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Consumer and
Corporate Affairs
Canada

Consommation
et Corporations
Canada

*Year-end
March 31, 1991*

Annual Report Report Annual Report



Canada



Consumer and
Corporate Affairs Canada

Hon. Pierre Blais
Minister

Consommation
et Corporations Canada

L'hon. Pierre Blais
Ministre

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Ministre
des Consommateurs
et des Sociétés



Minister
of Consumer
and Corporate Affairs

CANADA

Annual Report
Department of Consumer and Corporate Affairs
For the fiscal year ended March 31, 1991
Submitted under the provisions of the
Department of Consumer and Corporate Affairs Act

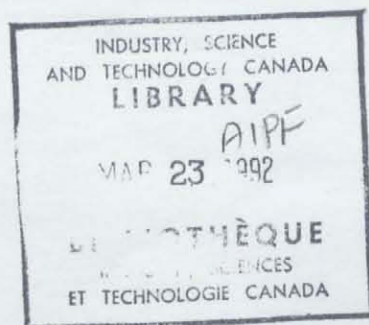
To His Excellency the Right Honourable Ramon John Hnatyshyn
P.C., C.C., C.M.M., C.D., Q.C.,
Governor-General and Commander-in-Chief of Canada

May it Please Your Excellency:

The undersigned has the honour to present to Your
Excellency the Annual Report of the Department of Consumer
and Corporate Affairs for the fiscal year ended March 31,
1991.

A handwritten signature in cursive script that reads "Pierre Blais".

Pierre Blais
Minister of Consumer
and Corporate Affairs



K1A 0C9

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The continuing mission of Consumer and Corporate Affairs Canada (CCAC) is to promote the fair and efficient operation of the marketplace in Canada. To fulfill this broad mandate, CCAC:

- establishes and administers rules and guidelines for business conduct;
- makes sure information is accurate so that consumers can make informed choices;
- maintains and encourages competition among businesses;
- establishes, administers and enforces standards for trade in commodities and services;
- provides protection from product-related hazards; and
- encourages the disclosure and diffusion of technological information.

Overview ●●●●●●●●

Clearly, Consumer and Corporate Affairs Canada has a challenging mandate; its very name reflects the diversity of its activities. It shapes, administers and enforces the rules of the Canadian marketplace. And as this country's marketplace becomes increasingly integrated into the world market, these laws must keep pace with other countries' to make certain Canada remains competitive and prosperous.

Consumer and Corporate Affairs accomplishes its mandate through the work of some 2 500 employees in four bureaus, who operate out of Headquarters in the National Capital Region, five regional offices and 43 district and area offices.

Here are some highlights of activities during 1990-91.

Bureau of Competition Policy: An overview of the *Competition Act* was published; an advisory service to businesses on complying with the *Competition Act* was provided and officials spoke to more than 124 groups about the Act. Fines for offences under the *Competition Act* totalled almost \$4.5 million. More than 200 merger transactions were examined. The Bureau contributed to studies on the relationship between domestic market practices and international competitiveness and to a review of the changing nature of international business for Canadian marketplace laws and policies.

Bureau of Consumer Affairs: The *Textile Labelling Act* and the *Consumer Packaging Act* were updated; work continued on amendments to standardize weights and measures internationally and the Consumer Policy Framework Secretariat was established. Almost 22 000 inspections of consumer products were carried out, over 19 000 advertisements were reviewed, 2.6 million meters were verified and 177 800 weighing and measuring devices were inspected. The first National Consumer Week was held and the KidsCare program on child safety was launched.

Bureau of Corporate Affairs and Legislative Policy: Work continued on the multi-year project to automate the operations of the Patent Office, with the goal of making patent information in electronic form accessible throughout Canada. Almost 25 000 applications for patents were received, including applications received by way of the international Patent Cooperation Treaty (PCT) – and almost 24 000 trade-mark applications were filed. A further 12 326 applications designating Canada were filed under the PCT. About 27 500 requests for incorporation and amendment under various statutes were processed and a comprehensive database of federal corporations was maintained. The Legislative Review Directorate continued its work to modernize Canada's economic framework laws.

The Lobbyists Registration Branch processed 7 798 registration forms. The Bankruptcy Office dealt with 49 000 consumer and almost 13 000 business bankruptcies. The Debtor Program to increase debtors' awareness of the complex credit system and of the causes of their financial problems continued.

Bureau of Corporate Policy and Strategic Planning: Strategic research focused on the financial services sectors, on the role of the Department in relation to environmental concerns, and on trade-related issues. About 2 300 000 information items were sent out by the Publication Centre of the Communications Branch. The Personnel Directorate developed a new training policy, planning began for computer-assisted language training, and the Departmental Assignment Program continued to help employees gain new work experience.

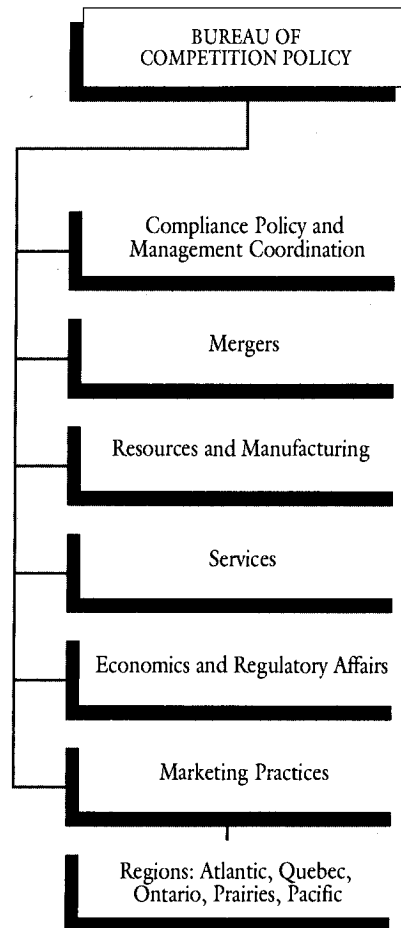
March 31, 1991

Consumer and Corporate Affairs Canada
Place du Portage 1
50 Victoria Street
Hull, Quebec

Mailing Address:
Ottawa, Ontario
K1A 0C9

Minister of Consumer and Corporate Affairs Parliamentary Secretary	The Honourable Pierre Blais Blaine Thacker
Deputy Minister Director, Executive Services	Jocelyne Bourgon Carole Lacombe
Bureau of Competition Policy Director of Investigation and Research	Howard Wetston, Q.C.
Bureau of Consumer Affairs Assistant Deputy Minister	David B. Watters
Bureau of Corporate Affairs and Legislative Policy Assistant Deputy Minister	Morris Rosenberg
Bureau of Corporate Policy and Strategic Planning Assistant Deputy Minister	Suzanne Hurtubise
Finance and Administration Directorate Director General	Harry McIlroy
Legal Services Branch Senior General Counsel	Jean-Marc Raymond
Office of the Assistant Deputy Registrar General of Canada Assistant Deputy Registrar General	Georges Tsai

**Bureau of
Competition
Policy**



Budget: \$20 862 000

Expenditures: \$20 817 000

Revenue: \$4 212 000

Person-Years: 258

Director of Investigation and Research:
Howard Wetston, Q.C. (997-3301)

Senior Deputy Director of Investigation and
Research: George Addy (994-1860)

The Bureau of Competition Policy enforces rules that govern and promote policies that improve the efficiency and fairness of a competitive and dynamic Canadian marketplace. Its chief instru-

ment in carrying out these functions is the *Competition Act*.

The Bureau conducts examinations and inquiries into possible contraventions of the *Competition Act*. These could range from combinations in restraint of trade such as price fixing, to misleading advertising. The head of the Bureau, the Director of Investigation and Research, may refer the results of inquiries into prohibited practices to the Attorney General of Canada, who determines if charges should be laid.

In addition, certain transactions and trade practices are reviewable under the Act. Mergers, abuses of dominant position, delivered pricing and refusal to deal are among the reviewable matters in respect of which the Director may apply to the Competition Tribunal for a remedial order.

The Director is also authorized to make representations before federal and provincial boards, commissions or other tribunals. His aim in this instance is to bring to light considerations in respect of competition which are relevant to matters before such boards.

The reform of Canada's competition legislation was substantially completed on June 19, 1986, when the *Competition Act* and the *Competition Tribunal Act* were proclaimed in force. The final stage in the legislative reform process took place on July 15, 1987, when the prenotification provisions contained in Part VIII of the *Competition Act* came into force. These provisions require prenotification to the Director of all merger proposals that exceed certain size thresholds.

The Bureau organization is as follows:

- A Mergers Branch, consisting of two divisions and a prenotification unit, with responsibility for merger review. This Branch is headed by the Senior Deputy Director of Investigation and Research.
- Two sector Branches – a Services Branch and a combined Resources and Manufacturing Branch – with the divisions assigned clear and separate responsibility for criminal matters and reviewable practices. Each Branch is headed by a Deputy Director of Investigation and Research.

- A Marketing Practices Branch with a network of field offices, responsible for the administration of the misleading advertising and deceptive marketing practices provisions of the *Competition Act*. This Branch is headed by the Deputy Director of Investigation and Research (Marketing Practices).
- An Economics and Regulatory Affairs Directorate consisting of two Branches. The Regulatory Affairs Branch is responsible for intervention before provincial and federal regulatory boards and for policy advice related to regulated industries. The Economics and International Affairs Branch is responsible for economic analysis in support of enforcement activities, advice on government policies, legislation affecting competition and the Bureau's contribution to international work in the field of competition policy. This Directorate is headed by the Deputy Director of Investigation and Research (Economics and Regulatory Affairs).
- A Compliance Policy and Management Coordination Directorate consisting of two Branches. The Compliance and Coordination Branch is responsible for developing and co-

ordinating policies concerning the application of the *Competition Act*, compliance strategy initiatives, technical enforcement support and the public information program. The Management Systems and Services Branch is responsible for informatics and operational review, as well as for providing administration services to the Bureau. This Directorate is headed by the Director General (Compliance Policy and Management Coordination).

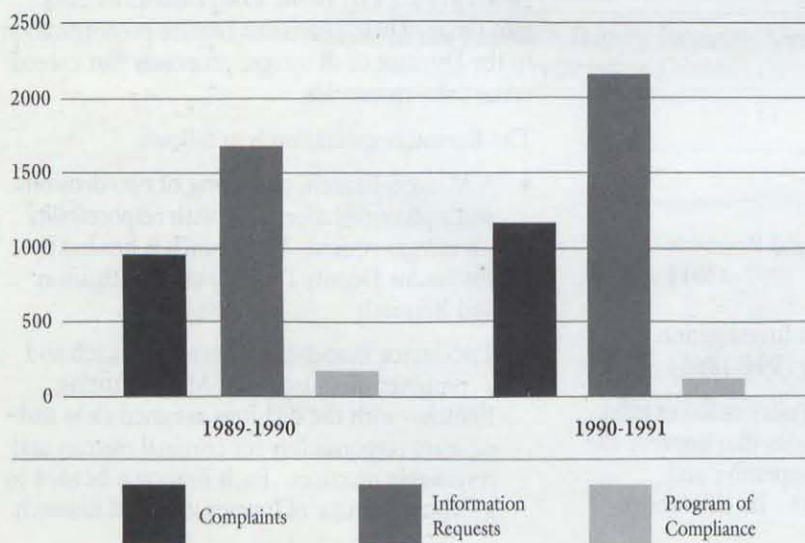
- Field staff reporting to the Compliance and Coordination Branch are located in Vancouver, Toronto and Montreal.

The Director has adopted a compliance-oriented approach to the enforcement and administration of the Act. As part of this approach, the Director has enhanced existing programs for providing information to the public, has encouraged voluntary compliance with the law and frequently has made use of alternative case resolution instruments.

During 1990-91 the Director and senior officials of the Bureau spoke to more than 124 interested groups across Canada, explaining the provisions of the *Competition Act* and how they are enforced. As well, an information bulletin containing an overview of the *Competition Act* was released during the year. Work continued on another information bulletin, the *Merger Enforcement Guidelines*, due for public release early in the following fiscal year.

Service to the Public

Bureau (excluding Marketing Practices)



The Director has also encouraged the use of the advisory opinion service, which enables business people to submit their plans to the Director for an opinion on whether their proposals would contravene competition law. Finally, the Director made use of alternative case resolution instruments such as undertakings in appropriate merger matters and consent prohibition orders in appropriate cases falling under the criminal provisions of the Act.

Merger Review

During the year, the Director of Investigation and Research commenced the examination of 193 merger transactions (only those examinations requiring an expenditure of more than two person-days are enumerated), and continued his examination of 31 matters commenced in the previous year. Of these mergers examined during the year, the vast majority (170) were assessed as posing no issue under the Act. Ten were concluded subject to monitoring procedures, two were concluded with a post-closing restructuring undertaking, and one was abandoned.

It should also be noted that the aforementioned 193 examinations includes 75 prenotifications, and 87 involved requests for advance ruling certificates.

Merger Activity

Examinations commenced	193 *
Ongoing from previous year	31
Examinations concluded	183
Concluded as posing no issue under the Act	170 **
Concluded with monitoring only (all advisory opinions)	10
Concluded with preclosing restructuring (all advisory opinions)	0
Concluded with post-closing restructuring/undertakings	2
Concluded with consent order	0
Parties abandoned proposed merger in whole or in part as a result of DIR's position	1
Examinations ongoing at end of period	39
Applications to Tribunal	
Ongoing from previous year	1
Filed during year	2
Concluded or withdrawn	0 ***
Ongoing at end of period	3

* Two or more days of review; includes 75 prenotifications and 87 requests for an advance ruling certificate.

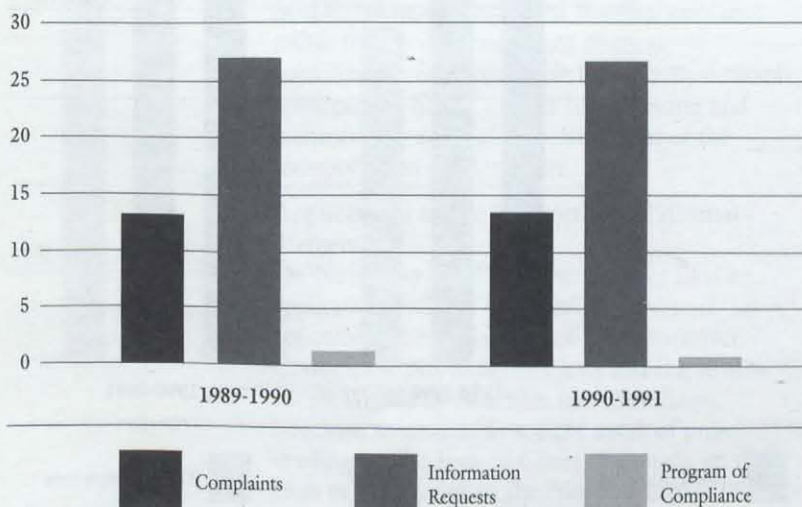
** Includes 70 advance ruling certificates and 17 advisory opinions.

