

PART 402—TARIFF OF TOLLS

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AUTHORITY: 33 U.S.C. 983(a), 984(a)(4), and 988, as amended; 49 CFR 1.101.

SOURCE: 66 FR 15329, Mar. 16, 2001, unless otherwise noted.

§ 402.1 Purpose.

This regulation prescribes the charges to be assessed for the full or partial transit of the St. Lawrence Seaway between Montreal, Quebec, and Lake Erie.

§ 402.2 Title.

This tariff may be cited as the St. Lawrence Seaway Tariff of Tolls (Schedule of Tolls in Canada).

§ 402.3 Interpretation.

In this tariff,

Bulk cargo means cargo consisting of goods, loose or in mass, that generally must be shoveled, pumped, blown, scooped or forked in the handling and includes:

- (1) Cement, loose or in sacks;
- (2) Coke and petroleum coke, loose or in sacks;
- (3) Domestic cargo;
- (4) Liquids carried in vessels' tanks;
- (5) Ores and minerals (crude, screened, sized or concentrated, but not otherwise processed) loose or in sacks, including alumina, bauxite, gravel, phosphate rock, sand, stone and sulphur;
- (6) Pig iron and scrap metals;
- (7) Lumber, pulpwood, poles and logs, loose or bundled;
- (8) Raw sugar, flour, loose or in sacks;

- (9) Wood pulp, loose or in bales; and
- (10) Material for recycling, scrap material, refuse and waste.

Cargo means all goods aboard a vessel whether carried as revenue or non-revenue freight or carried for the vessel owner, but does not include:

- (1) Empty containers or the tare weight of loaded containers;
- (2) Vessels' fuel, ballast or stores;
- (3) The personal effects of crew or passengers; or
- (4) In transit cargo that is carried both upbound and downbound in the course of the same voyage.

Carrier means any company, or its representative, engaged in physically moving a cargo between an origin and a destination.

Closing date means in respect of a year, the first date in such year after the opening date on which both the Montreal-Lake Ontario portion and the Welland Canal portion of the Seaway are closed for vessel traffic.

Commodity means cargo that has been defined as a commodity in the Manager's commodity codes.

Containerized cargo means cargo shipping in a container. Containers are used to transport freight in multiple modes: vessel, rail, and truck. There are many configurations: Dry, insulated or thermal, refrigerated or reefer, flat racks and platforms, open top and tank. Typical dimensions: 8 feet in width, 8 feet 6 inches or 9 feet 6 inches in height and 20 feet or 40 feet in length. Less common lengths include, for example, 24, 28, 44, 45, 46, 48, 53, and 56 feet.

Corporation means the Great Lakes St. Lawrence Seaway Development Corporation.

Domestic cargo means cargo, the shipment of which originates at one Canadian point and terminates at another Canadian point, or originates at one United States point and terminates at another United States point or originates at one Canadian or United States point in the Great Lakes Saint Lawrence Seaway System and terminates at another Canadian or United States

point in the Great Lakes Saint Lawrence Seaway System but does not include import or export cargo designated at the point of origin for transshipment by water at a point in Canada or in the United States.

Gateway incentive means a percentage reduction, as part of an incentive program, negotiated and offered on applicable cargo tolls for shipments of a specific commodity diverted to the Seaway from a competing gateway.

General cargo means goods other than bulk cargo, grain, government aid cargo, steel slabs and coal.

Government aid cargo means:

(1) Processed food products that are donated by, or the purchase of which has been financed on concessional terms by, the federal government of the United States or Canada for the purposes of nutrition, economic development, emergency, or disaster relief programs; and

(2) Food cargo that is:

(i) Owned or financed by a non-profit organization or cooperative;

(ii) Intended for use in humanitarian or development assistance overseas; and

(iii) Stamped or otherwise shown to have been declared as such to that is certified by the customs service of the United States or Canada.

Grain means barley, corn, oats, flaxseed, rapeseed, soybeans, field crop seeds, buckwheat, dried beans, dried peas, rye, wheat, grain screenings or meal from those grains.

Great Lakes/St. Lawrence Seaway System means all ports in the Great Lakes and the St. Lawrence River.

Incremental volume means the portion of tonnage shipped through the Seaway by a specific shipper/receiver in a given season, above the pre-approved maximum tonnage realized by that specific shipper/receiver over the previous five (5) navigation seasons.

