

Railway Act

3. The present service is unsatisfactory because—

To the company:

- (a) It is unable to get full utilization of the costly equipment recently purchased to serve this area.
- (b) Profitable operation of this equipment is dependent upon its continuous operation.
- (c) Railway operation, both passenger and freight is unsatisfactory and costly.

To the public:

- (a) The cities of Nelson and Trail are inconvenienced because through freight and passenger service to Vancouver is disrupted.
- (b) Vancouver is the natural market and social and cultural centre for these cities.

Solution of the problem would appear to be dependent upon the success of the province of British Columbia in making this territory safe for continuous rail operation.

Yours very truly,

(Signed) A. LeSage,
Assistant Director of Operation.

I would like to deal briefly with the bill itself, Mr. Speaker. While I appreciate the concern of hon. members when railway companies find it necessary to reduce train service, I must at once say that I do not see how this amendment will give any more protection to the public than already exists.

The explanatory note to the bill states that the purpose of the amendment is to provide that the board of transport commissioners may, at the request of an interested municipality, deal with a reduction or proposed reduction of train service.

I have discussed the amendment with the board and its opinion is that the Railway Act already gives the board jurisdiction to prevent unwarranted reduction of train service and to entertain applications and complaints of municipalities and other interested parties regarding the adequacy of existing train service and any changes that may be proposed. In a word, the board considers that the amendment would not give to it powers that it does not now hold.

In support of this position I would point out that section 315 of the Railway Act requires railway companies to receive, carry and deliver traffic and to furnish adequate and suitable accommodation for the carrying of traffic. By virtue of sections 33, 36, 315 and other provisions of the Railway Act the board also has jurisdiction to make orders and regulations respecting train service; to require railway companies to furnish adequate and suitable train service and to prohibit them from reducing service below that standard.

I believe it is well known to hon. members that the board is continually exercising the powers it has in connection with reduction of passenger train services. I have before me a copy of the board's circular No. 275, dated June 16, 1953, which directs that 20

days prior to a reduction or other change in passenger service, railway companies subject to its jurisdiction shall post at ticket offices and stations a notice of such change, and as well shall, concurrently with the posting of the notice, place in the hands of agents for the information of the public a circular giving an outline of the change. It is also required that a copy of the circular shall be forwarded to the board. I have this circular No. 275 and I should like to read its contents to the house:

Board of Transport Commissioners for Canada
Circular No. 275

Ottawa, June 16, 1953

File 24942—Reduction of Passenger Train Services

In all cases of reduction in passenger train services and to provide sufficient time for investigation and consideration of submissions of all parties, the board directs as follows:

That all railway companies subject to the jurisdiction of the board, in addition to the announcements and the advertising now done by the railway companies, shall post at all ticket offices and stations, 20 days prior to any reduction or other change in passenger train service, a notice reading:

"Change of time will be made . . . For particulars apply to ticket agent."

Co-incident with the posting of this notice a circular giving an outline of the change shall be placed in the hands of agents for the information of the public and a copy shall be forwarded to the director of operation of the board in Ottawa.

Circular No. 139 dated January 13, 1915, and circular No. 208 dated December 3, 1925, are hereby rescinded.

By order of the board,

C. W. RUMP

Acting Secretary,

Board of Transport Commissioners
for Canada

I want to emphasize that in all cases where the board is notified of a change in service and complaints are received the whole situation is thoroughly reviewed and indeed it is not unusual for the board to direct the railway to defer the proposed reduction pending investigation. For instance, 44 applications dealing with major reductions or discontinuance of passenger and mixed train service were dealt with during the year 1957. These applications were investigated on the ground by district inspectors of the branch, accompanied by headquarters officers in some instances and after consultation with the parties affected, reports and recommendations were submitted to the board. Several complaints from the public pertaining to inadequacy of train service were also dealt with in a similar manner.

I think it will be clear to the house from what I have said that the board does have the right to deal with the reduction of train service and that it does exercise its powers. I can assure the house that all the factors