IN THE COURTS

SUPREME COURT OF CANADA RESTORES POWER OF ATTORNEY GENERAL OF CANADA TO CONDUCT COMBINES CASES IN ALBERTA

The Supreme Court of Canada, in a judgment(1) by Chief Justice Laskin on October 13 concurred in by Justices Ritchie Estey and McIntyre, overturned a decision of the Alberta Court of Appeal (2) which had held that only the Attorney General of Alberta was empowered to conduct criminal proceedings under s. 32(1)(c) of the Combines Investigation Act in Alberta. The Alberta Court had held that "generally the Combines Investigation Act and generally the offence alleged in the information" depends for its validity upon the federal power over criminal law and that only the Attorney General of Alberta could conduct criminal proceedings in the Province notwithstanding s. 2 of the Criminal Code and s. 15(2) of the Combines Investigatioin Act which purport to authorize the Attorney General of Canada to conduct such proceedings.

The majority judgment of the Supreme Court of Canada found that both s. 32(1)(c) and the federal legislation authorizing the Attorney General of Canada to conduct criminal proceedings under it are intra vires under the federal criminal law power; in consequence, they declined to consider whether s. 32(1)(c) can be supported under any other constitutional head. Mr. Justice Dickson, while concurring in the results of the decision, held that the Attorney General of Canada cannot conduct criminal proceedings in respect of a federal statute whose constitutional validity depends solely on the criminal law power but that s. 32(1)(c) could be supported under the trade and commerce power as well as under the criminal law head; therefore, s. 2(2) of the Criminal Code and s. 15(2) of the Combines Investigation Act are intra vires in so far as they relate to s. 32(1)(c) of the Act. Justices Beetz and Lamer, also concurring in the results of the decision, expressed "substantial agreement" with Mr. Justice Dickson and based their decision on a finding that s. 32(1)(c) had been validly enacted under the federal trade and commerce power.

Summing up the results, the validity of s. 32(1)(c) as criminal law has been reaffirmed. The validity of s. 2 of the Criminal Code and of s. 15(2) of the Combines Investigation Act has been established. In addition, the likelihood of part at least of the Combines Investigation Act eventually being supported under the federal trade and commerce power has been considerably enhanced.

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(1) Between The Attorney General of Canada v. Canadian National Transportation et al and Between the Attorney General of Canada v. Canadian Pacific Transport Company Limited et al and the Attorney General for Ontario et al.

(2) Canadian National Transportation Limited and Canadian National Railway Company v. Alberta Provincial Court and Attorney General of Canada (1982) 2 W.W.R. 673.

The subject provisions of the Combines Investigation Act are:

> "15.(1) ...
>
> (2) The Attorney General of Canada may institute and conduct any prosecution or other proceedings under this Act, and for such purposes he may exercise all the powers and functions conferred by the Criminal Code on the Attorney General of a province."
>
> ...
>
> "32.(1) Every one who conspires, combines, agrees or arranges with another person
>
> ...
>
> (c) to prevent, or lessen, unduly, competition in the production, manufacture, purchase, barter, sale, storage, rental, transportation or supply of a product, or in the price of insurance upon persons or property
>
> ...
>
> is guilty of a indictable offence and is liable to imprisonment for five years or a fine of one million dollars or both."

The part of s. 2 of the Criminal Code that was at issue was the provision that "Attorney General" means the "Attorney General of Canada" in respect to:

> "(b) proceedings instituted at the instance of the Government of Canada and conducted by or on behalf of that Government in respect of a violation of or conspiracy to violate any Act of the Parliament of Canada or a regulation made thereunder under other than this Act,"

The decision arose from an information which was laid in 1979 on behalf of the Attorney General of Canada charging twenty highway transport companies and eleven indidivduals under s. 32(1)(c) (Regina v. Alltrans et al). Appearing in the Provincial Court of Alberta, counsel for some of the accused submitted that since the proceedings related to a criminal offence only the Attorney General of Alberta had jurisdiction to conduct proceedings in Alberta relating to such an offence. The Provincial Court Judge dismissed the submissions and the matter was taken to the Court of Queen's Bench. The judgment of that Court was rendered on December 16, 1980 by Mr. Justice Medhurst. He considered himself bound by an earlier decision by the Court of Appeal of Alberta to the effect that only the provincial Attorney General "has the authority to prosecute under laws that are in substance criminal law." (Regina v. Hauser and Attorney General of Alberta (Intervenant) (1977) 6 W.W.R. 501). However, he concluded that the Combines Investigation Act can be supported udner the federal trade and commerce power as well. Accordingly, he found that the Attorney General of Canada can prosecute for a violation of s. 32(1)(c). That decision was reversed in an unanimous judgment delivered by Mr. Justice Prowse of the Court of Appeal of Alberta. He concluded that the Combines Investigation Act could only be supported as criminal law and, citing Hauser, found that only the Attorney General of

