CANADIAN COMPETITION LAW AND POLICY DEVELOPMENTS

The articles in this section were written by John F. Blakney, Norman J. Emblem, Jennifer S. Trent, Paul K. Lepsoe, Debbie A. Campbell, and Patricia Harrison, all of Fraser & Beatty; David Gilkes of the Bureau of Competition Policy; and the Honourable Mr. Justice William P. McKeown, Chairman of the Competition Tribunal.

WETSTON LEAVES BUREAU: ADDY BECOMES ACTING DIRECTOR

On June 16, 1993, it was announced that Howard Wetston had been appointed to the Federal Court of Canada (Trial Division) and, accordingly, he would cease to be the Director of Investigation and Research of the Bureau of Competition Policy. Mr. Wetston has been replaced on an acting basis by George Addy who previously had been the Deputy Director of Investigation responsible for the Mergers Branch of the Bureau.

Prior to becoming Director, Mr. Wetston had a varied career. His first exposure to competition law occurred in the 1970s when he was assigned as a Department of Justice Prosecutor to the Bureau as part of a small team responsible for the management of criminal prosecutions under the *Combines Investigation Act*. Subsequently, Mr. Wetston acted as Counsel to the National Energy Board, General Counsel to the Consumers Association of Canada (as well as the Director of its Regulated Industries Program which was responsible for the Association's interventions before federal regulatory tribunals), and General Counsel to the Canadian Transport Commission. He has also practiced as a lawyer in the Ottawa offices of Burnet, Duckworth & Palmer. Mr. Wetston joined the Bureau in 1986 as Special Counsel and became the head of the Mergers Branch upon its establishment in 1987. In October of 1989, Mr. Wetston succeeded Calvin Goldman as the Director of Investigation and Research.

As Director, Mr. Wetston brought several applications before the Competition Tribunal which have resulted in the establishment of a significant body of new competition law jurisprudence. These matters include the first application under the abuse of dominance provisions (NutraSweet and Laidlaw), the recent review of the original Consent Order with respect to the merger of the Air Canada and Canadian Airlines reservations systems, merger reviews of Southam's acquisition of certain newspaper businesses in the B.C. South Mainland, and Hillsdown Holdings' acquisition of certain meat rendering businesses in central Canada. As well, Mr. Wetston guided the publication of detailed enforcement guidelines with respect to the merger, predatory pricing and price discrimination provisions of the *Competition Act*. Finally, Mr. Wetston was responsible for the development of the Bureau's new policy with respect to negotiating immunity from prosecution for those who are prepared to give evidence with respect to conspiratorial activities.

J.F.B.

CANADIAN AIRLINE MÊLÉE CONTINUES

Although the Competition Tribunal hearing and the subsequent appeal to the Federal Court of Appeal have been the main focus of the attempts by PWA Corporation (PWA) and Canadian Airlines International Ltd. (Canadian) to obtain approval of the proposed merger with AMR Corporation (AMR) and American Airlines (American), there are a number of concomitant proceedings dealing with the merger.

Civil Actions

Four civil actions have been commenced in Ontario which are proceeding under a case management system in two stages. The parties have agreed that the examinations for discovery held in late 1992 and early 1993 shall stand for all of the civil actions.

The first stage involved the trial of the action by PWA against The Gemini Group Automated Distribution Systems Inc. (Gemini Group), Air Canada, and Covia Canada Partnership Corp. (Covia). In this action, PWA sought a declaration that the Gemini Group, the general partner of the Gemini Group Limited Partnership (the Gemini Partnership), was insolvent; or in the alternative a declaration that the dissolution of the Gemini Partnership would be just and equitable within the meaning s. 35 (f) of the *Partnership Act.*[1]

Mr. Justice Callaghan C.J.O.C. heard the trial of this action in March 1993. In his decision dated April 2, 1993, he found that the Gemini Group was not insolvent within the dissolution provisions of the partnership agreement. Further, Mr. Justice Callaghan was of the view that it was not a proper case to exercise the Court's equitable jurisdiction to dissolve a partnership because of PWA's failure to disclose its negotiations with American to the other partners.

PWA appealed the decision to the Ontario Court of Appeal which was heard by Justices Dubin C.J.O., Griffiths and Arbour at the end of June 1993. In their decision released on August 11, 1993, Justices Griffiths and Arbour, for the majority, denied the appeal, agreeing with the conclusions reached by Mr. Justice Callaghan. Chief Justice Dubin would have allowed the appeal on the basis that the partnership should be dissolved because of irreconcilable difference among the partners, and a receiver should be appointed to oversee the wind-up. PWA has not, to date, sought leave to appeal to the Supreme Court of Canada.

