

CT-90/1

COMPETITION TRIBUNAL 90/1		P R O D U I T
TRIBUNAL DE LA CONCURRENCE		
FILED	JUL 17 1991 <i>RS</i>	
REGISTRAR — REGISTRAIRE		
OTTAWA, ONT.		# 134

COMPETITION TRIBUNAL

IN THE MATTER OF an application by the Director of Investigation and Research for orders pursuant to section 92 of the Competition Act, R.S.C. 1985, c.C-34, as amended;

AND IN THE MATTER OF the direct and indirect acquisitions by Southam Inc. of equity interests in the businesses of publishing The Vancouver Courier, the North Shore News and the Real Estate Weekly

B E T W E E N

THE DIRECTOR OF INVESTIGATION AND RESEARCH

Applicant

-and-

SOUTHAM INC., LOWER MAINLAND PUBLISHING LTD., RIM PUBLISHING INC., YELLOW CEDAR PROPERTIES LTD., NORTH SHORE FREE PRESS LTD., SPECIALTY PUBLISHERS INC., ELTY PUBLICATIONS LTD.

Respondents

AMENDED REPLY

1. The Director denies or has no knowledge of each ground and each of the material facts relevant to each ground set out in the Amended Response except where the Respondents expressly admitted facts in the Amended Notice of Application.

2. Further with respect to paragraph 6 of the Amended Response, the Director states that:

- a) the Respondents, being corporations, do not have standing to allege an infringement of section 7 of the Canadian Charter of Rights and Freedoms;
- b) the Competition Tribunal when considering an application under section 92 of the Competition Act, is not subject to section 11(d) of the Charter;
- c) if the merger provisions of the Competition Act and the relevant provisions of the Competition Tribunal Act infringe sections 2, 7, 11 or 15 of the Charter or, sections 1 or 2 of the Canadian Bill of Rights, which infringement is denied, these provisions are reasonable limits on the rights granted by those sections of the Charter and the Bill of Rights, are prescribed by law, and are demonstrably justifiable in a free and democratic society.

DATED this 17th day of July, 1991



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