Alberta was empowered to conduct criminal proceedings udner s. 32(1)(c). It was an appeal by the Crown from that decision that was before the Supreme Court of Canada.

THE MAJORITY'S REASONS:

Laskin, C.J. stated the questions before the Court. The questions, along with the majority decisions, were as follows:

> "1. Does the consitutional validity of Section 32(1)(c) of the Combines Investigation Act ... depend upon Section 91(27) of the British North America Act? Yes.
>
> 2. If so, is it within the competence of the Parliament of Canada to enact legislation as in Section 2 of the Criminal Code, and Section 15(2) of the Combines Investigation Act, to authorize the Attorney General of Canada or his agents to prefer indictments and conduct proceedings in respect of alleged violations of the aforementioned provision? Yes."

S. 91(27) of the BNA Act defines the federal criminal law power as:

> "91(27). The criminal law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters."

S. 92(14) defines the provincial power over the administration of justice as:

> "92(14). The Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and of Criminal Jurisdiction, and including Procedure in Civil Matters in those Courts."

His Lordship stated at the outset that he found it impossible to separate prosecution for offences resting on a violation of valid trade and commerce legislation and those resting on a violation of the federal criminal law. He stated:

> "In short, if the Provinces are constitutionally in control of criminal prosecutions, they must equally be in control of other prosecutions resting on a violation of federal legislation other than under the criminal law, at least so far as the prosecutions are brought in provincial courts. Any reading of s. 92(14) of the provincial catalogue of powers does not exhibit any special mention, indeed there is no mention, of criminal offences.
>
> "I am content, however, to limit my examination of the constitutional submissions in this appeal to the question whether, assuming the Combines Investigation Act rests only on the criminal law power (as distinguished from a Criminal Code offence, an

important distinction in my opinion), the federal Attorney General is not entitled to prosecute offences under the Act and, as was alleged in argument for the respondents and for the intervening Provinces, may only intrude to enforce federal criminal legislation by permission or delegation or nomination of a Province."

The Chief Justice recalled the history of the exercise of prosecutorial authority in Canada. At Confederation, he said "it was obvious that existing laws of the confederating Provinces and existing courts, powers and authorities had to continued subject to being altered in accordance with the distribution of legislative power under the federating Act." S. 129 of the BNA Act provides for that. Beginning in the late 1800's laws were enacted providing federal officials with prosecutorial authority in respect of particular criminal laws. The original Criminal Code of 1892 gave the provincial attorney general exclusive authority to prosecute under that Act except in what is now the Northwest Territories and Yukon. This limited reference to the Attorney General of Canada remained unaltered until 1968-69. In this respect, his Lordship went on to say:

"I am not aware that during this period there was any attempt by a Province to enact legislation that would limit prosecution for federal criminal offences, let alone any other types of offences to a provincial Attorney General or prosecutor."

S. 15(2) of the Combines Investigation Act was enacted in 1949. It was only by the Criminal Law Amendment Act of 1968-9 that s. 2 of the Criminal Code was enacted in its present form. Laskin, C.J. said in respect of that amendment:

"It appears that it was this introduction of a generalized prosecutorial authority in the Attorney General of Canada that brought about the provincial claim that criminal procedure under s. 91(27) of the then British North America Act did not give legislative authority to Parliament against the mandate of s. 92(14) so as to empower the federal Attorney General to prosecute offences engaging the violation of validly enacted federal criminal law."