The second stage involves three actions for damages among the parties. The Gemini Group commenced an action against PWA, Canadian, AMR, and American for damages for breach of fiduciary duty, interference with economic interests, and for relief as a shareholder of the Gemini Partnership. Covia then commenced an action against PWA, Canadian, AMR and American (the Covia Action) for inducing breach of contract, interference with economic interests, conspiracy, and various damages as a shareholder of Gemini Group. The final action is by Gemini Group against Canadian, claiming damages for inducing breach of contract and breach of fiduciary duty.

Mr. Justice Farley heard three motions involving the Covia Action on July 8 and 9, 1993. First, the defendants, PWA and Canadian, brought a motion

for summary judgment to dismiss the claims by Covia. Second, American and AMR brought a motion to dismiss the claims against them on the basis that no cause of action existed. Finally, Covia brought a motion to amend its statement of claim to add various directors of PWA and Canadian as defendants, and to assert claims of breach of fiduciary duty and conspiracy againt them.

In his decision released on July 10, 1993, Mr. Justice Farley granted the relief sought by PWA, Canadian, American and AMR, on the basis that Covia's claim was really a derivative action brought by a shareholder against the Gemini Partnership. In addition, Mr. Justice Farley denied Covia's attempt to amend its claim since the addition of defendants at this stage would unduly prejudice the existing defendants. The result of this decision was that Covia's entire action was dismissed. However, Mr. Justice Farley suggested that Covia's claims for damages as a shareholder be advanced in the action by the Gemini Partnership against PWA and Canadian et al.

National Transportation Agency

The National Transportation Agency (NTA) commenced hearings required by the *National Transportation Act* into the impact of the proposed acquisition by American of a 25% interest in PWA /Canadian. In its decision released on May 27, 1993, the NTA found that the proposed acquisition did not violate the statutory provisions for Canadian ownership. Further, on June 24, 1993, the Federal Cabinet denied Air Canada's request to conduct a review of the NTA decision.

D.A.C.

Notes

1 R.S.O. 1990, c. P.5.

CHEMAGRO FINED UNDER S. 46 OF *COMPETITION ACT*

On June 11, 1993, the Director of Investigation and Research announced that Chemagro Ltd. of Toronto, Ontario, had been fined $2 million for domestic and foreign directed conspiracies under sections 45 and 46 of the *Competition Act*. The investigation stemmed from information obtained from Abbot Laboratories when this company voluntarily approached the Director in June 1992 to disclose its own anti-competitive conduct.[1]

The fine is based on a guilty plea entered by Chemagro with respect to allegations made against it under sections 45 and 46 of the Act. The foreign-directed offence alleged by the Director involved an arrangement between Chemagro's parent, Bayer A.G. of Germany, and Sumitomo Chemical Co. Ltd. of Japan, to lessen competition unduly in Canada with regard to the sale of chemical insecticides to provincial and private purchasers throughout the period between 1982 and 1988. Chemagro also pleaded guilty to the charge that it had conspired with a Canadian based company, Abbot Laboratories, in 1990 to control the biological insecticide market with respect to forest protection.

The $2 million fine imposed by Mr. Justice Desjardins was broken down as $1.25 million for the section 46 charge and $750,000 for the section 45 charge. Mr. Justice Desjardins noted that the $1.25 million fine was based on approximately 10% of the volume of commerce affected by the conspiracy. The $750,000 fine represented approximately 18% of the $4 million in sales made by Chemagro in 1990. The greater percentage was used for this offence because Chemagro had

instigated the conspiracy which followed on earlier conspiracy which lasted six years.

The case is particularly interesting as it is the first conviction under section 46 of the Act which addresses foreign-directed conspiracies aimed at lessening competition in Canada.[2]

D.G.

Notes

1 See K. Clease, "Abbot Laboratories Gets Immunity" (1992) 13:4 Can. Comp. Rec. 5.

2 For a detailed discussion of the constitutionality of s. 46 of the *Competition Act*, see S. Bradley, "Implementing Foreign Conspiracies: Guilty Notwithstanding?", *infra* this issue at 56.