Liner service means one or more vessels operated by a single operator on a fixed route between designated port, providing regularly scheduled service for consignments of multiple commodities.

Manager means the St. Lawrence Seaway Management Corporation.

Maximum volume means the highest total annual tonnage of a specific com-

modity that a shipper/receiver has shipped through the Seaway over the previous 5 years.

Metric ton means 1,000 kilograms (2204.62 pounds).

Navigation season means the period commencing on an opening date and ending on the next closing date.

New business means:

(1) Containerized cargo moved by vessel in the Seaway at any time in a navigation season;

(2) A commodity/origin/destination combination in which the commodity moved by vessel in the Seaway at any time in a navigation season:

(i) Originating at a point inside Canada or the United States of America or at a country outside Canada or the United States of America, provided that such commodity has not originated from such point or country, as the case may be, at any time in any of the five consecutive navigation seasons immediately preceding the then current navigation season;

(ii) Destined to a point inside Canada or the United States of America or a country outside Canada or the United States of America, provided that such commodity has not been destined to such point or country, as the case may be, at any time in any of the five consecutive navigation seasons immediately preceding the then current navigation season;

(iii) Originating at a point inside Canada or the United States of America or a country outside Canada or the United States of America and destined to a point inside Canada or the United States of America or a country outside Canada or the United States of America, provided that such Commodity was previously moved by any mode of transportation other than by vessel at all times in the five consecutive navigation seasons immediately preceding the then current navigation season; or

(iv) That has not moved through either section of the Seaway in any of the five consecutive navigation seasons immediately preceding the then current navigation season, in a volume exceeding 10,000 metric tons.

Opening date means, in respect of any year, the earliest date in such year on

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which either the Montreal-Lake Ontario portion or the Welland Canal portion of the Seaway is opened for vessel traffic, provided however that if such date is prior to April 1 the opening date in such year shall be deemed to be the 1st day of April in such year.

Passenger means a person being transported through the Seaway who has paid a fare for passage.

Pleasure craft means a vessel, however propelled, that is used exclusively for pleasure and does not carry passengers.

Seaway includes all facilities and services authorized under Public Law 358, 83rd Congress, May 13, 1954, enacted by the Congress of the United States, as amended, (33 U.S.C. 981, *et seq.*) and the meaning ascribed to it under the Canada Marine Act.

Section of the Seaway means either the Montreal-Lake Ontario portion of the Seaway or the Welland Canal portion of the Seaway.

Semi-liner service means a reduced or limited *liner service*, offering fewer regularly scheduled voyages and/or fewer designated ports of calls.

Service incentive means a percentage reduction, as part of an incentive program offered on applicable cargo tolls in respect of New Business shipments made by way of any newly established regular service out of the Great Lakes.

Shipper/receiver means any company who owns or buys the cargo that is being shipped through the Seaway.

Toll reduction means the negotiated percentage of refund on applicable cargo tolls under the Gateway Incentive program.

Vessel (“ship” in Canada) means every type of craft used as a means of transportation on water, except a vessel owned or employed by the Manager or the Corporation.

Volume commitment means the negotiated annual cargo tonnage, with a minimum of 75,000 metric tons per year, a shipper/receiver must reach for the negotiated toll reduction under the Gateway Incentive to become applicable.

Volume rebate means a percentage reduction, as part of an initiative program, offered on applicable cargo tolls for shipments of a specific commodity

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above and beyond a pre-approved historical maximum volume.

[66 FR 15329, Mar. 16, 2001, as amended at 71 FR 14807, Mar. 24, 2006; 72 FR 4431, Jan. 31, 2007; 74 FR 10678, Mar. 12, 2009; 78 FR 19106, Mar. 29, 2013; 79 FR 13252, Mar. 10, 2014; 81 FR 14391, Mar. 17, 2016; 84 FR 8985, Mar. 13, 2019; 86 FR 15586, Mar. 24, 2021; 88 FR 15275, Mar. 13, 2023]

§ 402.4 Tolls.

(a) Every vessel entering, passing through or leaving the Seaway shall pay a toll that is the sum of each applicable charge in § 402.12. Each charge is calculated on the description set out in column 1 of § 402.12 and the rate set out in column 2 or 3.

(b) The toll is assessed against the vessel and its cargo for a complete or partial transit of the Seaway and covers a single trip in one direction.