He also stated:

"It must be remembered, at the risk of undue repetition, that the practice of provincial prosecution was continued after 1867 into post-1867 by virtue of s. 129. It was a practical accomodation to allow this to continue, and the affirmation of this practice under the 1892 Criminal Code and in ensuing years did not, as I read the authorities, cast any doubt on federal authority to invest and regulate provincial prosecutorial power to enforce the federal criminal law. Re Public Inquiries Act (1919) 3 W.W.R. 115 does not disturb this view. One would have expected an attempt by the Provinces, soon after Confederation, or even later at some point in constitutional evolution, to assert an independent provincial authority to control prosecutions of the criminal law. There was

none, and there are still none, save for the objection taken to the inclusion of the federal Attorney General in the definition of s. 2."

Turning to the language of the constitution, His Lordship stated:

> "I find it difficult, indeed impossible, to read s. 92(14) as not only embracing prosecutorial authority respecting the enforcement of federal criminal law but diminishing the ex facie impact of s. 91(27) which includes procedure in criminal matters. As a matter of language, there is nothing in s. 92(14) which embraces prosecutorial authority in respect of federal criminal matters. Section 92(14) grants jurisdiction over the administration of justice, including procedure in civil matters and including also the constitution, maintenance and organization of civil and criminal provincial courts. The section thus narrows the scope of the criminal law power under section 91, but only with respect to what is embraced within 'the Constitution, Maintenance and Organization of Provincial Courts...of Criminal Jurisdiction'. By no stretch of language can these words be construed to include jurisdiction over the conduct of criminal prosecutions. Moreover, as a matter of conjunctive assessment of the two constitutional provisions, the express inclusion of procedure in civil matters in provincial courts points to an express provincial exclusion of procedure in criminal matters specified in s. 91(27).
>
> "There is, in addition, an attempt here to prefer the general administration of justice over the special criminal law and procedure, when there is no language in the former to override or even suggest the latter. The respondents and the supporting intervenors submit that because s. 92(14) includes the constitution of courts of 'criminal jurisdiction', the word 'crminal' must be imported into the opening words of the section, which must be construed as if they said 'the Administration of Civil and Criminal Justice in the Province'. However, this is not how the section was drafted; neither logic nor grammar support this construction."

The Chief Justice referred to the so-called trenching doctrine which was enunciated by the Privy Council in (Tennant v. Union Bank of Canada (1894) A.C.31) and which he said supports "a privileged encroachment on provincial legislative authority to give effect to exclusive and paramount federal power in relation to the classes of subjects assigned to parliament under the enumerated heads of s.91". He then cited two more recent statements from the bench which were in his opinion "a more reasonable approach to the so-called trenching doctrine and its associated 'ancillary' or necessarily incidental doctines. Rand, J. had stated in Canada v. C.P.R. and C.N.R. (1958) S.C.R. 285 at page 290:

> "Powers in relation to matters normally within the provincial field, especially of property and civil rights, are inseparable from a number of the specific heads of s. 91 under which scarcely a step could be taken that did not involve them. In each such case the question is primarily not how far Parliament can trench upon s. 92

but rather to what extent are property and civil rights within the scope of the paramount power of Parliament."

The other statement was by Judson, J. in Attorney General of Canada v. Nyborak (1962) 33 D.L.R. 2d 373 and concerned federal legislation under which the Crown claimed expenses which had been incurred by the injury of a member of the armed forces under a prescribed master-servant relationship. Judson, J. stated:

> "legislation of this kind comes squarely under the head of 7 of s. 91, notwithstanding the fact that it may incidentally affect property and civil rights within the Province. It is meaningless to support this legislation as was done in the Grand Trunk case, (1907) A.C. 65, on the ground that it is 'necessarily incidental' to legislation in relation to an enumerated class of subject in s. 91".

Laskin, C.J. commented:

> "Those two references exhibit the strength of the force residing an enumerated class of subject in s. 91 when all those classes are expressed to repose legislative authority in Parliament, both exclusively and notwithstanding anything in s. 92. The effect so given resides in s. 91(27) no less than in other enumerations in s. 91."

His Lordship reviewed the case law relating to s. 92(14) and s. 91(27) since the enactment of s. 2 of the Criminal Code in its present form by the 1968-9 amendments. The relevant cases are Regina v. Pelletier (1974) 4 O.R. 2d 677, Hauser v. The Queen (1977), 37 C.C.C. 2d 129 (reversed by the Supreme Court of Canada on other grounds), Regina v. Pontbriand (1978), 1 C.R. 3rd 97, and Regina v. Hoffman-La Roche Ltd. (1980) 14 C.R. 3rd 289, affirmed on appeal (1982), 24 C.R. 3rd 193. The Chief Justice stated:

> "Apart from the reasons in this Court which I have produced, it is sufficient in my view to rely on the Pelletier case, the reasons of Justice Spence in Hauser and the reasons of the Ontario Court of Appeal in the Hoffman-LaRoche case...I would add that the reasons of Mr. Justice Martin in Hoffman-LaRoche are in my view unassailable and, in themselves, would justify responding affirmatively to the federal claim of prosectorial authority."