CANADA POST PURCHASES PUROLATOR

On June 4, 1993, Canada Post Corporation reached an agreement with Onex Corporation and the Ontario Municipal Employees Retirement Board (OMER), subject to regulatory approvals, pursuant to which Canada Post will purchase 75% of Purolator Courier Ltd. As a result of the transaction, the ownership interests of Onex and OMER in Purolator will decrease from 78% to 20% and 19.5% to 5%, respectively.

The Canadian Courier Association has objected to the transaction from the outset, arguing that Canada Post and Purolator's combined market share in the Canadian courier business will result in a lessening of competition. In this respect, there has been much disagreement between Canada Post and Purolator, on the one hand, and the critics of the transaction, on the other, as to the actual market share numbers.

The Bureau of Competition Policy is currently reviewing the proposed transaction while the National Transportation Agency (NTA) already held related hearings on September 7th and 8th. For its part, the NTA received six objections to the transaction by the July 26th deadline. The objections were filed by an individual consumer, three courier companies, the Ontario Trucking Association and United Parcel Service Canada Ltd. (UPS), DHL International Express Ltd. (DHL), and Dicom Express Ltd. (Dicom), the three of which made a joint filing. Although UPS, DHL and Dicom had initially indicated to the NTA that they would appear at the hearing, they ultimately did not, since they claimed that they had not had enough time to prepare their arguments. UPS, DHL and Dicom have also filed their objections with the Bureau of Competition Policy.

At the NTA hearings, Canada Post, Onex and Purolator made submissions and Canada Post was cross-examined by Westminster Holdings, owner of courier Canpar Transport Ltd. Professor Richard Schwindt of the Department of Economics and Faculty of Business Administration of Simon Fraser University appeared as an expert witness on behalf of Canada Post. Professor Schwindt provided testimony regarding the effect of the proposed transaction on competition and provided an assessment of market shares.

The NTA is required to make its determination with respect to whether the proposed transaction is in the public interest by October 15th. If the NTA gives the purchase a green light, a 30 day appeal

period follows during which the transaction cannot close.

The *Record* will continue to follow this transaction and will provide further information in future issues as it becomes available.

J.S.T.

NEW PROGRAM OF COMPLIANCE DOES NOT SIGNAL SUBSTANTIVE CHANGE

In April 1993, the Director of Investigation and Research released a new version of the Program of Compliance which replaces Information Bulletin number 3 dated June 1989. The new publication represents an update and fine tuning of the old version. It does not, however, contain any new enforcement procedures or new approaches to compliance issues.

Nevertheless, there are a number of changes which may prove helpful. For example, in Part 3 Facilitating Compliance, new examples of when the Director may provide advisory opinions have been added as there were a number of situations which generated many common inquiries. Also under Part 3, specific reference to s. 103 of the *Competition Act* has been added to sharpen the distinction between advance ruling certificates and non-binding advisory opinions. More particularly, both advisory opinions and advance ruling certificates provide parties with an indication of the Director's view on proposed mergers before the transaction occurs. Section 103 of the Act highlights the main difference between the two procedures as it provides that advance ruling certificates may be issued and are binding on the Director so long as the merger takes place within one year; whereas, an advisory opinion is not binding.

An expanded discussion on immunity has been added to Part 5 which deals with the enforcement process. The report indicates that any possibility of immunity or favourable treatment for voluntary cooperation in investigations can only be granted by the Attorney General in accordance with the Attorney General's policy in respect of federal offences. The new publication also notes that although recommendations for immunity or favourable treatment made by the Director to the Attorney General have traditionally been seriously regarded, there are a variety of factors which are taken into consideration in determining whether such favourable treatment would be in the public interest.

Finally, in order to allay some of the uneasiness surrounding prohibition orders, a paragraph has been added to Part 6 which addresses the issue of responding to situations of non-compliance. The new paragraph states that "[t]he resolution of a matter by a prohibition order...does not affect the right of persons to bring an action under s. 36."[1]

Although the 1993 release of the Program of Compliance does not contain new substantive material, its impact, if any, will be reported in future issues of the *Record*.

P.H.

Notes

1 Consumer and Corporate Affairs Canada, *Program of Compliance*, Director of Investigation and Research, *Competition Act*, Information Bulletin No. 3 (Revised) (Hull, Que.: Supply and Services Canada, 1993) at 12.

COMPETITION TRIBUNAL MEMBERSHIP - AN UPDATE

On May 31, 1993, the Honourable Mr. Justice Marshall E. Rothstein, B. Comm., LL.B., and the Honourable Mr. Justice Marc Nöel, B.A., LL.L., LL.B., were appointed Judicial Members of the Competition Tribunal.

