

CANADIAN COMPETITION POLICY RECORD

TABLE OF CONTENTS

Canadian Competition Law Developments

Director Negotiates Changes in Coffee Service Merger	1
Two Lay Members Appointed to Competition Tribunal	1
Director Addresses Canadian Bar Association	2
Examination Provision of <i>Combines Act</i> Withstands <i>Charter</i> Scrutiny	6
Court Proceedings in Meat Rendering Merger	7
Real Estate Brokers Inquiry	8
Indictment in Western Trucking Case Quashed	9
Ontario Court of Appeal Clarifies Search Warrant Procedures	10
Court Refuses to Accept Copies of Seized Documents	12
Cement Industry Inquiry - Search Warrants Invalidated	13
Acquittal of Air Canada Overturned by District Court	14

Regulatory and Policy Developments

Supreme Court of Canada Rules on CRTC Telecommunications Jurisdiction	16
Telecommunications Policy Framework Announced	19
CRTC Denies B.C. Rail/Northwestel Interconnect	22
Copyright Act Amendments Before Parliamentary Committee	24
Transportation Regulatory Reform Legislation Receives Royal Assent	26

Trade Policy Developments

Canada and U.S. Sign Historic Free Trade Area Pact	27
Auto Manufacturers Launch Major Antidumping Investigation Against Hyundai	30
Hyundai Federal Court Applications	32
Regional Antidumping Injury Determinations under the <i>Special Import Measures Act</i>	33
<i>SIMA</i> and the Public Interest	34
GATT Panel Finds that Cows are not Beef	37
Government of Saskatchewan Reacts to U.S. Potash Antidumping Ruling	37
U.S. Trade Law Proposals	39
Trade Law Actions	44

Foreign and International Competition Law Developments

U.S. Developments	45
-------------------	----

Book Review

The Bigness Complex	49
---------------------	----

Comment and Analysis

Reflections on McDonald on Abuse of Dominant Position	51
Abuse of Dominance or Abuse of Reason	61

CANADIAN COMPETITION POLICY RECORD

EDITOR IN CHIEF

Lawson A.W. Hunter, Q.C.

ASSOCIATE EDITOR

Eric A. Milligan LL.B., LL.M.

EDITORIAL BOARD

William Morrow

Past Editor, Canadian Competition Policy Record

Ivan Feltham

*Vice-President and General Counsel,
Canadian General Electric Co. Ltd.*

William A.W. Neilson

*Dean of the Faculty of Law,
University of Victoria*

Donald Affleck

Fasken & Calvin

Leon Courville

*Senior Vice-President, Economic and International Affairs,
National Bank of Canada*

Douglas Rosenthal

Sutherland, Asbill & Brennan (Washington)

Stuart Benson

Graham & James (San Francisco and Washington)

Michael Flavell

Clarkson, Tetrault

Peter Clark

*Grey, Clark, Shih and Associates, Limited
Trade Consultants*

Roger Martin

Monitor Company