

Agreement
of the

and impose any terms and conditions on the person that may be the subject of the dispute in the circumstances.

42. Where a person who transports goods by a mode of transportation charges a rate expressed as a single sum for the carriage of goods both for sea and for the carriage of goods by air, the Agency, for the purpose of determining whether a rate charged is contrary to the Act of Parliament, may require the person to declare, in writing to the Agency, or any determine, whether or not the rate is charged in respect of the carriage of goods by each mode of transportation.

Mediation and Arbitration

Mediation
and
Arbitration

43. (1) Where there is a dispute between (a) a shipper and a carrier respecting (b) any conditions associated with the carriage of goods, or

(5) two or more carriers of goods respect- ing any matter to which this Act the Railways Act or the Railway Act applies, and (6) a carrier for applies,

the parties to the dispute may, by agreement, refer the dispute to the Agency for mediation.

(2) Except where in the opinion of the Agency it is not practicable to mediate a dispute referred to it under subsection (1), the Agency shall assign an officer or employee of the Agency to mediate the dispute.

(3) All matters relating to the mediation of a dispute shall be kept confidential unless the parties to the dispute otherwise agree, and information provided by a party for the purpose of the mediation shall not be used for any other purpose except with the consent of that party.

(4) Unless the parties to the dispute otherwise agree, mediation of the dispute shall be completed within thirty days after the date is referred to the Agency.

Mediation
Agency

Confidential
of mediation

Time limit for
completion of
mediation

Médiation et Arbitrage

Accord
de médiation

43. (1) Les parties à un différend peuvent d'un commun accord faire appel à la médiation de l'Office :

(a) un expéditeur et un transporteur relatif à tout ou partie de ses conditions de transport des marchandises;

(b) plusieurs transporteurs de marchandises, soit relativement aux conditions d'application de la présente loi, de la loi sur les chemins de fer ou de la loi sur le déplacement des lignes et tracés des chemins de fer.

(2) L'Office affecte un membre de son personnel à la médiation, sauf s'il estime qu'il n'est pas possible de régler le différend par voie de médiation.

(3) Tout accord conclu entre les parties à un différend en matière de médiation est tenu pour confidentiel, sauf consentement de la partie, les renseignements qu'elle fournit à d'autres fins.

(4) Sauf accord contraire entre les parties, la médiation d'un différend doit être terminée dans un délai de trente jours après que l'Office a été avisé du différend.

Confidentialité
de médiation

Délai