*** Matters also counted as examination concluded.

Service to the Public

Marketing Practices

Thousands



Offences under the *Competition Act*

For competition matters other than marketing practices, 13 cases were outstanding from previous years, and five new cases arose during the year.

Of the six proceedings concluded during the year, one resulted in a conviction, three resulted in orders of prohibition and two resulted in non-convictions. Of the cases concluded, \$15 000 in fines were imposed. Fourteen proceedings were still before the courts at the end of the year.

Included in this group is one significant case in which six flour millers pleaded guilty to one charge of bid-rigging on government wheat flour tenders for food aid programs, and were fined a total of \$3 305 000. This represents the highest total fines for any charge under Canadian competition law. Charges against two other flour millers were still outstanding at the end of the fiscal year.

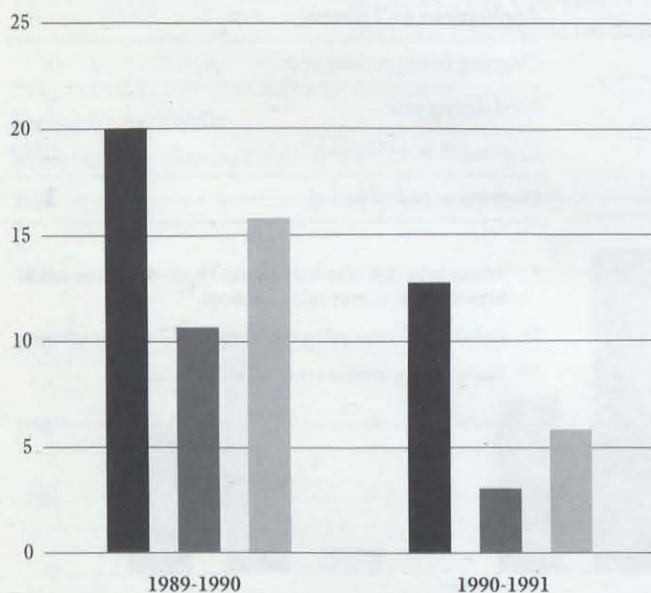
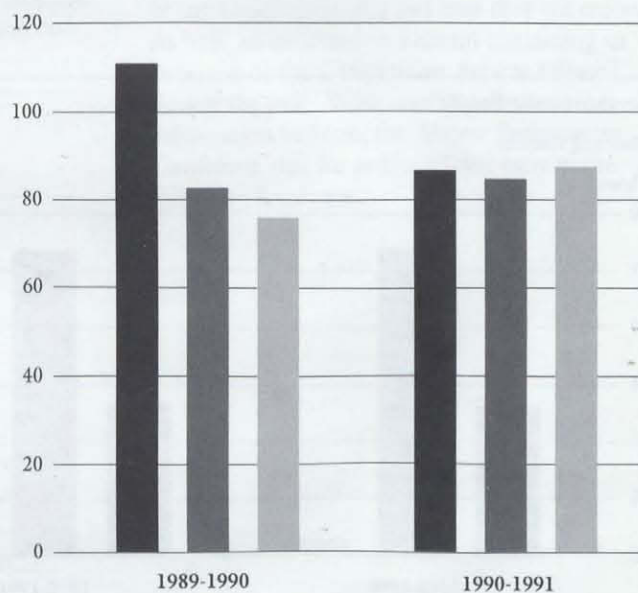
Misleading Advertising and Deceptive Marketing Practices

In 1990-91 there were 86 new cases relating to misleading advertising and deceptive marketing practices before the courts. In addition, 88 cases were concluded, of which 54 resulted in convictions, 33 ended in acquittals or other conclusions, and one resulted in the imposition of an order of prohibition without conviction. Fines totalled \$1 020 850. A total of 12 cases were under appeal at the end of the fiscal year. In addition, the Director accepted 20 undertakings of corrective measures from advertisers during this year.

To enhance public awareness, the Competition Bureau publishes the *Misleading Advertising Bulletin*, which reports convictions and related matters. With a circulation of almost 15 000 in both French and English, the *Bulletin* reaches a wide cross-section of the Canadian public.

Prosecution Activity

Bureau (excluding Marketing Practices)

**Marketing Practices**

■ Court Inventory
(At beginning of year)

■ New Proceedings

■ Court Completions

During the year a working group was created to develop proposals for the reform of the misleading advertising provisions. The Working Group submitted a report to the Director on January 31, 1991 that reflected the outcome of a series of meetings and public consultations which had taken place in the fall of 1990. The Working Group recommended that non-criminal adjudication by the Competition Tribunal should be available as an alternative to criminal prosecution in some cases. It also suggested, among other things, that the Tribunal should be empowered to issue cease and desist orders and other forms of remedies such as restitution orders, and that the Director should be given the authority to accept and enforce assurances of voluntary compliance through the Tribunal.

Representations to Regulatory Boards

During the year the Director made representations to federal and provincial regulatory boards, commissions and other tribunals. Notably, for example, the Director appeared before the Royal Commission on Passenger Transportation, which had been established by the Prime Minister in October 1989. A detailed written submission was prepared which emphasized the need for enhanced efficiency in the provision of passenger services. The key policies which were recommended to ensure the development of a dynamic and efficient intercity passenger transportation system included inter- and intra-modal competition, a level playing field for all modes, targetted financial assistance rather than general assistance or cross-subsidization of unprofitable but socially desirable services, and finally, market-based pricing and commercially principled management of the transportation infrastructure.

Applications to the Competition Tribunal **Mergers**

On November 29, 1990, the Director filed an application with the Competition Tribunal concerning the acquisition of The Vancouver Courier, the North Shore News and the Real Estate Weekly by Southam Inc. (Southam). Southam subsequently sought a stay of proceedings in the Federal Court of Canada on the basis of a challenge to the constitutionality of the merger provisions and the composition of the

Competition Tribunal. This motion was dismissed on February 13, 1991. The Director obtained an interim order pending the hearing of the application on the merits, scheduled to begin in September 1991. The interim order seeks to preserve the acquired entities as independent, viable and competitive businesses, and provides for the appointment of a monitor with responsibilities for overseeing compliance with the order.

The Director also filed an application with the Competition Tribunal on January 11, 1991 in respect of the acquisition of the meat rendering business of Ontario Rendering Company Limited (Orenco), a subsidiary of Canada Packers Inc., by Maple Leaf Mills Ltd. (Maple Leaf). The Director's application alleged that the transaction would substantially lessen competition for the supply of renderable material in Southern Ontario, as Maple Leaf operates its own rendering facility under the name of Rothsay Rendering (Rothsay). On February 21, 1991, an interim order was issued by the Tribunal on consent of both parties. The order requires Maple Leaf to hold separate the businesses of Orenco and Rothsay pending the outcome of the hearing, scheduled for November 1991.

The following developments occurred in relation to two consent orders issued in the previous year:

- the acquisition of the electric power transmission and distribution business of Westinghouse Canada Inc. (Westinghouse) by Asea Brown Boveri Inc. (ABB). A consent order had been granted by the Tribunal on June 15, 1989 requiring ABB to divest certain assets if it was unable to attain specific tariff relief measures for imports from the U.S.A. of medium and large power transformers. On May 24, 1990, a Privy Council order was issued commencing the implementation of accelerated tariff reductions under the Canada-U.S. Free Trade Agreement.
- the acquisition by Imperial Oil Limited (Imperial) of the shares of Texaco Canada Inc. On February 6, 1990 the Competition Tribunal had issued a consent order which required Imperial to divest certain assets and imposed numerous other conditions. For

example, the company must supply a specific volume of gasoline to independent petroleum dealers in Ontario and Quebec for up to 10 years. During the year, Imperial exceeded its supply obligations and divested a substantial number of the assets required by the order. Extensions were given in some cases to enable Imperial to complete ongoing negotiations with prospective purchasers. Also during the year, an appeal of the Tribunal decision was filed with the Federal Court of Appeal by an intervenor, Barron Hunter Hargrave Strategic Resources Inc., seeking to have the consent order set aside. This matter was pending as of March 31, 1991. A separate application by a group of retailers whose stations were to be divested by Imperial to reopen the consent order proceedings was dismissed by the Federal Court of Appeal on July 18, 1990.

One matter was also ongoing before the Tribunal from the previous year:

- the acquisition by Sanimal Industries Inc. (which owns Alex Couture Inc.) of the Quebec-based waste rendering firms Lomex Inc. and Paul & Eddy Inc. The hearing of this application had been stayed pending a

challenge to the constitutionality of the *Competition Act*. On April 6, 1990 the Quebec Superior Court ruled that certain sections of the merger provisions, and the Competition Tribunal, were unconstitutional. An appeal by the Attorney General of Canada was heard by the Quebec Court of Appeal in December 1990, and the decision was still pending at the end of March 1991.

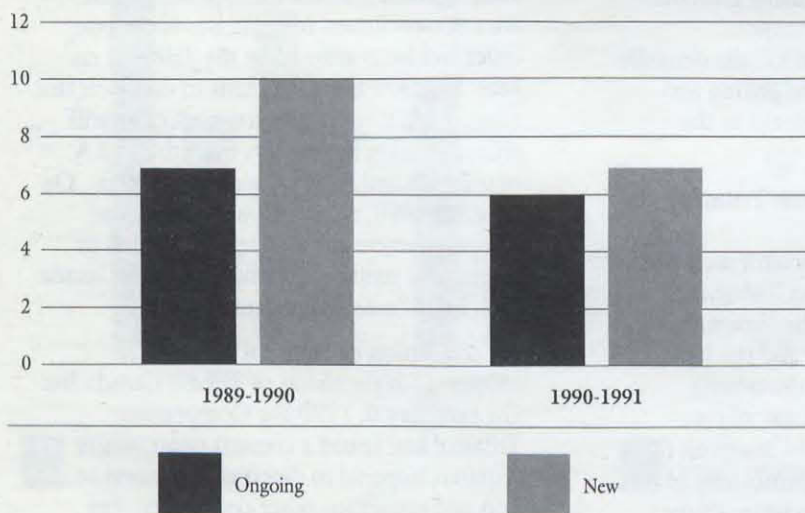
Other Reviewable Matters

On March 25, 1991, the Director filed an application with the Tribunal alleging that Laidlaw Waste Systems Ltd. (Laidlaw) had engaged in abuse of dominant position in the provision of certain waste removal services in specific markets on Vancouver Island, British Columbia. The application asked the Tribunal to make an order that Laidlaw cease engaging in certain acts and to declare unenforceable certain provisions of Laidlaw's container service agreements for commercial solid waste haulage and disposal in those geographic markets.

Three other matters were before the Tribunal as a result of applications in the previous year:

- the application against the NutraSweet Company alleging abuse of dominant position and tied selling in the sale of the artificial sweetener aspartame in Canada. On October 4, 1990, the Tribunal found in favour of the Director and prohibited NutraSweet from enforcing or entering into certain terms of contracts that require exclusive use of NutraSweet aspartame. The Tribunal also rejected arguments by NutraSweet that the Competition Tribunal is invalidly constituted. NutraSweet has launched an appeal against this finding, and against the decision of the Tribunal on the merits.

Representations



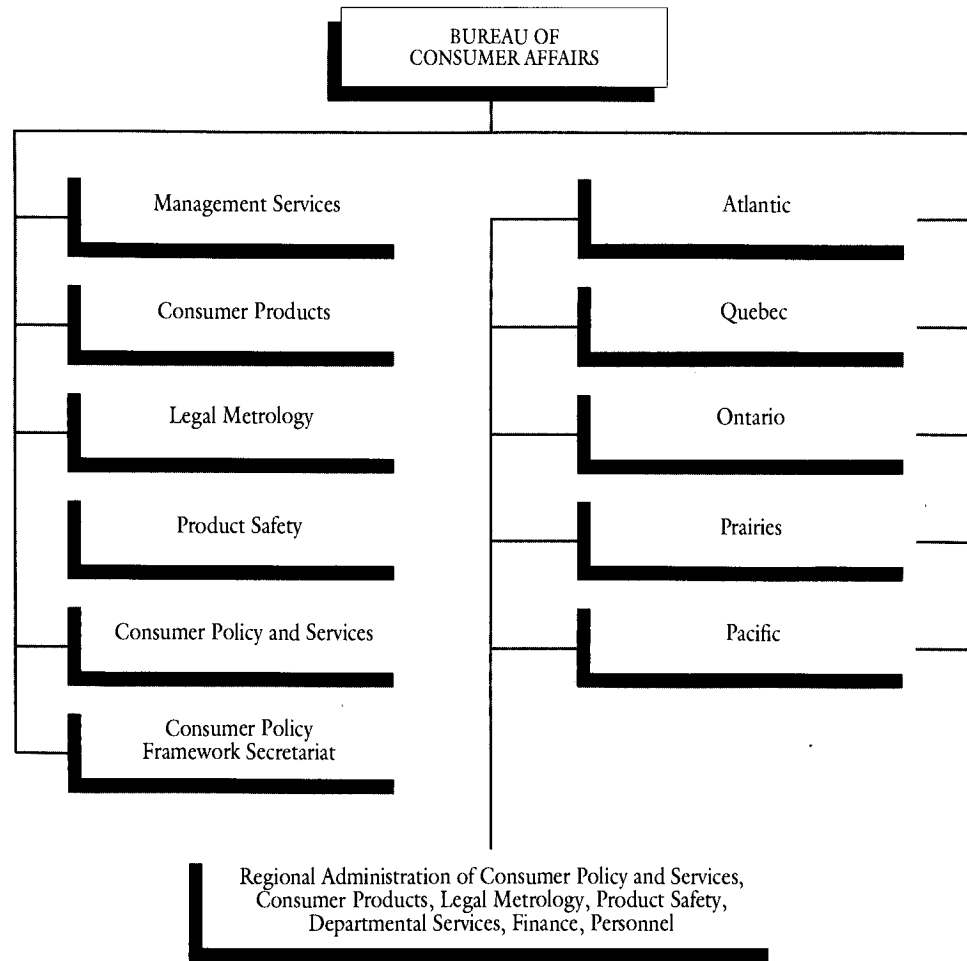
- the issuance by the Tribunal of a remedial order against Chrysler Canada Ltd. (Chrysler) in a refusal to supply matter concerning the supply of automotive parts for export purposes to R. Brunet of Montreal. Chrysler had appealed this decision and the Director had cross-appealed. In February 1990 the Director initiated contempt proceedings against Chrysler before the Competition Tribunal for alleged violations of the terms of the supply order. However, on July 10, 1990, in response to an application by Chrysler, the Federal Court of Appeal ruled that the Tribunal did not have jurisdiction with respect to contempt occurring other than in the presence of the Court. The Attorney General has filed an appeal of this decision.
- the application under the refusal to deal provisions asking the Tribunal to order Xerox Canada Inc. (Xerox) to resume supply to Exdos Corporation (Exdos) of a particular series of photocopier parts for post-1983 Xerox copiers. On November 2, 1990, the Tribunal ordered Xerox to accept Exdos as a customer on usual trade terms. Xerox also argued that the Competition Tribunal is invalidly constituted, but this argument was rejected by the Tribunal. Xerox has filed an appeal of the Tribunal decision.

