

LEAGUE OF NATIONS

ORGANISATION FOR COMMUNICATIONS
AND TRANSIT

CO-ORDINATION OF TRANSPORT

ADDENDUM

GENEVA, 1939

LN. VIII. 2/1. (2)

[Communicated to the Council and
the Members of the League.]

Official No.: **C. 347. M. 208.** 1938. VIII.
ADDENDUM

Geneva, October 31st, 1939.

LEAGUE OF NATIONS

**ORGANISATION FOR COMMUNICATIONS
AND TRANSIT**

CO-ORDINATION OF TRANSPORT

RESULTS OF AN ENQUIRY ADDRESSED TO GOVERNMENTS

ADDENDUM



Series of League of Nations Publications
VIII. TRANSIT
1939. VIII. 5.

4957217

U.S. DEPARTMENT OF COMMERCE
BUREAU OF MARITIME SERVICE

OFFICE OF THE SECRETARY

UNITED STATES OF AMERICA

ORGANIZATION FOR COMMUNICATIONS
AND TRAFFIC

COORDINATION OF TRANSPORT

RESULTS OF AN ENQUIRY ADDRESSED TO GOVERNMENTS

APPENDIX

U.S. DEPARTMENT OF COMMERCE
BUREAU OF MARITIME SERVICE
WASHINGTON, D.C. 20540

COMMUNICATIONS
AND TRAFFIC
COORDINATION OF TRANSPORT
RESULTS OF AN ENQUIRY ADDRESSED TO GOVERNMENTS
APPENDIX

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INTRODUCTION

The volume entitled "Co-ordination of Transport"¹ contained the replies of Governments to a first circular letter from the Secretary-General of the League of Nations dated September 1st, 1936. It represented the preliminary results of the enquiry into the co-ordination of transport by rail, road and inland waterways instituted by the Communications and Transit Organisation in pursuance of a resolution of the tenth session of the Assembly.

By a second circular letter to Governments, dated December 31st, 1938, the Secretary-General informed them that, on examining the results of this enquiry, the Committee for Communications and Transit had noted, in the first place, that some of the replies received did not cover the three modes of transport under consideration and, secondly, that no reply had been received from several States. The Committee had therefore recommended that Governments should be given an opportunity of completing or revising their replies and that those which had not yet replied should be invited to do so, this view being subsequently approved by the Council and by the Assembly. The Secretary-General accordingly requested the Governments to forward to him before June 30th, 1939, any changes in or additions to the information already supplied which they might deem it necessary to make; he added that he would also be grateful if the Governments which had not yet replied to the questionnaire would be good enough to do so before that date.

The replies which have been received in response to this new request to Governments, and which form the subject of the present addendum, include :

(1) Changes made in their original replies or additional information communicated by the Governments of the following countries : the Union of South Africa, Australia (Commonwealth, Western Australia, South Australia, New South Wales, Queensland, Tasmania), the United Kingdom, Ecuador, India, Ireland, Latvia, Norway, Thailand ;

(2) New replies, received from the Governments of countries which did not appear in the first volume — namely, Egypt and Switzerland.

Furthermore, the Governments of Bulgaria and of the United States of America replied that no important change had occurred in the problem of transport co-ordination since the publication of the first volume. Lastly, the Government of Iraq has informed the Secretariat that the question of transport co-ordination is under consideration, but that, for the moment it is not possible for it to give a reply.

For convenience of reference and in order to facilitate corrections in the first volume the replies have been classified, not — as in the first volume — according to questions, subdivided by countries, but according to countries, the various questions being then treated under each country.

The present addendum supplements the first volume, and the two documents should therefore be consulted together. A perusal of these documents will enable an idea to be obtained of the evolution of the problem of transport co-ordination as it appeared before the outbreak of the present crisis, in the light of such information as the Secretariat has received from the various Governments.

* * *

The Governments' replies frequently refer to the different points in the questionnaire which served as a basis for these replies; it therefore seemed desirable to reproduce the text of the questionnaire again.

¹ Document C.347.M.208.1938.VIII.

INTRODUCTION

The first of the two main parts of the book is devoted to a general survey of the history of the subject. It begins with a brief account of the early attempts to explain the origin of life, and then proceeds to a more detailed consideration of the various theories which have been advanced since the time of Darwin.

The second part of the book is devoted to a more detailed consideration of the various theories which have been advanced since the time of Darwin. It begins with a brief account of the early attempts to explain the origin of life, and then proceeds to a more detailed consideration of the various theories which have been advanced since the time of Darwin.

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QUESTIONNAIRE

QUESTIONNAIRE

1. How do you feel about the present situation in the world? (Please check one box)

2. How do you feel about the present situation in your country? (Please check one box)

3. How do you feel about the present situation in your city? (Please check one box)

4. How do you feel about the present situation in your neighborhood? (Please check one box)

5. How do you feel about the present situation in your school? (Please check one box)

6. How do you feel about the present situation in your family? (Please check one box)

7. How do you feel about the present situation in your work? (Please check one box)

8. How do you feel about the present situation in your religion? (Please check one box)

9. How do you feel about the present situation in your culture? (Please check one box)

10. How do you feel about the present situation in your life? (Please check one box)

11. How do you feel about the present situation in your future? (Please check one box)

12. How do you feel about the present situation in your health? (Please check one box)

13. How do you feel about the present situation in your education? (Please check one box)

14. How do you feel about the present situation in your economy? (Please check one box)

15. How do you feel about the present situation in your environment? (Please check one box)

16. How do you feel about the present situation in your society? (Please check one box)

17. How do you feel about the present situation in your government? (Please check one box)

18. How do you feel about the present situation in your justice system? (Please check one box)

19. How do you feel about the present situation in your media? (Please check one box)

20. How do you feel about the present situation in your technology? (Please check one box)

21. How do you feel about the present situation in your science? (Please check one box)

22. How do you feel about the present situation in your art? (Please check one box)

23. How do you feel about the present situation in your sports? (Please check one box)

24. How do you feel about the present situation in your entertainment? (Please check one box)

25. How do you feel about the present situation in your food? (Please check one box)

26. How do you feel about the present situation in your clothing? (Please check one box)

27. How do you feel about the present situation in your housing? (Please check one box)

28. How do you feel about the present situation in your transportation? (Please check one box)

29. How do you feel about the present situation in your communication? (Please check one box)

30. How do you feel about the present situation in your energy? (Please check one box)

31. How do you feel about the present situation in your water? (Please check one box)

32. How do you feel about the present situation in your air? (Please check one box)

33. How do you feel about the present situation in your soil? (Please check one box)

34. How do you feel about the present situation in your plants? (Please check one box)

35. How do you feel about the present situation in your animals? (Please check one box)

36. How do you feel about the present situation in your humans? (Please check one box)

37. How do you feel about the present situation in your gods? (Please check one box)

38. How do you feel about the present situation in your spirits? (Please check one box)

39. How do you feel about the present situation in your angels? (Please check one box)

40. How do you feel about the present situation in your demons? (Please check one box)

41. How do you feel about the present situation in your angels and demons? (Please check one box)

42. How do you feel about the present situation in your spirits and demons? (Please check one box)

43. How do you feel about the present situation in your gods and demons? (Please check one box)

44. How do you feel about the present situation in your spirits and gods? (Please check one box)

45. How do you feel about the present situation in your angels and gods? (Please check one box)

46. How do you feel about the present situation in your demons and gods? (Please check one box)

47. How do you feel about the present situation in your spirits and angels? (Please check one box)

48. How do you feel about the present situation in your gods and angels? (Please check one box)

49. How do you feel about the present situation in your spirits and angels and demons? (Please check one box)

50. How do you feel about the present situation in your gods and angels and demons? (Please check one box)

QUESTIONNAIRE RELATING TO THE SITUATION AND THE MEASURES TAKEN TO CO-ORDINATE TRANSPORT BY RAIL, ROAD AND INLAND WATERWAYS¹

A. — REGIME APPLICABLE TO THE THREE MEANS OF TRANSPORT UNDER CONSIDERATION

1. Administrative Regime.

Is transport subject to any of the following requirements or conditions :
(a) An authorisation (either as the result of public tender or without this formality) ;

(b) A licence or concession ;

(c) The obligation to run a regular service, whether to a fixed schedule or not, and supervision of that service ;

(d) The obligation to carry passengers or goods and within what limits ;

(e) Supervision of the material ;

(f) A monopoly by the State or a concessionary company ;

(g) A right of priority granted to one means of transport (for instance, to the railways for the running of motor-transport services) ;

(h) An obligation on the part of the transport undertaking to organise a joint service for some particular means of transport (for instance, in the form of a pool, etc.) ?

2. Tariffs.

(a) Are there any fixed tariffs and, if so, by whom are they drawn up and, if necessary, authorised ?

(b) Is any supervision exercised over tariffs and, if so, under what conditions ?

(c) Is the publication of tariffs compulsory ?

3. Fiscal Regime — Taxes (Dues, etc.).

(a) What are the ordinary taxes levied on transport undertakings (direct taxes, indirect taxes, social charges, etc.) ?

(b) Are there any special taxes on public transport services ? If so, what are these taxes ?

(c) Are any special taxes levied on a given means of transport (for instance, road maintenance charges, and characteristics of those charges) ?

(d) Are there any special dues for the benefit of a given means of transport (for instance, on behalf of the railways) ?

(e) What budgetary charges, expressed in percentages, are imposed (by the State, provinces, communes, etc.), including capital charges, in respect of the establishment and upkeep of means of communication, taking them in relation to each other and to the general budget, and what revenue, expressed in percentages, accrues (to the State, provinces, communes, etc.) from transport undertakings using these means of communication (A.3 (a) to (c)), taking these amounts in relation to each other and to the general budget ?

4. Liability and Insurance.

(a) How is the civil liability of the carrier in the event of an accident to passengers or damage to goods during transport fixed ?

(b) Is the carrier required to take out an insurance policy and, if so, in what form ?

5. Social Regime.

What is the social legislation relating to the regulation of labour in the case of transport undertakings ?

B. — POSSIBLE VARIATIONS OF THE REGIME DESCRIBED UNDER A

1. Does this regime depend on the length of the route and, if so, under what conditions ? Does it apply solely to transport as from a certain distance and, if so, what distance ?

2. Does it depend on the geographical situation of the route as compared with the existing lines of other means of transport (routes competing with existing lines, routes feeding existing lines, etc.) ?

3. Does it depend on the category or quantity of the goods carried by a given means of transport and, if so, what is this category or quantity ? Are certain goods reserved for a given means of transport ?

4. Does the regime also apply to transport for account of industrial or other undertakings effected by their own vehicles or boats ?

5. Are there any other special conditions relative to the application of this regime ?

¹ It is understood that, where appropriate, the replies should deal with each of the three means of transport under consideration.

C. — MEASURES TAKEN TO CO-ORDINATE THE VARIOUS MEANS OF TRANSPORT

1. Have the public authorities taken any action with a view to the rational co-ordination of transport ? If so, on what principles are these measures based ?

2. Have any attempts been made to distribute traffic apart from the measures adopted to ensure safety and smooth operation ?

3. Have any attempts been made, prior to administrative action, to promote agreements between the various means of transport, or has the administration taken direct action ?

4. What results have been obtained up to the present ?

5. Are there any special measures for facilitating transport co-ordination, such as :

(a) Through rates for combined transport by the various means of transport under consideration and, if so, what are they ?

(b) Through tickets and waybills for these various means of transport ?

(c) Special rates on certain routes covered by one means of transport with a view to procuring traffic for another means of transport (for instance, special railway rates to river ports, etc.) ?

(d) Agreements in other forms between the various means of transport and, if so, on what bases ?

D. — MEASURES FOR PROTECTING, SAFEGUARDING AND ADAPTING MEANS OF TRANSPORT

1. Are any special measures, other than, for instance, those mentioned under A.1 (f) and (g) and 3 (d) above, taken on behalf of a given means of transport ?

2. Are there any measures (tariffs, for instance) promoted by general considerations which are prejudicial to a given means of transport ? In such cases, is compensation given by the State and, if so, what ?

3. Are any measures taken by a means of transport (for instance, railways) with a view to adapting it to the situation created by the development of other means of transport (such as technical reorganisation, rationalisation of services, speeding-up of transport, additional facilities for users, etc.) ?

E. — BASIS OF THE POLICY ADOPTED

1. Is this governed primarily by national economic policy, or by the desire to protect and obtain a return on the capital invested in the undertakings, or by the desire to make those investments indirectly productive ?

2. If the policy adopted in regard to the different means of transport or one or other of them is determined by reasons other than those set forth under E.1 above, do these relate to considerations :

(a) Of a social order — the desire to combat unemployment on the one hand and to avoid dismissing staff on the other ?

(b) Of national defence and security ?

(c) Of public utility in general — and, if so, what ?

F. — DIFFERENCE OF TREATMENT AS BETWEEN MEANS OF NATIONAL AND FOREIGN TRANSPORT

Does such a difference exist in the case of any of the three means of transport under consideration and, if so, in what form ?

G. — OBSERVATIONS ON THE POINTS RAISED BY THE QUESTIONNAIRE

Any special aspects of the problem.

