



ESTIMATES

Canadian Transportation Agency

**2000-2001
Estimates**

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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CANADIAN TRANSPORTATION AGENCY



2000-2001
Estimates

A Report on Plans and Priorities

Approved

Hon. David M. Collenette, P.C., M.P.
Minister of Transport

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Section I: Messages

A. *Chairman's Message*

It is my pleasure to present the Report on Plans and Priorities of the Canadian Transportation Agency (the Agency).

The Agency values its role as an expedient, fair and transparent regulator and quasi-judicial tribunal. Helping transportation providers and users resolve matters quickly and effectively is one of our primary functions. The Agency will continue to resolve formal disputes by issuing decisions within the 120-day statutory deadline, unless the parties agree to extend it. Through consultation and facilitation, the Agency will also continue to help transportation users and providers resolve issues early, before they become formal complaints. In 2000, the Agency will pursue its work on alternative dispute resolution. This process is being developed through collaboration with an advisory committee.

The government's transportation policy calls for an accessible, competitive sector that is regulated only where necessary. The Agency recognizes that market forces should prevail and steps in only when fair and reasonable service does not result. So the Agency must be flexible and adapt quickly to changes within the transportation industry. For example, the airline industry has changed significantly, and the Agency is prepared to carry out any new activities that the government may require of it. As well, the Agency will respond to any new requirements that may arise from the government's review of Canada's grain transportation and handling system.

In 2000, the Agency will also continue its dialogue with various sectors of the transportation industry, shippers, carriers, consumer groups and other levels of government. This encourages an exchange of views on parties' rights and obligations under the current legislative framework, and fosters the growing body of informed opinion on how the *Canada Transportation Act* (the Act) has benefited or constrained various parties. This information should prove useful when the Minister of Transport calls for the statutory review of the Act required by section 53 of the Act. This review will likely begin in the summer of 2000 and the Agency will provide assistance if asked.

As one of many players in transportation, we believe the Agency contributes to the well-being of Canada's transportation system by providing necessary information and appropriate services to those working to improve the system. We will continue to provide our expertise, adapt to change and play an active role in achieving an efficient and accessible transportation system. At the Agency, we are committed to this objective.

Marian L. Robson

Section II: Agency Overview

A. *Mandate, Role and Responsibilities*

The Agency is an independent, quasi-judicial, administrative tribunal responsible for making decisions on a wide range of matters affecting Canadian transportation. The Agency's mandate to make decisions extends to issuing licences to rail and air carriers, and includes authority to resolve some transportation rate and service complaints. The Agency has the authority to remove undue obstacles to the mobility of persons with disabilities, who use the federally-regulated transportation network. The Agency also implements transportation policy as established by Parliament in the Act and is the aeronautical authority for Canada on matters related to the economic regulation of air carriers.

The Agency is an economic regulator and uses its regulatory authority in conjunction with its dispute resolution powers. When appropriate, the Agency encourages parties to resolve disputes informally, and its employees are constantly looking for ways to do so. The Agency maintains its quasi-judicial independence, while still acting as an educator and facilitator in the Canadian transportation industry.

Because the Agency's investigative powers are largely complaint driven and reactive, it has taken steps to reach more and more shippers, carriers and travellers to help them fully understand its roles and responsibilities. Therefore, its communications and consultation activities are very important. The Agency has made concrete efforts to explain the workings of Canada's transportation legislation and to describe the Agency's processes to Canadians. The Agency also asks for and listens to opinions on regulatory changes that will affect the transportation industry.

Our mission is to administer transportation legislation and government policies to help achieve an efficient and accessible transportation system by education, consultation and essential regulation .

The Agency is a single business line—the Canadian Transportation Agency Program. It is divided into four sub-business lines: Members and Regulatory Support, Rail and Marine Transportation, Air and Accessible Transportation and Corporate Management.

The Agency exercises its powers through its seven members, appointed by the Governor in Council: a chairperson, vice-chairperson and five members. The Governor in Council may also appoint up to three temporary members. The Agency’s organizational structure comprises four branches: the Rail and Marine Transportation Branch, the Air and Accessible Transportation Branch, the Legal Services and Secretariat Branch, and the Corporate Management Branch. The heads of each branch report to the chairperson.