Other Activities

During the year officers in the Competition Bureau contributed to a number of inter-departmental initiatives focused on the Canadian marketplace. These included a study of the relationship between competitive rivalry in the domestic market and the international competitiveness of Canadian firms, and a review of the implications of the changing nature of international business for Canadian marketplace laws and policies. The Director and members of the Bureau also participated in international forums such as the Organization for Economic Cooperation and Development (OECD) Committee on Competition Law and Policy, and the United Nations Conference on Trade and Development (UNCTAD) Intergovernmental Group of Experts on Restrictive Business Practices.

More detailed information on the Bureau's activities may be found in the Annual Report published by the Director of Investigation and Research.

**Bureau of
Consumer
Affairs**



Budget: \$65 992 000

Expenditures: \$65 906 000

Revenue: \$10 309 000

Person-Years: 990

Assistant Deputy Minister: David B. Watters
(997-2862)

The mission of the Bureau of Consumer Affairs is to protect, assist and advocate consumer interests and promote fairness in the marketplace. In consultation with other government departments and agencies and the private and voluntary sectors, it establishes and enforces regulations and

administers a number of voluntary programs aimed at protecting the interests of consumers in the Canadian marketplace. At the same time, the activities of the Bureau ensure that products are identified through accurate information, that fair competition exists and that goods are measured accurately for sale.

The Bureau also ensures that inherently dangerous products are identified, and that appropriate measures are taken regarding products that could cause injury or death. Through inspection, trader education, and enforcement, the Bureau oversees marketplace practices and takes corrective action where the interests of both business people and consumers could be jeopardized.

Consumer Products

Director: Katharine Gourlie (953-3187)

The Consumer Products Branch identifies, controls and prevents product misrepresentation in the marketplace, and ascertains that accurate information is available to help consumers in their choice of products. It is therefore concerned with the packaging, labelling, quality, quantity, composition and advertising of a wide range of consumer goods.

The Branch administers the *Consumer Packaging and Labelling Act*, the *Textile Labelling Act*, the *Precious Metals Marking Act*, and the *National Trade-mark and True Labelling Act*. It also shares responsibility with other federal departments for administering the *Food and Drugs Act*, the *Fish Inspection Act*, the *Canada Agricultural Products Act* and, with all provinces except Quebec, for administering 21 statutes concerning the grading and sale of agricultural and fishery products. As well, the Branch administers such voluntary programs as Care Labelling of Textiles, and Canada Standard Size (CSS) Garment Sizing.

Substantial progress was made during the year in the area of regulatory review, with the start of several new initiatives and the completion of a number of amendments to regulations under various acts administered by the Branch.

Broader consultation in the preparation and implementation of regulatory change was also encouraged and an increased emphasis was placed on the development of voluntary compliance programs and standards.

The Branch conducted extensive research and consulted nationally and internationally with interest groups in the development of Canada's *Guiding Principles for Environmental Labelling and Advertising*, for publication in the spring of 1991. This initiative addresses the need of

consumers to be provided with clear and factual information about the environmental impacts of the products they purchase and brings some order and structure to the myriad of descriptors, logos and vignettes used to describe or imply environmental features of consumer goods. The Guidelines were developed within the context of the *Consumer Packaging and Labelling Act* and the *Competition Act*, both of which contain broad prohibitions against false and misleading representations.

Throughout the year, a number of regulatory reform initiatives were advanced under the *Textile Labelling Act* and the *Consumer Packaging and Labelling Act*. These amendments reflect the priority attention directed to ensuring that regulatory programs are consistent with technological and marketplace changes.

Interdepartmental and industry consultation to ensure the effective co-ordination of programs, and the improvement of service to the public also received considerable attention throughout 1990-91. A number of procedures were streamlined and automated. Inspection staff were provided with state-of-the-art equipment, such as portable computers, as part of the net quantity verification program.

Following extensive work with the food industry on the "Ad Hoc Intersectorial Group on Health Information Programs Involving the Sale of Foods and on the Use of Nutrition Recommendations in Food Labelling and Advertising," the Branch's Food Division and the Health Protection Branch of Health and Welfare Canada issued several policies to respond to consumer and industry needs for comprehensive and accurate nutrition- and diet-related information to be made available on food products.

The 21st session of the Codex Committee on Food Labelling was held in Ottawa in March 1991 with the Consumer Affairs Bureau Special Advisor on Food Standards as Chairperson, and the Food Division Chief as Head of the Canadian delegation. The Division developed and presented a draft international guideline on use of the claim "natural" for consideration by the Committee.

A meeting of the Joint Canada/U.S.A. Technical Working Group on Packaging and Labelling of Agricultural, Food, Beverage and Certain Related Goods for Human Consumption was held during the year. The Special Advisor on Food Standards served as Canadian co-chairperson. The Working Group is charged under article 708 of the Canada-U.S. Free Trade Agreement to work towards the harmonization or equivalency of technical regulatory requirements in this sector.

The Merchandise Standards Division continued to participate as voting and information members of standards organizations such as the Canadian General Standards Board, the American Society for Testing Methodologies, and the International Standards Organization. The Division contributed to the development, revision and review of numerous test methods and product standards.

During 1990-91, 21 953 inspections were carried out by field staff at the manufacturing, retail, import and wholesale trade levels; 19 382 advertisements were reviewed; and 91 017 complaints and enquiries from industry and consumers were handled.

Roughly 120 000 business establishments trading in consumer products with an annual value of \$50 billion are affected by the legislation administered by the Consumer Products Branch.

Legal Metrology

Director: Richard Knapp (952-0652)

The Legal Metrology Branch regulates measurement standards and measuring devices for commercial trade through the administration of the *Weights and Measures Act* and the *Electricity and Gas Inspection Act*. The Branch establishes specifications for, and approves, weighing and measuring devices, electricity meters and natural gas meters used in trade. It defines units of measure and calibrates and maintains a system of standards of measurement for mass, volume, length, time, natural gas and electricity. It also undertakes to minimize inaccurate measurement and to ensure equity in the trade of commodities and services through a national inspection program. During 1990-91, 145 electricity and gas devices and 444 weighing and measuring devices were approved for use in trade, and 1 502 inspection standards were calibrated and certified at the Headquarters' laboratory.

The Director of Legal Metrology is the Canadian voting representative to the Organisation internationale de la métrologie légale (OIML). This organization has 49 member states and includes all of Canada's major trading partners. The objective of the OIML is to harmonize trade legislation and regulations related to measuring instruments and measured goods and services. During the year, Canada registered votes on nine draft international recommendations and submitted comments on one. Ten recommendations were formally published and sent to member nations. There were 51 requests for OIML information during the year and 236 documents were distributed to industry and government.

The Department continued to encourage electricity and gas utilities and meter manufacturers to seek accreditation to verify their own meters under the provisions of the *Electricity and Gas Inspection Act*. Accreditation is granted if an applicant meets established national standards of quality assurance. Accreditation is voluntary and organizations are subject to periodic surveillance audits. Accredited

organizations include the three major Canadian electricity meter manufacturers, Ontario Hydro, Gaz Métropolitain, Union Gas, Northwestern Utilities and Centra Gas (Manitoba).

Regulatory amendments to Weights and Measures In-Motion Railway Weighing Requirements, Specifications for In-Motion Railway Weighing, Electronic Register Specifications, and Specifications for Electronic Automatic Temperature Compensators (ATCs) were promulgated during 1990-91. The Weights and Measures National Technical Training Program continued to coordinate the development and delivery of comprehensive technical training programs designed to ensure the consistent interpretation and application of regulations, specifications and guidelines.

A pilot program for selective inspections was implemented in nine Weights and Measures districts. Utilizing information obtained in periodic inspections, program direction is determined by a system of economic indicators, rather than current versus desired compliance rates. This approach monitors and assesses the dollar impact of inspections based on quantitative estimates of economic value for various classes of weighing and measuring devices and establishment types.

Canadian Weights and Measures officials continued to meet with U.S. counterparts in an effort to establish uniform Weights and Measures requirements for the two countries and to reduce redundant work by sharing assignments on specific issues of mutual interest. Legal Metrology Branch personnel are members of several U.S. National Conference of Weights and Measures (NCWM) technical committees. These committees are responsible for making recommendations to the Conference on requirements for weighing and measuring devices, device approvals, net quantity, and labelling, and have considerable influence on model laws developed by the Conference.

Regional Operations

Electricity and Gas: Using statistical sampling, field staff verified 2.6 million meters at utilities and manufacturers. Some 250 000 meters were found to be out of tolerance, and corrective action was taken. On-site inspections of 6 800 commercial and industrial metering installations were conducted, revealing \$11.8 million worth of measurement inequities. These inequities were corrected and provided a basis for negotiation between the parties for a rebate or adjustment. Approximately 21 200 complaints and enquiries were handled. Of these, about 9 600 dispute investigations and meter tests were carried out to resolve differences between buyers and sellers.

Weights and Measures: Regional personnel conducted some 177 800 device inspections to verify accuracy and compliance with the legislation. Of these, approximately 31 000 were found to be out of tolerance and corrective action was taken and 1 100 devices were seized for serious non-compliance. Approximately 48 000 mass and volume standards used in inspection work were calibrated and certified. Inspectors also visited 4 641 establishments to sample and inspect packages of various commodities for net quantity verification.

December 20, 1990 marked the first anniversary of the introduction of the average system of net quantity verification. The enforcement of the average system had been phased in over a one-year period to permit packers and importers to market existing stock packaged under previous legislative requirements (i.e. minimum system). All commercially packaged commodities must now comply with the legislative requirements of the average system of net quantity verification.

Product Safety

Director: Jean Gariépy (997-1670)

The Product Safety Sub-activity administers and enforces the *Hazardous Products Act* (HPA) and has the sole responsibility for the safety of all products not covered by other legislation.

This includes the Workplace Hazardous Materials Information System (WHMIS), which deals with the industrial sector of the marketplace. Product safety problems are addressed by developing and enforcing regulations, carrying out public awareness programs and promoting voluntary industry programs.

The Sub-activity consists of a team made up of: headquarters' staff who are responsible for analyzing product-related injuries and developing strategies to address them; regional staff who enforce the HPA and Regulations and participate in information activities; and laboratory staff who provide technical advice essential to the development of test procedures and test products for compliance. During 1990-91, field staff made more than 4 885 inspections, focusing on glazed ceramics, paints, lighters, tents, baby gates, toys and hazardous household chemicals.

Information programs to promote consumer awareness and reduce the number of accidents, particularly among children and seniors, continued to be a high priority for the Sub-activity. For example, KidsCare, an awareness program on child safety related to consumer products, was officially launched by the Minister, the Honourable Pierre Blais, in September 1990 at the Canadian Museum of Civilization. KidsCare activities during the year included the Safety Hunt, the kick-off of a safety home, and an awareness campaign on toys. The regional participation in all KidsCare activities was a key element in their success. A major initiative of this program is the creation of linkages with other child safety stakeholders, including corporate sponsors, in united campaigns.

During the summer of 1990, the Binkly and Doinkel puppet show continued to teach children the significance of hazardous product symbols. There were 1 082 performances.

During 1990-91, Product Safety worked closely with the juvenile products industry and other interested parties to develop new regulations for all carriages and strollers. These new regulations, which will eliminate and replace the existing regulations, were assigned to reduce the high number of accidents associated with these products.

An agreement-in-principle was reached with the Canadian and American associations of juvenile products manufacturers to establish voluntary safety standards for non-regulated products such as high chairs. Under the negotiated joint certification program, a seal of approval of the two associations will be affixed to the product indicating that it has been tested and that it complies with the requirements specified in the standards of the American Society for Testing and Materials (ASTM).

Consultations were initiated in 1990-91 with the Canadian blind and drapery industry to establish a voluntary labelling program aimed at advising the public of the potential strangulation hazard that blind and drapery cords pose to young children.

The risk to pre-school children of playing with lighters continued to be investigated, and strategies for reducing that risk were evaluated. Product modification to increase the child-resistance of lighters, similar to the concept used for medicine containers, was identified as the most promising strategy. Staff worked with a lighter-industry task group to develop test methods and criteria to evaluate child-resistance of lighters with a view to introducing these requirements.

In keeping with the objective of a pro-active approach to safety, the problem of accidents among senior citizens was addressed. Within the accident prevention program for older consumers, a working group on the promotion of the safe design of consumer products was established to ensure that the product needs of seniors are met. The group consists of representatives from seniors' organizations, product innovation centres, and federal and provincial ministries.

A safety information kit for seniors was produced and distributed. This information, along with general safety information, was conveyed through information booths, mall displays, safety films and pamphlets.

The federal requirements of the Workplace Hazardous Materials Information System (WHMIS) include a provision that the exclusion of products from the program will be subject to review by Parliamentary committee. In support of this activity, tripartite exclusion review sectorial committees were established involving representatives of industry, labour, and federal, provincial and territorial governments.

The resulting "Report to Parliamentary Committee on the Exclusions to the Workplace Hazardous Materials Information System" was prepared to assist Parliament in its work. The WHMIS Current Issues Committee continued as the forum for provincial and territorial governments, industry and labour to develop consensus on modifications to the program.

A major regulatory review of the Consumer Chemicals and Containers Regulations continued during 1990-91. These regulations require precautionary labelling and child-resistant packaging on certain consumer chemical products that have been specifically added to the *Hazardous Products Act*. However, many chemical products that are equally hazardous are not covered by these regulations. The primary purpose of the review is to develop regulations that are generic in nature so that any household chemical product exhibiting hazardous characteristics would be subject to the requirements of the regulations.