Since the Hoffman-LaRoche case was concerned specifically with the Combines Investigation Act, his review of that case is of particular interest. He said:

> "There are a number of passages in the reasons of Martin J.A. which I fully endorse and they are as follows. Thus, he said (at page 225):

> 'I am satisfied that, at the least, Parliament has concurrent jurisdiction with the provinces to enforce federal legislation validly enacted under head 27 of s. 91 which, like the Combines Investigation Act, is mainly directed at suppressing in the national interest, conduct which is essentially trasn-provincial in its nature, operation and effects, and in respect of which the investigative function is performed by federal officials pursuant to powers validly conferred on them and using procedure which only Parliament can constitutionally provide.

"And, again (at p. 228):

> 'In my view, the special investigative powers which have since its enactment been an integral part of the Combines Investigation Act place beyond question the authority of federal officers to enforce its provisions. I am also of the view that the conferring of those investigative powers falls within criminal procedure under s. 91 (27). As Mr. Robinette aptly put it, it would be startling if the Attorney General of Canada can have the conduct of prosecutions under the Narcotic Control Act because that Act is not criminal law and cannot have the conduct of prosecutions under the Combines Investigation Act because it is criminal law.'

> "Martin J.A. discussed Di Lorio at some length and pointed out the distinction which exists in the case before him. He said this (at pp. 228-9):

> 'In Di Lorio v. Montreal Jail Warden (1978) 1 C.C.R. 152....the Supreme Court of Canada accepted that there is a degree of overlapping between the powers assigned to Parliament under s. 91(27) and those assigned to the provinces under s. 92(14) and that a matter which for some purpose may fall within the scope of the federal power over criminal law and procedure may also fall within the legitimate concern of the provinces as pertaining to the administration of justice (per Dickson S. at p. 207)...

> 'Notwithstanding the overlapping between s. 91(27) and s. 92(14), manifestly it would not be within provincial competence to enact legislation enabling a police officer to summon a suspect before an official and submit the suspect to compulsory examination under oath with respect to his involvement in a crime. Even though such legislation might be described as legislation in relation to the investigation of offences and thus appear to fall within the category of the administration of justice, such legislation in pith and substance would be legislation in relation to criminal procedure and thus within the exclusive competence of Parliament.'

"Finally, returning to the Combines Investigation Act, he observed (at p. 230):

> 'The provisions of the Combines Investigation Act empowering federal officials charged with the enforcement of the Act to compel

any person resident or present in Canada to give evidence under oath has, as I have previously mentioned, been a characteristic feature of the Act since its enactment. Two things are obvious: the first is that Parliament evidently considered that ordinary police investigation by the province would not be effective to investigate the kinds of conduct at which the Combines Investigation Act strikes, and which seldom respects provincial boundaries. The second is that it would not be competent for a provincial legislature to vest these powers in provincial or federal officials for the purpose of investigating offences under the Act.

'The subject matter of the investigation provided for in the Act and with respect to which witnesses may be compelled to give evidence, is not general conditions in a province with respect to the existence of combines or predatory pricing practices or the conditions favourable to their formaiton or operation. Rather, the investigation contemplated is the investigation of specific transactions in relation to specified offences under the Act, including offences under s. 34, to determine whether a prosecution is warranted. Frequently, the persons required to submit to compulsory examination under oath are suspected of having committed certain offences under the Act or are the officers of corporations suspected of having committed such offences and who as a result are potentially defendants in a subsequent presecution. The investigative provisions of the Combines Investigation Act have never been successfully challenged, and indeed neither counsel for the appellant nor counsel for the Attorney General of Ontario before us challenged their validity. In Reference re Validity of Combines Investigation Act, supra Duff, J. after pointing out that the Act, as its name imported, provided for the investigation of matter touching the existence of a combine or a pending combine, said at p. 418:

"'The other point of view is that of responsibility of the Dominion with regard to the Criminal Law. The authority in relation to the Criminal Law and Criminal Procedure given by s. 91(27) would appear to confer upon the Dominion, not as an incidental power merely, but as an essential part of it, the power to provide for investigation into crime, actual and potential.'"