The two program branches, the Rail and Marine Transportation Branch and the Air and Accessible Transportation Branch, relate to the Agency’s regulatory functions. The Legal Services and Secretariat Branch and the Corporate Management Branch provide regulatory and administrative support. The Agency’s headquarters are located in the National Capital Region. Agency personnel working in field offices in six cities across Canada carry out air and accessibility enforcement activities.

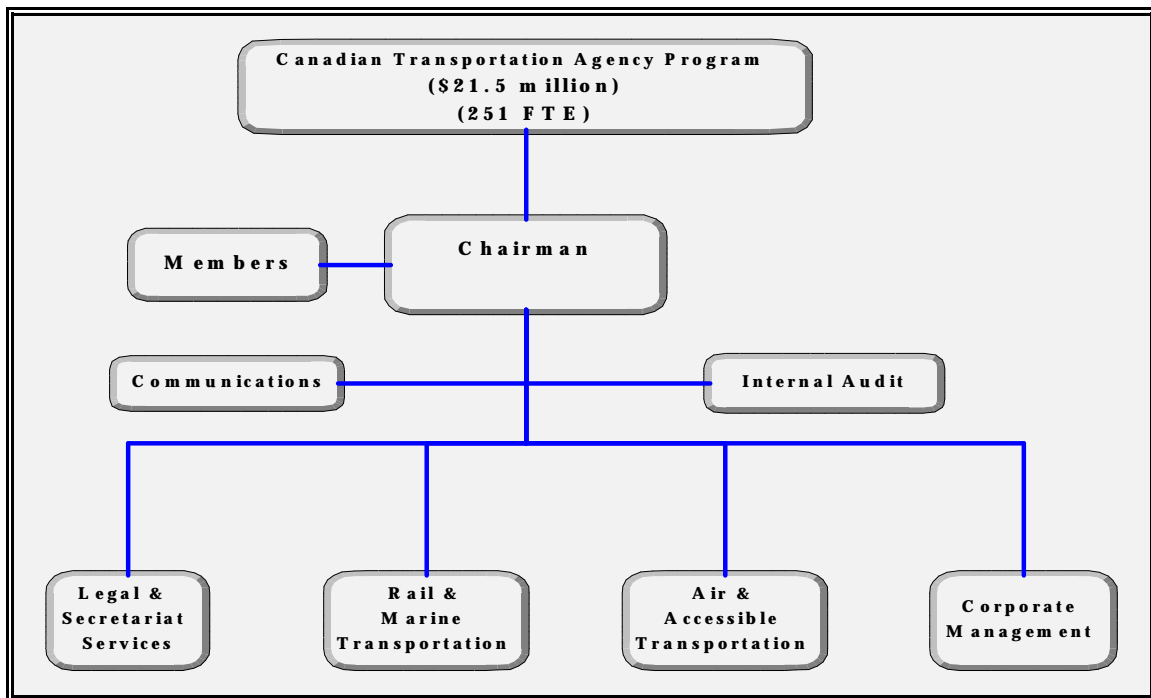


Table 2.1: Organization Structure - Canadian Transportation Agency Program

B. Objective

The Agency contributes to the attainment of an efficient and accessible Canadian transportation system that serves the needs of shippers, carriers, travellers and other users.

C. External Factors Influencing the Agency

The Agency's current form and processes reflect Canadian and international approaches to transportation policy; the federal government's ongoing efforts to revise its role and the way it delivers services; and the global environment in which the Agency and its clients operate.

The Agency has the responsibility to apply Government policy in its decisions and orders. Section 5 of the Act states, in part, that transportation is "...essential to serve the transportation needs of shippers and travellers, including persons with disabilities, and to maintain the economic growth and well-being of Canada and its regions...". It further states that this is best achieved under conditions that ensure "competition and market forces are, whenever possible, the prime agents in providing viable and effective transportation services...."

