

protect you." What are you going to do, it is only a matter of grace. He owes the bank more than he can pay. It seems to me it is time to clear up these things and the minister has a good idea in separating one from the other.

The CHAIRMAN: Are you ready for the question? You know what the amendment is now. Those who are in favour of the amendment please hold up your hands: six for. Those who are opposed to the amendment: nine against. The amendment is lost.

Now, is there any other amendment to any other clause?

Senator LEONARD: Yes, Mr. Chairman.

The CHAIRMAN: Which clause is that?

Senator LEONARD: Clause 76.

The CHAIRMAN: All right, we will call clause 76 on page 55. Which part of that clause do you wish to amend, Senator?

Senator LEONARD: We can always try to improve our batting average. It is pretty low at the moment.

Senator CROLL: I hope it stays that way.

The CHAIRMAN: Once at bat and no hits.

Senator LEONARD: Clause 76, honourable senators, deals with those cases where a bank holds more than 10 per cent of the shares of a company. I am particularly dealing with the matter of the shares of a trust or loan company. The amendment that I propose is to strike out line 12 on page 56, which now reads "before the 1st day of July, 1971." In other words, it now reads that these excess shares should be sold or disposed of before the 1st July, 1971.

Here again we are dealing with a situation to which I think the same type of reasoning should apply as in the case of the Bank of Western Canada, where they have been given 10 years to comply with the general requirements of the act applicable to that bank. In the case of the Mercantile Bank they have five years in which to get down to the 25 per cent holding that is required, and in this case the limitation is just four years. So that this is again retroactive legislation. These holdings that now exist have been acquired under the law, with the approval of the authorities in Ottawa, and the problem of disposing of any excess may be a very serious market problem.

The timing of it is important and the extension of time under the act may not at all actually affect the time when the disposition does take place, but, nevertheless, it seems to me in the circumstances there should be further leeway.

My amendment is to strike out line 12 and substitute the following: "before the first day of July, 1972". That is an extension of one year.

Senator MCCUTCHEON: Why do you not tie it in with the time limit for the Mercantile Bank?

Senator LEONARD: Because this brings the date in line with the holding of the shares of any other Canadian corporation, and I think that is the comparable clause.

The CHAIRMAN: The amendment is simply to strike out line 12 on page 56, which reads, "before the first day of July, 1971", and to substitute for that the words: "before the first day of July, 1972". This relates to the disposal of shares of a trust company or loan company held by the bank in excess of 10 per cent.

Are you ready for the question?

Senator MCCUTCHEON: No. I would like to ask Senator Leonard what he said that brought the date in line with.

Senator LEONARD: Perhaps I misled the senator. It simply extends the time period. Put it on this basis: it simply extends the time from the first day of July, 1971 to the first day of July, 1972, and I make no comparison with any other provision.

The CHAIRMAN: Are you ready for the question?

Senator MCCUTCHEON: No. I would like to move an amendment, Mr. Chairman.

Senator SMITH (*Queens-Shelburne*): Mr. Chairman, those of us who have to sit back here cannot hear a word that is being said.