Consumer Policy and Services

Director: Maureen Wadsworth (997-1203)

The Consumer Policy and Services Branch is responsible for the analysis and development of policy in the consumer interest. It contributes to protecting, assisting and advocating that interest across government, business and the voluntary sector.

Major activities carried out by the Branch included close consultation with the Canadian Direct Marketing Association (CDMA) in the re-launch of its "Operation Integrity" program. Under this

program, consumers may have their names deleted from CDMA members' telephone or mailing lists. The Program also provides for consumer complaint resolution.

In international matters, the Branch played a major role in the co-ordination and development of the Canadian position on consumer issues in such organizations as the UN, the OECD, the North American Free Trade Agreement and the International Organization of Consumer Unions.

Staff continued to promote the consumer interest in programs within other federal government departments. The reform of financial sector legislation, pesticides review, cross-border shopping and data protection were among such issues.

The Branch planned and co-ordinated the Department's participation in the first National Consumer Week, held in April 1990. Consumer awareness and information initiatives were sponsored in co-operation with provincial and territorial departments of consumer affairs.

The Branch administers the *Tax Rebate Discounting Act*. In 1990, over one million Canadians sold the right to their income tax refunds – a total value of some one billion dollars – to tax discounting firms. Detailed information concerning the administration of the Act was distributed to discounting firms and their associations through information letters.

The Branch administered a grants and contributions program to assist non-profit consumer and voluntary organizations to address marketplace issues. During the year, 13 organizations received financial assistance to carry out 20 projects to address consumer issues. A list of these organizations is available on request.

Consumer Policy Framework

Executive Director: Meredith Filshie
(953-6711)

In August 1990, the Department created the Consumer Policy Framework Secretariat to develop a new Canadian consumer policy strategy suitable for the marketplace of the 1990s.

The objective of this independent secretariat is to determine the most appropriate role for the federal government to play, relative to other marketplace participants, in assisting consumers to participate fully and with confidence in the marketplace of this decade.

Research papers were developed on topics related to: current legislation affecting consumers; consumer and business trends in the marketplace; emerging consumer issues; the growing service sector; a review of the Constitution and the Charter of Rights and Freedoms; redress mechanisms; government-business relationships; reaching consumers with information; product standards; and public interest groups.

Officials of the Secretariat held informal consultations with representatives of consumer groups, business and industry associations, provincial governments and academics in early 1991. These consultations were held to obtain feedback on the problems consumers face in the marketplace and the inadequacies of the current consumer policy framework, as well as to gather suggestions to help redefine the role of the federal government in consumer policy.

On the basis of the results of these consultations and the Secretariat's research, a discussion paper outlining new consumer policy options for a new approach for the federal government was planned.

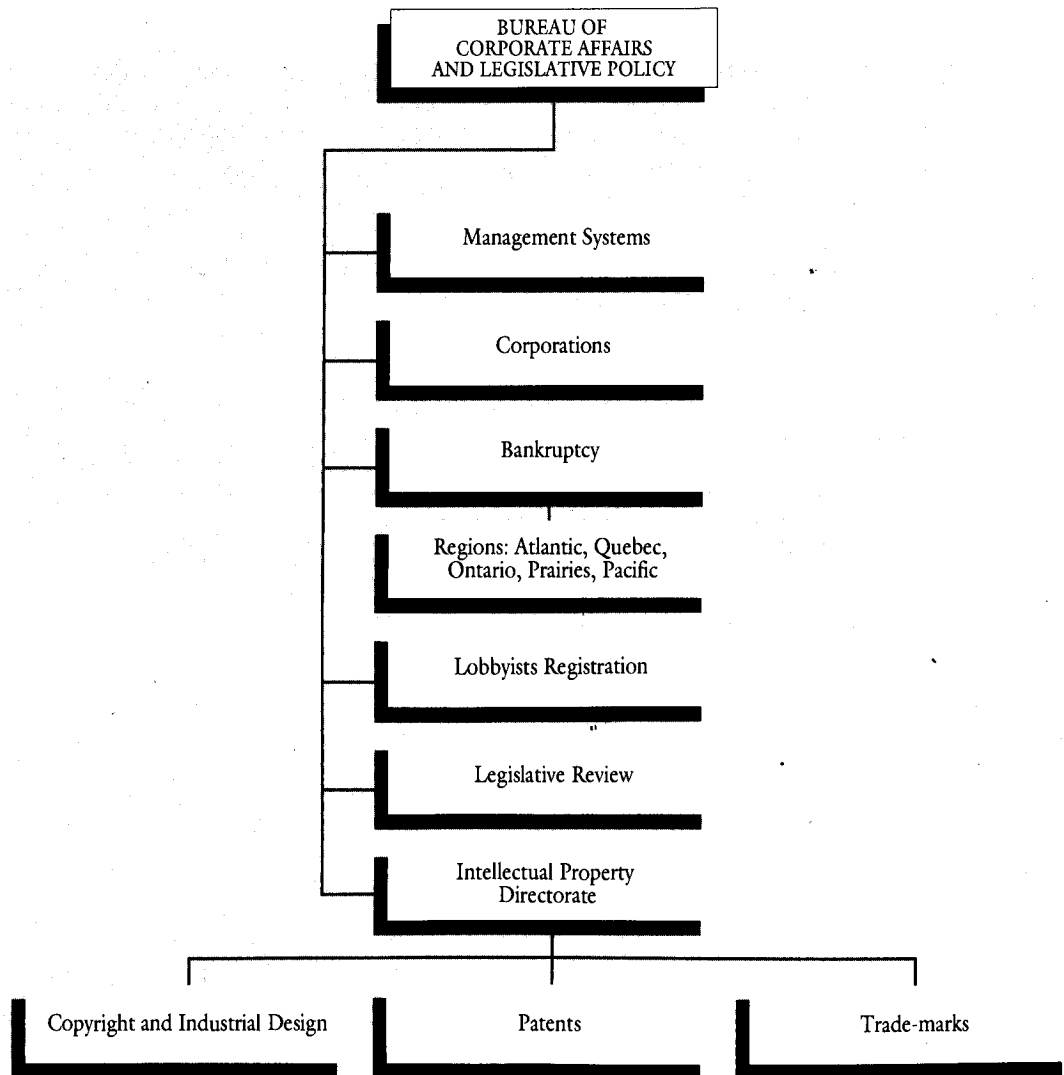
Bureau of

Corporate

Affairs and

Legislative

Policy



Budget: \$69 116 000

Expenditures: \$68 948 000

Revenue: \$56 570 000

Person-Years: 609

Assistant Deputy Minister: Morris Rosenberg
(953-6701)

The policy and legislation developed and administered by the Bureau of Corporate Affairs and Legislative Policy make up a substantial part of

the regulatory framework for the business community in Canada. Legislation administered by the Bureau includes the *Bankruptcy Act*, the *Canada Corporations Act*, the *Canada Business Corporations Act*, and acts governing patents, copyright, trade-marks, timber marks, public servant inventions, integrated circuits and industrial designs. Together, they help ensure the orderly conduct of business across the country to encourage economic development, international competitiveness, creativity, innovation and the exploitation of technology.

The Bureau includes the Legislative Review Directorate, the Bankruptcy Branch, the Corporations Directorate, the Lobbyists Registration Branch and the Intellectual Property Directorate, which comprises the Patent Office, the Trade-marks Office and the Copyright and Industrial Design Office.

Intellectual Property

Commissioner of Patents, Registrar of Trade-marks and Director General:
J.H. André Gariépy (997-4418)

Executive Director: Mart Leesti (997-1057)

Intellectual property laws provide economic incentives that encourage the creation, dissemination and exploitation of new ideas. The Intellectual Property Directorate (IPD) is responsible for granting or registering equitable exclusive intellectual and industrial property rights and ensuring that information acquired, in exchange for such rights, is made available in Canada.

On October 1, 1989 changes in the *Patent Act* and the *Patent Rules* came into effect. Two of the more important changes were the conversion of the Canadian patent system from a first-to-invent system to a first-to-file system and the introduction of a system of maintenance fees.

Canada ratified Chapters 1 and 2 of the *Patent Cooperation Treaty* (PCT) on October 2, 1989. Under the terms of the Treaty, Canadians can file PCT applications in Canada that would have the effect of filing internationally in up to 48 other countries.

The Directorate publishes and distributes a series of booklets which briefly describe the intellectual property laws that it administers.

Under the Public Education Program (PEP), Canadians are made aware of the various intellectual property programs in Canada, as well as how the foreign counterparts of these programs can be used by Canadians. The PEP is delivered through seminars and presentations on intellectual property themes and subjects in all regions of the country, as well as through participation in trade shows and exhibitions.

To assist the Intellectual Property Directorate in the distribution of publications, the delivery of the PEP and the dissemination of the technical information found in patent documents, the Directorate uses its network of intermediary organizations. The network includes provincial research organizations, innovation centres, universities, federal and provincial research institutions, and offices of Industry, Science and Technology Canada. In 1990-91, the number of intermediaries increased to 65. In addition, three Intellectual Property Advisors located in Montreal, Toronto and Vancouver provided assistance to those seeking information in the Quebec, Ontario and Pacific regions.

During the year, the Department's Intellectual Property Advisory Committee (IPAC) and its subgroups addressed a number of issues directly related to the operations of the Directorate, such as the development of the proposed amendments to be included in the Intellectual Property Improvement Bill.

The Directorate participated in and contributed to international and foreign intellectual property initiatives in areas of importance to the operations and administration of the Directorate. Patent officials continued their participation at the World Intellectual Property Organization (WIPO) Committee of Experts meetings on the Harmonization of Certain Provisions in Laws for the Protection of Inventions. The eighth session

of the Committee, which was held in Geneva at the end of October 1990, concluded the preparation of the Draft Patent Law Treaty and Regulations for consideration at the Diplomatic Conference on the Treaty, scheduled for The Hague, Netherlands in June 1991.

The Directorate actively contributed to the work of the WIPO Permanent Committee on Industrial Property Information (PCIPI), which is responsible for updating and developing WIPO's industrial property standards. The work of the PCIPI relating to international standards on the storage and exchange of patent information in electronic form is of particular importance to the Directorate, in view of the multi-year project to automate the operations of the Patent Office. In order to further the Directorate's interests in the international work in this area, a representative from the Automated Systems Branch (ASB) of the Directorate chaired the PCIPI ad hoc Working Group on Optical Storage.

In November 1990, the Directorate accepted an official from the People's Republic of China for training in patent documentation procedures. The training was scheduled for a period of some twelve months and was funded by the World University Services of Canada (WUSC).

The Patent Office concluded its three-year project to strengthen the operations of the Caribbean Patent Information and Documentation Unit (PIDU), located in Port-of-Spain, Trinidad. The objective of the project, funded by the International Development Research Centre (IDRC), was to study and establish a system for strengthening and improving the various aspects of industrial property, and to provide a program for the successful use of patented, technological information for industrial purposes in the Caribbean region. The project has enabled PIDU to provide its clients with state-of-the-art patent searches, and has sensitized users in the various countries to the value of the patent system and the importance of patent information.

Officials from the Japanese Patent Office and from the Japanese Institute of Intellectual Property visited the Directorate for discussions on Canadian law and practice with respect to patents and industrial design.

The Directorate, through WIPO, provides assistance to countries in the African Regional Industrial Property Organization (ARIPO) for the preliminary search and examination of patent applications in accordance with the Harare Protocol. During the year, a total of 16 search and examination reports were prepared and forwarded to WIPO.

Patents

Acting Director, Patent Examination:
Peter J. Davies (997-2930)

The Patent Office is responsible for processing patent applications and encouraging Canadians to exploit the technological information contained in patents. In order to be granted, a patent application must contain subject matter which is novel, has utility, and involves inventive ingenuity in accordance with requirements of the *Patent Act*, the Patent Rules, and relevant Canadian jurisprudence. An inventor currently seeking protection can expect to obtain exclusive rights to make, use and sell an invention for 20 years from the date of filing.

The *Patent Office Record*, published weekly, provides information on granted Canadian patents. It also provides details of patent applications that have been laid open to public inspection. All applications filed pursuant to the amended *Patent Act* (i.e. filed after October 1, 1989) are laid open to public inspection 18 months after the filing date or the priority date, as the case may be. The Patent Office also maintains a search room and library for public use containing technical information that reflects the leading edge of technology, and provides an advisory service to clients.

Individuals are encouraged to personally search the patent documents that are available through the search room – patent search fields are provided upon request for particular subject matters of interest. Under the Patent Information Exploitation (PIE) program, technical information searches of domestic and foreign patent documents are carried out for intermediary organizations. Members of the public wishing to obtain the results of a technical information search are referred to an accredited intermediary organization.

Requests for Patent Information	1989-90	1990-91
Assistance in defining patent search field	3 812	3 710
Technology searches for organizations	1 261	1 273
Requests for reference material	34 313 *	56 025 **
	125 030 *	154 512 **

* Includes reference requests for laid-open applications and Canadian patents only.

** Includes all reference requests from the library (e.g. foreign patents, Canadian patents, requests for materials from archives).

The Patent Office Search File of 1 281 810 Canadian patents is subdivided into 350 classes of technology, which contain 37 177 subclasses.

Transactions of the Patent Office	1989-90	1990-91
Applications for patent	33 535	24 052
Before October 1, 1989	19 963	N/A
After October 1, 1989	13 464	23 594
PCT applications	108	458
Applications reported	32 039	24 933
Applications allowed	18 146	17 754
Applications forfeited	1 123	838
Applications abandoned	4 031	6 457
Applications restored under section 75 after failure to pay final fee	109	100
Applications reinstated under section 32 after abandonment for failure to reply to an official action	84	132
Requests for examination	121	4 977 *
Patents issued	15 348	14 947
Patents reissued**	11	16
Patents issued under the <i>Public Servants Inventions Act</i> **	45	40
Assignments recorded	30 570	26 399
Caveats registered	61 ***	N/A

* The revised *Patent Act* did not come into force until October 1989.

** Included in Patents issued.

*** From April 1 to September 30, 1989.

Patent Agents Register	1989-90	1990-91
Canadian resident agents	332	335
Canadian firms	82	83
Non-residents	999	993
Total	1 413	1 411

Compulsory Licences

The Commissioner of Patents is empowered under sections 39(3) and 39(4) of the *Patent Act* to grant compulsory licences for patents for food or medicine, and under sections 65 to 70 to order patentees to grant licences to prospective licensees when patent rights have been abused.

The activities for the past two fiscal years under these sections of the Act are summarized in the following table.