While Transport Canada provides policy support to the Minister and regulates transportation safety, the Agency is responsible for the economic regulation of publicly available transportation under federal jurisdiction. Working with the Department of Foreign Affairs and International Trade and Transport Canada, the Agency also acts as the aeronautical authority for bilateral air agreements and supports the Chief Air Negotiator at bilateral negotiations. The Agency also works with the Canada Custom and Revenue Agency on coasting trade exemptions; with the Canadian Human Rights Commission, Transport Canada, and Human Resources Development Canada on issues related to accessible transportation of persons with disabilities and other accessibility issues; and with the Province of Ontario for the regulation of rail transportation within the province.

Since Agency decisions can affect the international competitiveness of Canadian producers and carriers, the Agency must be sensitive to the environment in which its clients operate. Most Canadians agree that our shippers need economical transportation services to help them compete internationally. It is also important that Canadian carriers have an economic environment in which they can compete and thrive, both domestically and internationally.

The rail industry is part of a highly-competitive global marketplace, and is under significant pressure to find creative solutions to transportation problems in order to compete efficiently. The Agency therefore must be prepared to adapt to an industry whose structure is changing significantly. Major rail mergers, rationalization, buyouts of rival companies, the creation of inter-modal companies, the proliferation of provincial and federal short-line railways, the emergence of regional railways and the commercialization of transport services all affect the Agency's activities.

Similarly, the marine industry is changing. The new *Canada Marine Act* established Canada port authorities, divested other ports and authorities, commercialized the St. Lawrence Seaway. Under the *Canada Marine Act*, the Agency has new responsibilities regarding charges that port authorities may levy. The *Pilotage Act* was also amended. One of the amendments required the Minister of Transport to review specific pilotage issues and to submit a report to Parliament on the findings of this review. The Minister asked the Agency to undertake this review and to make recommendations to him. The Minister tabled his report in the House of Commons in November 1999. The report contained the Agency's recommendations and Transport Canada's responses to those recommendations. This report is considered a first step in ensuring a healthy, efficient regime that will respond to the legitimate needs of its users, ensure navigational safety and protect the marine environment.

The air transportation sector is evolving rapidly. The proposed legislative changes relating to the current restructuring of the Canadian airline industry, tabled in the House of Commons in February 2000, will give to the Agency an additional consumer protection role in the domestic industry. International airline alliances, liberalization of market access, multilateralism, code-sharing services and other developments are all increasing the need to interpret legislation and bilateral agreements. The Agency acts as the aeronautical authority for Canada and administers some 70 bilateral air agreements. The Minister's ongoing review of international passenger charter policy may result in changes to the current regulatory framework.

In the past few years, there has been steady progress in making the Canadian transportation system more accessible to persons with disabilities. In keeping with the government's policy to find alternatives to regulations, the Agency will continue to develop voluntary codes of practice and guidelines in consultation with industry and consumers and to adjudicate complaints filed by person with disabilities.

Canada's population of seniors is among the fastest growing in the world. It will account for close to 23 percent of all Canadians by the year 2041 as compared to 12 percent today. This demographic shift will alter the economic, social and cultural fabric of our country. The tourism industry realizes that, as Canadian society ages, more travellers will have impaired mobility, vision or hearing and accessible transportation systems will become even more important. As it focuses on elderly people as an untapped market, the industry is paying more attention to customers with disabilities.

D. Agency Spending Plan

Table 2.2: CTA Spending Plan

(thousands of dollars)	Forecast Spending * 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002	Planned Spending 2002-2003
Total Main Estimates	21,109	21,442	21,442	21,442
Adjustments **	924	0	0	0
Net Planned Spending	22,033	21,442	21,442	21,442
Plus: Cost of services received without charge	2,426	2,522	2,522	2,522
Net Cost of Program	24,459	23,964	23,964	23,964
Full Time Equivalent	251	251	251	251

* Reflects best forecast of total net planned spending to the end of the fiscal year.

** Adjustments are to accommodate approvals obtained since the Annual Reference Level Update (ARLU) exercise.

Section III: Plans, Results and Resources

A. Net Planned Spending and Full Time Equivalents (FTE)

As mentioned previously, the Agency is a single business line organization. Table 2.2 reflects planned spending and FTE use for the Agency.