**QUESTIONNAIRE RELATING TO THE SITUATION AND THE MEASURES TAKEN TO CO-ORDINATE TRANSPORT
BY RAIL, ROAD AND INLAND WATERWAYS¹**

A. — REGIME APPLICABLE TO THE THREE MEANS OF TRANSPORT UNDER
CONSIDERATION

1. *Administrative Regime.*
Is transport subject to any of the following requirements or conditions :
 - (a) An authorisation (either as the result of public tender or without this formality) ;
 - (b) A licence or concession ;
 - (c) The obligation to run a regular service, whether to a fixed schedule or not, and supervision of that service ;
 - (d) The obligation to carry passengers or goods and within what limits ;
 - (e) Supervision of the material ;
 - (f) A monopoly by the State or a concessionary company ;
 - (g) A right of priority granted to one means of transport (for instance, to the railways for the running of motor-transport services) ;
 - (h) An obligation on the part of the transport undertaking to organise a joint service for some particular means of transport (for instance, in the form of a pool, etc.) ?

2. *Tariffs.*
 - (a) Are there any fixed tariffs and, if so, by whom are they drawn

C. — MEASURES TAKEN TO CO-ORDINATE THE VARIOUS MEANS OF TRANSPORT

1. Have the public authorities taken any action with a view to the rational co-ordination of transport ? If so, on what principles are these measures based ?
2. Have any attempts been made to distribute traffic apart from the measures adopted to ensure safety and smooth operation ?
3. Have any attempts been made, prior to administrative action, to promote agreements between the various means of transport, or has the administration taken direct action ?
4. What results have been obtained up to the present ?
5. Are there any special measures for facilitating transport co-ordination, such as :
 - (a) Through rates for combined transport by the various means of transport under consideration and, if so, what are they ?
 - (b) Through tickets and waybills for these various means of transport ?
 - (c) Special rates on certain routes covered by one means of transport with a view to procuring traffic for another means of transport (for instance, special railway rates to river ports, etc.) ?
 - (d) Agreements in other forms between the various means of

A. 1 (a). Page 7, lines 2-4, *replace* " within a declared area or along any portion of a declared transport route " *by* " within a proclaimed area or along any portion of a proclaimed transport route ".

Line 7, *replace* " to obtain from the Board " *by* " to obtain from the Central Road Transportation Board ".

A. 1 (c). Page 34, second para., *replace* " Authorised officers " *by* " Traffic inspectors ".

A. 1 (f). Page 69, 2nd line, *replace* " Board or local board " *by* " Road Transportation Board or local board ".

Lines 7-8, *replace* " permitted to operate upon any proclaimed transport area " *by* " permitted to operate upon any proclaimed transportation route or in any proclaimed transportation area ".

of the Motor Carrier Transportation Act road

A. 2 (a). Page 91, 2nd para., 6th line, *replace* " the Board or Local Board " *by* " the Road Transportation Boards ".

A. 2 (b). Page 91, 2nd line, *replace* " by the Board or Local Board " *by* " by the Road Transportation Boards ", and, in the 6th line, *replace* " Board's inspector " *by* " traffic inspector ".

A. 3 (a). Page 122, after 1st para., *add* :
 " In the Cape Province, the fees range from £4, if the weight of the vehicle is under 1,500 lb. to £62.10s., if over 9,001 lb. The fees for goods vehicles and omnibuses range from £4 if the weight is under 1,500 lb. to £75 if over 9,001 lb. "

Page 122, 2nd para., 1st line, *replace* " In

A. 1 (f). Page 69, 1st line, *replace* " There is no State monopoly " *by* " The State has practically a monopoly of rail transport, the railways being State owned ".

2nd line, after " Union " *read* " and South West Africa is 13,641, of which 13,234 is State owned ".

A. 1 (h). Page 84, 1st line, *add* : " but in terms of and rail services are co-ordinated where possible "

A. 2 (a). Page 91, 2nd line, *replace* " empowered by " *by* " under the provisions of ".

Union of South Africa
(continued)

the Cape and Orange Free State provinces", by "In the Orange Free State", and, in the 5th line, *replace* "vehicles of 3,000 lb. or over" by "vehicles for the conveyance of goods".

Para. 3, 2nd line, *replace* "£4", by "£2", and, in 4th line, *replace* "£10 to £20" by "£8 to £18".

The 6th paragraph should precede the 5th.

A. 3 (b). Page 123, para. 5, 1st line, *delete* "dual purpose or".

A. 4 (a). Page 179, lines 6-8, *replace* "It is exempt from liability in so far as passengers, travelling by train on which no coach is attached, are concerned" by "but in no case is it liable for loss of life of, or personal injury to, a passenger who is travelling by special permission whether verbal or written, on a train to which no passenger coach is attached".

A. 4 (b). Page 179, *replace* the text by "No. The Railway Administration operates its own insurance fund".

A. 5. Page 206, 3rd line, *delete* "which".

B. 2. Page 232, after "No" *add* : "but it is affected by the position as set out in the reply to this question under 'Road'".

B. 4. Page 232, 1st line, *add* "No" before "All railway vehicles" and *delete* the 2nd sentence.

B. 4. Page 232, 1st line, after "means" *add* : "subject to minor exceptions of more or less local application,".

C. 4. Page 257, *replace* the text by "See reply to 3 (a)".

C. 5 (d). Page 257, 3rd and 4th lines, *replace* "as far as possible, although no agreements exist" *by* "Agreements exist between the South African Railways and Harbours Administration and a municipal corporation and also with a private passenger bus company whereby certain defined routes and fixed fares are adhered to by both parties to the agreements".

D. 3. Page 292, 12th line, *replace* "to tracks, bridges and locomotives" *by* "to the track and bridges and the placing in service of more powerful and faster locomotives and improved types of passenger vehicles". *Delete* the second paragraph.

F. Page 337, *replace* the text *by* "There is no 'foreign transport' in the Union of South Africa".

G. Page 343, *replace* "information available" *by* "observations".

G. Page 343, *replace* "information available" *by* "observations".

Australia: Commonwealth

A. 1 (c). Page 34, *replace* the text *by* :

"Under the Commonwealth Railways Act 1917-36, the Commissioner may do all that is necessary or convenient for making, maintaining, altering or repairing and using the railways. Regular passenger train and mixed train services are run to fixed time-tables and any special passenger train or live-stock train is also run according to a time-table. The running of these services is supervised by the Commissioner's officers."

A. 1 (e). Page 58, *replace* "No information" *by* :

"The Commonwealth Railways Act 1917-36 provides that the Commissioner shall maintain

A. 1 (a) and (b). Page 9, *add* : "The Commonwealth does not own, operate or regulate services by inland waterways".

A. 1 (a) and (b). Page 9, *add* : "Except for relatively small services in the Australian Capital Territory and the Northern Territory, road services are not owned, operated or regulated by the Commonwealth".

Road

Railway

Australia:
(continued):
Common-
wealth
(continued)

the railways and all works in connection therewith in a state of efficiency and shall cause to be made a careful inspection of the condition of the railways."

A. 1 (f). Page 69, replace the text by :

"The Commonwealth has no statutory monopoly, but there are no competing railways along the routes served by Commonwealth Railways. Aeroplane services are, however, competitive."

A. 3. Page 125, add :

"A duty of 7*d.* per gallon plus primage at the rate (*ad valorem*) of 10% applies to imported petrol. In respect of petrol produced in Australia, the excise duty of 5½*d.* per gallon applies.

"Under the Federal Aid Roads and Works Act of 1937 provision has been made for the payment by the Commonwealth Government to the State Government of :

"(a) 2½*d.* per gallon of Customs duties in respect of petroleum and shale products — viz. : naphtha, benzine, benzoline, gasoline, pentane, petrol and any other petroleum or shale spirit ;

"(b) 1½*d.* per gallon of Excise duties in respect of :

"A. Petroleum or shale products — viz. : petrol, benzine, benzoline, gasoline, naphtha, pentane and any other petroleum or shale spirit as described in that Item ;

"B. Petroleum or shale distillates — viz. : turpentine substitutes ; and

"C. Coal tar and coke oven distillates (including benzol) suitable for use as petrol substitutes as described in that Item.

"(c) ½*d.* per gallon of Customs duties

in respect of petroleum and shale products as per (a).

“(d) $\frac{1}{2}d.$ per gallon of Excise duties in respect of petroleum and shale products, etc., as per (b).

“Moneys paid to the States under (a) and (b) shall be expended upon the construction, reconstruction, maintenance or repair of roads, and moneys paid under (c) and (d) shall be expended upon the construction, reconstruction, maintenance or repair of roads or other works connected with transport as the State may think fit.”

B. 1. Page 234, *replace* the text *by* :

“There would be no variation in the regime by an alteration in the length of the route.”

C. 1, 2, 3, 4 and 5. Pages 257-258, *replace* the text *by* :

“The co-ordination of transport in Australia is primarily a concern of the Governments of the Australian States which, with the exception of certain Commonwealth and privately-owned railways, own and operate the railways within their respective borders and also make and administer laws for the regulation of other forms of transport.

“The Commonwealth Railways Commissioner who administers the Commonwealth-owned railways has made agreements with road carriers providing for road services acting as feeders to the railways instead of competing with them for traffic.

“The agreements provide for special rates being granted by the Commissioner to the road carriers for the conveyance of petrol on the railway for the carriers' own use. This arrangement has been the means of valuable traffic being recovered by the railways and it has likewise proved satisfactory to the road service operators.

“In addition, arrangements have been completed for a co-ordinated rail and road service in the Northern Territory which is administered by the Commonwealth Government. The Commonwealth Railways in conjunction with connecting road-transport services owned and operated by the Northern Territory Administration will provide for transport of goods on through waybills at reduced rates between the principal port of the Territory and inland pastoral properties.”

D. 2. Page 293, *replace* the text *by* :

“Tariffs are framed by the railways for goods in nine classes, and the principle adopted in classifying the goods is to charge what freight rate the traffic can bear. With motor carriers charging a flat rate for all classes of goods, as against the railway method of charging what the traffic will bear, the experience is that the motor carriers are getting the carrying of wool and other high

Road

Railway

class traffic, and leaving to the railways the carrying of agricultural produce, manures and such like, which are carried at unremunerative rates. These tariffs were fixed according to classes of goods used in the national economy of the people. Wheat, flour and other agricultural products necessary for life bear the lowest rates, while ice-chests, gramophones, plated goods, etc., not being necessities are classified at the highest rates.

Australia
(continued):
Commonwealth
wealth
(continued)

“ On the Northern Territory Railway, which serves sparsely settled territory, approximately 33 $\frac{1}{3}$ % reduction is made on the ordinary rates for goods and live-stock, the object being to encourage and assist the development of the Territory. The Commonwealth Government recoups the Railway Administration with the cost of this concession.

“ Concessions known as ‘ long distance rebates ’ are allowed on the Central Australia Railway, which also serves sparsely populated territory. A 10% reduction on the tariff rates is allowed for goods conveyed the minimum distance of 150 miles from the railway. For goods conveyed distances over 350 miles from the railway, the concession is increased to 30% off the tariff rates. The cost of this concession is borne by the Railway Administration.

“ 25% reduction on the ordinary rates is allowed for live-stock being transported for agistment or for stocking up the country. 40% reduction is allowed in the case of live-stock trucks being used which would otherwise have to be run empty. The cost of these concessions is borne by the Railway Administration.

“ In the Northern Territory, under prescribed conditions, half rates are allowed for developmental material such as fencing material, windmills, water-piping, cement and galvanised

iron. The cost of this concession is borne by the Railway Administration."

D. 3. Page 293, *replace* the text *by* :

"On the Trans-Australian Railway, the service has been speeded up by the introduction of new locomotives which permit of a faster schedule. In conjunction with the connecting rail services operated by State Railway Administrations, a saving of a day has been effected on the journey of 2,100 miles from Perth to Melbourne, lounge and dining-cars are air-conditioned and shower-baths are provided in first-class sleeping-cars."

G. Page 343, 2nd para., 4th line, *replace* "Port Augusta" *by* "Port Pirie".

**Western
Australia**

A. 1 (c). Page 34, *add* :

"The controlling Board is authorised to require operators to conduct a specified minimum service for a specified minimum period of time not exceeding twelve months."

A. 3 (d). Page 127, *add* the following to the reply to question (d) :

"Funds derived from fees in respect of any road vehicle may be utilised to assist other road services where revenue from available traffic is insufficient for economic operation."

A. 1 (a) and (b). Page 9, *replace* the first sentence (lines 1 to 4) *by* : "The traffic on controlled routes is regulated by the Transport Control Board under the Road and Railway Co-ordination Acts of 1930 and 1931. (A Royal Commission on Transport has recently recommended (*vide* PP 20/1938) that the system of control be continued and that the restrictive powers of the Board be extended to cover certain vehicles in which the owners carry their own goods in competition with the State-owned railways.)"

**South
Australia**

Road

Railway

Australia
(continued.) :
South
Australia
(continued)

C. 1. Page 259, *replace* the 3rd paragraph of reply to question C. 1, *by* :

“ The Transport Control Board established co-ordinated passenger services between Adelaide and some large provincial towns such as Port Pirie, Port Augusta and Renmark. Instead of a circuitous journey by rail, a direct service partly by rail and partly by road was provided with little difference in the time and cost of a through road service. The extension of the broad gauge railway to Port Pirie and Port Augusta brought about the termination of the co-ordinated services to those towns.”