Section 39(3) (Food)	1989-90	1990-91
Applications received	0	0
Licences granted	0	0
Applications withdrawn	1	7
Applications pending	7	0
Section 39(4) (Medicine)		
Applications received	21	28
Licences granted	24	12
Licences refused	3	7
Applications withdrawn	3	5
Applications pending	56	60
Sections 65-70		
Applications received	2	0
Licences granted	0	0
Licences refused	0	0
Applications withdrawn	3	1
Applications pending	6	5

Compensation for Government Use of Inventions

Under sections 19 and 20, the Commissioner of Patents rules on compensation levels due to inventors for government use of their patented inventions. Licensing and compensation decisions by the Commissioner during the past two fiscal years are summarized below.

Compensation	1989-90	1990-91
Applications received	0	0
Applications withdrawn	0	0
Applications decided	0	0
Applications pending	1	1

Patent Appeal Board

Chairman: Frank Adams (953-9090)

The Patent Appeal Board reviews final rejections of applications for the grant of patents and for the registration of industrial designs, resolves conflicts between patent applicants whose claims cover the same invention, and oversees the re-examination of patents. The Board may hold formal hearings as part of the review procedure. The Board's operations during the past two fiscal years are summarized below.

Final Rejections

Patents	1989-90	1990-91
Rejections referred to the Board	11	18
Rejections affirmed	9	6
Rejections modified	6	2
Rejections reversed	0	1
Disposal without formal decision	8	3
Hearings held	8	1
Appeals before the Board	8	14
Decisions published in the <i>Patent Office Record</i>		
full	1	0
part	7	7

Final Rejections

Industrial Designs	1989-90	1990-91
Rejections affirmed	1	4
Rejections reversed	1	0
Hearings held	1	4

Conflicts

Section 43	1989-90	1990-91
Conflicts referred to the Board	12	5
Conflicts disposed	15	5
Conflicts before the Board	0	4

Re-examination

During the year, four requests were received for re-examination of patent claims. These were the first to be considered by the Patent Office under new provisions of the *Patent Act* which were enacted on October 1, 1989. In each case, a re-examination board was appointed by the Commissioner of Patents. The results of the boards' deliberations are expected during the fiscal year 1991-92.

Patent Cooperation Treaty (PCT)

Director: Pierre Trépanier (997-1947)

As of January 9, 1990, Canadian applicants can file PCT international applications in Canada. This filing is equivalent to a national filing in each of the member states designated by the applicant. Similarly, Canada can be designated by applicants who file in any of the other 48 member states.

PCT filings have exceeded expectations both in Canada and abroad. In 1990, 465 international applications were filed in the Canadian Receiving Office. As well, Canada was designated in 12 326 international applications. Of those applications, 5 896 elected Canada under Chapter II of the Treaty.

Automated Systems

Director: Ray Taylor (997-2186)

The project to automate the Patent Office achieved a major milestone when it received Effective Project Approval in October 1990. This provided the authority to proceed with the implementation plan, which comprises three phases. The first phase is a core system to test much of the functionality required, but with a limited database and a small number of workstations. The conversion of the backfile also was to be started during the first implementation phase. The second phase envisages the full deployment of the core system throughout the Patent Office. The final phase will see the provision of access to patent professionals and small and medium-size businesses, and the dissemination of patent information across Canada by electronic means. This final phase, which is expected to be completed by March 1996, will also be used to incorporate foreign patent data into the database.

In January 1991, requests for proposals to implement the system on a turnkey basis were sought from prime contractors to supply hardware, software, facilities management, backfile conversion, training, and the integration of the system as a coherent entity, with the awarding of contracts to take place in 1991-92.

Copyright and Industrial Design

Director: Linda Steingarten (997-1657)

The Copyright and Industrial Design Branch administers the *Copyright Act*, the *Industrial Design Act*, the *Timber Marking Act*, and their regulations.

Copyright exists immediately upon the creation of every original literary, artistic, dramatic or musical work and extends normally for the life of the creator or author, plus 50 years thereafter.

The outward appearance of an article of manufacture may be registered as an industrial design. Registration of a new design under the *Industrial Design Act* gives the registered owner sole rights to use the design in Canada for a period of five years, renewable for one further period of five years.

The *Timber Marking Act* provides for the registration of marks to identify the ownership of timber floated down inland waterways in Ontario, New Brunswick and Quebec. During the year there were no registrations of timber marks, reflecting the technological change of this industry.

In June 1990, with the passage by Parliament of the *Integrated Circuit Topography Act*, the Department began the process of preparing regulations.

The following table summarizes the transactions of the Copyright and Industrial Design Branch during the past two fiscal years.

Transactions of the Copyright and Industrial Design Branch	1989-90	1990-91
Copyright		
Applications received	9 500	9 216
Copyrights registered	8 014	8 069
Assignments recorded	170	439
Number of copyrights affected by assignments	347	464
Applications abandoned	222	425

Industrial Designs

Applications received	2 999	2 712
Designs registered	2 996	2 445
Registrations renewed	703	916
Assignments recorded	425	490
Number of designs affected by assignments	633	611
Applications abandoned	470	352

Timber Marks

Applications received	0	0
Assignments recorded	0	0
Marks registered	0	0

Oral and Written Inquiries

Copyright	30 372	20 531
Industrial Designs	2 984	5 311

Trade-marks

Director, Trade-mark Examination:
Barbara Bova (997-2423)

The Trade-marks Office determines which trade-marks are entitled to exclusive use by owners, and maintains the Trade-marks Register and associated records of trade-marks to encourage the disclosure of trade-marks information and ensure public awareness.

A newly registered trade-mark remains on the register for an initial period of 15 years, and may be renewed for additional 15-year periods indefinitely. If a trade-mark is licensed, the owner should have the licensee recorded as a registered user against the trade-mark registration in order to protect the validity of the mark. This is accomplished by filing an application with the Trade-marks Office.

Trade-marks applications are advertised in the weekly *Trade-marks Journal* to enable persons to oppose any marks that they feel may interfere with their existing rights. The Office maintains a search room for the public to refer to the registers and indexes of registered marks and users.

Trade-marks Opposition Board

Chairman: Gary Partington (994-4794)

The Trade-marks Opposition Board comprises a chairman and three members, each of whom has delegated authority from the Registrar of Trade-marks to conduct hearings and render decisions in one or more of the following adversarial proceedings arising under the *Trade-marks Act* (1) oppositions to trade-marks applications (section 38); (2) section 45 proceedings; and (3) registered user cancellation proceedings (section 50(10)).

The following table summarizes the transactions of the Trade-marks Office over the past two fiscal years.

Transactions of the Trade-marks Office	1989-90	1990-91
Trade-mark applications filed	25 692	23 831
Trade-mark applications advertised	16 777	20 676
Trade-mark registrations	13 378	15 125
Registered user applications filed	13 189	13 250
Number of trade-marks governed by registered user applications (registered and pending)	31 459	32 382
Registered users registered	22 160	25 921
Registered user registrations cancelled	8 138	6 110
Transfer applications filed	22 874	18 560
Transfers registered	19 916	20 883

Trade-mark registrations renewed	4 866	4 110
Trade-mark registrations expunged	5 058	4 864
Amendments entered on the register	37 597	38 817
Copies prepared	99 016	142 121
Duly registered trade-mark agents	1 734	1 488
Oppositions filed	1 417	1 529

Statistical Supplement

Patents, trade-marks, copyright and industrial designs are important economic instruments to be harmonized with other essential elements of Canada's long-range economic policies and objectives. Studies of the costs, trends and users of intellectual property are therefore undertaken regularly by the Directorate. During the last two years the following statistical information was compiled.

Patents Granted	1989-90	1990-91
To individuals	1 747	1 740
To companies	13 558	13 094
To individuals and companies jointly	43	64
To inventors or their legal representatives	1 707	1 686
To assignees	13 549	13 094
To assignees and inventors jointly	92	150
One inventor claimed	6 862	6 457
Two or more inventors claimed	8 486	8 301
In French	642	460

Residence of Inventors for Patents Granted	1989-90	1990-91
Canada		
Alberta	83	104
British Columbia	89	119
Manitoba	21	37
New Brunswick	6	7
Newfoundland	3	1
Nova Scotia	10	13
Ontario	582	535
Prince Edward Island	0	3
Quebec	246	236
Saskatchewan	33	37
The Yukon and Northwest Territories	1	1
Total	1 074	1 093
Foreign Countries	1989-90	1990-91
Australia	129	154
Austria	74	76
Belgium	105	105
Brazil	10	9
Bulgaria	2	6
Chile	3	3
China	7	9
Columbia	2	0
Czechoslovakia	13	6
Denmark	57	59
Egypt	1	2
Finland	120	115
France	885	798
Germany, Democratic Republic of	72	3
Germany, Federal Republic of	1 067	1 149
Greece	2	0
Haiti	1	0
Hong Kong	9	6
Hungary	50	44

Iceland	4	5
India	3	2
Iran	1	0
Iraq	0	2
Ireland	10	16
Israel	31	48
Italy	256	262
Japan	1 987	1 902
Korea, Democratic People's Republic of	1	6
Korea, Republic of	5	4
Kuwait	1	0
Liechtenstein	6	7
Luxembourg	18	13
Mexico	4	1
Monaco	0	2
Netherlands	283	266
New Zealand	19	13
Norway	37	44
Philippines	1	1
Poland	3	2
Portugal	1	1
Romania	2	1
Saudi Arabia	1	0
Singapore	2	2
South Africa, Republic of	0	28
Soviet Union	42	28
Spain	18	16
Sweden	253	229
Switzerland	334	311
Taiwan	20	29
United Kingdom	838	721
United States of America	7 480	7 332
Venezuela	2	12
Yugoslavia	1	1
Zimbabwe	1	0
Total, Foreign	14 274	13 851
Grand total (including Canada)	15 348	14 944

**Residence of Inventors for
Applications Filed**

	1989-90	1990-91
Canada		
Alberta	332	233
British Columbia	325	227
Manitoba	93	64
New Brunswick	19	14
Newfoundland	17	22
Nova Scotia	44	17
Ontario	1 454	1 004
Prince Edward Island	6	3
Quebec	587	500
Saskatchewan	82	64
The Yukon and Northwest Territories	2	3
Total	2 961	2 151*

* This number includes Patent Cooperation Treaty applications.

Foreign Countries

	1989-90	1990-91
Albania	0	2
Argentina	7	4
Australia	350	129
Austria	187	144
Bahamas	3	2
Barbados	0	1
Belgium	252	174
Bermuda	2	1
Brazil	32	20
Bulgaria	6	3
Burundi	1	1
Chile	1	3
China, People's Republic of	31	27
Colombia	1	3
Congo	1	0
Costa Rica	2	1
Czechoslovakia	30	11
Denmark	172	48

Ecuador	0	1
Egypt	1	0
El Salvador	2	0
Finland	267	149
France	1 705	1 541
Germany, Democratic Republic of	4	1
Germany, Federal Republic of	2 690	1 971
Greece	7	4
Guatemala	0	1
Hong Kong	21	8
Hungary	77	33
Iceland	5	2
India	28	14
Indonesia	2	0
Iran	3	0
Ireland	35	29
Israel	125	72
Italy	606	485
Japan	4 016	3 455
Jordan	1	1
Korea, Democratic People's Republic of	1	1
Korea, Republic of	34	51
Kuwait	1	0
Liechtenstein	5	2
Luxembourg	24	19
Malaysia	1	3
Mexico	11	7
Monaco	2	2
Morocco	2	0
Netherlands	492	410
New Zealand	36	29
Nigeria	1	0
Norway	101	37
Peru	2	0
Philippines	4	0
Poland	4	4
Portugal	2	5
Qatar	1	0
Saudi Arabia	2	0
Singapore	6	6
South Africa, Republic of	88	62

Soviet Union	117	28
Spain	84	69
Sri Lanka	0	1
Sweden	392	176
Switzerland	625	539
Taiwan	120	118
Thailand	1	0
Tunisia	1	1
Turkey	2	2
United Arab Emirates	1	1
United Kingdom	1 697	1 028
United States of America	15 974	10 898
Uruguay	1	0
Venezuela	10	7
Yugoslavia	11	14
Zimbabwe	1	0
Indeterminate	44	40
Total, Foreign	30 574	21 901
Grand total (including Canada)	33 535	24 052
Receipts and Expenditures	1989-90	1990-91
	(\$) Actual	(\$) Actual
Patents		
Revenue	24 862 063	25 224 101
Expenditures	15 916 940	15 490 438*
Trade-marks		
Revenue	13 602 355	13 585 422
Expenditures	4 693 539	5 103 955
Copyright, Industrial Designs and Timber Marks**		
Revenue	1 086 805	1 060 265
Expenditures	748 774	787 714

* Excludes capital project for patent automation.

** Revenues include receipt of copyright fine payments.
Expenditures include copyright legal fees.**Corporations**

Acting Director General:

Rachel Larabie-LeSieur (997-1058)

The Corporations Directorate administers the *Canada Corporations Act*, the *Canada Business Corporations Act*, the *Boards of Trade Act* (Chambers of Commerce), the *Canada Cooperative Associations Act*, the *Trade Unions Act* and the *Pension Fund Societies Act*. It also issues documents under the *Railway Act*.

The Directorate comprises a Corporate Services Branch and a Compliance Branch.

The Corporate Services Branch is responsible for *Canada Business Corporations Act* incorporations, amendments, information and certification services, dissolutions, statutory filings and publication activities.

The Compliance Branch assumes responsibility for the conduct of complex studies and analysis of corporate practices, take-overs, arrangement proposals and other such transactions; investigations of complaints against federally incorporated corporations; review of applications for exemption from statutory requirements; review of applications from corporations, organizations and individuals in accordance with other Acts, i.e. *Boards of Trade Act*, *Canada Cooperative Associations Act*, etc., and allegations of corporate name confusion.

Except for financial intermediaries, all federal business corporations are incorporated under the *Canada Business Corporations Act*, which came into effect on December 15, 1975.

Part II of the *Canada Corporations Act* applies to the establishment and functioning of all federal charitable and membership associations.

The Directorate maintains a comprehensive database of information on federal corporations, 184 341 of which were active at the end of the fiscal year. During 1990-91, the Directorate incorporated 9 196 corporations pursuant to the *Canada Business Corporations Act*. In total, the Directorate processed 27 477 requests for incorporation or amendment pursuant to this same act and other relevant statutes.

The Directorate investigated 45 complaints involving federal companies and received 171 110 statutory filings in compliance with the legislation and accompanying regulations. It also responded to 83 833 enquiries and provided 34 986 copies of documents. A total of 36 332 certified copies and certificates of compliance were prepared and 660 applications for exemption from certain statutory requirements were reviewed.

