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Wednesday 19 November 2014

**Journal
des débats
(Hansard)**

Mercredi 19 novembre 2014

**Standing Committee on
Regulations and Private Bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 19 November 2014

Mercredi 19 novembre 2014

The committee met at 0903 in committee room 1.

The Chair (Ms. Indira Naidoo-Harris): Good morning, everybody. I hope you're all having a great morning. The Standing Committee on Regulations and Private Bills will now come to order.

We have a total of three private bills to consider this morning, so we have a bit of work. Let's get started, okay?

1474486 ONTARIO LIMITED ACT, 2014

Consideration of the following bill:

Bill Pr2, An Act to revive 1474486 Ontario Limited.

The Chair (Ms. Indira Naidoo-Harris): Item 1 is Bill Pr2, An Act to revive 1474486 Ontario Limited. Ms. Sattler is sponsoring this bill. Would Ms. Sattler and the applicant please come forward. Thank you. Would the applicant please introduce himself for the purposes of Hansard.

Mr. Gordon Banting: My name is Gordon Banting. I'm a solicitor practising in London, Ontario, and I represent the applicant.

The Chair (Ms. Indira Naidoo-Harris): Ms. Sattler, please go ahead. Do you have any comments?

Ms. Peggy Sattler: None, other than that this has been a good learning experience for both myself and the applicant. So we're looking forward to the process today.

The Chair (Ms. Indira Naidoo-Harris): Does the applicant have any comments?

Mr. Gordon Banting: None, unless there are questions.

The Chair (Ms. Indira Naidoo-Harris): I don't think there are any interested parties who want to speak to the bill. I don't see anybody here. Government, do you have any comments? Any comments from government?

Mrs. Kathryn McGarry: Yes. Thank you very much. Your applicant—

The Chair (Ms. Indira Naidoo-Harris): Recognizing Kathryn McGarry.

Mrs. Kathryn McGarry: Sorry. Won Jung Cho is your applicant?

Mr. Gordon Banting: Yes.

Mrs. Kathryn McGarry: I note that the corporation was dissolved on May 2, 2013. What was the circumstance leading up to that?

Mr. Gordon Banting: My client didn't consult me at the time of winding up his company. He felt the company

was no longer necessary, as it wasn't doing active business at the time. But the company retained, actually, a claim in law that the company was entitled to make, and he didn't address his mind to the fact that he couldn't pursue that claim personally. So he didn't feel that he needed the company, didn't need to continue filing tax returns and continue the expenses of maintaining a company.

Mrs. Kathryn McGarry: Did circumstances change, then, that he wants it to—

Mr. Gordon Banting: Yes. He consulted my firm and said, "Do I have a valid claim?" under some contracts that he had signed. It was our view that he had a potentially valid claim against a third party, but he couldn't pursue it unless the company was alive.

Mrs. Kathryn McGarry: Oh, I see. So it's the company itself that is going to be making those claims.

Mr. Gordon Banting: Yes.

Mrs. Kathryn McGarry: Okay. Then, should this pass today, which I would suspect it will, he'll be able to go and complete—

Mr. Gordon Banting: Yes, and allow a court to decide whether the claim is valid or not.

Mrs. Kathryn McGarry: Okay. Thank you.

The Chair (Ms. Indira Naidoo-Harris): I understand Mrs. Mangat may have a comment.

Mrs. Amrit Mangat: Thank you, Chair.

Thank you for throwing light that it is a change of circumstances. But Mr. Cho wasn't aware of that change in circumstance, about those cases, at that time when he dissolved the—

Mr. Gordon Banting: That's correct. He didn't address his mind to the fact that the claim was a corporate claim. He thought he could just pursue it himself personally.

Mrs. Amrit Mangat: How long after he dissolved the company did he come to know about this claim?

Mr. Gordon Banting: He consulted me in August 2013, so it was not a long time.

Mrs. Amrit Mangat: Okay. Thank you.

The Chair (Ms. Indira Naidoo-Harris): Are there any other comments from government? Okay. Let's move to committee members. Are there any questions from committee members?