Mr. Justice Rothstein is from Winnipeg and practiced law in Winnipeg in the area of transportation law until his appointment as Justice of the Federal Court of Canada, Trial Division, on June 24, 1992. Mr. Justice Rothstein was also appointed to the Court Martial Appeal Court of Canada on October 29, 1992.

Mr. Justice Nöel, originally from Quebec City, practiced tax law in Montreal until his appointment as Justice of the Federal Court of Canada, Trial Division, on June 24, 1992. Mr. Justice Nöel was also appointed to the Court Martial Appeal Court of Canada on October 29, 1992.

On June 10, 1993, the Honourable Madam Justice Sandra Jean Simpson, B.A., LL.B., was appointed Justice of the Federal Court of Canada, Trial Division, and Judicial Member of the Competition Tribunal. Madam Justice Simpson, originally from Montreal, practiced commercial litigation in Toronto with particular expertise in the area of competition law until her recent appointments.[1]

N.J.E.

Notes

[1] For further information regarding recent appointments to the Competition Tribunal see N.J. Emblem, "Competition Tribunal Membership - An Update" (1993) 14:2 Can. Comp. Rec. 9.

BUREAU OF COMPETITION POLICY MOVES TO INDUSTRY DEPT. IN GOVERNMENT RE-ORGANIZATION

The Department of Consumer and Corporate Affairs, which has housed the Director of Investigation and Research and his officials since the Department was created in 1968, has been dismantled. The Director, and the Bureau of Competition Policy which reports to him, have been moved to the new Department of Industry and Science (formerly Industry, Science and Technology).

The changes were included in the re-organization of the Government of Canada announced by the Prime Minister upon her assumption of office on June 25, 1993. The news release from the Prime Minister's Office referred to the moves as "the most significant downsizing and restructuring of government ever undertaken in Canada."

Almost all of the functions of Consumer and Corporate Affairs have been transferred to the new Industry Department although there are two small exceptions. The food packaging and labelling regulatory functions have been moved to a re-named Department of Agriculture and Agri-Food. The product safety functions have been moved to the Department of Health (formerly National Health and Welfare).

In addition to the functions of the former Department of Industry, Science and Technology and most of the functions of Consumer and Corporate Affairs, the new Industry and Science Department will take over many of the functions of the Department of Communications (DOC), which is also being dismantled. Industry will be responsible for

telecommunications, radio spectrum management and related technology programs of the old DOC. Broadcasting and cultural policy functions of DOC are now part of the new Department of Canadian Heritage.

The new Departments will not legally come into existence, nor will the old Departments be abolished, until legislation is passed by Parliament. This will not take place until after the 1993 federal election. However, the assigned Ministers legally assumed their new responsibilities immediately in accordance with Orders in Council made on June 25 under the *Public Service Reorganization and Transfer of Duties Act.*

P.K.L.

REMARKS TO THE CANADIAN BAR ASSOCIATION[1]

I appreciate this opportunity to participate in your proceedings. As a practicing lawyer, and as Deputy Director of Investigation and Research from 1974-77, I had a keen interest in competition law. My association with this area of the law was broken when I was appointed to the Supreme Court of Ontario in 1986. Exposure to the views of experienced members of the bar at seminars such as this one is a means of learning about your concerns and the many important changes that have occurred since I left practice.

This session is, I note, entitled "Dealing with the Competition Bureau". My remarks are not intended to provide a "Dealing with the Tribunal" counterpart — but they may contain some hints. My own contribution is necessarily modest. I would like to bring you up to date on recent changes in the judicial membership on the Tribunal and in the continuing efforts to speed up proceedings. Users of the system such as yourselves can contribute in a significant way to these efforts; the proposed changes to the Rules already embody suggestions received by the Tribunal. I know there are other areas where you seek changes to the Rules and I look forward to working with you to ensure that the Rules meet the requirements of the 1990s and beyond.

There is now a full roster of judicial members on the Tribunal: Mr. Justice Marshall Rothstein, Mr. Justice Marc Noël and Madame Justice Sandra Simpson.

All the judicial members like the majority of lay members have had extensive commercial experience in the private sector. Mr. Justice Rothstein practiced in Winnipeg prior to his appointment to the Federal Court in 1992. In his practice, with Aikins, MacAulay & Thorvaldson, teaching, and service on task forces and advisory bodies, Mr. Justice Rothstein has extensive background in transportation law and policy. He also has had experience in competition law including representing a client before the Tribunal.

