

CORPORATIONS ACT

Section 42(1)

This subsection protects a witness at an inquest from being cross-examined at a subsequent trial on answers given at the inquest, even for the limited purpose of testing credibility: *Caron v. Chodan Estate* (1989), 17 A.C.W.S. (3d) 757 (H.C.J.).

Section 46

Where non-criminal charges are laid, the coroner has the discretion to close down the inquest and discharge the jury. The fact that this section provides explicitly that the coroner is to close down the inquest when criminal charges are laid does not preclude the exercise of the discretion under s. 27 when non-criminal charges are laid: *Huynh (Re)* (1991), 2 O.R. (3d) 562 (Gen. Div.).

CORPORATIONS ACT

R.S.O. 1990, c. C.38

This Act appeared in R.S.O. 1980 as c. 95. It was amended by 1984, c. 14, s. 26; 1986, c. 64, s. 9(1) and (2); 1986, c. 70, s. 33; and 1989, c. 69, s. 2(1) to (3), and consolidated in the present revision.

Section 243(d)

It was "just and equitable" to wind up a non-share capital corporation where disputes between two factions of its membership resulted in a previous action, two settlements and ultimately the wrongful expulsion of members belonging to one of the factions: *Sobrinho v. Oakville Portuguese Canadian Club* (1982), 37 O.R. (2d) 581 (H.C.J.).

CORPORATIONS INFORMATION ACT

R.S.O. 1990, c. C.39

This Act appeared in R.S.O. 1980 as c. 96. It was amended by 1982, c. 23; 1984, c. 3; 1989, c. 69, s. 3; and 1990, c. 5, ss. 13 and 15(2), and consolidated in the present revision.

Section 18(1)

The inability of a corporation to maintain an action because of its failure to comply with this provision does not prevent the corporation from defending itself if an action is commenced against the corporation: *International Dynamic Reading Institute Inc. v. Fred Pryor Seminars* (1991), 26 A.C.W.S. (3d) 33 (Gen. Div.).