Business Law Update



eLaw

March 2009 - No. 31

ISSN 1916-3908

In this issue:

- 1. Bill C-10 Passes, Including Significant Competition Act Changes
- 2. Enhanced Environmental Enforcement Proposed
- 3. Privacy Law
- 4. Publications of Interest to Business Lawyers
- 5. <u>Insolvency and Restructuring Forum</u>

1. Bill C-10 Passes, Including Significant Competition Act Changes

Bill C-10, the federal legislation aimed at addressing the faltering economy, received royal assent March 12, 2009, as <u>announced</u> by the Department of Finance Canada. Most amendments come into force immediately. These include most of the significant changes to the *Competition Act* (discussed in last month's update) and the *Investment Canada Act*. The security review provisions of the latter Act will be retroactive to February 6, 2009, the date Bill C-10 received first reading. The following articles discuss the changes:

- <u>Significant Changes to Canada's Competition Law and Foreign Investment Regime</u>, an Osler Update from March 12, 2009
- Overhaul of the Competition Act and Investment Canada Act Comes into Force, published March 13, 2009 on the website of McCarthy Tétrault
- <u>Significant Amendments to Canada's Competition Act and Investment Canada Act Now in Force</u>, published March 16, 2009 on Blakes

2. Enhanced Environmental Enforcement Proposed

Bill C-16, An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment, received first reading March 4, 2009. The proposed amendments to nine federal acts will enhance the government's ability to prosecute environmental violations and raise fines for environmental offences. The changes are outlined in the government summary and in the following articles:

- <u>Federal Proposal to Boost Environmental Penalties and Enforcement Tools</u>, published March 9, 2009 on Blakes
- <u>New Federal Environmental Enforcement Legislation Introduced</u>, a March 4, 2009 McCarthy Tétrault article

3. Privacy Law

Both individuals and companies are finding it increasingly difficult to avoid privacy law issues, from warrantless laptop searches at the border to identify theft legislation. The article <u>Five Hot Privacy Topics</u>, written by Janina M. Kon and Sara A. Levine and recently published on BC CLE <u>Practice Points</u>, examines these and other privacy law issues and the developing legislation and case law in this area.

And, for current and practical information on privacy, access to information, intellectual property and technology matters visit <u>Brian Bowman - On the Cutting Edge</u>, the new blog of local lawyer Brian Bowman of <u>Pitblado, LLP</u>.

4. Publications of Interest to Business Lawyers

The winter 2009 edition of the Fillmore Riley Report is now online. Among other things it contains articles on *Director's Liability Tips and Traps* by Paul Grower and *Departing Employees and the Duty of Good Faith* by Dean Giles.

The article <u>Executive Compensation Disclosure Issues in Tumultuous Times</u>, published March 13, 2009, is particularly timely in light of the recent <u>furor</u> over multi-million dollar bonuses paid to AIG executives. The article examines the challenging issues facing employers preparing their executive compensation disclosures in today's economy.

The March 2009 issue of <u>The Osler Corporate Review</u> contains articles on pending amendments to Canada's insolvency legislation and the recommendation of the Expert Panel on Securities Regulation for a single federal securities regulator in Canada.

5. Insolvency and Restructuring Forum

The CAIRP <u>Insolvency and Restructuring Forum</u> will take place in Winnipeg on Thursday, May 14, 2009 at the Fort Garry Hotel. Further details and registration information will be posted on the website soon.

Go to the eLaw Archive

The Law Society of Manitoba provides this service solely for the benefit of and to support the competence of its members. Members should exercise their professional judgment in using or adapting any content.