C. 4. Page 259, *replace* the second sentence *by* : “ No complaints have been made with respect to the co-ordinated passenger services between Adelaide and Port Pirie and Port Augusta, but residents of Renmark have agitated for a direct road service on the ground of the saving in time. The Board has resisted the Renmark demand in the public interest as many other districts could claim that road transport is more expeditious than the existing railway service.”

New South
Wales

A. 1 (c). Page 35, para. (8), 5th line, *replace* “ Secretary to the Board ” *by* “ proper authority ”.

A. 2 (a). Page 95, 2nd line, *replace* “ Board ” *by* “ proper authority ”.

A. 2 (b). Page 95, 1st line, *replace* “ Board ” *by* “ proper authority ”.

A. 1 (e). Page 59, 2nd para., 3rd line, after “ local authority’s officer ” *add* “ and at varying periods by officers attached to the Department ”.

A. 3 (d). Page 131, 7th line, *replace* “ 1935/36 ” *by* “ 1937/38 ” ; 8th line, *replace* “ £22,056 ” *by* “ £46,351 ” and “ £119 ” *by* “ £126 ”.

B. 1, 2, 3, 4 and 5. Page 235, *replace* the text *by* :

“ Variations of the regime referred to in ‘ A ’ are in the direction of :

“ (1) Limiting or extending, in the public interest, the goods or passenger services licensed to operate over a particular route or in a particular area ;

“ (2) Modifying or waiving in relation to the degree of competition involved, nature and length of journey to be traversed, the charges that may be imposed under the State Transport (Co-ordination) Act, 1931, in respect of services which are competitive with the Government transport services. Where goods services are involved, regard is also paid to the nature of the goods to be carried.

"The main structure of the regulation of motor vehicle transport is that every public motor vehicle, under the authority of a licence, is authorised to operate for journeys up to 50 miles in length in any part of the State free of any charges under the State Transport (Co-ordination) Act, 1931, in respect of its operation.

"Where journeys operated are more than 50 miles in length and competition with the Government services is involved, charges in respect of goods or passengers, as the case may be, at the maximum rate, or at some lesser rate, having regard to the length of journey, nature of goods and degree of competition, are imposed.

"An exception is that motor omnibuses, where there is competition with the Government services, are required to pay charges under the Act for the full distance travelled.

"*Tourist Vehicles* :

"In view of the beneficial incidence of their operations on the State economy, vehicles operated in legitimate tourist services are, in relation to other passenger-carrying vehicles, treated favourably so far as the imposition of charges under the Act is concerned. Furthermore, where these vehicles operate on journeys of more than 200 miles in length in competition with Government services, they are exempt from charges for the distance travelled in excess of 200 miles.

"*Private Hire Cars and Taxicabs* :

"It has been found desirable also to scale down the charges that may be imposed under the Act in respect of the operation of taxicabs and private hire cars competitive with the Government services and these charges are on the basis of a minimum charge of 6*d.* per passenger, leading to a maximum of 10*s.* 5*d.* per passenger for a journey of 300 miles and exemption from charges for mileage travelled beyond 300 miles."

C. 4. Page 260, lines 5-6, *replace* "1931/32 to £698,262 in 1935/36" *by* "1931/32 to a surplus of £51,469 in 1937/38".

Queensland

A. 1 (*g*). Page 79, 5th line, *replace* "1935" *by* "1933".

A. 3 (*d*). Page 132, lines 3-4, *replace* "ten twenty-thirds" *by* "twenty-three forty-sevenths".

A. 5. Page 209, *add* : "Under The State Transport Act of 1938, the hours of labour of drivers of vehicles carrying passengers and/or goods are controlled".

A. 1 (*a*) and (*b*). Page 15, *add* :

"State Railways are owned and operated by a State instrumentality, the Transport Commission, in accordance with an Act of Parliament

A. 1 (*a*) and (*b*). Page 15, *replace* the 1st paragraph *by* :

"Every vehicle used for the carriage of goods or passengers for consideration or in the course

A. 1 (*a*) and (*b*). Page 15, *replace* "not subject to any control" *by* : "Not subject to control except as to certificates of master and engineer and survey of the vessel".

Tasmania

Road

of trade or business must be licensed as a public vehicle by the Transport Commission."

A. 1 (c). Page 36, *replace* the text *by* :
"No supervision of time-tables."

A. 1 (d). Page 48, *add* : "No provision".

A. 1 (e). Page 59, *replace* the text *by* :
"Vessels subject to survey."

A. 1 (f). Page 70, *replace* the text *by* :
"No monopoly at present."

Railway

and management by a General Manager — 645 miles.

"Three lines of railway, Emu Bay Railway Company (88 miles), Mt. Lyell Railway Company (21 miles) and Mt. Farrell Mining Company (6 miles), are owned and operated by private companies and are not subject to State control or regulation."

A. 1 (c). Page 36, *replace* the 1st sentence *by* :
"The time-tables for goods and passenger services authorised to operate on regular routes are fixed as a condition of the licence."

A. 1 (d). Page 48, *add* : "The owner of any public vehicle licensed for the carriage of passengers or goods for reward may not refuse to carry within the limits of the licence".

A. 1 (e). Page 59, *replace* the text *by* :
"All licensed public vehicles must comply with specified conditions of fitness and be fit for public use. The requirements are enforced by frequent inspections of equipment by officers of the Transport Commission."

A. 1 (f). Page 70, *replace* the text *by* :
"A licence does not give an exclusive right to operate a service on the particular route or in the particular district."

A. 1 (g). Page 79, *add* : "The Transport Commission may operate road motor services as feeders to or in substitution for railways".

A. 1 (h). Page 86, *replace* the text *by* :

"There is no obligation to organise joint services but the Transport Commission in co-ordinating transport facilities may provide joint services under licence."

A. 2 (a). Page 98, *replace* the text *by* :
"Railway tariffs are fixed by the Transport
A. 2 (a), (b) and (c). Page 98, *replace* the text *by* :
"Fares and freights in respect of regular road

Commission and the private companies as the case may be."

A. 2 (b). Page 98, *replace* the text *by* :

"There is no supervision over the tariffs."

A. 2 (c). Page 98, *replace* the text *by* :

"Tariffs need not be published."

A. 3 (a). Page 133, *replace* the text *by* :

"Private railway companies are subject to the ordinary income tax, land tax and local authority rating. Both State and private services are subject to Customs duties, on imported materials, and private companies pay sales tax on all goods purchased.

"The State railway service is covered by a Superannuation Fund for officers and employees and certain gratuities are provided for long service. Workers' compensation provisions apply equally to both."

A. 3 (d). Page 133, *replace* the text *by* :

"State railway losses are met from the general State revenue and land tax collected

services on fixed routes are fixed by the Transport Commission as a condition of the licence."

"Not subject to supervision and tariffs are not fixed."

A. 2 (b). Page 98, *replace* the text *by* :

"Supervision is exercised through inspection and submission of information."

A. 2 (c). Page 98, *replace* the text *by* :

"Tariffs need not be published."

A. 3 (a), (b) and (c). Page 133, *replace* the text *by* :

"(a) The ordinary income tax and land tax imposed by the State, rates on property by local authorities and Customs duty and sales tax imposed by the Commonwealth apply to road transport operators in common with all other businesses and persons.

"(b), (c) Ordinary fees in respect of motor vehicles are £1 10s. per annum registration fee and 2s. 5d. per power weight unit (horse power + unladen weight in cwt.) for passenger vehicles and 1s. 8d. per power weight unit (horse power + unladen weight in 1/2 cwt.) for trucks. These fees are applied towards roads and for the cost of traffic control.

"In addition, there is a licence fee of £2 per annum for a public goods carrying vehicle and 6s. per passenger per annum for a passenger vehicle and in respect of some road services special charges up to a maximum of 20% of fares and freights are imposed, depending on the extent of duplication of existing services."

A. 3 (d). Page 133, *replace* the text *by* the word :

"None."

Australia
(continued):
Tasmania
(continued)

Road

is paid to the Transport Commission and applied towards railway depreciation, renewals and replacements."

- A. 3 (e). Page 133, replace "No information available" by :
- "Percentage of State railway capital to State public debt : 28%.
- "Revenue of railways 1937/38 : £464,554.
- "Percentage of railway revenue to State revenue : 12.8%.
- "Railway expenditure (including interest and depreciation) 1937/38 : £676,408.
- "Percentage of railway expenditure to State expenditure : 18.6%."

A. 4 (a). Page 183, replace the text by :

"By a common law of negligence subject to a maximum judgment of £2,000 in the case of death or permanent disablement or £1,000 in the case of temporary disablement, so far as the State railways are concerned."

A. 4 (b). Page 183, replace the text by :

"No."

A. 5. Page 210, replace the text by :

"Wages and conditions of employment on railway, road transport and inland navigation undertakings are governed by arbitration awards of the Federal Arbitration Court or the State Wages Board."

Railway

A. 3 (e). Page 133, replace "No information available" by :

"Cost of highway maintenance and improvement works"	£
"Cost of other road works and traffic facilities"	144,000
"Cost of traffic control and administration"	244,000
"Revenue from motor tax and fees"	24,000
"Revenue from petrol tax"	180,000
"Revenue from public vehicles"	220,000
"Cost of control of public vehicles"	18,000
"Percentage of revenue from motor vehicles to road costs and administration"	6,000
	100%

A. 4 (a). Page 183, replace the text by :

"By a common law of negligence."

A. 4 (a). Page 183, add : "By common law of negligence."

A. 4 (b). Page 183, replace the text by :

"Yes, cover is required to cover liability up to £2,000 in respect of any one claim or £20,000 in respect of all claims."

A. 5. Page 210, replace the text by :

"Wages and conditions of employment on railway, road transport and inland navigation undertakings are governed by arbitration awards of the Federal Arbitration Court or the State Wages Board."

and *add* :

" It is a condition of every public vehicle licence that the requirements of any Federal or State award or determination with respect to wages and conditions of employees shall be observed in relation to the vehicle."

B. 1, 2, 3, 4 and 5. Page 236, *replace* : " No information " *by* :

" The regime described under A is subject only to the reservations set out under 1, 2 and 3. " 1 and 2. Where, because of short haul and/or geographical considerations, it is more convenient and economic for goods or passengers to be carried by road, no protection is given the railways.

" 3. Where it is more convenient and economic for certain classes of goods to be carried by road, no protection is given the railways."

B. 1. Page 236, *insert* before 1st para. :

" It is considered that road services are more convenient for short hauls and no charges are imposed, but for long hauls in competition with railways, charges are imposed as in 3 (b)."

B. 2, 3, 4, 5. Page 238, *replace* the texts *by* :

" 2. In routes competing with existing facilities are licensed only subject to the payment of charges as in 3 (b) above.

" 3. There are variations in the tax according to the classes of goods carried.

" 4. All motor vehicles used for the carriage of goods for sale or in the course of trade or business must be licensed and the same control is exercised as in the case of public carriers.

" 5. Any conditions designed to ensure the safety and convenience of the public and the economic welfare of the State may be imposed in a licence."

C. 1, 2, 3, 4 and 5. Page 261, *replace* the text *by* :

" 1. The transport legislation is designed to achieve a balanced traffic between road and rail and the law is administered to promote the economic welfare of the State. The object of the legislation is to eliminate wasteful transport facilities and duplication of services.

" 2. Except in the administration of the legislation set out above no action is taken to distribute traffic.

" 3. Direct action was taken.

" 4. The legislation is too recent (1938) to give any opinion on results, but it is anticipated that there will be general benefit from the legislation.

Australia
(continued):
Tasmania
(continued)

Railway

"5 (a) and (b). There are combined road and rail passenger transport on certain trips for tourists. Inclusive freights are provided for carriage of wool by rail and to the wool store by road vehicle.

"(c) Certain special railway rates are charged to promote industries in certain areas.

"(d) No other agreements have been made."

D. 1 and 2. Page 297, *replace* "No information" *by* :

"1. No other special measures have been taken.

"2. There are no measures promoted by general considerations prejudicial to a given means of transport except in so far as the application of the legislation may be prejudicial to an uneconomic duplicating service."

D. 3. Page 297, *replace* the text *by* :

"Measures have been taken for :

"(a) Improvement of passenger services ;

"(b) Introduction of buffet services ;

"(c) Provision of steam cars, and petrol and diesel rail-cars ;

"(d) Introduction of one-class fare ;

"(e) Provision of improved passenger rolling stock with maximum comfort and attraction for tourists."

D. 3. Page 297, *add* :

"Road vehicles have been kept up to date and improved roads have permitted faster schedules."

E. 1 and 2. Page 325, *replace* the text *by* :

"The policy is governed by considerations of preserving the Government asset represented by the Railways from the effects of unregulated competition which resulted in wasteful overlapping and duplication of service to the ultimate detriment of the national economic welfare. To this extent, the policy is governed by national economic policy arising from the necessity for protection of the State-owned Railways, which, in addition to performing common carrier service, perform a national function in the opening-up of large primary producing territories, fostering development and serving defence purposes.