B. Business Line Objective

To contribute to the attainment of an efficient and accessible Canadian transportation system that serves the needs of shippers, carriers, travellers and other users.

C. Business Line Description

The Canadian Transportation Agency program is responsible for processing matters that come under the jurisdiction of the *Canada Transportation Act* and other related legislation, as they affect the rail, air and marine activities within federal jurisdiction. It examines applications, hears complaints and conducts investigations. It administers various competitive access and dispute resolution provisions relating to matters between railways and other affected parties such as shippers, municipalities, utility companies, landowners and other railways. It prepares the maximum rate scales annually for the movements of western grain and undertakes statutory costing activities. It protects the interests of consumers and carriers by ensuring that air carriers operating to, from and within Canada meet certain minimum economic requirements. To this end, it administers an air carrier licensing system, international air agreements and international air tariffs. Consumers' interests are also protected through a certificate of fitness system for railways. It is also responsible for ensuring that undue obstacles to the mobility of persons with disabilities are removed from federally regulated transportation services and facilities.

D. Key Results Commitments, Planned Results, Related Activities and Resources

Key Result Commitment - An administrative tribunal that helps achieve an efficient and accessible Canadian transportation system for all modes under federal jurisdiction

Planned Results

1- To make sound quasi-judicial decisions within statutory time frames

- 2- To develop effective and essential regulation through consultation
- 3- To protect consumers and carriers by administering an air carrier licensing system, rail certificates of fitness, international air agreements, international air tariffs and a regulatory compliance program
- 4- To increase the use of alternative dispute resolution (ADR) mechanisms
- 5- To improve access to the Canadian transportation system for persons with disabilities
- 6- To issue the maximum rate scale for western grain movements before April 30 every year
- 7- To increase awareness of the Agency among stakeholders, clients and Canadian consumers
- 8- To advise the government on the assessment of the operation and any difficulties observed in the administration of the *Canada Transportation Act* and other relevant legislation

Related Activities

- 1- The Agency provides and will continue to provide carriers, shippers and transportation users with a structured process to resolve issues within 120 days, unless parties have agreed to an extension. This process constitutes the primary role of the Agency and translates into the issuance of an annual average of 1,500 formal Agency decisions and orders covering all modes of transport under federal jurisdiction.
- 2- The Government of Canada encourages federal departments and agencies to explore voluntary approaches thoroughly before proposing regulations. In keeping with that policy, the Agency has and will continue to develop voluntary codes of practice related to the accessibility of transportation. The Agency will continue to consult its Accessibility Advisory Committee frequently. This Committee — comprised of groups representing persons with disabilities, industry, manufacturers and other government departments—works closely with the Agency in developing codes of practice. So far, the Agency has issued codes of practice for the air, rail and marine industries. It will initiate work on a fourth code of practice aimed at eliminating communication barriers to the mobility of travellers with sensory disabilities. The Agency will also use surveys and other consultation tools to monitor the transportation industry's application of voluntary codes. This will allow it to assess the effectiveness of the voluntary approach and to determine future actions. In addition, the Agency will survey travellers with disabilities to get their views on the level of accessibility of the federal transportation network.

When regulations are deemed necessary, the Agency streamlines the regulatory environment as much as possible. For example, its newly implemented *Canada Transportation Agency Designated Provisions Regulations* introduce graduated penalties to establish a penalty system more commensurate to the seriousness of the offence. These penalties should help the Agency enforce the Act and regulations more efficiently and effectively. The Agency will place special emphasis on those areas that pose the greatest risk to the travelling public, such as a carrier flying without a licence or without appropriate liability insurance.

- 3- The Agency has many responsibilities. Among other activities, it issues approximately 250 licences for domestic and international air services annually, and monitors the licensing requirements of some 1,700 licensed air carriers. It also protects advance payments from charterers so that they can provide refunds to consumers in cases of non-performance. The Agency assists carriers with such issues as applying for a licence or requesting exemptions from specific requirements. It also helps air travellers with issues ranging from lost baggage to denied boarding. In addition, the Agency participates in bilateral air negotiations to procure additional rights for Canadian air carriers and to administer resulting bilateral agreements.

