



## CHAPTER 65.

**An Act respecting British Columbia Electric  
Company Limited.**

[Assented to 18th March, 1960.]

Preamble.

**W**HEREAS British Columbia Electric Railway Company Limited (hereinafter called the "English Company") was incorporated under the *Imperial Companies Acts, 1862-1893*, is registered in the Province as an extra-provincial company, and is a "company" within the meaning of that word in the *Railway Act*:

And whereas British Columbia Electric Company Limited (hereinafter called the "Company") was incorporated under the *Companies Act* with the name "British Columbia Electric Power & Gas Company, Limited," which it has since changed to "British Columbia Electric Company Limited," and is a "public utility" within the meaning of that phrase in the *Public Utilities Act*:

And whereas by the *British Columbia Electric Power & Gas Company, Limited, Act, 1927*, being chapter 79 of the Statutes of 1926-27, among other things the Company was declared to have power at any time to purchase, and the English Company was empowered to sell, the entire undertaking of the English Company in the Province, and it was enacted that certain results should flow from such purchase and sale:

And whereas upon the said purchase and sale being made the Company would be a "company" under the *Railway Act*, a "public utility" under the *Public Utilities Act*, and a "company" under the *Companies Act*, and as a result thereof the Company would be subject to a number of conflicting and overlapping provisions in the said three Acts and in regulations made under the first two of them:

And whereas it is expedient to eliminate such of the said overlapping and conflict as is now apparent and to make provision for eliminating such thereof as may hereafter appear:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title. 1. This Act may be cited as the *British Columbia Electric Company Limited Act, 1960*.

Application of  
*Railway Act*. 2. The following provisions of the *Railway Act* do not apply to the Company, namely: Part II; section 33; Parts IX and XI; clause (h) of section 263; Parts XL and XLIII; and section 297.

Idem. 3. The following provisions of the *Railway Act* apply to the Company only to the extent respectively indicated, namely:—

- (a) Only in respect of aerial tramways—section 4:
- (b) Only to lands taken under compulsory powers given by the *Railway Act*—section 29:
- (c) Only in respect of the railway portion of the Company's undertaking—clauses (b), (d), and (e) of subsection (1) of section 31; Part VI; sections 178, 201, 205, and 206; Parts XXVII, XXIX, XXX, XXXII, and XXXIII; sections 251 to 256 (both inclusive); Part XXXVI except clause (h) of section 263; sections 280 and 283:
- (d) Only to the extent that the Minister of Commercial Transport may from time to time direct in writing—sections 257 and 279:
- (e) Only in respect of tolls other than passenger tolls, and tariffs of such tolls, on the railway portion of the Company's undertaking—Parts XXVIII and XXXI.

Idem. 4. (1) Part VIII of the *Railway Act* does not apply to the Company.  
Time-limit on  
construction. (2) Unless otherwise directed by the Minister of Commercial Transport, every railway and every branch line and every extension of a line of railway which the Company has obtained authority to construct shall be completed by the Company within two years from the date of the authority to construct such railway, branch, or extension, or within such extended time as may be fixed by the Minister of Commercial Transport upon the application of the Company and upon good cause for extension of time being shown to the satisfaction of the Minister of Commercial Transport.

Application of  
*Public Utilities Act*. 5. The provisions of the *Public Utilities Act* are inapplicable to the Company in respect of those parts of the railway or tramway portions of its undertaking which are not regularly operated for the transportation of persons for compensation, and the provisions of that Act do not apply to the inspection of the railways of the Company for any purpose governed by Part XXIII of the *Railway Act*.

Application of  
*Companies Act*. 6. Clause (b) of section 18 of the *Companies Act* does not apply to the Company.

Regulations  
under *Railway  
Act* and *Public  
Utilities Act*.

7. No regulation under the *Railway Act* or the *Public Utilities Act* touching a matter in respect of which the application to the Company of a provision of the *Railway Act* or the *Public Utilities Act*, respectively, is by this Act excluded applies to the Company, and any regulation under the *Railway Act* or the *Public Utilities Act* touching a matter in respect of which the application to the Company of a provision of the *Railway Act* or the *Public Utilities Act*, respectively, is limited by section 3 or 5 applies to the Company only to a corresponding limited extent.

Tramways, ele-  
vated railways,  
and street-  
railways.

8. For the purposes of the provisions of the *Railway Act* that are hereafter applicable to the railways of the Company, any tramways and underground and elevated railways of the Company shall be deemed to be railways; and those of the said provisions that relate to the inspection of railways shall apply to any street-railways of the Company.

Regulations.

9. Whenever it appears that there is an overlapping or conflict that has not been eliminated by the foregoing sections hereof or that such an overlapping or conflict has hereafter been created, then, for the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant-Governor in Council may make such regulations not inconsistent with the spirit of this Act as are deemed necessary or advisable to eliminate the overlapping or conflict.

Saving.

10. Nothing in this Act shall be held to affect or impair any of the statutory rights, powers, privileges, immunities, concessions, or franchises under private Acts of the Province held, owned, or enjoyed by the Company when this Act comes into force; and nothing in this Act shall be held to relieve the Company of any of the liabilities, obligations, commitments, or responsibilities incumbent upon it by such Acts when this Act comes into force.

Commence-  
ment.

11. This Act shall come into force on the day the Company shall have purchased, taken over, or acquired the undertaking of the English Company pursuant to the said *British Columbia Electric Power & Gas Company, Limited, Act, 1927*.