(c) The toll is due from the representative of the vessel within 45 days after the day on which the vessel enters the first lock of a transit of the Seaway.

(d) Except as set out in paragraph (e) of this section, the Volume Rebate incentive cannot be combined (*i.e.*, applied to the same cargo movement) with either of the New Business Incentive or the Service Incentive Programs.

(e) Except for cargoes that qualify for the New Business Incentive, any cargo being shipped by a liner or semi-liner approved under the Service Incentive program shall be eligible for the Volume Rebate Incentive.

[66 FR 15329, Mar. 16, 2001, as amended at 71 FR 14807, Mar. 24, 2006; 74 FR 10679, Mar. 12, 2009; 79 FR 13252, Mar. 10, 2014; 81 FR 14391, Mar. 17, 2016; 88 FR 15275, Mar. 13, 2023]

§ 402.5 New Business Incentive Program.

(a) To be eligible for the rebate applicable under the New Business Incentive Program, a carrier must submit an application to the Manager for the proposed commodity/origin/destination combination to be approved and accepted under the rules of the New Business Incentive Program promulgated and administered from time to time by the Manager.

(b) Containerized cargo, whatever the origin or destination, moved by a vessel in the Seaway at any time in the

current navigation season qualifies as New Business.

(c) A commodity/origin/destination combination that qualifies as New Business on or before the 30th day of September in any navigation season continues to qualify as New Business in the two consecutive navigation seasons immediately following the then current navigation season.

(d) A commodity/origin/destination combination that qualifies as New Business after the 30th day of September in any navigation season continues to qualify as New Business in the three consecutive navigation seasons immediately following the then current navigation season.

[74 FR 10679, Mar. 12, 2009, as amended at 78 FR 19106, Mar. 29, 2013; 80 FR 5047, Jan. 30, 2015]

§ 402.6 Volume Rebate Incentive program.

(a) To be eligible to the Volume Rebate Incentive program:

(1) A shipper/receiver in the Great Lakes/St. Lawrence Seaway System must submit to the Manager for approval, before June 30th of every season, the commodity, as defined under the Manager's commodity classification, for which a Volume Rebate is sought, the origin or destination of the commodity, and a proof of the maximum volume of the commodity the shipper/receiver has shipped over the last 5 years from that origin or to that destination.

(2) The shipper/receiver must already move the commodity, as defined under the Manager's commodity classification, through the Seaway at a minimum of 100,000 tonnes per season for the past five navigation seasons.

(b) Once approved by the Manager, the maximum volume will become the basis on which to calculate the incremental volume.

(c) The Volume Rebate Incentive program is not accessible at the end of the navigation season without a pre-approved maximum volume within the set deadline.

(d) The same cargo volume can only be used by one shipper/receiver.

(e) For the Volume Rebate to be applicable, the total volume of the commodity shipped through the Seaway

must also increase during the navigation season.

[74 FR 10680, Mar. 12, 2009]

§ 402.7 Service Incentive Program.

(a) To be eligible for the Service Incentive Program, cargos must qualify as New Business under the New Business Incentive Program, and be shipped by a service meeting all of the requirements (Qualifying Service):

(1) A liner or semi-liner service between the same ports;

(2) The service must call on multiple origin ports, or multiple destination ports;

(3) The service must not be limited to the movement of one specific commodity;

(4) The service must service markets outside of the Great Lakes; and

(5) The service must not replace or displace any of the carrier's existing services. The Manager reserves the right to require proof of the ultimate origin and destination of cargoes in order to ensure there is no diversion of existing cargoes.

(b) The Service incentive applies only to New Business applications approved after the commencement date of the Qualifying Service. New Business applications approved prior to the date of commencement of the Qualifying Service will be ineligible for the Service Incentive Program.

(c) The Service Incentive applies only to cargoes exported from the Great Lakes, and is not applicable to import cargoes.

(d) The carrier will provide the Manager with written notice of its intention to apply for the Service Incentive at least thirty (30) days prior to implementation of the Qualifying Service.

(e) The carrier will advise the Manager of the proposed interval (weekly, monthly, etc.) of the Qualifying Service, and the number of calls scheduled for the Navigation Season. Additional calls to the system may be added during the season.

(f) The carrier will advise the Manager of port rotation, outlining core ports of calls when providing notification of schedule rotation. Additional ports may be added at any time provided the core schedule ports are called.

