

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL OF QUEBEC)

IN THE MATTER OF a Reference by the Government of Quebec to the Court of
Appeal of Quebec concerning the constitutionality of the *Genetic*
Non-Discrimination Act enacted by Sections 1 to 7 of the *Act to prohibit and*
prevent genetic discrimination (S.C. 2017, c. 3)

BETWEEN:

CANADIAN COALITION FOR GENETIC FAIRNESS

APPELLANT
(Intervener)

-and-

ATTORNEY GENERAL OF QUEBEC and
ATTORNEY GENERAL OF CANADA

RESPONDENTS
(Applicants/Interveners)

-and-

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COMMISSION, CANADIAN COLLEGE OF MEDICAL GENETICISTS and the
CANADIAN LIFE AND HEALTH INSURANCE ASSOCIATION

INTERVENERS
(Interveners)

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the CANADIAN HUMAN RIGHTS COMMISSION
(Pursuant to Rule 42 of the *Rules of the Supreme Court of Canada*)

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PART I – OVERVIEW and STATEMENT OF FACTS

1. The *Genetic Non-Discrimination Act*¹ (*GND*) is robust and forward thinking legislation that will help to protect Canadians from the harms of genetic discrimination.² It provides national protection and is a valid exercise of Parliament’s criminal law jurisdiction. Without adequate protection against genetic discrimination, genetic testing and genetic information could do more harm than good in the lives of people in Canada.³
2. The *GND* is one part of Parliament’s response to the harms resulting from genetic discrimination. Along with the *GND*, Parliament amended the *Canadian Human Rights Act*⁴ (the *CHRA*) and the *Canada Labour Code*⁵ (the *Labour Code*) to add protections against genetic discrimination within the scope of those statutory schemes. Unlike the *GND* that applies across Canada, the amendments to the *CHRA* and *Labour Code* apply only to matters within federal jurisdiction. Under the *CHRA*, genetic discrimination is now a separate ground of discrimination, permitting complaints filed on that ground in relation to proscribed discriminatory practices. The new *Labour Code* provisions provide certain protections in federally regulated employment including that employers cannot require an employee to take a genetic test or to disclose the results of a genetic test, and an employer cannot use the results of a genetic test without written consent.
3. These three legislative initiatives – the *GND*, the *CHRA* and the *Labour Code* - provide protections against genetic discrimination in areas within the constitutional authority of Parliament.

PART II – QUESTIONS IN ISSUE

4. The question referred to the Quebec Court of Appeal was the following:

Is the *Genetic Non-Discrimination Act* enacted by sections 1 to 7 of the Act to prohibit and prevent genetic discrimination (S.C. 2017, c. 3) *ultra vires* to the

¹ *Genetic Non-Discrimination Act*, S.C. 2017, c. 3.

² Opening remarks of Ms. Marie-Claude Landry, Chief Commissioner, Canadian Human Rights Commission, November 15, 2016 [**Respondent AGC’s Record, Volume X, at pp. 140-141**].

³ Opening remarks of Ms. Marie-Claude Landry, Chief Commissioner, Canadian Human Rights Commission, November 15, 2016 [**Respondent AGC’s Record, Volume X, at pp. 140-141**].

⁴ *Canadian Human Rights Act*, R.S.C., 1985, c. H-6.

⁵ *Canada Labour Code*, R.S.C., 1985, c. L-2.

jurisdiction of the Parliament of Canada over criminal law under paragraph 91(27) of the *Constitution Act, 1867*?

5. The Commission’s submissions are relevant to the following issue raised by this Appeal, specifically; does the *GND*A have a criminal law purpose?

PART III – STATEMENT OF ARGUMENT

A. The Pith and Substance Must Reflect a Criminal Law Purpose

6. The only disputed element of the test for the valid exercise of the criminal law power in this Appeal is whether the *GND*A has a true criminal law purpose.⁶ Answering this question involves two steps: first, *characterizing* the law’s pith and substance; and second, *classifying* that purpose within a head of power in section 91 or 92 of the *Constitution Act*⁷.
7. The decision of the Quebec Court of Appeal⁸ and the positions of the parties and interveners in this Appeal provide different characterizations of the *GND*A’s pith and substance or dominant purpose. These characterizations include the protection and promotion of health, the prevention of genetic discrimination, the protection of privacy, and the regulation of contracts in order to promote access to potential health benefits.
8. There is no single test for determining the dominant purpose of a law. The inquiry is a flexible, contextual one. It begins with considering what intrinsic evidence of purpose there is in the legislation itself but frequently looks beyond the terms of the legislation to extrinsic evidence such as related legislation and evidence before Parliament. The effects of the legislation – how it will operate and affect Canadians – may point to the law’s purpose⁹. Considering the “mischief” or the problem or issue that the law is intended to address may

⁶ *Reference re Firearms Act*, [2000] 1 SCR 783, 2010 SCC 31 at para 27.

