

APPENDIX

(See p. 1274)

REPORT OF THE STANDING SENATE COMMITTEE ON
BANKING, TRADE AND COMMERCE

Report on the subject-matter of Bill C-6 "An Act to revise the Bank Act, to amend the Quebec Savings Banks Act and the Bank of Canada Act, to establish the Canadian Payments Association and to amend other Acts in consequence thereof." (As reprinted and amended, October 1980)

The Banks and Banking Law Revision Act

INDEX TO THE REPORT

	Clause No.	Page No.
1. General Introduction		1289
2. Summary of Legislation		1290
3. Contents of the Report		1292
4. Ownership of Banks' Shares by Provincial Governments	114.2	1292
5. Extension of Exemption from Section 88 Security to Agricultural Products	178.6	1292
6. Prepayment of Loans	174(5) 202(8)(f)	1293
7. Financial Leasing of Motor Vehicles	193(1)(c)(ii)	1294
8. Reserves of Foreign Currency Deposits	208(1)(g)	1295
9. Recommendations		1300
10. Conclusion		1300

The Standing Senate Committee on Banking, Trade and Commerce, to which was referred the subject-matter of Bill C-6, intituled: "An Act to revise the Bank Act, to amend the Quebec Savings Banks Act and the Bank of Canada Act, to establish the Canadian Payments Association and to amend other Acts in consequence thereof", cited as the "*Banks and Banking Law Revision Act, (1980)*" has, in obedience to the order of reference of April 29, 1980, examined the subject-matter of the said Bill, and for the reasons hereinafter mentioned, now reports as follows:

1. GENERAL INTRODUCTION

On July 17, 1980 your Committee presented its Interim Report on Bill C-6 "*Banks and Banking Law Revision Act, 1980*". The report was based on an extensive study of the subject-matter of the Bill which lasted 2½ months. As pointed out at page 15:8 of the Interim Report, during the course of your Committee's study of Bill C-6, specifically on the 20th of June 1980, the Minister provided the Chairman of the Commons Committee on Finance, Trade and Economic Affairs with the text of ten proposed amendments to the Bill. Further, in the ensuing months the Government developed additional amendments. Your Committee was not provided with this material, either before or after its study of Bill C-6. It is apparent from an examination of the Bill as reprinted and published on October 6th, 1980, that a number of these amendments have found their way into the proposed legislation.

The exposure which this Committee has had to the banking legislation in this decennial review has been extremely thorough. One would have thought that the Government would have welcomed the opportunity to assess the views of a Committee, which, over a period of four years, has been called upon to entertain and consider the competing attitudes and opinion of a broad segment of society interested in the banking legislation. A word by way of details as to the activities of your Committee is warranted.

In the first place, in response to the White Paper and successive Bills, your Committee has prepared and delivered four reports as follows:

- On June 28, 1977, in response to the White Paper on Canadian Banking Legislation, your Committee tabled its report which includes 37 recommendations or groups of recommendations;
- On March 7th, 1979, in response to Bill C-15 (Bill C-57 of the previous Session), your Committee tabled its report which included 51 recommendations;
- On December 5th, 1979, in response to Bill C-14, your Committee tabled its report which included 13 recommendations, and
- On July 16th, 1980, in response to Bill C-6, your Committee tabled its report which included 5 principal recommendations.

During the evidentiary phases leading up to the preparation and publication of these reports, the membership of your