"The Transport Commission has, however, power to recommend the closing of railways and may restrict the railways from operating on certain lines or for certain classes of traffic. The policy is designed essentially to prevent the over-supply of transport and the burden to industry of duplication of costs, to the advantage of the national income."

Road

F. Page 337, *replace* the text *by* :

“ Tasmania is an island State and this consideration does not apply.”

G. Page 344, *replace* the text *by* :

“ The small area of Tasmania, its insular nature and scattered population and short hauls present aspects of the transport problem not usually faced in larger and more populous countries. The narrow gauge railway and the mountainous nature of the island make railway operation difficult and expenses heavy, whilst in other parts the swampy nature of the country presents road construction difficulties. Transport is, therefore, expensive, but as primary products and minerals form the bulk of the State production and these are subject to world parity, part of the cost of transport has in the past been borne by the State and will be for some time, but the legislation in 1938, presents an opportunity for planning to give essential transport without loading industry with heavy expenses and without cost to the State.”

United Kingdom

“ Great Britain ” should be *substituted for* “ United Kingdom ” wherever the latter occurs in document C.347.M.208.1938.VIII, as the replies furnished do not apply to Northern Ireland.

A. 1 (c). Page 38, *replace* the text *by* :

“ Tramway and trolley-vehicle undertakers are usually obliged to run a sufficient service for workmen at cheap fares. They are also required to provide such a service of vehicles as may be reasonably required in the public interest.”

A. 2. Page 103, 5th line, *replace* “ smaller ” *by* “ similar ”.

A. 3 (a), 4. Page 139, 2nd line, *replace* “ 8d. ” *by* “ 9d. ”.

A. 3 (a), 6. In 3rd line of 2nd para., *replace* “ ‘ freight ’ transport hereditaments ” *by* “ freight transport hereditaments ”.

A. 1. Pages 20-21, in line 20 of the *Note*, after “ reward ” *add* : “ subject to special conditions ”.

A. 1 (e). Page 61, *replace* “ No information ” *by* :

“ No special requirements. ”

A. 3 (c). Page 140, 2nd para., 3rd line, *replace* “ increased to 8d. ” *by* “ now increased to 9d. ”.

A. 3 (c). Page 140, *replace* “ No information ” *by* :

“ No special taxes of this kind are levied on canals. ”

A. 3 (e). Page 141, 1st para., lines 15 to 19, *replace* “ fed from the proceeds of the excise duties on mechanically propelled road vehicles (see (c)); but since April 1st, 1937, these receipts are payable direct to the national exchequer, and the Road Fund is fed ” *by* “ maintained ”.

Road

A. 5. Pages 214 and 215, *replace* the 2nd para. *by* :

“ As regards goods road transport, sub-section 2 of section 32 of the Road and Rail Traffic Act, 1933, extended section 93 of the Road Traffic Act, 1930, so that the ‘ fair wage ’ requirement should apply to the holders of ‘ A ’ (public carriers) licences and ‘ B ’ (limited carriers) licences. These provisions will, however, shortly be superseded by the Road Haulage Wages Act, 1938, the scope of which is not limited to drivers and statutory attendants of vehicles operating under ‘ A ’ and ‘ B ’ licences but extends also to ‘ C ’ licensed (private carriers) vehicles and includes certain of the travelling staff of the vehicles as well as the actual drivers. Part I of the Act, which deals with employment in connection with ‘ A ’ and ‘ B ’ licensed vehicles, provides for the establishment of central and area wages boards consisting of representatives of employers and workpeople in equal numbers. The central board which has also a limited number of independent members among its number is empowered, after consultation with the area boards, to submit proposals to the Minister of Labour regarding the remuneration (including holiday remuneration) to be paid to road haulage workers employed in connection with ‘ A ’ and ‘ B ’ licensed vehicles, and the Minister is empowered to give to such proposals the force of law. Part II of the Act provides for the reference, in the first place to the Minister, of complaints regarding the remuneration paid to any worker employed in connection with a ‘ C ’ licensed vehicle. If a mutually agreed settlement cannot be reached, it is the Minister’s duty to refer the complaint to the industrial court for settlement; and the court is required to establish whether, in the light of certain standards laid down in the Act, the remuneration paid was unfair, and, if so, to

Railway

fix the remuneration to be paid, which then becomes legally enforceable as between the employer and worker in question.”

B. 4. Page 241, *replace* the 1st sentence *by*:
“The carriage of goods in connection with the owner's trade or business requires the vehicle to be authorised under a ‘B’ or ‘C’ licence.”

C. 1. Page 267, *add*: “Outside the London area, some public authorities have obtained the necessary statutory powers for the constitution of joint boards or committees for the operation of public service (*i.e.*, passenger) vehicles. As in the case of tramways and trolley vehicles, such bodies have generally been formed for the purpose of eliminating duplication of effort and wasteful competition.”

C. 5 (c). Page 269, *replace* the text *by*:
“No special rates have been fixed on any route covered by one particular means of transport with the object of favouring another means of transport.”

C. 5 (d). Page 269, 2nd para., 3rd line, *replace* “terminals” *by* “terminal”.

F. Page 338, *replace* “No information available” *by*:

“In theory, there is no difference of treatment as between national and foreign transport, but, owing to the insular situation of Great Britain, there is, in practice, no foreign transport by railway, road or canal.”

B. 1-5. Pages 240, 241 and 242, *replace* the texts under 1, 2, 3, 4 and 5 *by*:

“The regime described under ‘A’ is not subject to any of the reservations mentioned in points 1 to 5 of the questionnaire.”

Egypt

A. 1 (a) to (e).

A distinction has to be made between standard-gauge and narrow-gauge railways.

The former operate under a regime of Government management, and are run by the State Railways Administration, which is under the control of the Ministry of Communications.

A regular service run to a fixed schedule is thereby assured, as is also the obligation to carry passengers or goods.

Supervision of material is in the hands of a branch department of the Railways Administration.

A. 1 (a) to (e).

With regard to motor transport services, a system of yearly licences is in force. Applications for licences are considered as granted unless refused within one month of submission. The licence shows how many passengers each vehicle may carry, and lays down conditions with regard to rates, itinerary and time-tables. In the case of motor vehicles intended for the transport of materials and goods, the licence specifies the maximum height and width of the load and the type of wheel-covering required.

A. 1 (a) to (h).

A system of registration of vessels is in operation. Transport services may be operated in full freedom, except for a supervision of the material carried out in application of the provisions contained in the decree on steam-engines, which applies both to electrical machinery and to heat-engines. No such machinery may be installed without licence, and the decree lays down certain safety conditions.

Egypt (continued)

Railway

Narrow-gauge railways are run by undertakings holding concessions; these undertakings accept the obligation to run a regular service to a fixed schedule over the lines subject to concession, and the obligation to carry passengers or goods in conformity with the contract cahier (*cahier des charges*).

When granting concessions, the Government reserves the right to supervise works and material through its duly-appointed inspectors.

Road

Licences also lay down conditions relating to the strength and safety of the vehicle, in accordance with the terms of the relevant regulations. Those conditions may be varied, but a decree varying them does not become applicable to vehicles until three months after its publication in the *Official Journal*. Any vehicle no longer meeting the requirements laid down is stopped by the police officers or traffic officials.

In certain provinces, undertakings holding concessions for operating narrow-gauge railways also hold concessions for running road transport services within the same provinces. The contracts applicable to those services are the same as those applying to narrow-gauge railways.

A concession involves no monopoly, and the Minister of Communications remains free to licence any other passenger transport undertaking. He is, however, debarred from operating directly, or granting a licence or concession for operating, any service covering the same itinerary as services already in operation.

A. 1 (g).

The State Railways Administration also runs motor transport services on roads parallel to its railway lines. It enjoys priority in that respect, owing to the fact that undertakings and private individuals applying for licences may be refused authority to proceed if the proposed itinerary runs parallel to the railway line.

Participation by the railways in the operation of private road transport undertakings has been considered on an experimental basis in certain cases. It takes the form of the purchase by the Railway Administration of 51% of the capital of the transport undertaking.

With regard to undertakings holding concessions for narrow-gauge railways, see above, first paragraph.

A. 1 (h).

There is no obligation to organise any joint service.

A. 2 (a), (b) and (c).

In the case of the State Railways, tariffs are fixed by a special committee and published in the *Official Journal* in the form of a decree issued by the Minister of Communications.

In the case of narrow-gauge railways, the tariffs are fixed by the undertakings holding the concessions, subject to the previous approval of the Ministry. That approval is also required in the case of any change in tariffs, and such changes must be notified to the public one month in advance.

The concessions lay down maximum rates per kilometre. In no case may narrow-gauge railway tariffs be lower than those in force on the State railways if the latter also provide a service between the same two places.

The Government has the right to supervise the application of the tariffs in pursuance of its general power to attach to each undertaking holding a concession one or more inspectors, whose duty it is to see that the terms and conditions of the concession and of the contract annexed to it are strictly carried out.

A. 3 (a).

Railway, road and inland water transport undertakings, except the State railways, fall under the ordinary law as regards ordinary taxes such as the tax on built-up property, Customs and Excise duties on materials and fuel, the tax on commercial and industrial profits, etc.

The State railway undertaking, being a public administration, enjoys exemption from taxation in accordance with the Customs regulations and other fiscal laws.

(b).

It is to be noted that the State Railways Administration has its own budget, separate from that of the State, to which it pays 25% of its gross annual receipts. This payment corresponds approximately to interest at 3% on the capital invested by the State, if that capital be estimated at £E35,000,000.

A. 2 (a), (b) and (c).

Transport on waterways is not subject to any regulations.

A. 2 (a), (b) and (c).

The special licences granted for motor-vehicles transport specify the tariffs approved by the Minister of the Interior. Those tariffs must be prominently displayed inside each vehicle.

Undertakings holding concessions for road transport are subject to the same obligations as narrow-gauge railway transport undertakings (see above).

(b).

Road transport undertakings working under concession pay an annual charge based on a percentage (6%) of the gross receipts of the undertaking.

Egypt
(continued)

Railway

Undertakings holding concessions to operate narrow-gauge railways pay to the Government an annual charge which is calculated as follows :

After certain deductions have been made from gross receipts (for running expenses, interest and amortisation on bonds, distribution of dividends, etc.), the surplus is divided equally between the Government and the undertaking holding the concession.

Road

A. 3 (c).

Motor vehicles pay a special tax varying with the weight of the vehicle. The proceeds of that tax are credited to the State budget and not earmarked for road maintenance.

(d).

There are no special dues for the benefit of a given means of transport.

(e).

The following figures are taken from the State budget for the 1938/39 financial period.

State budget expenditure	£E48,172,450
Establishment charges for means of communications (railways and roads)	£E1,064,050
In relation to general budget charges	2.2%
<hr/>	
Railway establishment charges	£E600,000
In relation to general budget	1.24%
In relation to establishment charges for means of communication (railways and roads)	56.39%
In relation to road establishment charges	129.00%
<hr/>	
Road establishment charges	£E464,050
In relation to general budget expenditure	0.96%
In relation to establishment charges for means of communication (railways and roads)	43.61%
In relation to railway establishment charges	77.34%
<hr/>	
Upkeep charges for means of communication (railways and roads)	£E4,938,080
In relation to general budget	10.25%
Upkeep charges for railways	£E4,367,450
In relation to upkeep charges for means of communication (railways and roads)	88.45%
In relation to road upkeep charges	765.00%

Road upkeep charges	££570,630
In relation to general budget	1.18%
In relation to upkeep charges for means of communication (railways and roads)	11.55%
In relation to upkeep charges for railways	13.00%
<hr/>	
General budget receipts	££47,136,250
Receipts from means of communication (railways and roads)	££6,595,600
In relation to general budget receipts	13.99%
<hr/>	
Receipts from railways	££5,434,000
In relation to general budget receipts	11.52%
In relation to receipts from means of communication (railways and roads)	82.37%
In relation to the yield of motor-vehicle taxes	467.00%
<hr/>	
Yield of motor-vehicle taxes	££1,161,600
In relation to general budget receipts	2.46%
In relation to receipts from means of communication (railways and roads)	17.60%
In relation to receipts from railway	21.37%

A. 4 (a).

The civil liability of the carrier in the event of an accident to passengers is governed by the ordinary law; disregard of the responsibility is punishable on proof of guilt.

In the event of damage to goods during transport, the carrier's liability is of a contractual character, and is governed by the terms of the contract of conveyance.

Clauses exempting the carrier from liability do not debar the application of the rules by which disregard of responsibility is punishable if the consignor or passenger is able to prove that the Administration or its agents were at fault, the effect of such clauses, in regard to the transport of goods, is thus merely to reverse the onus of proof.

(b).

No obligation to take out insurance is laid upon either the State Railways or the narrow-gauge railway undertakings.

(b).

Road transport undertakings working under concession are obliged to effect third-party insurance with a company approved by the Government at the rate of ££500 per unit of the number of persons the vehicle in question is licensed to carry.

A. 5.

The relevant social legislation consists of Law No. 147, of 1935, limiting hours of work in certain occupations, and Law No. 64, of 1936, regarding accidents to workers.

The 1935 law lays down that hours of work in certain industries shall not exceed nine per day, with intervals of at least one hour, and that not more than five consecutive hours shall be worked.

The Law of 1936 stipulates that any worker suffering injury as a result and in the course of his employment shall be entitled to claim compensation from his employer.