⁷ *Reference re Assisted Human Reproduction Act*, [2010] 3 SCR 457, 2010 SCC 61 at para 19 [AHRA Reference].

⁸ *Reference of the Government of Quebec concerning the constitutionality of the Genetic Non-Discrimination act enacted by Sections 1 to 7 of the Act to prohibit and prevent genetic discrimination* (S.C. 2017, c. 3), 2018 QCCA 2193.

⁹ *R. v. Morgentaler*, [1993] 3 SCR 463 at pp. 481-482 [Morgentaler].

assist in identifying its main character¹⁰. In the end, determining the dominant purpose of a law turns on asking the question: “what in fact does the law do and why?”¹¹.

9. Secondary objectives or effects are “ancillary”, having no impact on whether a law is constitutional¹². A valid federal law may have incidental impacts on a provincial matter¹³.

B. *GND*A’s Primary Purpose is to Prohibit and Prevent Genetic Discrimination

10. On its face, the *GND*A states that it is a law to prohibit and prevent genetic discrimination. It is a relatively simple law with no preamble or purpose to assist in its interpretation. Other than its stated purpose, the intrinsic evidence of its pith and substance is limited. Its provisions – all of which are prohibitions against compulsory genetic testing or the involuntary use or disclosure of genetic test results – do not refer to genetic discrimination. It does not regulate genetic testing. Instead, its provisions prohibit carefully defined conduct related to compulsory genetic testing and the non-voluntary use and disclosure of the results of genetic tests. To understand the significance and intent of these prohibitions, it is helpful to examine extrinsic evidence regarding their purpose and effects.

Evidence before Parliament

11. The extrinsic evidence before Parliament also supports the view that by prohibiting certain conduct related to genetic testing and the use and disclosure of genetic test results, the *GND*A was intended to avoid the harms resulting from genetic discrimination and lead to benefits. Many of the choices and decisions that genetic discrimination undermines relate to the most intimate and personal aspects of an individual’s life, touching on issues of identity that reflect intersecting characteristics such as disability, race, national and ethnic origin, and family status. There was evidence before Parliament that preventing genetic discrimination enhances the ability of individuals to choose freely to access genetic testing for themselves and their children including for health care, immigration, and family

¹⁰ *Morgentaler, supra* at pp. 484-485.

¹¹ *AHRA Reference, supra* at para 22.

¹² *Canadian Western Bank v. Alberta*, [2007] 2 SCR 3; 2007 SCC 22 at para 28.

¹³ *Canada (Attorney General) v. PHS Community Services Society*, [2011] 3 SCR 134, 2011 SCC 44 at para 51.

planning¹⁴. It encourages individuals to take genetic tests to support the design of individualized medicine and improved health outcomes¹⁵. It also reduces the likelihood of inadvertent or inappropriate disclosure of genetic information that threatens individual privacy¹⁶. The extrinsic evidence before Parliament regarding these benefits, which result when genetic discrimination is removed or reduced, suggests that the primary purpose of the *GND*A's prohibitions is to prevent genetic discrimination.

Extrinsic evidence – related law

12. Extrinsic evidence of legislative intent also arises from amendments to the *CHRA* considered and adopted at the same time as the *GND*A. In particular, the wording of the definition of the ground of genetic discrimination added to the *CHRA* reflects the wording used to describe the prohibitions in the *GND*A. Subsection 3(3) of the *CHRA* provides that where the alleged discrimination is based on "... refusal of a request to undergo a genetic test or to disclose, or authorize the disclosure of, the results of a genetic test..."¹⁷ the discrimination shall be deemed to be on the ground of genetic characteristics. This statutory language parallels some of the language used in the *GND*A, suggesting that the effects of its prohibitions are human rights based; to prevent genetic discrimination, consistent with the *GND*A's stated purpose. A comparison of the *GND*A's legislative scheme with

¹⁴ Evidence by the Office of the Privacy Commissioner of Canada, October 2, 2014 [**Respondent AGC's Record, Volume V, at pp. 151, 157-158**]; Testimony of Ms. Yvonne Bombard, PhD, Scientist, Li Ka Shing Knowledge Institute, St. Michael's Hospital, Assistant Professor, Institute of Health Policy, Management and Evaluation, University of Toronto, October 2, 2014 [**Respondent AGC's Record, Volume V, at pp. 171-172**]; Testimony of Richard Marceau, General Counsel and Senior Government Advisor, Centre for Israel and Jewish Affairs, Canadian Coalition for Genetic Fairness, December 11, 2014 [**Respondent AGC's Record, Volume VI, at p. 186**]; Testimony of Dr. Ronald Cohn, Co-Director, Centre for Genetic Medicine, Sr. Scientist, The Hospital for Sick Children, Department of Pediatrics and Molecular Genetics, University of Toronto, March 9, 2016 [**Respondent AGC's Record, Volume VIII, at pp. 189-190**].

