



CHAPTER 12

Wartime Power Control Act

[Assented to, the 22nd of June, 1940]

WHEREAS wartime industries require that the best Preamble.
possible use be made of all motive power available;

Whereas, in order to ensure such use, as well as the most equitable and the most economical distribution, it is expedient to grant certain extraordinary powers to the Public Service Board;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. In this act:

a. "Board" means the Public Service Board;

Interpretation:
"Board";

b. "Public service" has the meaning given to this expression by paragraph 2 of section 2 of chapter 46A of the Revised Statutes of Quebec, 1925, (enacted by the act 25-26 George V, chapter 24, section 1), and includes also the services contemplated under subparagraph e of paragraph 3 of section 2 of the act 3 George VI, chapter 16; "Public service";

c. "Motive power" includes hydraulic, electric and thermic power. "Motive power".

2. The Board may control, in this Province, the production, transformation, transmission, distribution, supply and use of motive power to ensure the best possible utilization thereof, and especially: Control by Board.

a. restrict or prohibit the use of any motive power by certain persons; apportion motive power amongst the users thereof; grant priority to some of them, the whole so as to obtain such use as to the Board may seem to be the most economical and the most advantageous;

b. oblige any public service to produce and supply motive power at such rate as it shall indicate up to the full capacity of the service;

c. hear and decide any controversy between a public service and a user concerning any matter over which jurisdiction is given to the Board by this act;

d. make such order as may seem necessary in connection with such decision;

e. decide to whom, at what price and under what conditions any motive power shall be supplied by a public service;

f. do anything necessary to put into effect this act and the regulations it provides for.

Board may
make regu-
lations.

3. With the approval of the Lieutenant-Governor in Council, the Board may make regulations:

a. to oblige any person to furnish to it the information it requires concerning his supply of motive power;

b. to define how priority shall be granted to certain users or categories of users of motive power and how the apportionment of motive power amongst such users shall be determined;

c. to restrict or prohibit the use of any motive power for certain purposes;

d. in general, to put into effect the provisions of this act.

Contract not
to affect
powers of
Board.

4. The above powers may be exercised notwithstanding any contract. Any public service or other person prevented from executing a contract relating to motive power, by the effect of this act or of the regulations or of an order of the Board shall be exempt from all responsibility respecting the same; any agreement to the contrary shall be null.

Execution of
powers.
R.S., c. 46A,
applicable.

5. If any person does not comply with this act, or with any regulation or order, the Board may exercise all the powers granted to it to ensure the execution of any order provided for in chapter 46A of the Revised Statutes, 1925.

6. In addition to any other penalty or recourse that may apply, every person violating a provision of this act or of the regulations or of an order of the Board commits an offence and shall be liable, upon summary proceeding, for the first offence, to a fine not exceeding five thousand dollars, for the second, to a fine not exceeding ten thousand dollars, and, for any other offence, to a fine not exceeding twenty-five thousand dollars, and every person participating in such an offence or helping to commit it shall be liable to the same penalty. Offence and penalty.

7. In exercising the powers granted to it by this act, the Board may use all those granted to it by any other legislative provision. Additional powers of Board.

The powers granted to the Board by this act are granted to it in addition to those which any other act may grant to it, and not instead of such powers. Idem. Nevertheless, the provisions of this act shall prevail over any provision to the contrary.

8. This act shall come into force on such date as may be fixed by proclamation of the Lieutenant-Governor and shall be repealed at the date fixed by a like proclamation and, in any case, one year after the date of a proclamation of the Governor General of Canada declaring that the state of war has ceased in Canada. Coming into force, procl. (July 6th, 1940; O. G., 1940, p. 2158). Subsequent repeal.