Mr. Mike Colle: —move approval.

The Chair (Ms. Indira Naidoo-Harris): Okay, great. Are members ready to vote, then?

All right. We're looking at Bill Pr2, An Act to revive 1474486 Ontario Limited. So let's vote here.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Thank you. Yes, affirmative.

Okay, great. Thank you very much for coming in.

Mr. Gordon Banting: Thank you very much.

469118 ONTARIO LIMITED ACT, 2014

Consideration of the following bill:

Bill Pr11, An Act to revive 469118 Ontario Limited.

The Chair (Ms. Indira Naidoo-Harris): We're now going to move on to our next item. Our next item up is Bill Pr11, An Act to revive 469118 Ontario Limited. Mr. Colle is presenting the bill on behalf—oh, I'm sorry. Mr. Colle and the applicant, please come forward. Would the applicant please introduce himself for the purposes of Hansard.

Mr. Vincent Muia: Good morning. My name is Vincent Muia. I am the applicant and the owner of 469118 Ontario Limited.

The Chair (Ms. Indira Naidoo-Harris): Does the applicant have any comments?

Mr. Vincent Muia: Yes. It's necessary for me to revive the corporation in order that I can deal with certain real property that was held by the corporation at the time that it was dissolved.

The Chair (Ms. Indira Naidoo-Harris): Mr. Colle, do you have any comments?

Mr. Mike Colle: No comments.

The Chair (Ms. Indira Naidoo-Harris): I don't believe there are any interested parties in the room. Are there any comments from government? Yes, Daiene Vernile.

Ms. Daiene Vernile: Looking at this, it says that the business was dissolved for failure to comply with the Corporations Tax Act.

Mr. Vincent Muia: That's correct.

Ms. Daiene Vernile: Can you elaborate?

Mr. Vincent Muia: Tax returns were never filed for the corporation because the taxable income was reported by the parent company. So technically, the tax returns should have been filed but never were, so what we did is, we filed them all at once in the last six months.

Ms. Daiene Vernile: What was the nature of this business?

Mr. Vincent Muia: It held a piece of property and collected rent. It was reported by the parent company; that was the way. But technically, the tax returns, even though there was a nil taxable income on the corporation, should have been filed.

Ms. Daiene Vernile: What's been the status of this business, this property, since 1985?

Mr. Vincent Muia: Very active. It's an active business. It's a property that's in downtown Toronto, that rents and pays taxes and collects. That's why I'm doing it, because I have to deal with it—do some estate planning on it.

The Chair (Ms. Indira Naidoo-Harris): Are there any other comments from government? Okay, let's move on, then, to questions from the committee members. Any questions from committee members? All right. I guess members are ready to vote then. Are we? Let's move ahead to voting.

We are now looking at Bill Pr11, An Act to revive 469118 Ontario Ltd. Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Yes.

658055 ONTARIO INC. ACT, 2014

Consideration of the following bill:

Bill Pr12, An Act to revive 658055 Ontario Inc.

The Chair (Ms. Indira Naidoo-Harris): I understand it's the same applicants. Please stay there.

Mr. Vincent Muia: Yes, same situation. I do things in twos. Actually, threes—I did one last year.

The Chair (Ms. Indira Naidoo-Harris): We're looking at Bill Pr12, An Act to revive 658055 Ontario Inc. Once again, Mr. Colle and the applicant are here. Mr. Colle, do you have any comments?

Mr. Mike Colle: No comments.

The Chair (Ms. Indira Naidoo-Harris): Does the applicant have any comments?

Mr. Vincent Muia: Again, I'm Vincent Muia, the applicant and owner of the corporation, and I seek to revive it.

The Chair (Ms. Indira Naidoo-Harris): Are there any comments from government? No. Any questions from committee members? All right. Are members ready to vote? I think we are.

Bill Pr12, An Act to revive 658055 Ontario Inc.: Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Yes.

I think that's all the business we have today. Since there is no other business, I move that we adjourn. We will adjourn the meeting. Thank you.

The committee adjourned at 0914.

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