

The CHAIRMAN: There is a motion that section 125A be deleted; that will include both subsections (1) and (2). Is there a seconder for that?

Mr. DOUGLAS: I second the motion.

Mr. LAMBERT: You want to delete the whole of clause 41?

The CHAIRMAN: Yes.

Mr. LESAGE: Yes, that is far better.

The CHAIRMAN: It has been moved and seconded that clause 41 be deleted.

Mr. BASFORD: I do not see the need to delete it. I do not understand Mr. Moreau's amendment because disclosure of the public company's returns should, I think, be provided for in the act.

Mr. Moreau has cited instances of possible abuse by private companies, and surely section 125A does give some procedure, if there are abuses, to look into them by order of a judge. To cross out the section altogether certainly does not give any protection.

I would not like to see full disclosure of a private company, but here is a method—the decision of a judge—by which those informations can be disclosed.

Mr. WATSON (*Châteauguay-Huntingdon-Laprairie*): I would like to hear Mr. Lesage's viewpoint on this.

Mr. LESAGE: I have very little to say with regard to section 125A. It was first inserted in the bill at the interdepartmental committee stage when, as I told you, we had the advantage of the presence of three solicitors from outside. They were aware of an omnibus clause in the Ontario Act which permitted the department to obtain some information from companies. They asked for that clause to be inserted in the Companies Act as section 125A. At that time I maintained, and I still maintain, that for departmental purposes we do not need it, and we have never needed such an omnibus clause because when we request information from private companies it is in order to issue supplementary letters patent changing or varying the capital stock of those companies. Each and every time we have been given the fullest possible co-operation of the company requesting such changes in its letters patent. When they said, "why don't you put it in your act?" I could not see that it would do any harm, but I could not see any useful purpose in it either.

When the bill reached the Senate they said, "If you're going to obtain that information, then it should be kept confidentially in the department." Here again I could see no objection to keeping it confidential because when we have requested that information from companies we have obtained it on a confidential basis. That method of working has been the same for 96 years and no difficulty has been encountered with it. That is why this afternoon if someone appeared to be unhappy about that part of 125A I could see no objection in having it deleted, because the department will be able to continue and will be able to obtain the same co-operation from companies.

Mr. WATSON (*Châteauguay-Huntingdon-Laprairie*): Is it conceivable that at some time in the future the government might have need of this type of information if they were worried about the takeover of a Canadian company by a United States corporation, for example? Could this information not conceivably be useful to you people if you were requested by some other department of the government to give this information?

Mr. LESAGE: We have never received a request by any other department for the financial position of private companies. This is only a possibility. If the government were to adopt a policy, I think it would result in legislation, and that legislation would cover this point. I do not see any need for it at this moment. I did not see any need for it at the time it was inserted in the bill, and I still maintain the view that it is not necessary and that it can disappear without any damage being done.