'On appeal from the judgment of the Supreme Court of Canada the Judicial Committee of the Privy Council agreed with the opinion of the Supreme Court of Canada that no part of the Combines Investigation Act was ultra vires.'

"He concluded as follows (at p. 233):

'The validity of the provisions of the Combines Investigation Act vesting investigative powers in federal officers is, in my view, beyond question. The discharge o' the investigative function by

federal officials, and the vesting of the prosecutorial function exclusively in the Attorney General of the province would result in the very disunity which Dickson J. found unacceptable. Since the investigative function is validly vested in federal officers, the authority of Parliament to empower the Attorney General of Canada to initiate and conduct prosecutions under the Act is necessarily incidential or ancillary to the scheme of the legilsation, or to use the language of Laskin J.A. (as he then was) in Papp v. Papp (C.A.), (1970) 1,O.R. 331 at 335-36, 8 D.L.R. (3d) 389 (C.A.), "there is a rational, functional connection" between the investigative procedures provided for in the Act and the vesting of prosecutorial power in the Attorney General of Canada under s. 15(2) of the Act.

'In my view, the vesting of prosecutorial powers in the Attorney General of Canada in respect of violations of the Combines Investigation Act does not offend any constitutional principle or any understanding that may have existed at the time of Confederation with respect to the enforcement of the criminal law.

'Accordingly, I agree with the trial judge that even if the constitutional validity of the Combines Investigation Act depends on head 27 of s. 91 of the B.N.A. Act, it is within the legislative competence of Parliament as in s. 2 "Attorney General" (b) of the Code and s. 15(2) of the Combines Investigation Act to authorize the Attorney General of Canada to prefer indictments and have the conduct of prosecutions in respect of violations of that Act.'"

In conclusion, the Chief Justice stated:

"I should add that I find it unnecessary in this appeal to consider Martin J.A.'s observations on the peace, order and good government power dealt with by Pigeon, J. In Hauser or to expand on the trade and commerce power."

Mr. Justice Dickson's Reasons

Mr. Justice Dickson's reasons for concurring in the results but not the reasoning of the majority decision are of considerable interest because of his conclusion that while the Combines Investigation Act has consistently been sustained as criminal law it also can be supported under s. 91(2), the federal power over trade and commerce, Justices Lamer and Beetz expressing "substantial agreement" with him.

His Lordship recalled the dissent by himself and Mr. Justice Pratte in Hauser where they were of the view that the Narcotic Control Act is in pith and substance criminal law and that s. 91(27) does not empower the federal government to conduct criminal proceedings because s. 92(14) gives the Provinces jurisdiction to administer the criminal justice system. It followed that he could only concur in the results of the majority decision in the present case if he found that the Combines Investigation Act also could be supported under a constitutional head other than 91(27).

Mr. Justice Dickson began his analysis of the trade and commerce power by reference to the Privy Council decision in Citizens Insurance Company of Canada v. Parsons (1881), 7 App Cas. 96, which he said had established the following three propositions regarding that power:

> "(i) it does not correspond to the literal meaning of the words 'regulation of trade and commerce'; (ii) it includes not only arrangements with regard to international and interprovincial trade but 'it may well be that (it) would include general regulation of trade affecting the whole dominion'; (iii) it does not extend to regulating the contracts of a particular business or trade. Subsequent jurisprudence on the meaning and extent of s. 91(2) is to a large extent an expansion and an explication of these three interrelated propositions."

Subsequent judgments had underlined the need noted in Parsons to limit the meaning of the language of 91(2) in order, as Duff, J. said in Lawson v. Interior Tree Fruit and Vegetable Committee, (1931) 2 D.L.R. 193, "to preserve from serious curtailment, if not from complete extinction, the degree of autonomy which, as appears from the scheme of the Act as a whole, the Provinces were intended to possess." Then, citing Duff, J. in Re Alberta Statute (1938) S.C.R. 100 and Rand, J. in Reference Re Farm Products Marketing Act (1957), 7 D.L.R. (2d) 257, His Lordship emphasized that "the limits of s. 91(2) are not fixed, and that questions of constitutional balance play a crucial role in determining its extent in any given case at any given time." He cited with approval the characterization by Rand, J. in Re Farm Products Marketing Act (supra.) of the provincial power to regulate trade and commerce as a "subtraction from the scope of the language conferring on the Dominion by head 2 of s. 91 excusive authority to make laws in relation to the Regulation of Trade and Commerce". He added:

