court of Canada on a question of jurisdiction or of law.

By virtue of Section 91(21) of the British North America Act, 1867, Parliament has exclusive legislative jurisdiction in relation to bankruptcy and insolvency. By the Bankruptcy Act (RSC 1970, c.B-3) the superior courts of the provinces are constituted *bankruptcy courts*; original jurisdiction is conferred upon the trial courts and appellate jurisdiction is conferred upon the appeal courts of the provinces.

The Tax Review Board, created in 1949 as the Income Tax Appeal Board and later changed to the Tax Appeal Board, now operates under the Tax Review Board Act 1970 (SC 1970-71, c.11). The Board is a court of record and has jurisdiction to hear appeals by taxpayers against their assessment under the Income Tax Act and also appeals under the Estate Tax Act, the Old Age Security Act and certain sections of the Canada Pension Plan. An appeal lies from the Board to the Federal Court of Canada and a further appeal from that Court to the Supreme Court of Canada.

The Court Martial Appeal Court was established in 1959 by an amendment to the National Defence Act (RSC 1970, c.N-4). The judges of the Court are not fewer than four judges of the Federal Court of Canada designated by the Governor in Council and such additional judges of a superior court of criminal jurisdiction as are appointed by the Governor in Council. The Governor in Council designates one of the judges to be president of the Court. The Court hears appeals from courts martial respecting the legality of a finding of guilty on any charge and the legality of a sentence passed by a court martial. An appeal lies from the Court Martial Appeal Court to the Supreme Court of Canada on a question of law only.

The Immigration Appeal Board was established in 1967 by the Immigration Appeal Board Act (RSC 1970, c.I-3). The Board is a court of record, with broad discretionary powers to permit the temporary or permanent admission of individuals, notwithstanding contrary provisions of the Immigration Act. The establishing Act provides for the operation of the Board and in particular for the legal and administrative processes involved in appeals by individuals against deportation, detention and the refusal of admission of sponsored relatives ordered under the provisions of the Immigration Act or Regulations. An appeal lies to the Federal Court of Canada and, on leave, to the Supreme Court of Canada.

2.4.2 The provincial judiciary

Certain provisions of the British North America Act govern to some extent the provincial judiciary. Under Section 92(14) the legislature of each province exclusively may make laws in relation to the administration of justice in the province including the constitution, mainte-