

Ontario has been hearing similar submissions concerning the release of financial statements. I think the provinces are moving in this direction anyway. My own view is that we should take a very careful look at this.

The CHAIRMAN: Are there any further questions on page 34?

Mr. MACALUSO: I was just going to corroborate what Mr. Moreau has said. I think 121F(2) is a clause on which I have certain reservations. I would agree with him that perhaps it should be held over until we have finished with the bill because I for one have further questions on it.

The CHAIRMAN: I think this is the time to raise them. We are going through the bill right now. I would hope that when we start going through the clauses everybody will be clear as to their purpose.

Mr. MACALUSO: Mr. Lesage, on subclause 2 of clause 121F, I know there are certain reasons why some documents are not made a matter of public information as far as public companies are concerned but what is the purpose for that subclause? Perhaps you can restate it because I was unable to be here earlier.

Mr. LESAGE: The real purpose is to put the companies incorporated under the federal Companies Act on the same level as the provincial companies at the present time. No provincial jurisdiction requires the filing of financial statements with the department. It is only accidental that we in the department have a copy of those financial statements. This is for the protection of those companies. Until a general policy is established we think that we would be discriminating against those federal companies already incorporated and we would be discouraging the incorporation of the federal public companies because those companies would not have the same protection that they would have if they were incorporated provincially.

Mr. MACALUSO: Do you not think it would be best to wait until a general policy is established rather than to do it piecemeal? As you, Mr. Lesage, and I know it is very difficult to have this removed from the statute book or altered. I would think that until your general policy is established it would be best to leave it as it is. You mention the protection of the companies but I am thinking of the protection of the shareholders of these public companies. That does not mean to say I agree with the laws that are set down in the provincial companies act at the present time.

Mr. LESAGE: But we have to consider the fact that the federal jurisdiction is only one out of 11. Otherwise it would amount to discrimination and make preferential statements on the possibility of information being disclosed under the companies act. This is only a temporary measure until a policy is established. I do not see how the fact of putting the federal companies under the same protection as they have under their provincial jurisdiction would in any way prevent all jurisdictions from considering another general policy.

Mr. MACALUSO: That is my point. I do believe we should not incorporate a temporary measure with which there is some conflict until a policy is established. I do not see what loss there is to the federal government if the federal public charter is not granted to a public company.

Mr. LESAGE: The mere withdrawal of subclause 2 would become an indication of what would be the policy of the government and that is what we want to avoid. We want to give the federal companies a status equal to that of the provincial companies.

Mr. MACALUSO: It does not mean to say that the laws of the provinces are right.

Mr. LESAGE: I would agree with you.

Mr. MACALUSO: We should not compound something that is probably wrong in the provinces.