> "This competence is usually identified with s. 92(13) 'Property and Civil Rights in the Province', but these words are no more fixed nor susceptible to literal interpretation than are those of s. 91(2). See John Deere Plow Co. v. Wharton, (1915) A.C. 330 at p. 340. In deciding how much ought to be subtracted from the full literal meaning of s. 91(2) in order to preserve the proper constitutional balance between the federal government and the provinces, the courts have developed a number of indicia of the respective federal and provincial competences. But even with the help of these indicia and of the 'paraphrases' of ss. 91(2) and 92(13) referred to by Duff, C.J. in Re Alberta Statutes, supra, the difficult underlying task facing a court determining the constitutional status of federal economic regulation is, without passing on the substantive merits of the legislation, to assess whether and how far it encroaches on the degree of local autonomy contemplated by the constitution. It is not suprising that the tenor of what constitutes such an encroachment has varied over time."

(Continued on page 35)

COMPETITION LAW AND PUBLIC POLICY IN CANADA, 1979 - 1982:

A BIBLIOGRAPHY

Compiled by

Pierre H. Audet*

Introduction

The purpose of this bibliography is to provide a listing of books, articles, and reports which deal with Canadian competition policy from 1979 through 1982. The bibliography is intended to update the earlier work by Paul K. Gorecki and W.T. Stanbury, entitled "Competition law and public policy in Canada, 1888 1979: a bibliography", and published in Canadian competition policy : essays in law and economics, edited by J. Robert S. Prichard, W.T. Stanbury, and Thomas A. Wilson.

The focus continues to be those items of a legal and/or public policy nature rather than industry studies or purely economic analyses. General regulation studies and law reports have not been included. For reported cases, refer to annual reports of the Director of Investigation and Research, Combines Investigation Act, Consumer and Corporate Affairs Canada.

Basically, the subject arrangement of the bibliography follows that of the predecessors work with slight changes which include some rearrangement in the order of subjects, and the consolidation of some subject areas.

Both English and French language material has been covered and titles are indexed in the language of publication.

I acknowledge with thanks the following persons for having reviewed the bibliography: the directors of the Bureau of Competition Policy, Mr. William T. Stanbury of the University of British Columbia, Corinne K. MacLaurin and Gabriel P. Lepkey of the Library of Consumer and Corporate Affairs Canada.

DROIT DE LA CONCURRENCE ET POLITIQUE OFFICIELLE AU CANADA, 1979 - 1982:

UNE BIBLIOGRAPHIE

Compilée par

Pierre H. Audet*

Introduction

La bibliographie donne une liste des livres, articles et rapports traitant de la politique de concurrence au Canada entre 1979 et 1982. Il s'agit d'une mise à jour du travail fait antérieurement par Paul K. Gorecki et W.T. Stanbury, intitulé: "Competition law and public policy in Canada, 1888 - 1979: a bibliography", et publié dans Canadian competition policy: essays in law and economics, édité par J. Robert S. Prichard, W.T. Standbury et Thomas A. Wilson.

L'ouvrage est également centré sur les questions juridiques et/ou de politique officielle, plutôt que sur les études du secteur privé ou sur des analyses purement économiques. Les études sur la réglementation en général et les rapports juridiques n'ont pas été inclus. Pour les causes, se référer aux rapports annuels du Directeur des enquêtes et recherches, Loi relative aux enquêtes sur les coalitions, Consommation et Corporations Canada.

La présentation des sujets est essentiellement la même que dans l'ouvrage précédent, sauf en ce qui concerne l'ordre des sujets et l'unification de certains domaines.

L'ouvrage porte sur des documents aussi bien anglais que français, et les titres sont répertoriés dans la langue de publication.

Je remercie sincèrement les personnes suivantes qui ont lu et critiqué la bibliographie: les directeurs du Bureau de la politique de concurrence, M. William T. Stanbury de l'université de British Columbia, Corinne K. MacLaurin et Gabriel P. Lepkey de la bibliothèque de Consommation et Corporations Canada.

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