Mr. Justice Marc Noël was also appointed to the Federal Court in June 1992. Prior to his appointment, he practiced tax and commercial law in Montreal and Toronto with Verchere, Noël and Eddy, and Bennett Jones Verchere. He started practice in 1976. He lectured in tax law over a number of years at the Quebec Bar, the Canadian Institute of Chartered Accountants, as well as at McGill University and at Revenue Canada.

Madame Justice Sandra Simpson was appointed to

the Federal Court and the Competition Tribunal this summer. She was called to the bar in 1975 and practiced in commercial litigation with a specialty in commercial law. She served as counsel in the Director's office on an interchange programme from January 1986 until May 1988. She has represented the Director and appeared for an intervenor before the Tribunal. She has taught and contributed to a number of seminars and conferences relating to competition law and class actions.

The lay members, Messrs. Frank Roseman, Victor Clarke and Jack Smith, and Maître Gaëtan Mathieu have recently been joined by Mr. André Côté, C.A., who is well known in accounting and auditing in Montreal.

As many of you are aware, the Tribunal is completing a draft revision of its Rules. For the most part it deals with non-controversial matters. Counsel who appeared before the Tribunal were asked for comments at the outset of the exercise and these have been taken into account. The Competition Law Section of the Canadian Bar Association has since provided additional input. I plan to move forward with the amendments to the Rules promptly now that additional judicial appointments have been made and the quorum required by the legislation has been reconstituted. I do not intend to inflict on you a recitation of the particular changes. You will have a further opportunity to comment on them after they are published in the *Canada Gazette*. There are, however, proposed changes concerning intervenors that may be useful to mention now.

Intervenors would be required to file their request to intervene within 30 days following the notice of the application published in the *Canada Gazette* in accordance with the Tribunal's Rules. This time limit would apply equally to the filing of a notice of intervention by the provincial attorneys general who are granted intervenor status as a matter of right with respect to specialization agreements and mergers (sections 88 and 101 of the *Competition Act*). Currently, there is no time limit for the filing of requests to intervene and notices of intervention which means that these could be received just prior to or even after hearings have begun. This is not fair to the parties and can be disruptive to the proceedings. The suggestion for a time limit was made independently by the Director and the Legal Services Section of the Department of Consumer and Corporate Affairs. Counsel who have appeared on behalf of respondents did not offer any comments regarding intervenors. Counsel who had represented intervenors suggested that the Rules should reflect a broad role for intervenors. As the communications regarding intervenors show, users are far from holding uniform views on issues. In addition to taking into account the views of users, the Tribunal has also drawn on its own experience in pursuing the twin goals of efficiency and fairness to all participants.

Another proposed change to the Rules would require would-be intervenors to indicate in their request to intervene the "competitive consequences" with respect to which that person wishes to make representations. This would be in addition to the present requirements of statements regarding the matters in the proceedings that affect the person and the facts on which the request is based. The proposed requirement is intended to make clear that competition is the focus of Tribunal proceedings and that private concerns that do not relate to this focus are outside the scope of the Tribunal.

As already mentioned, the Tribunal, in common with

the courts and other decision-making bodies, is concerned with streamlining and speeding up its processes. One might go farther and say speed in processing applications is one of the raisons d'être of the Tribunal. This is reflected in its ongoing attention to how well its Rules are working. It is also reflected in the active case management that has been practised by the previous Chairman and other presiding judicial members. One of the most important features has been the stress placed on the establishment of a hearing date soon after the application and response have been entered. My experience with the Commercial List in the Ontario Court confirms to me the importance of this approach. The most important component of the calendar is the hearing date, which is set by way of an order. Adjournments are rarely granted. I would like to stress that once a hearing date has been set, no adjournments shall be permitted except in most unusual circumstances — such as death.

Another way in which the Tribunal might possibly be able to contribute to reducing the length and cost of proceedings would be by actively encouraging settlement, as is currently done in Commercial List cases in Ontario. If the Tribunal were to attempt to bring the parties together, the logical time and place would be during a pre-hearing conference. However, it is difficult to anticipate whether an approach that is successful in dealing with private disputes will carry over to applications brought by the Director. I would very much like to receive your feedback on this point. I would add that the judge involved in the effort would almost certainly be disqualified from sitting on the panel during subsequent consent or contested proceedings. However, with a full complement of judicial appointments this does not present an obstacle. The only serious issues are whether it would be appropriate for the judges to play the role I described, and whether their efforts would likely be productive.