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(g) The carrier will advertise the Qualifying Service on its own Web site, available port Web sites, and with Manager's Assistance on the HWY H20 Web site.

(h) The carrier must meet 75% schedule adherence with a minimum of four (4) Great Lakes calls during the navigation season.

(i) The carrier will provide the Manager with a request for the Service Incentive refund, together with copies of any documents required to support the request, within sixty (60) days of the close of the navigation season. Requests for refunds should be submitted to the Manager, Revenue and Forecast for the Manager, who will be responsible for reviewing and approving Service Incentive requests.

(j) Service Incentive of 20% of tolls paid in respect of cargo shipped by Qualifying Service will be refunded by the Manager after the close of the navigation season, once the Manager has confirmed that the carrier has met the schedule adherence requirement.

[79 FR 13253, Mar. 10, 2014, as amended at 80 FR 5048, Jan. 30, 2015]

§ 402.8 Gateway Incentive.

(a) To be eligible for the Gateway Incentive, cargoes, must presently be moving between a specific origin and destination via other competing gateways.

(b) To be eligible for the refund applicable under the Gateway Incentive program, a shipper/receiver, or its representative, must:

(1) Submit an application to the Manager for the proposed movement (cargo/origin/destination) to be approved under the rules of the Gateway Incentive program;

(2) Supply to the Manager the information proving that the proposed movement is currently done via a competing gateway;

(3) Negotiate with the Manager the terms of the proposal, that is an applicable toll reduction, a volume commitment, and the duration of the proposal.

(c) The shipper/receiver, or its representative, will qualify annually for the negotiated toll reduction upon completion of the annual volume commitment.

(d) The Gateway Incentive applies only to movements of qualified cargoes done after the commencement date of the qualified Gateway Incentive. Movements done prior to the date of commencement of the Gateway Incentive will be ineligible for the rebate.

(e) The shipper/receiver, or its representative, will provide the Manager with a request for the Gateway Incentive refund, together with copies of any documents required to support the request, within sixty (60) days of the close of the navigation season. Requests for refunds should be submitted to the Manager who will be responsible for reviewing all documents and data and recommending the refund under the Gateway Incentive.

(f) The negotiated Gateway Incentive percentage of tolls reduction paid in respect of qualifying cargo shipped will be refunded by the Manager after the close of the navigation season, once the Manager has confirmed through the review of submitted support documents that the shipper/receiver has met the volume commitment. The Manager reserves the right to require the ultimate origin and destination of cargoes to validate the commitment.

(g) The Manager reserves the right to immediately terminate any Gateway Incentive agreement.

[81 FR 14391, Mar. 17, 2016, as amended at 88 FR 15275, Mar. 13, 2023]

§ 402.9 Description and weight of cargo.

For the purposes of calculating applicable tolls:

(a) A cord of pulpwood is taken to weigh 1,450 kilograms (3,196.70 pounds); and

(b) The cargo tonnage shall be rounded to the nearest 1,000 kilograms (2,204.62 pounds.)

[66 FR 15329, Mar. 16, 2001, as amended at 72 FR 4431, Jan. 31, 2007. Redesignated at 74 FR 10679, Mar. 12, 2009, and further redesignated at 79 FR 13253, Mar. 10, 2014, and at 81 FR 14391, Mar. 17, 2016]

§ 402.10 Post-clearance date operational surcharges.

(a) Subject to paragraph (b) of this section, a vessel that reports for its final transit of the Seaway from a

place set out in column 1 within a period after the clearance date established by the Manager and the Corporation set out in column 2 shall pay operational surcharges in the amount set out in column 3, prorated on a per-lock basis.

(b) If surcharges are postponed for operational or climatic reasons, a vessel that reports for its final transit of the Seaway from a place set out in column 1 within a period after the clearance date established by the Manager and the Corporation set out in column 2 shall pay operational surcharges in the amount set out in column 3, prorated on a per-lock basis.

(c) A vessel that is authorized to transit the Seaway after the period of 96 hours after the clearance date established by the Manager and the Corporation shall pay, in addition to the oper-

ational surcharge, an amount equal to the incremental expenses incurred by the Manager to keep the Seaway open for the transit of the vessel.