¹⁵ Testimonies of Dr. Ronald Cohn and Ms. Yvonne Bombard, October 2, 2014, [**Respondent AGC's Record, Volume V, at pp. 165-168, 174-176**].

¹⁶ Evidence by the Office of the Privacy Commissioner of Canada, October 2, 2014 [**Respondent AGC's Record, Volume V, at pp. 151, 153, 158, 160-164**]; Testimony of Dr. Ronald Cohn, October 2, 2014 [**Respondent AGC's Record, Volume V, at pp. 165-166**].

¹⁷ Bill S-201, *An Act to prohibit and prevent genetic discrimination*, Royal Assent, 42nd Parl., 1st sess., May 4, 2017, s. 9 [**Respondent AGC's Record, Volume XI, at p. 154**].

concurrent amendments to the *CHRA* indicates an intent to address similar discriminatory conduct.

13. This Court must determine the dominant purpose of the *GND*A using a human rights lens. This requires the Court to consider whether the targeted conduct is consistent with the kinds of harm contemplated by the definition of discrimination established by this Court¹⁸. The intrinsic and extrinsic evidence suggests that an intended effect of the *GND*A's prohibitions is to lessen the burdens and disadvantages of those who fear discrimination based on genetic characteristics and, as a result, decide against genetic testing. The prohibitions are intended to ensure access to opportunities, benefits and advantages that result when individuals can more freely choose genetic testing. These objectives are consistent with addressing the kinds of distinctions contemplated by the definition of discrimination established by this Court, and support the conclusion that the primary purpose of the *GND*A is to prohibit and prevent genetic discrimination.

*Effects of the GND*A on Existing Human Rights Laws

14. The *GND*A does not remove the ability of provinces and territories to legislate to protect against genetic discrimination in matters within their jurisdiction. The exercise of such jurisdiction would have to be consistent with Parliament's exercise of its criminal law power through the *GND*A. However, the *GND*A's prohibitions are limited to certain conduct regarding compulsory genetic testing and the non-voluntary use of genetic test

¹⁸ *Andrews v. Law Society of British Columbia*, [1989] 1 SCR 143 at p. 173; The test for discrimination under human rights legislation is different from s. 15 of the *Charter*. It does not require proof of "arbitrary disadvantage": *Moore v. British Columbia (Education)*, [2012] 3 SCR 360, 2012 SCC 61 at para 33. Further, it may now be unclear the extent to which disadvantage must be arbitrary to be considered discriminatory under s. 15 (see para 55, Respondent Attorney General of Canada's Factum): *Québec (Attorney General) v. Alliance du personnel professionnel et technique de la santé et des services sociaux*, [2018] 1 SCR 464, 2018 SCC 17 at paras 25-26; *Centrale des Syndicats du Québec v. Québec (Attorney General)*, [2018] 1 SCR 522, 2018 SCC 18 at para 30 and 36.

results. It is open to provinces and territories to legislate with respect to genetic information obtained through means other than genetic testing.

15. To date, no province or territory has expressly legislated to protect against genetic discrimination in human rights legislation. An individual may be able to file a human rights complaint about genetic discrimination in a province or territory if the alleged discrimination is linked to an existing ground of discrimination (for example, disability). However, it would likely be difficult to bring a human rights complaint that alleges discrimination resulting from compulsory genetic testing or the involuntary disclosure of genetic test results because the existing grounds of discrimination are unlikely to be interpreted as addressing those forms of harmful conduct or treatment. The amendments to the *CHRA* addressed this limitation by not only adding the ground of genetic characteristics but also defining discrimination in ss. 3(3) to include certain conduct relating to genetic tests and genetic test results. Without this express protection, protection against genetic discrimination is likely to be under-inclusive.
16. The issue of human rights protection in insurance raises unique considerations. Human rights laws in Canada do not create outright exceptions for insurers to discriminate on all prohibited grounds. While the relevant provisions across Canada contain different wording¹⁹, they all reflect in some way the requirement that exceptions or limitations in insurance related to prohibited grounds must be proven to be *bona fides* and reasonable. Further, they provide for insurers to differentiate only on certain grounds, depending on the nature of the insurance. For example, section 22 of the *Ontario Human Rights Code*²⁰ applies only on the grounds of age, sex, marital status, family status or disability. Finally, the application of these provisions is subject to the general rule that exceptions to human rights protection must be explicit and narrowly interpreted²¹.
17. At the federal level, the *Canadian Human Rights Benefit Regulations*²² permit federally regulated employers to treat employees differently in certain circumstances based on

¹⁹ See footnote 41 of the *Factum* of the Respondent Attorney General of Canada.