The proposed bill relating to the airline restructuring in Canada, tabled in Parliament on February 17, 2000, gives additional responsibilities to the Agency. The Agency will develop and implement processes aimed at ensuring the effective and efficient administration of the new legislative provisions once they are approved by Parliament.

- 4- The Agency encourages parties to resolve disputes informally, and its employees are constantly looking for ways to do so when appropriate. Sometimes, the Agency is able to assist before problems arise. These efforts help the parties to avoid formal adjudication on a complaint, to address concerns or to resolve disputes. The Agency will continue developing and implementing a structured alternative dispute resolution (ADR) mechanism. An advisory committee, comprising representatives of railways and municipal governments associations was formed. It has already discussed the benefits of an Agency ADR system, as well as the areas where it could apply, system design elements, pilot projects and similar topics. The Agency plans to implement a one-year pilot project in the rail mode to thoroughly test and evaluate the system.
- 5- The *Canada Transportation Act* gives the Agency the power to remove undue obstacles. However, the Act does not define these. It is left to the Agency to define undue obstacles on a case-by-case basis to resolve individual issues and, through regulations and codes of practice, to eliminate systemic barriers. The Agency will continue to investigate and resolve complaints about undue obstacles. The number of

complaints had doubled going from an average of about 30 new complaints a year to 60. The Agency has established a series of benchmarks for accessibility standards, and carriers are improving their services for travellers with disabilities. The Agency joined with its consumer and industry partners to provide practical information to travellers. Through this collaboration, the Agency was able to produce *Taking Charge of the Air Travel Experience B A Guide for Persons with Disabilities*. Over 30,000 copies of this guide were distributed in all formats to individuals, organizations of and for persons with disabilities, government both national and international, travel agents and agencies. The Agency has conducted a survey to determine how well the Guide responds to the needs of travellers with disabilities and seniors. The survey shows that the Guide is responding to the needs of travellers with disabilities. The Agency will continue to publicize and make available the guide to the travelling public.

The Agency participates actively in the Canadian Standards Association (CSA) Strategic Advisory Group on Aging, along with academics and representatives from consumer organizations and service providers. The Advisory Group counsels the organization's board of directors on strategic and policy issues related to standards in an aging society.

6. Government decisions resulting from the comprehensive review of Canada's grain transportation and handling system will significantly affect the Agency's activities related to the transportation of western grain. Until changes occur, however, the Agency will continue to issue an annual rate scale for western grain movements before April 30 every year.
7. The Agency is proactive in seeking opportunities to increase awareness among stakeholders, clients and consumers. It also promotes its corporate role and its nature as an administrative court through its representation at trade shows or conferences, its publications, and its work in media relations.
8. Each year, the Agency assesses the operation of the *Canada Transportation Act* and the difficulties the Agency encountered in administering it. It does so through its Annual Report, which is tabled in the House of Commons. This assessment combines the Agency's experience with the Act with comments received from the industry and other players in transportation through meetings, consultations or surveys. Also, section 53 of the Act allows the Minister of Transport to appoint a person or persons to conduct a comprehensive review of the Act four years after it came into force. The Minister is required to make his appointment(s) prior to July 1, 2000. This review should begin in the summer of 2000. The Agency is prepared to help those conducting the review, if asked. Government decisions made as a result of this review could affect the Agency's mandate and operations.

Resources (millions)

About 80% of the Agency's expenditures of \$ 21 million is related to personnel costs, translating to a total of 251 FTE. The Agency does not have any major capital projects. Other operating expenditures relate to the delivery of the Agency's activities, and range from the costs of holding public hearings to the costs of ensuring Agency employees have the proper electronic tools to do their job. The current financial system is based on the organizational structure of the Agency and can be linked to the sub-business lines and activities. Since some results apply to all sub-business lines, it is difficult to extrapolate some of the financial links. The Agency will examine ways it can further improve the links between its financial information and its results information, and it will report progress in future Performance Reports.