[66 FR 15329, Mar. 16, 2001. Redesignated and amended at 74 FR 10680, Mar. 12, 2009, and further redesignated at 79 FR 13253, Mar. 10, 2014, and further redesignated and amended at 81 FR 14391, Mar. 17, 2016; 84 FR 8985, Mar. 13, 2019]

§ 402.11 Coming into force.

In Canada, this Tariff and the tolls set forth herein come into force from the date on which this Tariff is filed with the Canadian Transportation Agency.

[66 FR 15329, Mar. 16, 2001. Redesignated at 74 FR 10679, Mar. 12, 2009, and further redesignated at 79 FR 13253, Mar. 10, 2014, and at 81 FR 14391, Mar. 17, 2016]

§ 402.12 Schedule of tolls.

TABLE 1 TO § 402.12

	Column 1	Column 2	Column 3
Item	Description of charges	Rate (\$) Montreal to or from Lake Ontario (5 locks)	Rate (\$) Welland Canal—Lake Ontario to or from Lake Erie (8 locks)
1	Subject to item 3, for complete transit of the Seaway, a composite toll, comprising: (1) a charge per gross registered ton of the ship, applicable whether the ship is wholly or partially laden, or is in ballast, and the gross registered tonnage being calculated according to prescribed rules for measurement or under the International Convention on Tonnage Measurement of Ships, 1969, as amended from time to time: ¹ (a) all vessels excluding passenger vessels (b) passenger vessels (2) a charge per metric ton of cargo as certified on the ship's manifest or other document, as follows: (a) bulk cargo (b) general cargo (c) steel slab (d) containerized cargo (e) government aid cargo (f) grain (g) coal (3) a charge per passenger per lock (4) a lockage charge per Gross Registered Ton of the vessel, as defined in item 1(1), applicable whether the ship is wholly or partially laden, or is in ballast, for transit of the Welland Canal in either direction by cargo ships. Up to a maximum charge per vessel	0.1267 0.3801 1.3133 3.1645 2.8641 1.3133 n/a 0.8069 0.8069 0.0000 n/a n/a	0.2027. 0.6080. 0.8964. 1.4347. 1.0271. 0.8964. n/a. 0.8964. 0.8964. 0.0000. 0.3377. 4,724.00.
2	Subject to item 3, for partial transit of the Seaway	20 per cent per lock of the applicable charge under items 1(1), 1(2) and 1(4) plus the applicable charge under items 1(3).	13 per cent per lock of the applicable charge under items 1(1), 1(2) and 1(4) plus the applicable charge under items 1(3).

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TABLE 1 TO § 402.12—Continued

Item	Column 1 Description of charges	Column 2 Rate (\$) Montreal to or from Lake Ontario (5 locks)	Column 3 Rate (\$) Welland Canal—Lake Ontario to or from Lake Erie (8 locks)
3	Minimum charge per vessel per lock transited for full or partial transit of the Seaway.	32.78 ²	32.78.
4	A charge per pleasure craft per lock transited for full or partial transit of the Seaway, including applicable federal taxes ³ .	25.00 ⁴	25.00.
5	Under the New Business Initiative Program, for cargo accepted as New Business, a percentage rebate on the applicable cargo charges for the approved period.	20%	20%.
6	Under the Volume Rebate Incentive program, a retroactive percentage rebate on cargo tolls on the incremental volume calculated based on the pre-approved maximum volume.	10%	10%.
7	Under the New Service Incentive Program, for New Business cargo moving under an approved new service, an additional percentage refund on applicable cargo tolls above the New Business rebate.	20%	20%.

¹ Or under the US GRT for vessels prescribed prior to 2002.
² The applicable charge under item 3 at the Great Lakes St. Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) will be collected in U.S. dollars. The collection of the U.S. portion of tolls for commercial vessels is waived by law (33 U.S.C. 983a(a)). The other charges are in Canadian dollars and are for the Canadian share of tolls.
³ Includes a \$5.00 discount per lock with use of online reservation and payment system for Canadian locks.
⁴ The applicable charge at the Great Lakes St. Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) for pleasure craft is \$30 USD or \$30 CAD per lock.

[89 FR 20320, Mar. 22, 2024]

§ 402.13 Operational surcharges—no postponements.

