

APPENDIX IV

NOVA SCOTIA

SUGGESTED RE-DRAFT OF SECTION 91(2.1)

- 91 (2.1) The regulation of competition throughout Canada.
- (2.2) The establishment of reasonable minimum product standards in Canada or in the various provinces or regions thereof; but any law of the legislature of a province concerning standards for products substantially produced and consumed within the province and which does not contravene Section 121 shall have paramountcy over a law of Canada passed pursuant to this subsection.

COMMENTS ON CHANGES FROM FEDERAL DRAFT

- (a) "reasonable minimum" product standards - new.
- (b) drops the requirement of being "reasonably necessary" for the operation of the Canadian economic union.
- (c) excludes products in intraprovincial trade only, where the province chooses to legislate.
- (d) provincial legislation would be subject to the tests of Section 121 - i.e., it could not discriminate in a way that "unduly impedes" the economic union, except for the reasons spelled out in the derogations.

APPENDIX V

July 23, 1980

ALBERTA DRAFT
FOR DISCUSSION PURPOSES ONLY

THE TRADE AND COMMERCE POWER

91. 2. The regulation of trade and commerce, but not including natural resources and the primary production therefrom.