Section IV: Horizontal Initiatives

Regulatory Initiatives

Depending on the government's decisions concerning the Canadian airline restructuring, the Agency may have to review parts of the *Air Transportation Regulations*. Otherwise, there are no major regulatory initiatives scheduled for implementation during the planning period.

Section V: Financial Information

Table 5.1: Net Cost of Program for 2000-2001

(thousands of dollars)	2000-2001
Net Planned Spending	21,442
Plus: Services Received without Charge	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	1,700
Contributions covering employers' share of insurance premiums and costs paid by TBS	782
Workman's compensation coverage provided by Human Resources Canada	40
	2,522
2000-2001 Net cost of Program	23,964

Table 5.2: Summary of Transfer Payments

(thousands of dollars)	Forecast Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002	Planned Spending 2002-2003
Contributions				
Contribution to the Canadian Transportation Research Forum				
Total	4	4	4	4

Section VI: Other Information

Table 6.1: List of Statutes and Regulations

Statutes and Regulations Currently in Force

The Agency has sole responsibility for:

Canada Transportation Act S.C. 1996, c. 10

The Agency shares responsibility to Parliament for the following Acts:

Access to Information Act R.S.C. 1985, c. A-1
Canada Marine Act S.C. 1998, c. 10
Canadian Environmental Assessment Act S.C. 1992, c. 37
Civil Air Navigation Services Commercialization Act ... S.C. 1996, c. 20
Coasting Trade Act S.C. 1992, c. 31
Energy Supplies Emergency Act R.S.C. 1985, c. E-9
Financial Administration Act R..C.C. 1985, c. F-11
Pilotage Act R.S.C. 1985, c. P-14
Privacy Act R.S.C. 1985, c. P-21
Railway Relocation and Crossing Act R.S.C. 1985, c. R-4
Railway Safety Act R.S.C. 1985, c. 32 (4th Supp.)
St. Lawrence Seaway Authority Act R.S.C. 1985, c. S-2
Shipping Conferences Exemption Act, 1987 R.S.C. 1985, c. 17 (3rd Supp.)

The Agency has sole responsibility for the following regulations:

Air Transportation Regulations

Canadian Transportation Agency Designated Provisions Regulations

National Transportation Agency General Rules

Personnel Training for the Assistance of Persons with Disabilities Regulations

Railway Costing Regulations

Railway Interswitching Regulations

Railway Third Party Liability Insurance Coverage Regulations

Railway Traffic and Passenger Tariffs Regulations

Railway Traffic Liability Regulations

Uniform Classification of Accounts and Related Railway Records

The Agency shares responsibility to Parliament for the following regulations:

Carriers and Transportation and Grain Handling Undertakings Information Regulations

The Jacques-Cartier and Champlain Bridges Inc. Regulations

The Seaway International Bridge Corporation, Ltd. Regulations

Table 6.2: References

Postal address: Canadian Transportation Agency
Ottawa, Canada K1A 0N9

Web site: www.cta-otc.gc.ca

Annual Report 1998 www.cta-otc.gc.ca/eng/toc.htm#Publications and Reports

Contacts for Further Information

Performance Area	Contact Name	Title	Telephone number & Internet address
Regulatory Support	Marie-Paule Scott, Q.C.	General Counsel and Secretary	(819) 953-6698 marie-paule.scott@cta-otc.x400.gc.ca
Air and Accessible	Gavin Currie	Director General	(819) 953-5074 gavin.currie@cta-otc.x400.gc.ca
Rail and Marine	Seymour Isenberg	Director General	(819) 953-4657 seymour.isenberg@cta-otc.x400.gc.ca
Corporate Activities	Joan MacDonald	Director General	(819) 997-6764 joan.macdonald@cta-otc.x400.gc.ca
Planning	Luc Gaudet	Director	(819) 953-2829 luc.gaudet@cta-otc.x400.gc.ca
Communications	Michel Hébert	Director	(819) 953-7666 michel.hebert@cta-otc.x400.gc.ca

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