

of notice would in view of the allegations made by the applicants or on behalf of the Minister unduly prejudice any investigation that might be ordered by the Commission, for an order directing an investigation of the company in respect of which the application is made."

*Page 42:* Strike out lines 21 to 25, inclusive, and substitute therefor the following:

"(2) Where it is shown to the Commission by the Minister or upon the solemn declaration of the applicant shareholders that there are reasonable grounds for believing that in respect of the company concerned,"

*Page 42:* Strike out lines 33 to 35, inclusive, and substitute therefor the following:

"have been performed wrongfully in a manner prejudicial to the interests of any shareholder;"

*Page 43:* Strike out line 6 and substitute therefor the following:

"fraud, misfeasance or other misconduct,"

*Page 43:* Strike out lines 18 to 25, inclusive, and substitute therefor the following:

"(4) Where an application is made under subsection (1) by shareholders, the applicant shareholders shall give the Minister reasonable notice thereof; and the Minister and the company or any other party who has been given notice of the application, or an authorized representative of any of them, is entitled to appear in person or by counsel to examine the application and supporting material, to cross-examine the applicants and to be heard at any hearing of the application."

*Page 50:* Strike out line 20 and substitute therefor the following:

"(4) Any person who wilfully fails".

*Page 52:* Immediately after line 14 add the following as subsection (2) of proposed section 112C:

"(2) Nothing in section 112, 112B or this section compels the production by a solicitor of a document containing a privileged communication made by or to him in that capacity or authorizes the taking of possession of any document in his possession without the consent of his client or an order of a court."

*Page 53:* Strike out lines 12 to 19, inclusive, and substitute therefor the following:

"(4) Upon the termination of the investigation, the Commission may order that any security given pursuant to subsection (3) be returned to the applicant but if the Commission holds that the application was vexatious or malicious it may."

*Page 63:* Strike out lines 6 to 13, inclusive, and substitute therefor the following:

"(4) For the purposes of paragraph (b) of subsection (3), the gross revenues and total assets of any other company with which a private company mentioned in the said paragraph (b) is affiliated within the meaning of section 121B shall be included in the gross revenue and the total assets of that private company, unless the financial statements of the private company and its affiliates, if any, are consolidated with those of a holding company that files such consolidated financial statements in accordance with paragraph (b) of subsection (1)."