



Reference: The Bank of Montreal v. The Commissioner of Competition., 2000 Comp. Trib.12
File no.: CT-95/02
Registry document no.:114

IN THE MATTER OF an application by the Director of Investigation and Research under sections 79 and 105 of the *Competition Act*, R.S.C. 1985, c.C-34, as amended;

AND IN THE MATTER OF an abuse of dominant position in the supply of shared electronic network services for consumer-initiated shared electronic financial services;

AND IN THE MATTER OF a Consent Order granted by the Competition Tribunal dated June 20, 1996 and varied on March 25, 1998;

AND IN THE MATTER OF an application by Bank of Montreal, et al., under sections 105 and 106(b) of the Competition Act, R.S.C. 1985, c.C-34, as amended, to vary on consent the Consent Order granted by the Competition Tribunal on June 20, 1996 and varied on March 25, 1998.

BETWEEN:

Bank of Montreal
The Bank of Nova Scotia
Canada Trustco Mortgage Company
Canadian Imperial Bank of Commerce
La Confédération des caisses populaires et
d'économie Desjardins du Québec
Credit Union Central of Canada
National Bank of Canada
Royal Bank of Canada
The Toronto-Dominion Bank
Interac Inc.
(applicants)

and

The Commissioner of Competition
(respondent)

Date of pre-hearing: 20000727
Member: McKeown J.
Date of order:20000728
Order signed by: McKeown, J.



**ORDER REGARDING SERVICE OF THE SECOND CONSENT VARIATION
APPLICATION**

- [1] FURTHER TO the pre-hearing conference call of July 27, 2000;
- [2] AND UPON hearing submissions by counsel for the applicants regarding service of the Notice of application for an order to vary the consent order dated June 20, 1996 and varied on March 25, 1998 on the Commissioner of Competition (“Commissioner”);
- [3] AND ON CONSIDERING consent by counsel for the “Commissioner”;

THE TRIBUNAL ORDERS THAT:

- [4] The applicants are dispensed of serving the second consent variation application on the Commissioner.

DATED at Ottawa this 28th day of July, 2000.

Signed on behalf of the Tribunal by the presiding judicial member

(s) W. P. McKeown

APPEARANCES:

For the applicants:

Bank of Montreal
The Bank of Nova Scotia
Canada Trustco Mortgage Company
Canadian Imperial Bank of Commerce
La Confédération des caisses populaires et
d'économie Desjardins du Québec
Credit Union Central of Canada
National Bank of Canada
Royal Bank of Canada
The Toronto-Dominion Bank
Interac Inc.

Mark J. Nicholson

For the Respondent:

The Commissioner of Competition

D. Martin Low, Esq., Q.C.
Josephine A. L. Palumbo