

So a company must carry on its business under its own name.

Mr. LAMBERT: Oh, that is clear, but I beg to differ with you. While I agree that a company must affix its name to its place of business as its incorporated name, yet it could carry on business, for example, in its invoices, in its day to day relations, in its letterheads and so on, under another name. I think you will find that the Bonanza Creek case does permit this. It is certainly permitted in certain jurisdictions. I have obtained this permission from a number of provincial registrars, because we wanted to use a particular name which was not the registered name. This is a very good point. It may be a related name. For example, instead of saying XYZ limited we call it XY in Canada. That is the name under which it operated. British Columbia, Alberta, Saskatchewan, Manitoba, and Ontario have all agreed to this. This is a point I address to you in your private capacity.

Mr. LESAGE: It is a very interesting point, but this matter was not studied in the bill and there is no amendment to section 22 in the bill itself.

According to our terms of reference we were required to prepare this bill and we were invited to make only the necessary changes. It is true that the terms of reference in the Senate were a little broader, and this accounts for the many amendments in the Senate. But even the Senate did not see fit to change anything in that respect. I would not say that this is the first time I have heard such a suggestion made. However, I shall take note of it and if and when we are asked to prepare a complete revision of the act, this may very well be considered. But at this time I must confess that I am not prepared to discuss such an important point on such short notice.

Mr. LAMBERT: Under clause 3(c) on page 12 there may be a little difficulty in the proposition which I propose. However, I am thinking of the T. Eaton Company of Canada Limited which carries on business under the name of Eaton's, and that sort of thing.

Mr. CAMERON (*High Park*): Do you mean that they are registered under partnership acts?

Mr. LAMBERT: No. I mean a name other than the one under which they are incorporated.

Mr. CAMERON (*High Park*): Companies do that every day.

Mr. LAMBERT: That is another method which Mr. Cameron suggests, by which a corporate body might operate under another name, under the partnership acts.

The CHAIRMAN: Shall the title carry?

Agreed.

Mr. GELBER: Have we passed clause 37 as printed?

The CHAIRMAN: We have passed every clause so far, and we are now down to the title.

Mr. GELBER: I understood Mr. Lesage was going to bring in some change in the wording of clause 37.

Mr. LESAGE: That was only because my copy was not the last edition, I think. That is when we cleared it up. There was a clerical error in my copy.

Mr. GELBER: I am sorry. People are talking around me and I cannot hear the answer.

The CHAIRMAN: We dealt with it this morning, when Mr. Gelber found that the bill distributed to the members as reprinted had an amendment contained in it.

Mr. LESAGE: No, it was not an amendment, it was a correction which was included in my copy.

Mr. GELBER: What is the correction.