Road

Railway

This law is applicable to manual and clerical workers, and apprentices in undertakings for the transport of passengers or goods by road, railway, sea, river, etc.
B. 1-2.

The system described under A above is not dependent upon the distance covered or upon the geographical position of the route in question.

It is to be noted that the fiscal regime applicable to motor vehicles is to some extent dependent upon the geographical position of the route covered.

3.

Under the regulations regarding motor vehicles, the total weight of a vehicle intended for the transport of goods must not, when fully laden, exceed 8 metric tons. This limit may be raised, in towns, to 10 tons for four-wheeled vehicles and to 12 tons for six-wheeled vehicles.

3.

It follows that certain types of goods cannot be conveyed by road, but only by rail or water.

4.

The same system is applied to transport effected by industrial and other undertakings by their own means.

5.

The regime described under 2 does not apply to public passenger transport in towns.

C. 1.

The problem of competition between motor vehicles and railways arose in Egypt as far back as the immediate post-war period. At that time, however, the state of the roads was not such as to favour the use of motor vehicles as a means of transport, whilst only private individuals and small companies had as yet entered the road transport field.

A few years later, the state of the roads having been improved as a result of suitable budgetary expenditure, these small companies amalgamated into undertakings large enough to represent a serious competitive factor for the railways.

To prevent cut-throat competition between the two, a Transport Committee was set up at the Ministry of Communications to examine and decide upon applications for licences; most of these were granted for services bringing passengers to the nearest railway station, but not for services running parallel with the railways.

The Railways Administration, moreover, took a hand in the operation of private road transport undertakings by subscribing 51% of the capital. This type of joint undertaking now operates half the transport services in Lower Egypt.

The steps taken, though aimed at ensuring a measure of protection for the capital invested in the railways, at same time brought about a certain degree of co-ordination between the two means of transport.

In order to define clearly the principles to be applied and the policy to be followed, an Advisory Transport Council was set up by a decree dated March 30th, 1938.

The Council gives opinions on the following matters :

- (1) Bills and draft regulations regarding means of transport other than railways ;
- (2) Issue of regulations for the organisation of such transport facilities, and exceptions to those regulations ;
- (3) Transport charges, taxation and exemptions from taxation ;
- (4) Co-ordination of such means of transport with each other and with the railways.

2, 3 and 4.

In 1935, a proposal was advanced that Egypt should be subdivided into five or six concession zones, in each of which the right to operate road transport services would be offered for tender and conceded to a single undertaking paying to the Government an amount based on a percentage (probably 6%) of the gross takings.

That system would have led to the amalgamation of the existing transport undertakings, and would have eliminated all competition among them. In addition, it would have led to the co-ordination of road and rail transport, the first being used as a means of feeding the second. The proposal met, however, with considerable criticism, particularly in regard to the possibility of attaining the second objective.

Most roads in Egypt run parallel to the railways ; this is true of 7,000 kilometres out of the 9,000 kilometres of roads in the country. It was therefore felt that the proposed system would merely have intensified competition between railways and roads, without offering any corresponding compensation or appreciable advantage.

The proposal was accordingly dropped.

The Administration also made efforts, which proved fruitless, to come to an agreement with the river transport undertakings for distributing the traffic in certain classes of goods.

Through rates and waybills are in existence both on the State and on the narrow-gauge railway systems.

D. 1.

No special measures other than those mentioned under A. 1 (g) and A. 2 (a), (b) and (c), paras. 2 and 3, are taken on behalf of any given means of transport.

2.

The tariff for the conveyance by the State railways of some categories of goods is some-

Egypt (continued)

times reduced at certain times of the year in the case of conveyance to seaports.

The object of this measure is to reduce production costs, and thus to make possible the export of the goods in question to foreign markets. As this is a governmental measure adopted in the national interest, and as it relates to transport on the State railways, no compensation is given.

3.

The State Railways Administration has taken the following steps with a view to adapting its services to the situation created by the development of other means of transport :

- (1) Speeding-up of conveyance by the introduction of diesel cars on suburban lines ;
- (2) Reduction of costs through the use of rail motor-cars for suburban services ;
- (3) Institution of motor-vehicle door-to-door goods transport services ;
- (4) Introduction of cheap return fares to resorts during the summer and to Upper Egypt during the winter (inclusive of hotel charges) ;
- (5) Speeding-up of main-line passenger services ;
- (6) Reduction of charges on certain routes operating in competition with road services.

E.

The policy adopted is governed by national economic policy, by the desire to protect and obtain a return on the capital invested by the Government in the railways and by considerations of national defence and security.

Ecuador

A. 1 (a) and (b). Page 22, *replace* the text by :

“ The construction of railway lines for the purposes of public transport requires the prior authorisation of Congress in the form of a special decree. The work is financed by the State either directly or through contracts with private undertakings. In general, the railways are operated on behalf of the State. In exceptional cases (Guayaquil and Quito Railway Co., Ferrocarril Manta-Santa Ana), the above-mentioned contracts include a clause granting an operating concession to the private undertaking.”

(c) Page 38, *replace* the text by :

“ All transport undertakings are required to run a regular service to a fixed schedule.”

A. 1 (a) and (b). Page 22, *replace* the text by :

“ State licence, certificate of registry and navigating permit required in all cases.”

A. 1 (a) and (b). Page 22, *replace* the text by :

“ Road transport undertakings require a licence from the Police Department issued on payment of the necessary dues and subject to compliance with the registration regulations.”

“Supervision is exercised by the Ministry of Railways.”

“Supervision is exercised by the Police Department.”

“River transport undertakings are required to publish their time-tables. The port authorities are responsible for seeing that these are observed.”

(d). Page 50, *replace* the text *by* :

“Transport undertakings are under no legal obligation to carry passengers or goods.”

“Under the contracts with the private undertakings, however, these are under an obligation to effect transport for the State and the local authorities.”

“The State provides for its own transport requirements.”

“As under ‘Railways.’”

(e). Page 62, *replace* the text *by* :

“The permanent way and rolling stock are under the supervision of the competent services of each railway company.”

(e). Page 62, *replace* the text *by* :

“Vehicles are periodically inspected by the Traffic Commissioners attached to the Police Department.”

(e). Page 62, *replace* the text *by* :
 “The supervision of material is in the hands of the Customs authorities in each port.”

(f). Page 73, *replace* the text *by* :

“The State has a monopoly in respect of its own railways and owns the majority of the shares in the Guayaquil-Quito Railway.
 “The Manta-Santa Ana Railway in the province of Manabí (the Central Railway) is at present operated by a concessionary company.”

(f). Page 73, *replace* the text *by* :

“There are no monopolies in favour either of the State or of any concessionary company.”

(f). Page 73, *replace* the text *by* :
 “There are no monopolies in favour either of the State or of any concessionary company.”

(g) Page 81, *replace* the text *by* :

“There is no right of priority.”

(h). Page 88, *replace* “No information” *by* :

“Most of the railways are State-owned and the Guayaquil-Quito and Manta-Santa Ana Railways are subject to the supervision of the Ministry of Railways. There is no obligation to organise a joint service either in the form of a pool or otherwise.”

(h). Page 88, *replace* the text *by* :

“Joint services are operated by private shipping companies plying along the coast and they are affiliated to the shipowners’ association of their port of origin in order to secure remunerative operation and to avoid ruinous competition by the standardisation of rates.”

A. 2 (a). Pages 106-107, *replace* the text *by* :

“There are fixed tariffs on all railways. They are drawn up, in the case of the State-owned railways, by the competent Directorate-General and in other cases by the respective railways acting individually. The approval of tariffs

A. 2 (a). Page 106, *replace* the text *by* :

“The competent Traffic Commissioners in each city endeavour, in conjunction with the owners of vehicles or transport undertakings, to secure uniform tariffs for passengers and goods.”

A. 2 (a). Page 106, *replace* the text *by* :

“The tariffs are drawn up by the shipowners’ associations and are approved, after consideration, by the competent public authorities.”

Ecuador
(continued)

Railway

rests exclusively with the competent Ministry."

Road

(b). Page 107, *replace* the text by :
"After approval by the Traffic Commissioners of the tariffs agreed upon by the owners of vehicles or transport undertakings, the supervision of the tariffs is in the hands of the police of the various places served."

(c). Page 107, *replace* the text by :
"Publication is not compulsory."

. A. 3 (a).

"In general, the railways are a State service and are not subject to any direct taxes in the strict sense of the term. They are not, however, exempt from Customs duties and certain social charges : employers' tax, workmen's compensation for accidents, etc. Private undertakings are, in addition, liable to income tax."

(b). Page 145, *replace* the text by :

"There is a tax of 0.10 sucre per 46 kg. of freight carried by the railways for the maintenance of the railways' administration."

(c). Page 145, *replace* the text by :

"There are no special taxes."

(d)

(e). Page 145, *replace* the text by :

"In the General State Budget, 'Expenditure' chapter, there are special items for the main-

Inland navigation

(b). Page 107, *replace* the text by :

"Both the shipowners' associations and the administrative authorities of ports are responsible for seeing that the tariffs agreed upon and approved are duly observed."

(c). Page 107, *replace* the text by :

"Tariffs are generally posted in conspicuous places in the shipping offices for the information of the public."

Page 145, *replace* the text under (a) 1, 2 and 3 by :

"The ordinary taxes to which transport undertakings are liable are : Customs duties ; progressive tax on floating capital ; income tax on income from capital and on operating profits ; sales tax ; social charges ; individual and employers' contributions to the social insurance fund of the employees of each undertaking."

(b). Page 145, *replace* the text by :

"Registration of vessels (from 0.20 to 0.60 sucre per ton of carrying capacity for the first year and 0.10 sucre per ton for subsequent years) ; annual navigating permit (0.50 sucre per ton). Sailing vessels and rowing boats pay 50% of the above rates."

(c). Page 145, *replace* the text by :

"There are no special taxes."

(d). Page 145, *replace* "No information" by :

"There are no special dues for the benefit of any given means of transport."

(e). Page 145, *replace* the text by :

"From time to time, the Government allocates funds for the dredging of navigable waters."

tenance and operation of the State Railways. Sums received by the State in taxation are paid into a joint fund which is allocated in the budget as required. Special credits are granted for railways in course of construction in addition to those granted to railways already in operation."

Mining and petroleum companies are subject to special obligations in that they are required to apply a stated percentage of their output to the building and maintenance of roads. The Compania Mimera de Portovelo, for example, contributes 12% of its output of precious metals for the building of roads in the provinces of Loja and El Oro. The Anglo-Ecuadorian Petroleum Company contributes to the maintenance of roads in the province of Los Ríos. In addition, credits are allocated each year in the General State Budget for the building and maintenance of roads. The communes are also required to set aside funds for the maintenance of the roads and streets within their administrative area.

"Generally speaking, the taxes on petrol and its derivatives and on wheeled vehicles and the yield of the registration tax on vehicles are allocated to the road budget."

A. 4 (a). Page 188, replace the text by :

"Under the General Transport Regulations now in force, the railways are responsible for the loss or wastage of or damage to goods not of a perishable or abnormally fragile nature and are liable for compensation therefor. In all cases of accident, liability is determined by the Commercial and Penal Codes."

A. 4 (a). Page 188, replace "No information" by :

"The undertakings are presumed to be responsible for accidents to persons, failing proof to the contrary. In the absence of such proof, they are liable for proper compensation and in serious cases they are also liable to criminal penalties. In the case of loss of or of damage to goods, established in summary proceedings before the Traffic Commissioners, the undertaking is liable for compensation for the loss or damage sustained."

A. 4 (a). Page 188, replace "No information" by :

"Shipping undertakings are presumed to be responsible for accidents to persons travelling in their vessels, failing proof to the contrary. In the absence of such proof they are subject to the provisions of the Penal Code and are liable for proper compensation."

"In the event of loss of or damage to goods, when no valid excuse can be established, they are required to refund the value of the goods in accordance with the carriers' liability under the Commercial Code."

(b). Page 188, replace "No information" by :

"There is no obligation to take out an insurance policy."

(b). Page 188, replace "No information" by :

"There is no obligation to take out an insurance policy."

A. 5. Page 217, 1st line, replace "The maximum working-week is forty-five hours — i.e., eight hours a day and five hours on Saturday" by :
 "The maximum working-week is forty-four hours with an eight-hour day and four hours on Saturday morning", and add at the end of the paragraph :
 "Ecuador has an up-to-date Labour Code whereby the conditions and aspirations of the workers are generously provided for; the right of workers injured in the course of their work to rest and compensation is recognised and there is a judicial and administrative organisation for dealing with labour matters."

Ecuador
(continued)

Railway

B. Page 244, *replace* the text under 1, 2 and 3, 4 and 5 *by* :

" 1. There are no exceptions to or variations of the regime described above. In general, the tariffs vary in proportion to the distance, allowance being made for business requirements and competition. There is no minimum distance."

" 2. The tariffs, however, vary according to geographical conditions and operating difficulties, and also according to the development of other means of transport."

" 3. In the transport of passengers the main difference is between the two classes of accommodation, first and second; goods are divided into eleven classes. The tariffs vary according to the class of transport. A rebate of 10% on the above-mentioned tariffs is generally allowed in respect of full truckloads of goods. No goods are reserved for any given means of transport."

