

Corporate
Transactions

(b) any other transaction or series of transactions the purpose of which is to circumvent a substantial part of the business of the (federal) member institution.

(3) Where the Corporation considers that a transaction or series of transactions related to its subsection (1) or (2) has been substantially completed, it shall cause a notice to that effect, specifying the date on which the transaction or series of transactions was completed, to be published in the *Canada Gazette*.

(3) No restriction on the right of the body- or other body institution to amalgamate, to sell or otherwise dispose of any of its assets or to provide for the assumption of any of its liabilities, other than a restriction provided for in an Act of Parliament, applies so as to prevent the Corporation, the federal member institution or any other person from carrying out a transaction described in subsection (1) or (2).

Federal
Member
Institution

Approval
Required

(2) A transaction referred to in subsection (1) or (2) has no force or effect until it has been approved by the Minister.

(3) The approval of a transaction referred to in subsection (1) or (2), any person who exercises a liability of the federal member institution, when the transaction becomes the liability of the federal member institution, to discharge the liability assumed.

Minister

Legal
Member
Institution

30.21 Where the assets of a federal member institution are a bank that are sold and a transaction described in section 30.2 (including any associated security purchase) of the bank are sold for the benefit of the assets may hold the security on the life of the loan to which the security relates and all the provisions of the bank Act later and all the provisions of the securities Act relating to the security and its enforcement continue to apply to the buyer as though the buyer were a bank.

Winding
up

30.22 (1) The Corporation shall apply for a winding-up order in respect of a federal member institution under the Winding-up and Restructuring Act if, in the opinion of the Corporation, a transaction or series of transactions referred to in section 30.2 is not

(b) into other transactions or series of transactions the purpose of which is to circumvent a substantial part of the business of the (federal) member institution.

(3) Where the Corporation considers that a transaction or series of transactions related to its paragraph (1) or (2) has been substantially completed, it shall cause a notice to that effect, specifying the date on which the transaction or series of transactions was completed, to be published in the *Canada Gazette*.

(4) No restriction on the right of the body- or other body institution to amalgamate, to sell or otherwise dispose of any of its assets or to provide for the assumption of any of its liabilities, other than a restriction provided for in an Act of Parliament, applies so as to prevent the Corporation, the federal member institution or any other person from carrying out a transaction described in subsection (1) or (2).

(2) L'opération visée aux paragraphes (1) ou (2) n'a d'effet qu'à compter de son approbation par le ministre.

(3) L'approbation par le ministre de l'opération visée aux paragraphes (1) ou (2), toute personne qui exerce une responsabilité de l'institution membre fédérale, lorsque celle-ci devient responsable de la dette de l'institution, pour décharger la responsabilité assumée.

30.21 Dans le cas où un des éléments de l'actif d'une institution à l'article 30.2 est le même qu'un actif d'une autre institution, l'acheteur peut le détenir sans que le vendeur ne soit tenu de transférer la dette du prêt qu'elle garantit et les dispositions de cette loi s'appliquent à ce prêt et à sa réalisation comme s'il s'agissait d'un prêt.

30.22 (1) La Société doit demander l'ouverture de la liquidation prévue par la Loi sur les liquidations et les restructurations à l'égard de l'institution fédérale membre si, à son avis, l'opération prévue à l'article 30.2

10
Institution
Membre
Fédérale

30
Approbation
Requise

11
Ministre

30
Membre
Institution
Légale

12
Liquidation