The Directorate also undertakes the review of amendments to the by-laws of non-profit corporations, and amendments to the articles of incorporation under the *Canada Cooperative Associations Act* and the *Boards of Trade Act*, as well as of revival applications under the *Canada Business Corporations Act*.

Documents Issued (excluding rejected applications)

	1989-90	1990-91
Canada Corporations Act		
Letters patents granted Part II	593	589
Supplementary letters patents granted	155	147
Certificates of acceptance for surrender of charter	33	33
Canada Business Corporations Act		
Certificates of incorporation	11 643	9 196
Certificates of discontinuance (export)	250	279
Certificates of amalgamation	634	567
Certificates of amendment	6 563	5 807
Certificates of dissolution	2 199	2 504
Certificates of import continuance	366	305
Boards of Trade Act		
Boards of trade registered	9	16
Canada Cooperative Associations Act		
Certificates of incorporation	1	1

Documents Processed

	1989-90	1990-91
Canada Corporations Act		
Canada Business Corporations Act		
Annual summaries and returns submitted*	110 632	114 516
Prospectuses	222	151
Insider reports	11 729	9 546
Proxy information circulars	588	578
Takeover bids	73	49
Financial statements submitted	6 109	5 623
Complaints	60	45
Exemption orders	539	660

* Includes annual returns submitted under the *Boards of Trade Act*.

Bankruptcy

Superintendent: Walter Clare (997-1210)

The Bankruptcy Branch is the administrative designation for the Office of the Superintendent of Bankruptcy, who is responsible for the operation of the head office and 14 additional offices across Canada, with a total staff of 131.

The Superintendent of Bankruptcy plays an important role in promoting confidence in the integrity of Canada's credit system through the regulation of the insolvency process, licensing of trustees-in-bankruptcy, investigation of the conduct of bankrupts for possible offences under the *Bankruptcy Act* and/or the Criminal Code, and distribution of information on insolvency matters.

Regulation of the insolvency process was carried out under the Supervision of Estate Administration (SEA), Creditor Services and Debtor Services programs. Through the SEA program, the Branch closely monitored the propriety of the bankruptcy process and saw that corrective action was taken when necessary.

A high standard of professional conduct on the part of trustees-in-bankruptcy and other insolvency-related professionals was promoted through the Creditor Services Program, designed to maximize dividends to creditors. In 1990-91, trustees paid out \$87 544 100 in dividends to unsecured creditors.

During the year, 38 new trustee licences were granted. The Bankruptcy Branch supervised 698 individual trustees and 136 corporate trustees. The Branch's National Auditing Group conducted 56 cyclical audits of trustees and two special audits. Another 32 audits were still in progress at year-end.

The availability of bankruptcy services was dealt with through the Bankruptcy Assistance Program, which ensures easier access to relief under the *Bankruptcy Act* for individuals anywhere in Canada who are unable to pay trustees' fees.

Trustee information sessions in Vancouver, Calgary, Edmonton, Winnipeg, Toronto, Ottawa, Montreal, Québec and Halifax were held in the fall of 1990.

In 1990-91 the Bankruptcy Branch continued the refocused Debtor Program aimed at increasing the awareness of debtors of the causes of their financial problems, promoting the understanding of the bankruptcy process and providing information to enable debtors to cope better with the complex credit system. This was accomplished through group sessions as part of the statutory examination process.

The Branch continued monitoring provincial administration of Part X of the *Bankruptcy Act*, which authorizes the issuance of Consolidation Orders to enable individuals to pay their debts over a three-year period without creditor harassment and wage garnishment. Part X of the Act was in force in British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and Prince Edward Island. During 1990, 1 741 Consolidation Orders were made by the courts of these provinces, with a total of \$8.3 million being distributed to registered creditors.

The accompanying charts show the relative levels of consumer and business bankruptcies during fiscal year 1990-91.

Bankruptcies and Proposals

Province	Number	Assets \$	Liabilities \$	Deficiency \$
Newfoundland	653	46 910 025	85 958 156	39 048 131
Nova Scotia	2 267	107 004 840	197 378 030	90 373 190
Prince Edward Island	71	2 730 524	5 951 626	3 221 102
New Brunswick	658	40 017 509	85 040 428	45 022 919
Quebec	20 694	1 466 141 024	2 969 528 322	1 503 387 298
Ontario	23 398	1 174 345 799	2 553 404 427	1 379 058 628
Manitoba	2 600	89 198 183	165 202 029	76 003 846
Saskatchewan	2 108	99 557 702	182 419 021	82 861 319
Alberta	5 538	253 823 112	529 867 083	276 043 971
British Columbia	4 752	136 201 280	551 612 412	415 411 132
Northwest Territories	2	700	37 790	37 090
The Yukon	10	1 828 853	3 806 318	1 977 465
Canada	62 751	3 417 759 551	7 330 205 642	3 912 446 091

Business Bankruptcies

Province	Number	Assets \$	Liabilities \$	Deficiency \$
Newfoundland	114	36 621 830	71 489 201	34 867 371
Nova Scotia	576	77 200 361	150 100 406	72 900 045
Prince Edward Island	18	1 923 495	4 293 963	2 370 468
New Brunswick	166	32 048 832	70 587 125	38 538 293
Quebec	5 006	1 055 915 239	2 096 300 824	1 040 385 585
Ontario	3 420	535 514 427	1 323 645 453	788 131 026
Manitoba	441	29 973 340	84 956 761	54 983 421
Saskatchewan	610	39 873 325	102 300 533	62 427 208
Alberta	1 216	144 181 733	346 224 355	202 042 622
British Columbia	1 258	89 274 598	394 694 116	305 419 518
Northwest Territories	1	0	1 001	1 001
The Yukon	6	9 238	1 036 445	1 027 207
Canada	12 832	2 042 536 418	4 645 630 183	2 603 093 765

Consumer Bankruptcies

Province	Number	Assets \$	Liabilities \$	Deficiency \$
Newfoundland	538	8 731 041	12 865 524	4 134 483
Nova Scotia	1 685	28 061 116	44 020 824	15 959 708
Prince Edward Island	53	807 029	1 657 663	850 634
New Brunswick	488	7 931 227	14 342 103	6 410 876
Quebec	15 462	225 538 609	569 014 221	343 475 612
Ontario	19 410	571 111 135	1 132 629 239	561 518 104
Manitoba	2 133	50 465 355	70 516 324	20 050 969
Saskatchewan	1 495	57 102 709	78 002 503	20 899 794
Alberta	4 314	109 081 489	180 934 206	71 852 717
British Columbia	3 441	31 511 179	109 807 634	78 296 455
Northwest Territories	1	700	36 789	36 089
The Yukon	2	50 365	194 219	143 854
Canada	49 022	1 090 391 954	2 214 021 249	1 123 629 295

Proposals

Province	Number	Assets \$	Liabilities \$	Deficiency \$
Newfoundland	1	1 557 154	1 603 431	46 277
Nova Scotia	6	1 743 363	3 256 800	1 513 437
New Brunswick	4	37 450	111 200	73 750
Quebec	226	184 687 176	304 213 277	119 526 101
Ontario	568	67 720 237	97 129 735	29 409 498
Manitoba	26	8 759 488	9 728 944	969 456
Saskatchewan	3	2 581 668	2 115 985	(465 683)
Alberta	8	559 890	2 708 522	2 148 632
British Columbia	63	15 415 503	47 110 662	31 695 159
The Yukon	2	1 769 250	2 575 654	806 404
Canada	907	284 831 179	470 554 210	185 723 031

Lobbyists Registration

Director: Corinne MacLaurin (953-7145)

The Lobbyists Registration Branch is responsible for the administration of the *Lobbyists Registration Act*, which was proclaimed on September 30, 1989. The purpose of the Act is to bring transparency to the activities of paid lobbyists without impeding free and open access to government. The Act distinguishes between two types of lobbyists: Tier I (the professional) and Tier II (the employee).

Members of the public can search easily the computerized registry system, a combination of database and optical image technologies, to produce reports on lobbyists and their clients.

During the year, the Branch produced a short instruction guide to completing the registration returns.

Registrations

By the end of the fiscal year, a total of 7 798 registration forms had been processed. The following table provides summary information on these returns.

Registrations processed	Tier I	1 547
	Tier II	2 556
	Amendments	3 695
	TOTAL	7 798
Lobbyists	Tier I	658
	Tier II	2 182
	TOTAL	2 840

Legislative Review

Director General: Vacant

The Legislative Review Directorate is composed of two branches: the Consumer and Corporate Review Branch and the Intellectual Property Review Branch.

Consumer and Corporate Review

Director: George Redling (953-6766)

The Branch is responsible for the review and revision of departmental statutes other than intellectual property legislation. It conducts legal and economic analysis leading to policy development, assesses new approaches to legislative design and reform, and provides legislative and policy support in order to modernize departmental framework laws. Specifically, during 1990-91 the Branch continued work on the reform of the *Bankruptcy Act* and a legislative and policy review of the *Canada Business Corporations Act*.

To complement its policy and legislative development capabilities, the Branch conducted research into regulatory techniques and the global environment in consumer and corporate law and practice, and consulted widely in the design of legislative proposals. In addition, the Branch provided expertise and advice to advance initiatives with other departments in areas of shared jurisdiction.

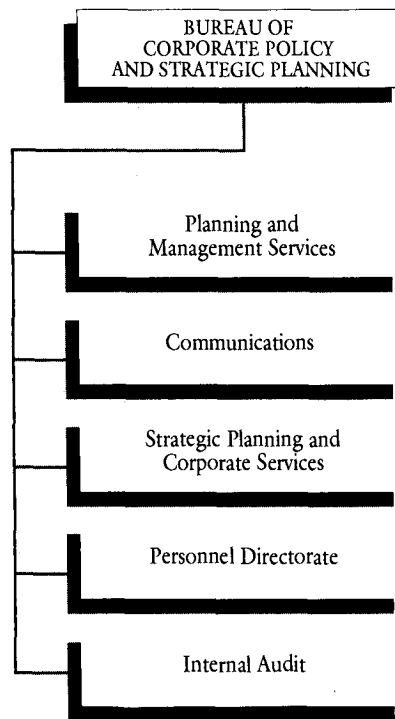
Intellectual Property Review

Director: Jim Keon (953-7845)

The Branch supported policy development initiatives in the areas of integrated circuits and Phase II of the *Copyright Act* revision, and for an Intellectual Property Improvement Bill including amendments to the patent, trade-marks, industrial design, and copyright acts. Other policy issues under review included the patenting of biotechnology; industrial design legislation revision; and plant breeders' rights. The Branch acted as the Secretariat to the Intellectual Property Advisory Committee (IPAC), chaired by the Deputy Minister, to provide broadly-based advice to the Government on intellectual property concerns in Canada.

Internationally, the Branch provided extensive support and policy positions for Canada's multilateral trade negotiators in respect of trade-related intellectual property matters at the GATT. It also participated in meetings and conferences of organizations, such as the World Intellectual Property Organization, to discuss and develop draft treaties on international intellectual property issues, including harmonization of patent and trade-mark laws. Finally, the Branch contributed to the publication of a document to be used in advising Canadian industry on intellectual property issues arising from the European Community's Single Market, to be completed in 1992.

Bureau of
 ●●●●●●●●
Corporate
 ●●●●●●●●
Policy and
 ●●●●●●●●
Strategic
 ●●●●●●●●
Planning
 ●●●●●●●●



Budget: \$10 409 000

Expenditures: \$10 388 000

Revenue: \$0

Person-Years: 137

Assistant Deputy Minister: Suzanne Hurtubise
 (953-8633)

The Bureau is responsible for providing advice to the Department on its strategic objectives, direction and priorities; for analysis of international and national economic scenes and the Canadian marketplace; for federal/provincial relations; for ensuring that an effective, integrated strategic planning process is in place; and for preparing a strategic plan for the Department. It also ensures coherent, consistent departmental policy-making and provides human resource management advice, planning and development. Corporate Policy and Strategic Planning also provides services to the Department in communications, internal audit and program evaluation, as well as a full range of personnel services.

Communications

Director: Toby Fyfe (997-2858)

In support of CCAC's mission, the Communications Branch develops communications strategies for the Department and the Minister's Office. As part of each program or policy initiative, the Branch conducts an analysis of public opinion and the positions of stakeholders, develops messages to meet the information needs of identified target publics and recommends effective methods of delivering those messages.

Additional Branch responsibilities include a daily media clipping service, an ongoing analysis of media treatment of departmental issues and media coaching for departmental spokespersons. The Branch produced a variety of communications products, ranging from *New Rapport*, the Department's internal newspaper, to speeches, publications and audio-visual materials. The Publications Centre sent out about 2 300 000 copies of brochures, speeches and other publications during the year.

The Branch also produced the *Public Agenda Document*, which is an internal planning tool to assess the public mood in Canada regarding significant political, economic, social and environmental issues and trends.

During 1990-91, communications programs to assist consumers in making informed choices in the marketplace focused on child safety, seniors' safety, credit card interest rates, and consumer bankruptcy.

Communications support was provided to the Consumer Bureau for the organization of the first National Consumer Week in April 1990 and for the establishment of the new Consumer Policy Framework Secretariat.

The Communications Branch was involved with the Competition Bureau in a number of high-profile cases. It co-ordinated a government-wide communications effort with respect to the bid-rigging cases against the flour industry in the selling of flour to the Canadian International Development Agency. In the NutraSweet and Xerox cases, communications advisors responded to numerous information requests from the media on the Director's application of the *Competition Act*.

The Branch provided advice and editorial, printing and distribution services to the Competition Bureau for the publication of a lay guide to Canada's *Competition Act*.

Communications services were provided to increase the Canadian public's awareness of the importance of intellectual property to Canada's economy and international competitiveness. As part of this awareness program, the Branch co-ordinated the Minister's announcement of the go-ahead for the automation of the Patent Office and the signing of a Memorandum of Understanding between CCAC and Industry, Science and Technology Canada regarding dissemination of patent information.

Finally, extensive communications support contributed to the launch of KidsCare, the new national awareness program on child safety related to consumer products. Communications highlights of this dynamic program included the first national "Safety Hunt" for hazardous products and the opening of the first KidsCare Home.

Strategic Planning and Corporate Services

Director: Michael Wernick (953-6735)

The Branch provides strategic research and policy co-ordination with respect to current and emerging issues, as well as services to the Department in the areas of evaluation, strategic planning, co-ordination of Ministerial briefings and federal/provincial/territorial activities.

The Branch played a lead role in monitoring the policy proposals developed in other departments and in producing internal briefings to keep departmental managers up-to-date. Key issues in 1990-91 included trade, the Green Plan, the Goods and Services Tax and competitiveness.