" 4. The transport regime in force applies both to State undertakings and to private undertakings of all kinds. As regards liability, all transport, whether by public or private undertakings, is governed by the provisions of the Commercial Code regarding the carrier's liability."

" 5. There are no other special conditions worthy of mention."

C. 1, 2 and 3. Page 272, *replace* the text *by* : . . .

" 1. The State takes action to fix routes, tariffs and regulations with a view to the rational co-ordination of transport on the basis of the safety, economy and efficiency of the service in general and without prejudicing the development of the undertakings concerned."

" 1. The Traffic Authorities throughout the country have concerned themselves with the co-ordination of transport, and have fixed routes, time-tables, maximum speeds and the maximum load of passengers and goods according to the capacity of the vehicles, in general, with a view to the safety and regularity of the services as well as economy in operation."

" 1. The Port Authorities and the shipowners' associations have been active in co-ordinating transport services between different places, fixing times of departure and of arrival, the time taken on journeys, and the maximum load of passengers and goods according to the capacity of the vessels. Traffic is satisfactorily regulated by the shipowners' associations, which endeavour to eliminate friction between their members."

" 2. No attempts have been made to distribute traffic apart from the measures adopted to ensure safety and to facilitate traffic movements."

" 3. See under C. 1."

" 3. See under C. 1."

" 3. See under C. 1."

" No system of through rates for combined transport by the various means of transport under consideration (railways, roads and inland navigation) has yet been established."

Inland navigation

B. Page 244, *replace* the text under 1, 2 and 3, 4 and 5 *by* :

" 1. Tariffs in inland navigation vary in the same way as motor-bus tariffs."

" 1. The motor-bus tariffs vary according to the distance travelled, and are always different for passengers and goods. There is no minimum distance."

" 3. There are no restrictions of any kind except as regards quantity, which is limited by the capacity of the vessel."

" 3. There are no restrictions of any kind except as regards quantity, which is limited by the capacity of the vehicle."

(b), (c) and (d). Page 272, replace the text by :

(b). No ; see answer to previous question."

"(b). On the Guayaquil-Quito Railway, both passenger and freight rates include river transport between Guayaquil and Alfaro, which is the terminus of the line. Through tickets and waybills have been introduced on the railway system."

"(c) There are no special rates." "There are no agreements in other forms between the various means of transport."

D. 1, 2 and 3. Page 306, replace the text by :

D. 1 and 2. Page 306, replace "No information" by :

"1. The State has a monopoly over its own railways and holds a majority of the shares in the Guayaquil-Quito Railway ; their activities are therefore regulated by the provisions already mentioned."

"1. There are no special measures."

"2. Since the increase in competition from motor traffic due to constant progress in the construction of carriage roads, the railway tariffs are kept within limits which cause no prejudice to other transport interests. The aim has been to institute a transport policy such as would indirectly stimulate production."

"2. There are no such measures."

"3. The measures applied by the railways are : The speeding-up of traffic, reduction of rates and rationalisation of services with increased comfort and safety."

"3. The tendency to improvement shown by railway transport is due in the main to the systematic development of road traffic."

E. 1 and 2. Page 328, replace "No information" by :

E. 1 and 2. Page 328, replace "No information" by :

"1. Protection of the capital invested, subject to the effects of natural law of supply and demand."

"1. Protection of the capital invested, subject to the effect of the natural law of supply and demand."

"2(b). Yes, these reasons relate to considerations of national defence and security."

"2(b). Yes, these reasons relate to considerations of national defence and security."

“2 (c). The improvement of communication and transport services is a matter of public utility. This principle is kept in mind in regard to all the three modes of transport concerned.”

Road

F. Page 339, *replace* the text *by* :

“There is no difference of treatment in favour of any particular means of transport. In Ecuador, they are all subject to regulations laid down by the competent authorities. River navigation or coastwise shipping between national ports is reserved to nationals. Foreign shipping is permitted to enter Ecuadorian waters for purposes of trade, subject to compliance with the coasting traffic regulations. As the railways of Ecuador are not yet linked with those of neighbouring countries, the question of differences of treatment does not arise; land communications with Colombia are subject to the principle of reciprocity. In Eastern Ecuador, the frontier with Peru has not yet been settled and no agreements have therefore been concluded in regard to river navigation on the River Amazon and its tributaries. Motor vehicles use fuel produced in the country, and this helps to reduce transport charges, especially as home-produced fuel is heavily protected against foreign competition.”

Railway

Ecuador
(continued)

India

A. 1 (a) and (b). Page 25, *replace* the text *by* :

“Road transport (by which is presumably meant mechanical road transport for hire or reward) is authorised by permits granted by provincial or State authorities. The position in respect of private transport of goods by road in motor vehicles varies at present, but such transport will in future be authorised by permits under the Motor Vehicles Act, 1939, which comes into force on July 1st, 1939.”

(c). Page 40, *replace* the text *by* :

“Except in the case of trams or of certain services of buses within municipal limits, there is, as a general rule, no obligation to run a regular service, but provision has been made in the Motor Vehicles Act, 1939, empowering transport authorities to require motor-buses to be run to time-tables and to insist as a condition of any permit that a certain minimum service must be provided.”

(d). Page 51, *replace* the text *by* :

“There will now be an obligation to carry passengers tendering the legal fare, provided

there is room in the vehicle. There is and will be no obligation to carry goods."

(e). Page 64, *replace* the text *by* :

"The Motor Vehicles Act, 1939, provides for periodical inspection of transport vehicles. It is probable that inspection will generally include brake-testing by instrument. There is also provision for determining the lawful laden weight of transport vehicles from the makers' specification qualified by a tyre-loading schedule, for the weightment of vehicles, and for penalties for overloading."

(f). Page 74, after "monopolistic concessionaries" *add* : "save in the case of a railway operating in and guaranteed by an Indian State".

A. 2 (a) and (b). Pages 112-113, *replace* the text *by* :

"At present fares and freights are not, in general, fixed or controlled by any authority. Provision has, however, been made, in the new Motor Vehicles Act of 1939, empowering provincial Governments to fix maximum or minimum fares or freights for public service and goods vehicles, with a view to preventing uneconomic competition with railways and between motor vehicles."

(c). Page 113, *replace* the text *by* :

"The Act of 1939 empowers transport authorities to require as a condition of a stage-carriage (bus) permit that the fare-table shall (whether or not the fares are fixed by the provincial Government) be exhibited in the vehicle."

India
(continued)

Railway

A. 3 (a). Page 156, 10th to 11th lines, replace the last sentence by the following :

“The following are the social charges paid by the Indian Railway :

“(i) Non-pensionable railway employees are permitted to subscribe to the Railway Provident Fund at the rate of one-twelfth of their monthly emoluments, to which the Government adds an equal amount of bonus ; a gratuity is also granted at the time of retirement ;

“(ii) Pensionable railway employees are given pensions according to pay and number of completed years of service ;

“(iii) An extraordinary gratuity is granted to both pensionable and non-pensionable employees for injuries or death in the execution of their duties ;

“(iv) Compensation to certain classes of employees under the Workmen's Compensation Act for injuries or death in the execution of their duties, but not in addition to (iii) above ;

“(v) Free medical attendance in railway hospitals and dispensaries to the extent of the accommodation available to all employees and their families and in other hospitals to members of the Railway Service, Class I ;

“(vi) Educational grants are made by railways to cover the following types of expenditure :

“(a) Expenditure on the upkeep, maintenance and development of schools run by railways primarily for the benefit of the children of their employees ;

Road

A. 3 (a). Page 156, replace the text by :

“An import duty on vehicles, parts and accessories (25% *ad valorem* standard and 17½% *ad valorem* United Kingdom) ; an import duty on tyres (30% *ad valorem* standard and 20% *ad valorem* United Kingdom) ; an Excise or Customs duty on motor spirit (10 annas per imperial gallon) ; a provincial tax on the vehicle, which varies considerably and which may be enhanced by a fee or tax on vehicles that ply for hire ; and, in certain provinces, a sales tax on motor spirit and lubricant.”

“(b) Contribution to non-railway schools for the benefit of children of their employees; and

“(c) Subsidy paid to railway employees on account of assistance towards the education of their children;

“(vii) Grants from railway revenues to the Staff Benefit Fund.”

A. 3 (b) and (c). Page 156, replace 3rd sentence by :

“One fourth of the Customs or Excise duty of 10 annas on motor spirit — *i.e.*, 2½ annas — is taken for a ‘road development fund’. In some provinces, a portion of the revenue from vehicle taxes is also hypothecated to road development and maintenance.”

(e). Page 156, 3rd and 5th lines, replace “local governments” by “provincial Governments”.

A. 3 (e). Page 156, *add* : “Revenue from inland water transport (ferries and inland vessels) : about 1% of the general revenues”.

A. 4 (b). Page 191, replace the text by :

“At present there is, as a general rule, no liability to take out an insurance, but it will become necessary after July 1st, 1943, in the form of an insurance policy against third-party risks. The obligation has not been extended to insurance against damage to property or goods.”

A. 5. Page 220, replace the text by :

“Employers’ liability is governed by statute; limitation of hours of work for drivers of transport vehicles and minimum age of drivers are provided for by the Motor Vehicles Act, 1939. (No person below the age of 20 may drive a transport vehicle. No person may drive a transport vehicle for more than five hours without an interval of rest of at least half an

India
(continued)

hour; or for more than nine hours in one day, or fifty-four hours in one week.)”

B. 4. Page 246, *replace* the text *by* :

“The regime also applies to transport for account of industrial or other undertakings effected by their own vehicles.”

“See reply under A. 1 (a) and (b).”

C. 1. Page 277, *replace* the text *by* :

“The Motor Vehicles Act, 1939, seeks in general to regulate motor transport so as to prevent undesirable internal competition. Prevention of undesirable competition by motor transport with railways can be effected by provincial Governments under a special provision (Section 43) of that Act. The principle followed has been to seek to attain economic efficiency by reducing internal competition in the business of motor transport to health limits and, save where the State is satisfied that competition — *e.g.*, in the long-distance carriage of goods — is contrary to the public welfare, by allowing free competition between motor transport so regulated and railways.”

C. 2. Page 277, *add* : “But Section 43 of the Motor Vehicles Act, 1939, empowers provincial Governments to prohibit or restrict long-distance carriage by road of goods generally or of specified classes of goods; and to fix freights for carriage of goods by road. This may, in effect, amount in time to distribution.”

C. 3 and 4. Page 277, *replace* the text *by* :

“Railway Administrations are at all times prepared to enter into agreement with road transport undertakings for joint services, but up to the present, road transport services have been disorganised, and this has proved an obstacle. In one case, the Administration of a railway owned by an Indian State has obtained and is working satisfactorily a monopoly of road transport on certain roads. In another, a Government-owned railway holds 60% of the shares of a limited road-transport concern which has been granted a licence for ten out of the twenty buses allowed by the provincial Government on a road which reduces the journey from 101 miles by the all-rail route to forty-eight by road.”

C. 5 (d). Page 277, *replace* the text *by* :

“There are no agreements in other forms.”

D. 1. Page 310, *add* : “Measures under Section 43 of the Motor Vehicles Act, 1939, would, if taken, fall under this category”.

D. . . . 2. Page 310, *add* before the text : . . .

“There are no measures promoted by general considerations which are prejudicial to road transport. Nevertheless.”

... F. Page 340, *replace* "No information" by: . . . "The question of difference of treatment does not arise in India, where there are no alternative means of national and foreign transport."

G. Page 346, 3rd line, *replace* the sentence beginning "The development" by "Attempts are being made to revive the development of further roads complementary to the existing road system and to railways, which was temporarily arrested".

Ireland

. . . A. 1 (f). Page 74, *replace* "No information" by: . . .
. . . "No monopoly." . . .

A. 1 (g). Page 82, *replace* "No information"
by: "No right of priority."

. . . A. 1 (h). Page 89, *replace* "No information" by: . . .
. . . "No obligation to organise a joint service." . . .

A. 3 (a), (b) and (c). Page 157, *replace* the first two lines to "local services" by:

"The tramway undertaking in Dublin pays wayleaves to the municipal authority and is liable for the upkeep of the roadway between the tramway rails and for a small space on either side. Apart from these obligations, transport undertakings, as such, are not subject to any special taxes, but the rateable property of such undertakings, in common with all rateable property, is assessed for rates by the local authorities towards the cost of maintaining local services."

(e). Page 157, *replace* "No information" by:
"Railway and tramway undertakings are in private ownership and are not maintained by the State and, apart from certain small State grants in recent years to one small railway undertaking towards the cost of providing transport in a remote district, no burden falls upon national or local authority budgets in respect of such undertakings."

(e). Page 157, *replace* "No information" by:
"Road transport undertakings are in private ownership and are not maintained by the State."

(e). Page 157, *replace* "No information" by:
"Inland navigations are in private ownership and are not maintained by the State, apart from one short stretch, in which case any excess of expenditure over receipts falls to be met out of State funds."

"No information available to show proportion of national or local revenue contributed by transport undertakings."

A. 4 (a). Page 191, *replace* "No information" by:

"The civil liability of road transport operators in the event of an accident to passengers or goods is determined by the courts on the merits of the particular case."