²⁰ *Ontario Human Rights Code*, R.S.O. 1990, Chap H.19, s. 22.

²¹ *Zurich Insurance Co. v. Ontario (Human Rights Commission)*, [1992] 2 SCR 321 at p. 359 [*Zurich Insurance*].

²² *Canadian Human Rights Benefit Regulations*, SOR/80-68.

protected grounds including age and disability in relation to benefit and insurance plans. Adopted in 1980 (before the *Charter*), the regulations have not received judicial interpretation or been reviewed. References to “normal age of retirement” and a same-sex definition of spouse indicate they are not consistent with *Charter* protections. In amending the *CHRA* to add the ground of genetic characteristics, Parliament chose to protect against discrimination related to a vulnerability or susceptibility to conditions that may never develop, or whose manifestation or progress on an individual basis may be mitigated by lifestyle choices to an extent that cannot be known or predicted. The regulations were not amended at the same time and do not refer to the ground of genetic characteristics. It is unclear whether the ground of genetic characteristics could be a basis on which to make otherwise discriminatory distinctions in the context of matters addressed by the regulations.

18. The basis on which this Court has accepted differential treatment on prohibited grounds in the context of insurance rate setting is limited.²³ In 1983 (over thirty-five years ago), the Court agreed that an automobile insurance rating system that differentiated on the basis of age, sex or marital status fit within the applicable exception in the Ontario *Human Rights Code*. In considering whether the discriminatory insurance rating system was “reasonable”, the Court said “... human rights values cannot be over-ridden by business expediency alone”²⁴. Reasonableness required “credible actuarial evidence” and the burden was on the respondent to prove that there was no reasonable alternative²⁵. In finding that there was no reasonable alternative at the relevant time and expressly noting that the situation may be quite different in the future, the Court said “... (t)he insurance industry must strive to avoid setting premiums based on enumerated grounds”²⁶.

C. Prohibiting and Preventing Genetic Discrimination is a Valid Criminal Law Purpose

19. The criminal law power is plenary and, as a result, it is not possible to define comprehensively a valid criminal law purpose. However, it will tend to be a public purpose

²³ *Zurich Insurance, supra*.

²⁴ *Zurich Insurance, supra* at p. 349.

²⁵ *Zurich Insurance, supra* at pp. 348-49.

²⁶ *Zurich Insurance, supra* at p. 353.

relating to peace, order, security of the person, health, or morality.²⁷ It will reflect the essential nature of the federal government’s power to attach criminal law consequences to certain behaviour: “Human conduct causing harm is the fundamental stuff of the criminal law.”²⁸ Given the central role that the criminal law plays in preserving human life and security of the person, a valid criminal law purpose is the protection of vulnerable groups.²⁹ A valid criminal law purpose can include protecting individuals from discrimination, particularly genetic discrimination that is a barrier to freely choosing genetic testing, that undermines an individual’s ability to make optimal healthcare and other choices for themselves and their families, and that threatens the privacy of individuals and those genetically related to them.

Double Aspect Doctrine

20. Despite the separation of powers under sections 91 and 92 of the *Constitution Act*, courts have recognized that the exercise of these powers by different levels of government may overlap. The “double aspect” doctrine provides that the federal and provincial and territorial governments may be active in the same area but for different purposes. The same conduct may be viewed from “different normative perspectives” leading to different legislative responses³⁰ and the heads of powers can sometimes support “wholly different” types of protections with respect to the same matter from different levels of government³¹. This is one reason why conduct that leads or tends to lead to discrimination can attract different legal protections, and criminal law and human rights legislation can provide overlapping protection against discrimination. As noted above, at the federal level, Parliament has chosen to enact criminal and non-criminal protections against genetic discrimination.
21. There are existing examples of the overlapping use of criminal law and human rights law to protect against discrimination by different levels of government. The *Criminal Code* prohibits hate propaganda against “identifiable groups”³². In defining what constitutes an

²⁷ *Reference re Validity of Section 5(a) of the Dairy Industry Act*, [1949] SCR 1 at p. 50 [*Margarine Reference*].

