

employers and employees for the purpose of effecting an agreement as to minimum wages in any trade for which a code is proposed. If no agreement is reached, the Lieutenant-Governor in Council may fix a minimum wage for any class of employees in any district. An employer may not interfere with the free selection of representatives by any association or in any lawful activity of such association. Part III of the Act, which deals with coal mining and distribution, declares invalid any agreement as to wages whereby the remuneration of any person depends on the profits of the industry, unless the agreement is approved by the Minister.

Section 13.—Legislation Respecting Combinations in Restraint of Trade.

A general article on Canadian legislation concerning trade combinations and monopolies against the public interest will be found at pp. 765-770 of the 1927-28 Year Book under the heading "Legislation Respecting Combinations in Restraint of Trade". The article outlines the provisions of the Combines Investigation Act and reviews the principal cases dealt with under the Act up to Mar. 31, 1927. A brief statement of the provisions against combines as contained in the Criminal Code,* the Customs Tariff,† the Excise Act‡ and the Patent Act§ is included. A further section of the article summarizes former Canadian legislation for the investigation of combines, including the Combines Investigation Act of 1910 and the Combines and Fair Prices Act of 1919.

The Combines Investigation Act.—The Combines Investigation Act (R.S.C., 1927, c. 26) is designed, as its full title indicates, "to provide for the investigation of combines, monopolies, trusts and mergers", and declares to be unlawful only such combines as "have operated or are likely to operate to the detriment or against the interest of the public, whether consumers, producers or others". The statute provides that an inquiry shall be made by the Registrar on receipt of an application signed by any six British subjects resident in Canada, or if the Registrar has reason to believe that a combine exists, or if the Minister of Labour so directs. If after preliminary inquiry sufficient evidence is disclosed to justify further investigation, this may be conducted by the Registrar or by a special Commissioner appointed by the Governor in Council. Full authority is given the Registrar or the Commissioner to examine witnesses on oath and compel the production of records and documents.

The remedies provided by the Act are those of publicity and penalty. The proceedings are conducted in private, unless otherwise ordered by the Minister, but the report of any commissioner is required to be published within fifteen days of its receipt by the Minister. Whenever in the opinion of the Minister an offence has been committed, he may remit the report and the evidence to the Attorney General of the province concerned. The penalty section of the statute provides that any person who is a party or privy to, or knowingly assists in, the formation or operation of a combine is guilty of an indictable offence and liable to a penalty not exceeding \$10,000 or to two years imprisonment, or, if a corporation, to a fine not exceeding \$25,000. Provision is also made in the Act for the reduction

* R.S.C., 1927, c. 146, ss. 496-498.

† R.S.C., 1927, c. 44, s. 15.

‡ R.S.C., 1927, c. 60, s. 27.

§ R.S.C., 1927, c. 150, s. 40.