Ireland
(continued)

Railway

. . . C. 5 (d). Page 278, *replace* "No information" by: . . .
 "By voluntary mutual agreements, the railway companies have determined the areas in which each is acknowledged by the others to have the prior right of providing road transport facilities, and the conditions on which such facilities may be provided in those areas by the other railway companies."

Inland navigation

A. 4 (b). Page 191, *replace* "No information" by:
 "No obligation to take out an insurance."

Road

D. 1, 2 and 3. Page 310, *replace* "No information" by:
 "No special measures".

Latvia

A. 1 (a) and (b). Page 26, *insert* before text:
 "There is a special law in Latvia governing transport by road."

(d). Page 52, *replace* the last sentence by the following:

"There is no obligation to carry goods."

(f). Page 74, *add*: "Concessions are granted in virtue of tenders".

. . . A. 1 (h). Page 89, *replace* the text by: . . .

"Although they have not assumed any specific mutual obligations, undertakings endeavour to co-ordinate their activities so as to prevent unbridled competition."

A. 2 (a). Page 114, *replace* the text by:
 "On the regular motor services, both for the carriage of passengers and for the carriage of goods, the maximum tariffs per journey are fixed by the Department of Roads and Highways. On regular motor-omnibus services operated by Government institutions, the tariffs are approved by the Minister for Roads and Highways."

A. 3 (a). Page 158, *add*: "A special tax is levied on the income of the railways for the

benefit of the National Defence Fund, in the form of a 5% surcharge on railway tickets".

(b). Page 158, *add* : "The railways are required to pay each year to the Department of Roads and Highways a special sum which is used for the upkeep of lines feeding the railways and for repairs".

A. 5. Page 223, 5th line, after "co-efficient" *add* : "(0.5 to 1)"; and, in last line, *read* "seven hours" *instead of* "six hours".

. B. 1, 2 and 3. Page 246, *replace* the text *by* :

"This regime does not depend either on the length of the route or on the geographical situation of the route as compared with the existing lines of other means of transport (it is only in exceptional cases, however, that the establishment of a regular motor service duplicating a railway line is permitted). There is no provision for the reservation of certain goods for a given means of transport."

C. 2. Page 279, *add* : "Attempts have been made in this connection with regard to irregular motor services for goods, but no positive results have been obtained".

C. 5 (b). Page 280, *replace* the 2nd sentence *by* the following :

"Through rates and through tickets have been introduced for combined transport by rail and road in the case of services operated by the Railway Administration or the Department of Posts and Telegraphs. Monthly railway season tickets are also valid on motor services operated by the Railway Administration serving the same route as the line in question and, similarly, monthly season tickets for the motor services may be used on the railways."

Norway

A. 1 (a) and (b). Page 28, *add* : "The amending law of June 18th, 1936, has added a new Section IV to § 21 of the Law of February 20th, 1926, on Motor Vehicles, whereby motor vehicles plying from public ranks cease to be governed by § 2 of the Police Law of May 26th, 1866. Instead of this, it is laid down in Section II of the same paragraph that any person wishing to provide commercial road passenger transport must first obtain authorisation from the police."

Norway
(continued.)

Essentially, the effect of the amending law is merely to transfer the administrative control of the taxi-cab industry from the Department of Justice to the Department of Labour, which is already responsible for other motor transport matters."

A. 3 (c). Page 162, *add* :

"According to the Storting decree at present in force concerning taxes payable by motor vehicles, the petrol tax amounts to 12 öre per litre, while the tax on tyres remains at 3 kroner per kilogramme of rubber. As regards the tax by weight of motor vehicles not propelled by taxed fuel, the rule is as follows : for every 100 kilogrammes (or fraction thereof) of the weight of the vehicle ready to drive with its usual equipment, with the heaviest coach-work belonging to it, and where appropriate, with the heaviest trailer used in connection with it :

"(a) In the case of electrically propelled vehicles :

"With pneumatic rubber tyres : 1.50 kroner per annum.

"With other rubber tyres : 2 kroner per annum.

"Minimum tax : 10 kroner.

"(b) In the case of motor vehicles propelled by means of a gas-generating plant, or in the case of steam-propelled vehicles (weighed with fuel containers full) :

"With pneumatic rubber tyres : 6 kroner per annum.

"With other rubber tyres : 8 kroner per annum.

"(c) In the case of trolley buses :

"With pneumatic rubber tyres : 9 kroner per annum.

"With other rubber tyres : 15 kroner per annum.

"(d). In the case of other motor vehicles which are driven wholly or mainly by means of fuel which is not liable to tax (weighed with fuel containers full) :

"With pneumatic rubber tyres : 30 kroner per annum for passenger motor vehicles (omnibuses) with more than 25 seats ; otherwise 20 kroner per annum.

"With other rubber tyres : 40 kroner per annum for passenger motor vehicles (omnibuses) with more than 25 seats ; otherwise 30 kroner per annum.

"In special cases, the Department may reduce the amount of these taxes."

A. 3 (e). Page 162, add :

"Government expenditure on roads for the period July 1st, 1938-June 30th, 1939, has been estimated at 53,870,605 kroner. The road expenditure of districts for the same period has been set at 19,394,000 kroner. The Government revenue from the roads for this period — excluding tolls and luxury tax on motor vehicles — has been assessed at 33,525,000 kroner."

D. 1. Page 312, add :

"As a subsidy for the running of motor services along routes which present difficulties, the State budget for the year July 1st, 1938-June 30th, 1939, provides 550,000 kroner. The sum of 250,000 kroner is also appropriated as

A. 3 (e). Page 162, add :
 "As regards the Norwegian State Railways, the position is as follows :

	Expenditure on new plant and maintenance	Revenue from railway operation (assigned in full to the State)	Operating expenses (excluding interest on capital)
Year 1937/38, in thousands of kroner	32,693	172	86,915
Percentage of operating expenses	34	0	90
Annual average for the years 1931/32-1937/38, in thousands of kroner	21,430	651	72,532
Gain : percentage of operating expenses	27	1	93
			100 "

Operating expenses (excluding interest on capital) 97,089

a subsidy for the purchase of road service motor vehicles."

Norway
(continued)

E. 1. Page 332, replace the text by :

"The Norwegian State owns and operates most of the railways in Norway. There are 3,828 kilometres of State railways, and only 160 kilometres of private railways. The latter are of minor importance. The policy followed is framed with special regard to the interests of the State and of the community."

A. 1 (a) and (b).

Under an Ordinance dated February 8th, 1916, a concession is required before any motor vehicle can be used for the regular and periodical transport of passengers under a tariff of charges. Concessions are granted by the Federal Department of Posts and Railways on the advice of the General Post Office.

A. 1 (a) and (b).

No railway may be built or run on Swiss territory without a concession, which is granted by the Government for each particular case. The right to grant such concessions is vested in the Federal Legislature.

Switzerland

A. 1 (a) and (b).

Shipping undertakings transporting passengers regularly and periodically must obtain a concession from the Federal Department of Posts and Railways.

The obligation to obtain a concession was further extended under the terms of the Motor-Transport Statute of September 30th, 1938; this lays down that any person using the public highway for the transport, as a profession, of passengers or goods by means of motor vehicles and trailers, must obtain a transport concession from the Federal Transport Office (a branch of the Federal Department of Posts and Railways).

Private transport is free. It includes any transport of goods by an undertaking for its own purposes, using its own motor vehicles and staff. Undertakings carrying out transport of this type must, however, be entered in a register.

A. 1 (c).

Railways are under an obligation to provide a regular service to a fixed schedule. Should the running of trains be temporarily interrupted for reason of *force majeure*, the management is bound to provide without delay facilities for the regular transport of passengers and mails by some other suitable means until the railway lines can be put into operation again. That obligation does not, however, extend to tramway services in towns, nor to mountain railways running at certain seasons only and not forming part of a main railway system.

The supervision of the working of private railway lines is in the hands of the Federal Department of Posts and Railways. The legal provisions regarding the supervision and control of railway and shipping undertakings by the Confederation do not, however, apply to the Federal Railways, whose system is nationalised.

A. 1 (d).

All railways are under an obligation to carry passengers and goods, provided that :

- (1) The passenger or consignee acts in accordance with legal requirements and the transport regulations;
- (2) The transport in question is possible in the light of ordinary transport facilities;
- (3) No reasons of *force majeure* prevent the transport from taking place.

Railways are not bound to accept for transport articles the loading or unloading of which necessitates the use of special appliances, except where the departure or arrival station is equipped with such appliances.

Articles which cannot be conveyed at once must be taken into deposit. All consignments

A. 1 (c).

Shipping undertakings must, so far as lies in their power, abide strictly by the time-table approved by the Federal Department of Posts and Railways. In the event of a temporary interruption of services through natural causes — such as storms, an abnormally high or low level of water, or ice — the undertaking must notify the Federal Department of Posts and Railways, and, where necessary and possible, must at once take steps to provide for the regular transport of passengers and their luggage and of mails. In the case of failure to do so, or if the measures taken are inadequate, the postal authorities themselves make the necessary arrangements, the cost being recoverable from the undertaking concerned.

The supervision of the working of shipping undertakings is in the hands of the Federal Department of Posts and Railways.

A. 1 (d).

Shipping undertakings are under the same obligation to transport passengers or goods as the railways. The conveyance of goods in slow traffic (*petite vitesse*) and towage are, however, excluded in the case of services running to a close schedule or used by large numbers of passengers.

A. 1 (c).

An undertaking holding a concession for the professional conveyance of goods may be required to cover a particular route regularly to meet traffic requirements, particularly in the case of districts or places not supplied with public transport facilities (*i.e.*, those provided by the Federal Railways, the Post Office, railways, shipping undertakings, and — in so far as they provide regular services — motor-transport undertakings holding a concession under the Federal Railway or postal legislation). Supervision is in the hands of the Federal Transport Office.

Owners of motor vehicles undertaking the regular and periodical transport of passengers are under an obligation to run a regular service to a fixed schedule. The authorisation of the General Post Office is required for any temporary suspension of the service. These undertakings are supervised and controlled by the General Post Office.

A. 1 (d).

The law does not lay down an obligation to carry passengers or goods.

must be despatched in the order in which they were received, unless the public interest or technical requirements warrant an exception.

A. 1 (e).

The supervision of the material of private railways is in the hands of the Federal Department of Posts and Railways, but does not extend to the material belonging to the Federal railways.

A. 1 (e).

All vessels plying in Swiss waters and belonging to undertakings holding concessions are under the supervision of the Federal Department of Posts and Railways as regards the carriage of passengers and goods. Other craft are placed under the supervision of the cantons.

A. 1 (e).

Persons holding transport concessions, and owners of motor vehicles recorded in the private transport register may be required to use only vehicles meeting conditions laid down by the military authorities. As regards the type and nature of motor vehicles and trailers, undertakings holding concessions are subject to the Federal laws on motor traffic. The supervision of the material is in the hands of the cantonal authorities. Any increase in number or substantial change in type, whether of motor vehicles or of trailers used for professional transport purposes, must be submitted for approval to the Federal Transport Office.

Undertakings regularly and periodically transporting passengers by road must have their vehicles examined once a year. A check is kept on these annual inspections and on any work carried out; the General Post Office must be kept advised. The latter authority has power to order additional inspections and any necessary repairs to be carried out at the expense of the undertakings concerned.

A. 1 (f).

The concessions granted carry no exclusive or priority rights in relation to any railways which might be built subsequently.

A. 1 (f).

A State monopoly exists, since shipping undertakings carrying out the regular and periodical transport of passengers must obtain a concession. Legally speaking, the concessionary undertakings do not possess a monopoly.

A. 1 (f).

The laws relating to the motor transport of passengers or goods do not provide for a monopoly in the strict sense in favour of persons holding concessions in a professional capacity. Nevertheless, concessions are granted if the type of transport facility in respect of which they are applied for answers a need; in deciding whether such a need exists, equitable regard is had to the volume of traffic in the district concerned and to the existing transport facilities offered by other road transport undertakings and by public

transport services (*i.e.*, those enumerated in 1 (c) above). In the place of a monopoly, therefore, a clause known as the "limitations or needs" clause is introduced.

The Postal Administration has an exclusive right to transport passengers by regular services. It can grant concessions for this type of transport, as mentioned under 1 (a) and (b) above. Legally speaking, the undertaking to which a concession is granted does not enjoy a monopoly, and the Postal Administration would be entitled by law to grant a concession for the same service over the same route to any other undertaking. In fact, however, it does not do so, although it reserves its right to operate or introduce postal-car services at any time on the route in question, if for any reason it considers this expedient, and is not bound to compensate the undertaking holding the concession. The State has therefore an absolute monopoly.

A. 1 (g).

No right of priority exists.

A. 1 (h).

Road-transport undertakings are not under an obligation to organise joint services strictly so called. Nevertheless, the Government has power to compel holders of transport concessions to group themselves together in one central association placed under Government supervision, or to join such an association; it can further entrust the association with the supervision of the application of tariffs and authorise it to encash, in the stead and for the benefit of each participant, transport charges and other dues laid down in the tariffs.

A. 1 (g).

No right of priority exists.