Strategic research during the year centred on consumer issues in the financial services sectors, on the role of the Department in relation to environmental concerns and on trade-related issues.

A tabular report comparing charges for credit cards use was published periodically.

The Branch took the lead in the Department's strategic planning activities and co-ordinated the production of most of the key planning documents.

The Branch planned and co-ordinated a meeting of federal, provincial and territorial deputy ministers of consumer and corporate affairs.

An evaluation framework was completed for the Trade-marks Program and contributions were made to the development of program performance indicators. Studies were conducted that will contribute to the evaluation of the *Patent Act* amendments concerning pharmaceuticals and the compliance strategies related to the *Canada Business Corporations Act*.

The Branch was also the co-ordinator for the Department's Annual Regulatory Plan.

Electronic Funds Transfer Secretariat

In collaboration with other interested parties, the Secretariat pursued its work on the development of the Canadian code of practice for consumer debit card services. Considerable progress was made and the Code is expected to be launched in 1991-92.

Personnel

Director General: Marie Moylan (997-1300)

The Personnel Directorate provides advice, support and services to managers to enable them to manage the Department's human resources effectively. As well, it offers a complete personnel service to all employees.

During the year, initiatives were developed to meet the challenges of Public Service 2000. A new training policy with emphasis on the overall development of the Department's human resources was introduced. Planning began on a computer-assisted language training program and a resource centre, and tailor-made language training programs to meet particular needs continued.

The Departmental Assignment Program continued to offer opportunities for employees to gain new work experience while providing managers with a source of qualified staff. Forty-five assignments were authorized during the year.

The Directorate continued to provide advice and assistance to the satellite organizations established by legislation: the Procurement Review Board, the Copyright Board, the Competition Tribunal, the Patented Medicine Prices Review Board, the Hazardous Materials Information Review Commission and the GST Consumer Information Office.

Internal Audit

Internal Audits were completed in the areas of Revenue and Accounts Receivable; Departmental Control Systems; Personnel; Travel Expenses; Leave Control System; Special Hamilton Audit; ENVOY System; Micro-computers and Capital (initiated); and Motor Vehicles.

Services
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Finance and Administration

Budget: \$13 209 000

Expenditures: \$13 105 000

Revenue: \$172 000

Person-Years: 168

Director General: Harry McIlroy (997-1075)

Other senior staff as of March 31, 1991:

Director, Finance: Ronald Fauvel (997-1054)

Director, Corporate Information Technology
 Services: Samy Talbert (997-2914)

Director, Administrative Services:
 Lucien Dagenais (997-1050)

Acting Director, Library and Records Services:
 Peter Bruce (994-4879)

The Finance and Administration Directorate is responsible for co-ordinating financial, administrative and informatics policy and services, including library services. It also co-ordinates corporate-level financial and operational planning and control functions.

The Directorate carries out some of the responsibilities of the Minister of Consumer and Corporate Affairs as Registrar General of Canada, including the issuance and registration of formal documents such as proclamations and commissions attesting to certain appointments.

In 1990-91, there were 11 251 commissions and documents issued pursuant to the Formal Documents Regulations, and 1 189 documents registered pursuant to other legislation.

Departmental Secretariat

Budget: \$911 000

Expenditures: \$909 000

Revenue: \$0

Person-Years: 18

Director, Executive Services: Carole Lacombe
 (997-2704)

The Departmental Secretariat provides support services to the Deputy Minister's Office and the Minister's Office. These services include ministerial correspondence, Parliamentary Relations, and the application of the *Access to Information Act* and the *Privacy Act*.

During 1990-91, the Secretariat processed 4 190 pieces of Ministerial correspondence, 4 093 pieces of Deputy Minister's correspondence, 15 reports to Parliament, 87 requests under the *Access to Information Act*, and 12 requests under the *Privacy Act*.

The Secretariat also provides support to Executive Committee meetings, Ministerial meetings, and to other department-wide meetings throughout the year. The Director is a member of the Executive Committee.

Legal Services

Budget: \$416 000

Expenditures: \$411 000

Revenue: \$0

Person-years: 9

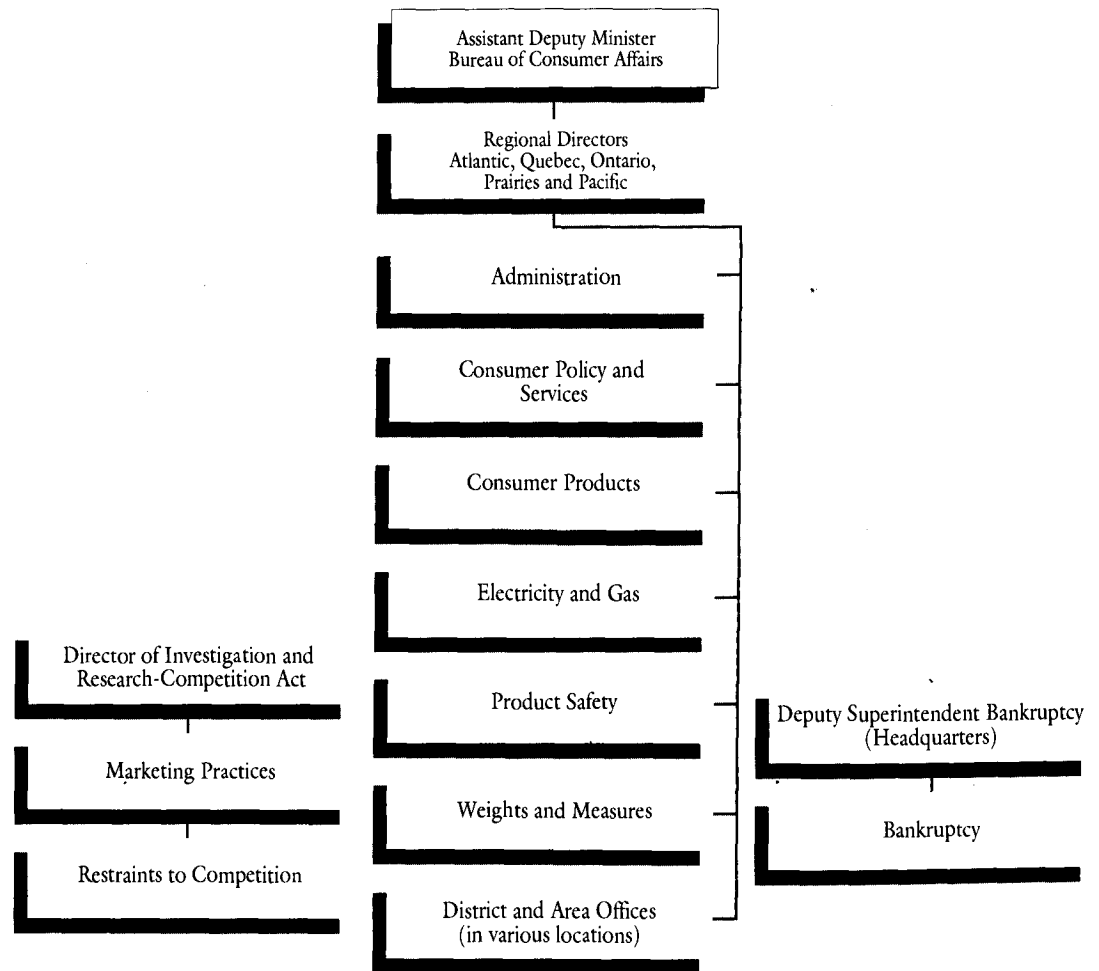
Senior General Counsel: Jean-Marc Raymond
(997-3325).

The Legal Services Branch provides a variety of in-house legal services to the Department and its bureaus. In addition to the provision of general legal advice, the Branch provides specific advice and opinions relating to the application of statutes and regulations administered by the Department and the development, formulation and drafting of departmental legislation and regulations.

The Branch also provides litigation support services to the various bureaus of the Department, including the representation of the Department, its officers and the Attorney General of Canada before various civil, regulatory and criminal courts throughout Canada. The Senior General Counsel of the Branch is a member of the Executive Committee of the Department.

Regional

Operations



Departmental services are provided through five regional offices and a number of district and area offices. Area and resident inspectors provide inspection services outside major urban centres and in remote locations. Represented in each region are all of Consumer Affairs' sub-activities – Weights and Measures, Electricity and Gas, Product Safety, Consumer Products and Consumer Policy and Services – as well as the Bankruptcy Branch of the Bureau of Corporate

Affairs and Legislative Policy, and the Marketing Practices Branch of the Bureau of Competition Policy. Services relating to other *Competition Act* provisions are also provided in Vancouver, Toronto and Montreal. More than one third of the Department's personnel are located in the regions.



The five Regional Directors, as of March 31, 1991, are:

Atlantic: André Pilon (902) 426-6090
Quebec: Francine Sarrazin (514) 283-5559
Ontario: Robert Rusinek (416) 224-4020
Prairies: Bill Empke (204) 983-3151
Pacific: Zane Brown (604) 666-5050

Regional Directors represent the Department in each of the five regions and provide the administrative services for all departmental personnel in the field.

Regional personnel receive functional guidance from Headquarters and are responsible for the implementation of departmental programs.

During the year, Consumer Affairs inspectors visited more than 14 000 establishments to identify and correct fraudulent or misleading practices in the labelling and packaging of food and other products, and to ensure that dangerous products such as unsafe toys were removed or prevented from entering the marketplace. More than 177 800 weighing and measuring devices were inspected and some 2.6 million electricity and gas meters were verified to ensure they were measuring accurately.

Regional Bankruptcy Officers handled 62 761 bankruptcies and proposals, and Marketing Practices investigators dealt with the bulk of 109 completed inquiries under the *Competition Act*, 13 745 complaints under the Act's misleading advertising provisions, and handled 87 new cases related to misleading advertising and deceptive marketing practices brought before the courts.

Budget: \$1 857 000

Expenditures: \$1 847 000

Revenue: \$0

Person-Years: 19

Assistant Deputy Registrar General:
Georges Tsai (995-6852)

On behalf of the Prime Minister, the Assistant Deputy Registrar General (ADRG) is charged with the administration of the Conflict of Interest and Post-Employment Code for Public Office Holders as it applies to Ministers of the Crown, Parliamentary Secretaries, Ministers' exempt staff, full-time Governor-in-Council and ministerial appointees, and for trusts that are required to be established by public servants.

The Assistant Deputy Registrar General assists these public office holders in complying with the Code and in resolving compliance matters, and provides advice to Ministers in discharging their own responsibilities in this area. The ADRG also determines if trusts meet the requirements of the Code and recommends the reimbursement of certain costs of establishing, administering and dismantling trusts. The ADRG maintains a registry containing information available to the public.

As well, the Office of the ADRG provides assistance to Crown corporations, boards, commissions, and tribunals regarding the establishment or improvement of their own internal policies in this area, as required. The Office also responds to requests for information and assistance from other federal organizations.

The Office of the ADRG also maintains a resource centre of print, film, videotape and other material related to Conflict of Interest and other ethical matters of concern to public office holders and to government. Services and briefings are provided to individuals and to public service groups seeking information and assistance in the study of public service ethics.

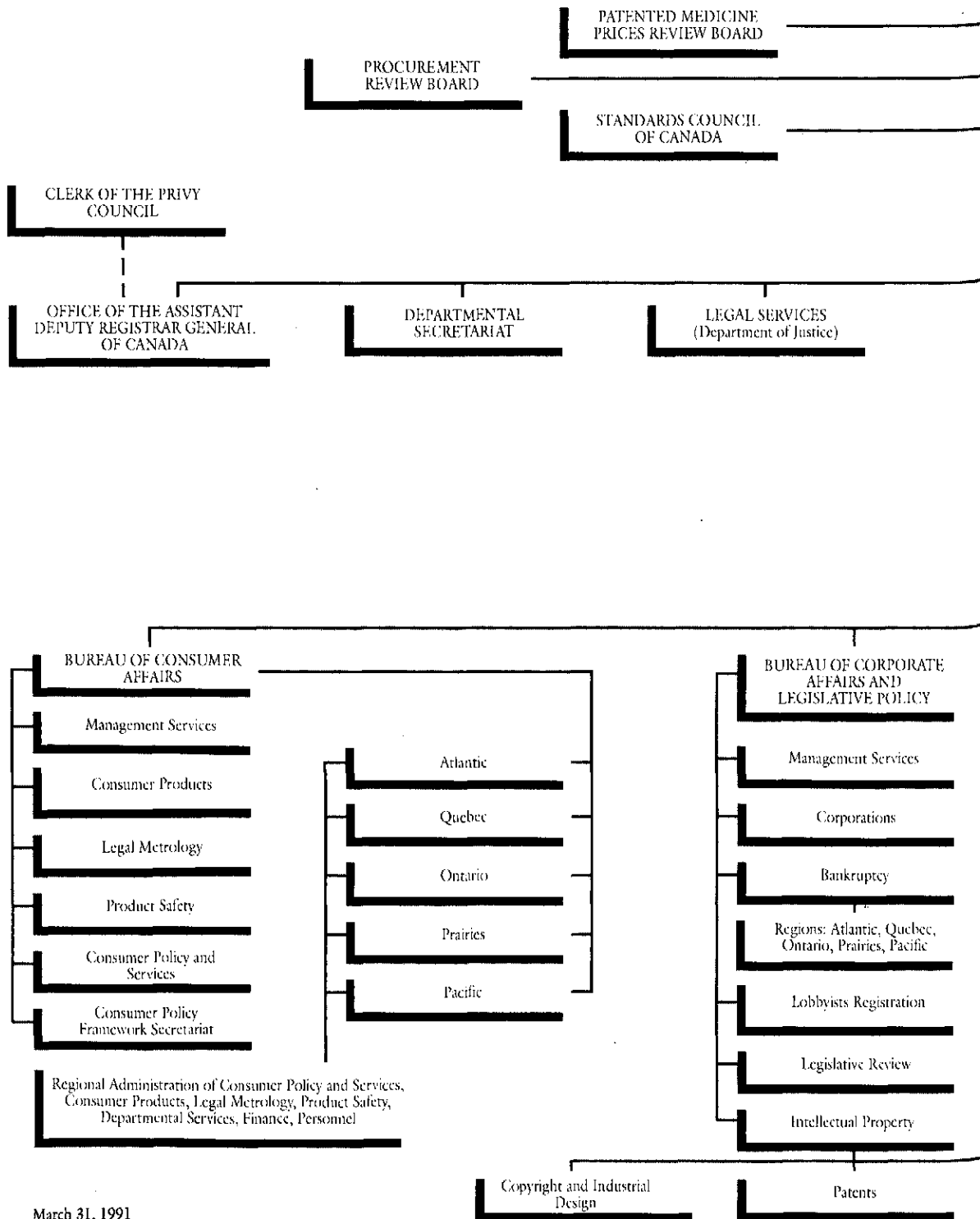
Office of the

Assistant Deputy

Registrar General

of Canada

Appendixes



March 31, 1991

APPENDIX

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MINISTER
(Registrar General)