I very much appreciate the contribution of the Competition Law Section of the Canadian Bar Association, both its comments on the proposed amendments to the Rules now on the table as well as any suggestions for further changes that would be of assistance. These initial amendments are required now. I intend to proceed with them first rather than attempting to deal with all the possible areas for improvement at once. There is some urgency to streamline the process by completing the initial amendments, which are primarily technical, in 1993.

W.P.M.

Notes

[1] The remarks made by the Honourable Mr. Justice McKeown to the Canadian Bar Association on August 25, 1993, in Quebec City are reproduced with permission.

CBA Competition Law Session in Vancouver

The Continuing Legal Education Committee and the Competition Law Section of the Canadian Bar Association have organized a program for September 30 and October 1, 1993, in Vancouver, B.C. It is entitled, "Living with the *Competition Act* in the 1990's: Do's and Don'ts for Business".

Here is an outline of the program:

THURSDAY, SEPTEMBER 30, 1993
7:00 - 9:00 p.m. - RECEPTION

FRIDAY, OCTOBER 1, 1993
8:50 a.m. 9:00 a.m.
Introduction and Welcome

Russell Lusk, Q.C. Chair
Competition Law Section (CBA)
Ladner Downs
Vancouver, B.C.

9:00 - 10:30 a.m.
CONCURRENT SESSIONS

Primer of the *Competition Act*
General presentation on various provisions of the *Competition Act*

Yves Bériault
McCarthy Tétrault
Montreal, Quebec

Robert Anderson
Procter & Gamble Inc.
Toronto, Ontario

John S. Tyhurst
Department of Justice
Hull, Quebec

Emerging Issues in Competition Law

MODERATOR
Paul Crampton
Davies, Ward & Beck
Toronto, Ontario

PANELISTS:
Margaret Sanderson
Bureau of Competition Policy
Hull, Quebec

Art James
IBM Canada
Markham, Ontario

10:45 a.m. - 12:15 a.m.
CONCURRENT SESSIONS

What to do when the Bureau comes knocking at your door

MODERATOR
David Covert, Q.C.
Stewart McKelvey Stirling Scales
Halifax, N.S.

PANELISTS:
Randy Hughes
Fraser & Beatty
Toronto, Ontario

Kent Thomson
Tory, Tory, DesLauriers & Binnington
Toronto, Ontario

Bill Miller
Department of Justice, Hull, Quebec

Private Enforcement

MODERATOR
Donald Affleck
Kelly Affleck Greene
Toronto, Ontario

PANELISTS:

Barry Zalmanowitz
Milner Fenerty
Edmonton, Alberta

Jo'Anne Strekaf
Bennett Jones
Verchere
Calgary, Alberta

Glenn F. Leslie
Blake, Cassels & Graydon
Toronto, Ontario

1:30 - 3:00 p.m.
CONCURRENT SESSIONS

Ensuring Compliance with The Act

MODERATOR
Maureen Kempston Darkes
General Motors of Canada
Oshawa, Ontario

PANELISTS:

Peter H. Franklyn
Osler Hoskin Harcourt
Toronto, Ontario

Donna Soble Kaufman
Stikeman Elliott
Montreal, Quebec

Robert Patton
Imperial Oil
Toronto, Ontario

Merger Review Process

MODERATOR
Bruce M. Graham
Smith Lyons Torrance Stevenson & Mayer
Toronto, Ontario

PANELISTS:

Warren Grover
Blake Cassels & Graydon
Toronto, Ontario

Donald McFetridge
Carleton University
Ottawa, Ontario

Deputy Director of Investigation & Research
(Mergers)
Bureau of Competition Policy
Hull, Quebec

3:15 - 4:45 p.m.
PLENARY SESSION

Focus on the Bureau of Competition Policy

MODERATOR
Russell W. Lusk, Q.C.
Ladner, Downs, Vancouver, B.C.

PANELISTS:

John Rook, Q.C.
Osler Hoskin Harcourt
Toronto, Ontario

Calvin S. Goldman, Q.C.
Davies, Ward & Beck
Toronto, Ontario

Lawson A.W. Hunter, Q.C.
Stikeman Elliott
Ottawa, Ontario

Director of Investigation & Research
Bureau of Competition Policy
Hull, Quebec

5:00 - 7:00 p.m. Reception

CBA COMPETITION LAW SECTION EXECUTIVE

At the Annual Meeting of the Canadian Bar Association (CBA) held in Quebec City in late August, the following were elected as the Executive of the National Competition Law Section of the CBA for 1993-1994:

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