

2. Litigation support was provided in connection with 2 court actions against EAITC, the first in Saudi Arabia (Laing Wimpey case) and the second in Israel (Reinhold case). Foreign counsel have been appointed agents of the Minister of Justice and instructions are provided through our Unit. These are complicated cases with various proceedings in various fora (including the religious court in Riyadh). For a detailed summary of the litigation see the Litigation Report prepared and distributed by our Unit several times per year. That Report summarizes a third property related case, namely the National Capital Commission v the Kingdom of Saudi Arabia, in which our Unit is involved with others in developing the position to be taken in this litigation, which is in the superior court of the province in which the land, which is the subject of the dispute, is situate, i.e. Ontario.

3. In 1991, our Unit concentrated on improving the way in which our legal services in respect of property/commercial law are organized and delivered. Time has been spent in examining recurring legal issues and the problems they present with a view to developing legislative proposals or other solutions that will help EAITC deliver its programs in an efficient and effective way. Developing trends and legislative proposals have also been analyzed so that our Unit will be able to assist EAITC in formulating positions and policies in respect of these developments. Examples of matters which were studied in 1991 include:

- legal implications of the provisions of s. 90 of the FAA on purchases by EAITC of share interests in condominium and similarly structured corporations
- advantages and disadvantages of various choice of law and choice of forum clauses in EAITC's leases and other real property related agreements
- title insurance in respect of EAITC's various transactions in the USA and developments in Canadian law and practice re title insurance
- review of various drafts of the Federal Real Property Act and advice on the provisions of this Act as recently passed
- review of various drafts of the proposed Real Property Regulations
- review of proposed changes to the disposal practice recommended by PS 2000 and proposed amendments to the Surplus Crown Assets Act.

Also, in an effort to better utilize our limited resources, effort was expended in putting **systems** in place for:

- early notification of EAITC's TB submissions in respect of property matters