A. 1 (h).

Every railway administration is under an obligation to provide, both technically and for working purposes, for connections between its own lines and those of other Swiss railways, in the most suitable manner and without additional charge or fee for redispach or transit. Fair compensation is payable where such a connection entails the joint use of stations or existing sections of line up to the connecting-point.

The Confederation also has power to require undertakings in difficulties, if they apply for financial help, to amalgamate, provided such amalgamation results in the creation of an undertaking which, by reason of its economic or military importance, is of value to the whole country or to an important part of it, and provided definite and appreciable advantages ensue for the undertaking itself.

A. 1 (g).

No right of priority exists.

A. 1 (h).

There is no obligation to organise joint services, but the Government has the same powers as in the case of railways to require the amalgamation of undertakings which are not paying their way.

Switzerland
(continued)

Railway

A. 2 (a).

The preparation of tariffs on the Federal railways is governed by a law which lays down fixed maximum charges. The Federal Railways Administration may draw up tariffs which are lower than the maximum, but these must then be approved by the Federal Department of Posts and Railways.

In the case of private undertakings, maximum tariffs form part of the concession. The undertakings concerned may charge less than the maximum, subject to the approval of the Federal Department of Posts and Railways.

Road

A. 2 (a).

Passenger and luggage rates charged by motor-transport undertakings transporting passengers regularly and periodically must be submitted for approval to the General Post Office.

The Government has power to lay down general rules governing the tariffs applied to the professional transport by motor vehicle of passengers or goods, and to make regulations for the approval and publication of those tariffs. Tariffs must include all conditions and charges relating to transport, and must be applied without discrimination to all customers. The tariffs drawn up by the association of road transport undertakings and the agreements entered into by that association with public-transport undertakings take into account the special requirements and circumstances prevailing in different parts of the country. They must be given Government approval before they can be put into force; once approved, they are binding on all those concerned in the district in question.

Detailed regulations in pursuance of those general rules had not yet been issued at the end of May 1939.

A. 2 (b).

The General Post Office supervises the application of tariffs drawn up by road transport undertakings engaged in the regular and periodical conveyance of passengers.

As regards the professional conveyance of passengers and goods by motor vehicles, see answer given opposite for Railways.

Inland navigation

A. 2 (a).

The maximum rates which shipping undertakings may charge are stipulated in the concession. The concessionary undertakings may make charges lower than these maxima, subject to the approval of the Federal Department of Posts and Railways. They are, however, entitled, by way of exception, to grant reductions of rates for the transport of goods in bulk without obtaining the previous approval of the Federal Department of Posts and Railways and without publication in advance, if they find themselves compelled to grant these reductions owing to the competition of shipping undertakings not working under concession. Such reductions must, however, other circumstances being equal, be granted without discrimination to all customers. The Federal Department of Posts and Railways must be advised in each particular case.

A. 2 (b).

The Federal Department of Posts and Railways supervises the application of the tariffs of shipping undertakings in the same manner as those of railways (see also answer given opposite for Railways).

A. 2 (b).

Supervision over tariffs is exercised by the Federal Department of Posts and Railways, which has the right to examine all documents and all relevant contracts entered into by the railway administrations. The Department is guided in this respect by the following general rules:

- (1) Tariffs must not exceed the limits laid down in the concessions;
- (2) In the case of services run by undertakings under the terms of their concession, no charge which is not mentioned in the concession may be made unless it has been officially approved by the Government and

notified to the public by the railway administration concerned;

(3) Charges must be uniform for all throughout the system and must be calculated on the same basis. Railway administrations may not grant to anyone any form of advantage not available to others in similar circumstances.

Similar rules apply to the tariffs on the Federal railways.

A. 2 (c).

All tariffs and conditions of transport, all changes in such tariffs and conditions and in existing charges, and all reductions of charges by way of rebate, must, as a general rule, be notified to the public at least fourteen days before they come into force.

Any increase in charges or withdrawal of an existing tariff must be made public three months before it is applied. The Federal Department of Posts and Railways may reduce the period in the case of general modifications including both increases and reductions of an appreciable extent.

No tariff may be abolished until it has been in force at least three months in the case of passengers and one year in the case of goods. Similarly, reductions in charges must remain in force at least three months for passengers and one year for goods. The Federal Department of Posts and Railways may, by way of exception, authorise a lesser period for a given tariff or a reduction of charges at the time of publication.

The periods stipulated above do not apply to excursion trains nor to exceptional advantages granted in special circumstances.

A. 3 (a).

The Federal railways are exempt from all cantonal and communal taxes. Nevertheless, this provision does not apply to buildings owned

A. 2 (c).

Motor-transport undertakings providing regular and periodical passenger services are not under compulsion to publish their tariffs.

It is intended to give the Government power to make regulations for the publication of tariffs applying to the professional transport of persons and goods by motor vehicle. Those regulations had not yet been issued at the end of May 1939.

A. 2 (c).

Shipping undertakings are, like the railways, under an obligation to publish their tariffs, except in the case referred to under 2 (a) above.

A. 3 (a).

Motor-transport undertakings are subject to the fiscal provisions of cantonal legislation.

A. 3 (a).

Shipping undertakings fall under the fiscal provisions of the cantons.



by the Federal railways but not required for their day-to-day purposes.

Private railway undertakings are subject to the fiscal laws of the cantons.

A. 3 (b).

The Confederation levies stamp duty on all documents used in connection with the transport of luggage, animals and goods on the railways, whether Federal or private. The documents in question are the waybill and the carriage note or receipt.

A. 3 (c).

There are no special taxes.

A. 3 (b).

The laws imposing stamp duty on transport documents are also applicable to documents used in connection with professional transport by road.

A. 3 (c).

The taxes levied by the cantons on motor vehicles are used to defray in part the cost of building and maintaining roads.

In addition, the Confederation taxes motor traffic by means of a Customs duty on liquid fuels. In the case of motor-spirit this Customs charge consists of an import duty and a statistical tax; in the case of Diesel oil, it consists of a Customs duty, a statistical tax and stamp duty. The cantons receive, by way of subsidy for the improvement of public highways open to motor traffic, half the annual yield of the additional duty levied on motor-spirit and benzol, when the import duty exceeds the basic duty of 18 francs per 100 kilogrammes gross weight.

A. 3 (d).

There are no special dues.

A. 3 (d).

The holders of concessions for the transport of passengers on regular "tourist" trips (*i.e.*, journeys in which the passengers are not brought back to the point of departure) must, in the case of services competing with postal or railway services, pay a tax of 2 centimes per passenger per kilometre; the yield of this tax is paid over to the undertaking competed against.

A. 3 (b).

Stamp duty is also levied on documents used in connection with the transport of luggage, animals and goods by shipping undertakings working under concession.

A. 3 (c).

There are no special taxes.

A. 3 (d).

There are no special dues.

A. 3 (e).

Owing to the federal character of the Swiss Constitution and to the fact that the accounts of the cantons are drawn up in varying ways, it is not possible to reply to this question.

A. 4 (a).

Every railway undertaking is liable to make good the loss resulting from the fact that a person has been killed or injured on the railway, unless the undertaking can show that the accident was due to *force majeure*, to the fault of a third party or to that of the victim. Agents of the undertaking do not rank as third parties.

Railways are also responsible for the total or partial loss of, or damage to, goods from the time the consignment is accepted for transport until it is delivered. The responsibility ceases if the undertaking can show that the damage was due to some error on the part of the claimant, to instructions given by him not in consequence of an error on the part of the railway, to some defect inherent in the goods themselves or to *force majeure*.

A. 4 (b).

Railways are under an obligation to insure passengers, with an insurance office or an association of railways for accident insurance purposes, against all accidents for which the undertaking is responsible at law.

A. 5.

The Federal Law of March 6th, 1920, on hours of work on railways and other transport and communication undertakings applies to the Federal Railways, the Postal Administration, and all transport and communication undertakings working under a concession granted by the Confederation (railways and motor-transport and shipping undertakings).

B. 1.

This regime does not depend on the length of the route.

A. 4 (a).

Undertakings holding concessions for motor transport are subject to the provisions of the law governing the liability of motor-car owners; these provide that if, in consequence of the use of a motor vehicle, a person is killed or injured, or material damage is caused, the owner of the vehicle shall be responsible at law. Civil liability ceases if the owner can show that the damage was due to *force majeure* or to a serious error committed by the victim or a third party, provided that he himself and any persons for whose conduct he is responsible have committed no fault.

A. 4 (b).

Motor-transport undertakings are under an obligation to insure with an insurance office authorised to conduct business in Switzerland against all damage resulting from the use of their vehicles.

A. 5.

Undertakings transporting passengers not by regular services or goods by motor vehicle fall under the Federal Law of September 26th, 1931, concerning weekly rest and under the Ordinance of December 4th, 1933, regulating the hours of work and rest periods of professional drivers of motor vehicles.

B. 1.

Professional transport of goods sent by rail and conveyed from the address of the sender to the station and from the station to the address of the consignee (cartage), in conformity with the laws relating to transport

A. 4 (a).

The provisions applying to railways are also applicable to shipping undertakings.

A. 4 (b).

Shipping undertakings must insure passengers and staff against all accidents occurring in the course of their working.

A. 5.

See under Railways.

B. 1.

This regime does not depend on the length of the route.

Switzerland
(continued)

Railway

B. 2. This regime does not depend on the geographical situation of the route.

B. 3.

. This regime does not depend upon the category or quantity of goods carried.

B. 4.

. . . This regime does not apply to transport for account of industrial or other undertakings effected by their own vehicles or boats.

B. 5.

. There are no special conditions relative to the application of this regime.

C. 1.

The public authorities have not taken any action with a view to co-ordination between rail and water transport.

Road

by rail does not fall under the provisions for compulsory concessions.

B. 2.

In connection with the professional transport of passengers or goods by motor vehicle, fair account is taken, in deciding whether the concession answers a definite need, of traffic conditions in the district concerned and of the transport facilities already provided by other road transport undertakings and public transport services.

B. 2.

This regime does not depend on the geographical situation.

Inland navigation

C. 1.

The public authorities have not taken any action with a view to co-ordination between rail and water transport.

(1) Professional transport falls under the provisions for compulsory concessions;

(2) Private transport is free, except that persons engaged in it must obtain registration;

(3) A mixed type of transport undertaking is in principle not allowed;

(4) The Government has power to lay down basic regulations governing the tariffs applicable to professional transport;

(5) Holders of concessions must be

consulted by the Government in connection with the application of the regulations for motor transport;

(6) Two types of concession are available :

(a) P concessions for the transport of passengers;

(b) N concessions for the transport of goods;

(7) At the time of granting the concession or of registering private individuals engaged in transport, a "transport certificate" is delivered for each motor vehicle;

(8) The granting of a concession is subject to the limitation clause; in addition, the applicant must furnish every requisite personal and financial guarantee;

(9) Holders of concessions and private persons engaged in transport may be compelled to use only vehicles capable of being utilised by the army;

(10) Regulations are to be issued to facilitate the conclusion of collective labour contracts;

(11) A transport committee is created to examine disputes relating to the application of this Order and to give opinions on questions of principle arising out of its enforcement.

This transport committee is also to examine the technical and economic possibilities of introducing full co-ordination of all means of transport in Switzerland.

C. 2.

No attempts have been made to distribute traffic apart from the measures adopted to ensure safety and smooth operation.

C. 3.

No attempts have been made to promote agreements.

C. 4.

The Federal Order referred to under C. 1 above will probably come into force during 1939. In the meantime it is not possible to reply to this question.

Road

Railway

Switzerland
(continued)

C. 5 (a).

The railways have entered into agreements with motor transport undertakings and private persons engaged in the conveyance by road to the address of the consignee of goods transported by rail.

C. 5 (b).

There are through tickets and waybills for these means of transport.

C. 5 (c).

. No special rates.

C. 5 (d).

There are no Agreements in other forms of transport.

D. 1.

. There are no special measures.

D. 2.

There are no measures which are prejudicial to a given means of transport.

D. 3.

The railways have improved their time-tables, speeded up passenger services and increased the standard of comfort of their carriages. They have also reorganised the goods services, speeded up the transport of goods, developed door-to-door services and entered into agreements with road-transport undertakings, removers, private persons, etc., to provide for delivery at the address of the consignee even in places at some distance from a railway station.

E. 1 and 2 (a), (b) and (c).

Railway, road- and water-transport undertakings having the character of public services are governed by rules fundamentally based on requirements of national economic policy.

The administration of the various means of transport is also based to an important extent upon considerations of national defence. Thus, the Government has power to requisition the railways and their working equipment and to make such use of them as may seem appropriate. Army transport is carried out at reduced rates. The Government also has power to order the immediate execution of any works it considers of urgent importance in the interests of national defence.

As regards road transport, holders of concessions, and even the owners of motor vehicles entered on the register of private carriers, may be required to use only vehicles meeting requirements laid down by the military authorities.

As regards shipping undertakings, special conditions may be attached to the grant of the concessions if the public interest so requires.

- F. No such difference exists in the case of any of the three means of transport.
- G. No special comments are called for.

A. 1 (d). Page 55 (under Siam) *replace* the text *by* :
 "Obligation to carry passengers and goods in accordance with the Law on Navigation in Thai waters."

Thailand

The first part of the book is devoted to a general survey of the history of the subject, and to a discussion of the various theories which have been advanced to explain the origin of the human mind.

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