Item	Column 1 Place in Montreal-Lake Ontario section	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
(a)	Cape Vincent (downbound) or Cap Saint-Michel (upbound).	(a) 24 hours	20,000
		(b) 24 hours or more but less than 48 hours	40,000
		(c) 48 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
(b)	Port, dock or wharf within St. Lambert—Iroquois lock segment.	(a) 24 hours	n/a
		(b) 24 hours or more but less than 48 hours	20,000
		(c) 48 hours or more but less than 72 hours	40,000
		(d) 72 hours or more but less than 96 hours	60,000

¹ Prorated on a per-lock basis.

[66 FR 15329, Mar. 16, 2001. Redesignated at 74 FR 10679, Mar. 12, 2009, and further redesignated at 79 FR 13253, Mar. 10, 2014, and at 81 FR 14391, Mar. 17, 2016]

§ 402.14 Operational surcharges—after postponements.

Item	Column 1 Place in Montreal-Lake Ontario	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
(a)	Cape Vincent (downbound) or Cape Saint-Michel (upbound):		
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 36 hours	20,000
		(b) 36 hours or more but less than 48 hours	40,000
		(c) 48 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
	(2) If the postponement is for 48 hours	(a) 48 hours or more but less than 56 hours	20,000
		(b) 56 hours or more but less than 64 hours	40,000
		(c) 64 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
	(3) If the postponement is for 72 hours	(a) 72 hours or more but less than 78 hours	20,000
		(b) 78 hours or more but less than 84 hours	40,000
		(c) 84 hours or more but less than 90 hours	60,000
		(d) 90 hours or more but less than 96 hours	80,000
(b)	Port, dock or wharf within St. Lambert—Iroquois lock segment:		

Item	Column 1 Place in Montreal-Lake Ontario	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 48 hours (b) 48 hours or more but less than 60 hours (c) 60 hours or more but less than 72 hours (d) 72 hours or more but less than 96 hours	n/a 20,000 40,000 60,000
	(2) If the postponement is for 48 hours	(a) 48 hours or more but less than 72 hours (b) 72 hours or more but less than 80 hours (c) 80 hours or more but less than 88 hours (d) 88 hours or more but less than 96 hours	n/a 20,000 40,000 60,000
	(3) If the postponement is for 72 hours or more.	(a) 72 hours or more but less than 96 hours	n/a

¹ Prorated on a per-lock basis.

[66 FR 15329, Mar. 16, 2001. Redesignated and amended at 74 FR 10679, Mar. 12, 2009, and further redesignated at 79 FR 13253, Mar. 10, 2014, and at 81 FR 14391, Mar. 17, 2016]

PART 403—RULES OF PROCEDURE OF THE JOINT TOLLS REVIEW BOARD

Sec.

- 403.1 Purpose of the Joint Tolls Review Board. [Rule 1]
 403.2 Scope of rules. [Rule 2]
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 403.4 Applications. [Rule 4]
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AUTHORITY: 68 Stat. 92–96, 33 U.S.C. 981–990; Agreement between the Governments of United States and of Canada dated March 9, 1959, 10 U.S.T. 323, unless otherwise noted.

SOURCE: 24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, unless otherwise noted.

§ 403.1 Purpose of the Joint Tolls Review Board. [Rule 1]

The Board shall hear complaints relating to the interpretation of the St. Lawrence Seaway Tariff of Tolls or allegations of unjust discrimination arising out of the operation of the said Tariff and shall conduct such other business as agreed to by the Board (Rule 1).

[47 FR 13805, Apr. 1, 1982]

§ 403.2 Scope of rules. [Rule 2]

These rules govern practice and procedure before the Joint Tolls Review Board unless the Board directs or permits a departure therefrom in any proceeding [Rule 2].

(68 Stat. 92–97, 33 U.S.C. 981–990, as amended; Agreement between the Governments of the United States and Canada finalized on March 20, 1978)

[43 FR 30539, July 17, 1978. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.3 Definitions. [Rule 3]

In these rules, unless the context otherwise requires:

- (a) *Application* includes complaint;
 (b) *Affidavit* includes a written affirmation;
 (c) *Board* means the Joint Tolls Review Board;
 (d) Words in the singular include the plural and words in the plural include the singular [Rule 3].

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, as amended at 43 FR 30539, July 17, 1978. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.4 Applications. [Rule 4]

(a) Every proceeding before the Board shall be commenced by an application made to it, which shall be in writing and signed by, or on behalf of, the applicant.

(b) An applicant shall file six copies of his application setting forth a clear and complete statement of the facts the grounds for the complaint, and the relief or remedy to which the applicant claims to be entitled.