

Although all federal corporations other than those carrying on business as financial intermediaries must now be incorporated under the recently proclaimed (December 15, 1975) Canada Business Corporations Act, because that act does not repeal the old Canada Corporations Act until December 15, 1980, the branch is required to administer corporations subject to either act until that date. This policy of gradual implementation of the Canada Business Corporations Act was adopted to enable corporations to effect transition from the old to the new act with a minimum of pressure and inconvenience following a relatively simple continuance procedure.

Part II of the Canada Corporations Act continues to apply to all federal charitable and membership corporations. In 1977 the department planned to introduce a proposed new Not-for-Profit Corporations Act. This would abrogate Part II of the Canada Corporations Act after a five-year transition period.

Ancillary to its formal activities, the branch furnished to the public copies of corporate documents and information about registered corporate names and trade marks. In 1975-76 the branch issued 23,000 documents to the public compared to 10,500 in 1974-75, indicating the growing importance of information about specific corporations. There were also 20,321 registered corporate name and trade mark searches made; this is an increase of 4,920 from the year before.

In addition to maintaining its file on approximately 400,000 corporations that now exist in Canada (20,000 of which are federal corporations) as well as its list of some 140,000 registered trade marks, the branch undertook to automate its search services of information about registered corporate names and trade marks. Besides obtaining and furnishing information about federal and provincial corporations to the public, the branch processes applications for exemption from the statutory disclosure requirements, investigates complaints involving federal corporations and ascertains whether federal corporations are making the required statutory filings in the form prescribed by the regulations.

## 17.5 Bankruptcies and commercial failures

Two series of figures are included here which, although closely related in subject matter, cover different aspects of the field of bankruptcies and commercial failures. The first (Table 17.13) is limited to the supervision, by the Superintendent of Bankruptcy, of the administration of bankrupt estates under the Bankruptcy Act (RSC 1970, c.B-3); it gives information on the amounts realized from the assets as established by debtors and indicates that values actually paid to creditors are invariably very much lower than such estimates alone would imply. It can therefore be assumed that this applies in even greater degree to the more extended fields covered in the second section (Tables 17.11 and 17.12) compiled by Statistics Canada, which is limited to bankruptcies and insolvencies made under federal legislation and includes business failures only.

**Administration of bankrupt estates.** The Bankruptcy Act was last revised in 1949 and amended in 1966. The amendments were instigated by exposures and suggestions of illegal and improper practices in connection with bankruptcy proceedings or administration. They do not constitute a complete revision of the Bankruptcy Act but were designed to provide, as an interim measure, remedies to the most urgent areas of complaints. They provide the Superintendent of Bankruptcy with direct and immediate authority in the field of investigation and inquiry, and tighten the procedures and requirements in a number of areas, such as that of proposals which an insolvent person may make to his creditors. These amendments were intended to provide remedies in situations where it had been shown by experience that abuses of the bankruptcy process are most likely to occur. The amendments also contain a new Part X entitled "The Orderly Payment of Debts" which may be brought into force in any province at the request of the provincial authorities concerned. Six areas have taken advantage of this part of the legislation: Alberta in April 1967, Manitoba in June 1967, Saskatchewan in