COMPETITION TRIBUNAL

COPYRIGHT BOARD

HAZARDOUS MATERIALS
INFORMATION REVIEW
COMMISSION

DEPUTY MINISTER
(Deputy Registrar General)

FINANCE AND
ADMINISTRATION
DIRECTORATE

Finance

Corporate Information
Technology Services

Administrative Services

Library and Records
Services

BUREAU OF CORPORATE
POLICY AND STRATEGIC
PLANNING

Planning and Management
Services

Communications

Strategic Planning and
Corporate Services

Personnel Directorate

Internal Audit

BUREAU OF COMPETITION
POLICY

Compliance Policy and
Management Coordination

Mergers

Resources and Manufacturing

Services

Economics and Regulatory Affairs

Marketing Practices

Regions: Atlantic, Quebec,
Ontario, Prairies, Pacific

Trade-marks

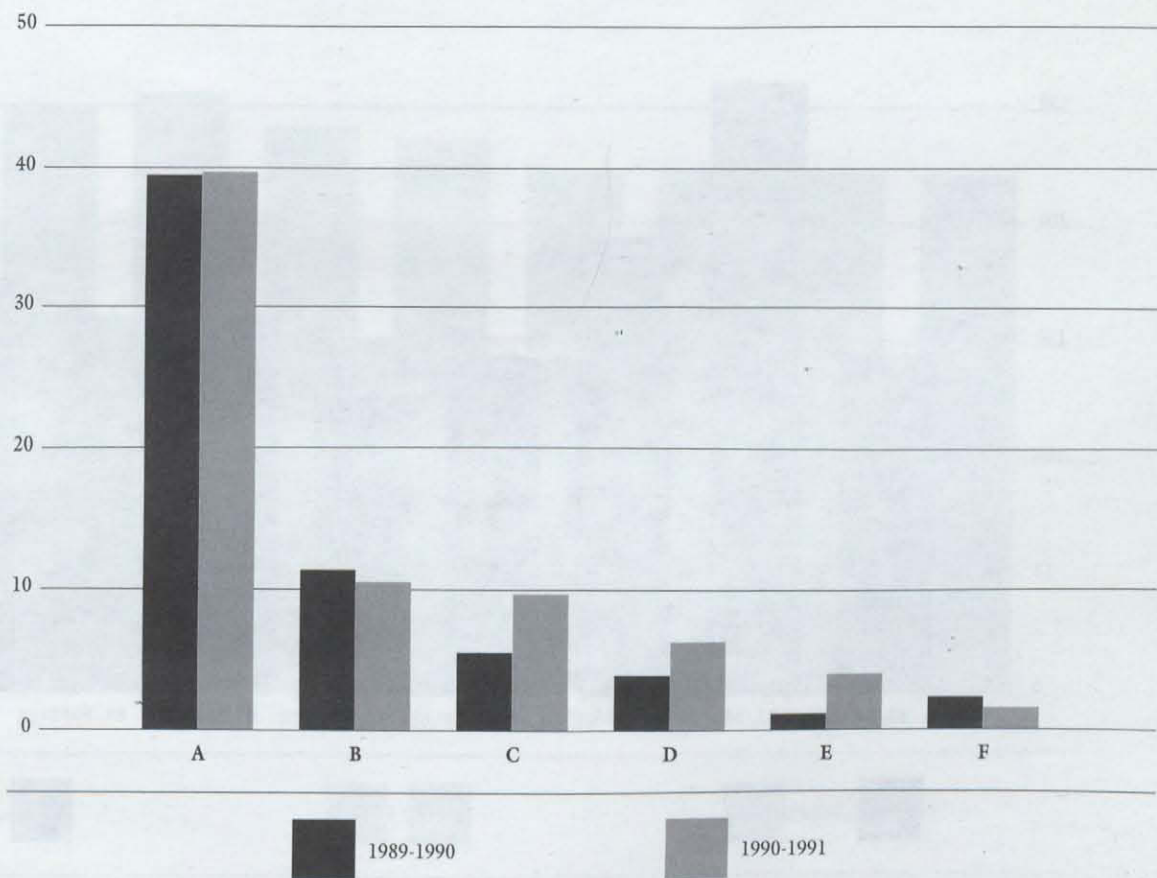


Location of Field Offices (April 1991)

	Pacific	Prairie	Ontario	Quebec	Atlantic
Regional and District Office	1 Vancouver	1 Winnipeg	1 Toronto	1 Montreal	1 Halifax
District Office	2 Victoria	2 Regina	2 Hamilton	2 Québec	2 Sydney
Area Office	3 Prince George	3 Saskatoon	3 Belleville	3 Trois Rivières	3 Fredericton
Resident Staff Only	4 Penticton	4 Edmonton	4 Ottawa	4 Sherbrooke	4 Saint John
	5 Kelowna	5 Calgary	5 London	5 Hull	5 Moncton
		6 Brandon	6 Sudbury	6 Rimouski	6 Charlottetown
		7 Grande Prairie	7 St. Catharines	7 Chicoutimi	7 St. John's
		8 Lethbridge	8 Windsor	8 Thetford Mines	8 Kentville
		9 Swift Current	9 Thunder Bay	9 Rouyn-Noranda	9 Truro
			10 Kitchener	10 Mirabel	10 Bathurst
			11 Peterborough	11 St. Bruno	11 Corner Brook
			12 Brockville	12 Rosemère	12 Gander
			13 North Bay		
			14 Chatham		
			15 Barrie		
			16 Orillia		
			17 Sault Ste. Marie		

Sources of Revenue

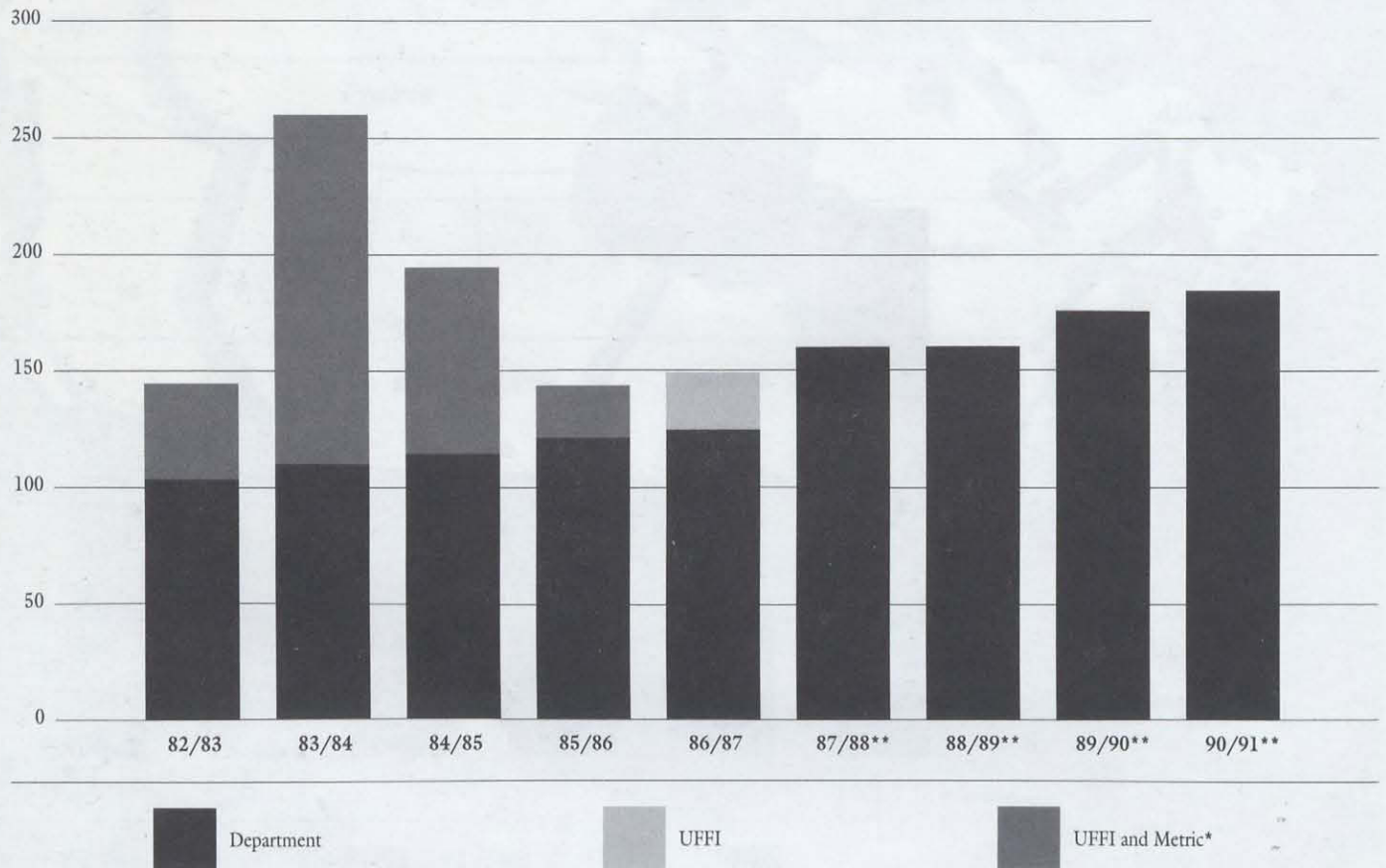
\$ Millions



- (A) Patent, Trade-mark, Copyright and Industrial Design Fees
- (B) Incorporation Fees
- (C) Electricity and Gas, Weights and Measures Inspection Fees
- (D) Levies under *Bankruptcy Act*
- (E) Fines under *Combines Investigation Act/Competition Act*
- (F) Other Income

Expenditures

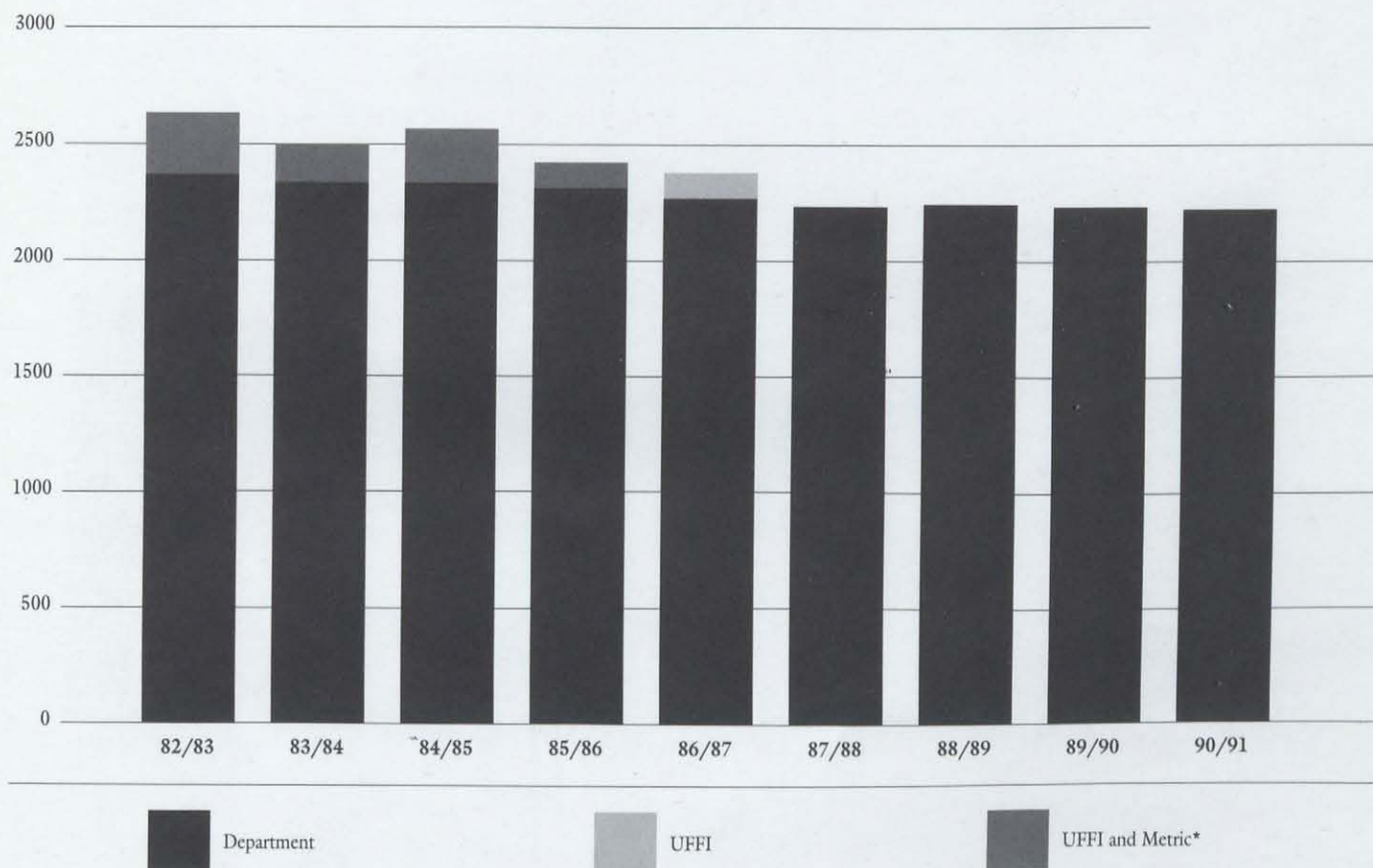
\$ Millions



* Assistance Program for Urea Formaldehyde Foam Insulation Homeowners (UFFI) and former Metric Commission activities. (Note: the Metric Commission was disbanded on March 31, 1985, and the UFFI office on March 31, 1986.)

** Includes transfer payments (\$25 million) to the provinces for the purposes of research and development relating to medicine.

Person-years



* Assistance Program for Urea Formaldehyde Foam Insulation Homeowners (UFFI) and former Metric Commission activities. (Note: the Metric Commission was disbanded on March 31, 1985, and the UFFI office on March 31, 1986.)



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Consommation
 et Corporations Canada
 L'hon. Pierre Blais
 Ministre
 Consumer and
 Corporate Affairs Canada
 Hon. Pierre Blais
 Minister



INDUSTRY CANADA/INDUSTRIE CANADA



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