



November 5, 2008

The Honourable Tony Clement, P.C., M.P.
Minister of Industry
5th Floor, West Tower
C.D. Howe Building
235 Queen Street
Ottawa, ON K1A 0H5

Dear Minister,

I am writing on behalf of the Canadian Bar Association (CBA) to congratulate you on your recent appointment as Minister of Industry. We look forward to a continuing dialogue with you and Industry Canada.

The CBA is a national, voluntary association of over 37,000 lawyers, law students, law professors and Quebec notaries. Among the objectives of the Association are the improvement of the law and the administration of justice. Our Sections have been working with your Department on an ongoing basis and hope to pursue and strengthen their fruitful relationships.

Competition Policy Review

The CBA National Competition Law Section has been actively involved with your Department's activities. It is the leading Canadian organization of competition law practitioners and regularly provides continuing legal education and comments on developments and proposed legislative changes to the *Competition Act* and the *Investment Canada Act*. It also works closely with our international counterparts.

The Section has a long history of consulting with the Competition Bureau and Industry Canada with regard to proposed amendments to the *Competition Act* and the *Investment Canada Act*, including the proposals made in June 2008 by the Competition Policy Review Panel chaired by Red Wilson. We hope that the continuing dialogue with respect to these and any future proposals between the Competition Law Section, you, and your officials at Industry Canada will remain as productive.

500 - 865 Carling, Ottawa, Ontario Canada K1S 5S8

Tel/Tél. : (613) 237-2925 Toll free/Sans frais : 1-800-267-8860 Fax/Télécop. : (613) 237-0185

Home Page/Page d'accueil : www.cba.org E-Mail/Courriel : info@cba.org



Canada Not-for-profit Corporations Act

The CBA believes that reform of the corporate regime applicable to Canadian federal not-for-profit corporations is long overdue. The introduction of the *Canada Not-for-profit Corporations Act* as Bill C-21 in the 38th Parliament and Bill C-62 in the 39th Parliament represented substantial positive steps for the entire Canadian not-for-profit sector in that they promised to replace the outdated and inconsistent regime that has been in place for almost 90 years. The National Charities and Not-for-Profit Law Section and the National Business Law Section have joined forces to work on a submission on Bill C-62.

The CBA wishes to strongly support the reintroduction of Bill C-62 as a legislative priority. While the CBA believes that Bill C-62 was a significant step in establishing a comprehensive, modern framework for the governance of federal not-for-profit corporations, we would welcome an opportunity to meet with your officials to discuss some technical and substantive elements before a new bill is introduced. I would hope that the combined experience of our members from the National Charities and Not-for-Profit Law Section and the National Business Law Section can offer positive and constructive comments on a new legislative initiative.

Again, on behalf of the CBA, I wish to congratulate you on your appointment and look forward to working with you.

Yours sincerely,

(Original signed by J. Guy Joubert)

J. Guy Joubert

cc. John David Bodrug
Chair, National Competition Law Section
Bruce H. King
Chair, National Business Law Section
Susan May Manwaring
Chair, National Charities and Not-for-Profit Law Section