

Vehicles Act subject to approval of the responsible Minister, the defence argued on the basis of the Container Materials and Canadian Breweries cases that there is a presumption that the power to fix rates was exercised in the public interest. It was contended therefore that to succeed in the prosecution the Crown must show that the alleged combine must or would operate so as to hinder the provincial body, in this case the responsible Minister, from effectively exercising the authority therein vested for the protection of the public interest.

In response to this argument, Dupont, J. stated:

"... unlike the Canadian Breweries Limited case, the bus rates in this case, which are submitted for ministerial approval, are firstly, and unknown to the ministry, subject to and the product of bidrigging. An affirmative finding of such bidrigging, as defined in Section 32.2 would be evidence from which an inference could be drawn that such conduct has operated, or is likely to operate, so as to hinder or prevent the Provincial Authority from effectively exercising the power given to protect the public interest.

"I find the distinction, therefore, between the facts of the present case and those considered by the Court in the Canadian Breweries Limited case to be significant."

## URANIUM FIRMS CHARGED

An Information was laid in Provincial Court Toronto on July 8, 1981 charging six uranium firms with conspiracy under s. 32(1)(c) of the Combines Investigation Act during the period September 1, 1970 and April 1, 1978. Those charged are:

Denison Mines Limited  
Eldorado Nuclear Limited  
Gulf Mineral Canada Limited  
Rio Algom Limited  
Uranerz Canada Limited  
Uranium Canada Limited

Twenty-one co-conspirators were named.

Those charged were to appear in court on September 24, at which time a date for a preliminary hearing was expected to be fixed.