²⁸ *AHRA Reference*, *supra* at para 55.

²⁹ *AHRA Reference*, *supra* at para 58.

³⁰ *AHRA Reference*, *supra* at para 185.

³¹ *R. v. Hydro-Québec*, [1997] 3 SCR 213 at paras 114-115.

³² *Criminal Code*, R.S.C., 1985, c. C-46, ss 318-320.

“identifiable group”, the *Criminal Code* relies on characteristics that mirror certain of the prohibited grounds of discrimination in human rights codes including colour, race, religion, or mental or physical disability.

22. In some provincial jurisdictions in Canada, there are provisions in human rights codes that prohibit hate speech³³, and until repealed in 2013, there was a hate speech provision in the *CHRA*.³⁴ Hate speech provisions are interpreted differently from hate propaganda provisions including the application of a lower burden of proof (the balance of probabilities). They may result in significant monetary fines but courts have found these fines are intended to induce compliance and, unlike criminal sanctions, are not penal in nature.³⁵ This underlines how different heads of power and different levels of government can establish legal measures that respond to the same matter.
23. Jurisdiction over human rights is shared by the federal, provincial and territorial legislatures. Apart from the use of plenary powers such as the criminal law power by the federal government, the ability of either level of government to enact legislation to protect human rights depends on the legislative measure’s independent and valid classification under a head of power in s. 91 or 92 of the *Constitution Act*. Take, for example, the amendments to the *CHRA* and the *Labour Code* to protect against genetic discrimination made at the same time as the adoption of the *GND*. Unlike the *GND*, those amendments apply only to federally regulated undertakings. Similarly, in a case involving a human rights complaint about the conduct of RCMP officers during an arrest, a provision of the *Saskatchewan Human Rights Code* providing for freedom from arbitrary arrest or detention, was found invalid because its “root” was within “the territory of pure criminal law”³⁶. While the federal government may use plenary powers such as the criminal law power, provincial and territorial governments are unable to fill “perceived defects or gaps in the federal legislative plan”.³⁷ Only Parliament can provide for national prohibitions against

³³ See for example *Human Rights Code*, RSBC 1996, c 210, s. 7; *Alberta Human Rights Act*, RSA 2000, c A-25.5, s. 3(1).

³⁴ *CHRA*, *supra*, section 13 (repealed).

³⁵ *Lemire v. Canada (Human Rights Commission)*, 2014 FCA 18 at paras. 90 and 91.

³⁶ *Scowby v. Glendinning*, [1986] 2 SCR 226 at para 8 [*Scowby*].

³⁷ *Scowby*, *supra* at para 11.

genetic discrimination to prevent the harm that results from certain conduct in relation to genetic testing and the use of genetic test results.

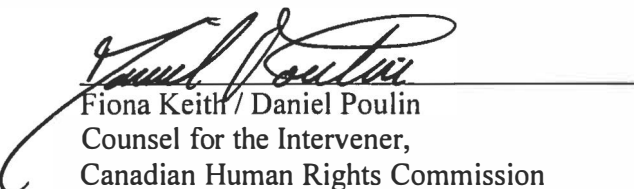
D. Conclusion

24. The *GNDA*'s public purpose of preventing genetic discrimination protects interests related to health, security of the person, human dignity and privacy including for those who are amongst the most vulnerable in our society. If this Court accepts this characterization of the primary purpose of the *GNDA*, then the *GNDA* is a valid exercise of the criminal law power under s. 91(27) of the *Constitution Act*. Parliament has chosen to use the criminal law power to prevent and protect against genetic discrimination on a national level. The harm resulting from genetic discrimination, its nature and scope is such that like hate crimes and other human rights-related prohibitions in the *Criminal Code*, the federal government has validly exercised its power under s. 91(27) to bolster the protection of individuals in Canada against genetic discrimination.

PART IV – SUBMISSIONS ON COSTS and PART V - ORDER SOUGHT

25. The Commission is not seeking costs in this Appeal and submits that no costs should be awarded against it.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 3rd day of July, 2019.


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PART VI – TABLE OF AUTHORITIES

	Paragraph(s)
<i>Andrews v. Law Society of British Columbia</i> , [1989] 1 SCR 143	13
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<i>Canadian Western Bank v. Alberta</i> , [2007] 2 SCR 3 , 2007 SCC 22	9
<i>Centrale des Syndicats du Québec v. Québec (Attorney General)</i> , [2018] 1 SCR 522 , 2018 SCC 18	13
<i>Lemire v. Canada (Human Rights Commission)</i> , 2014 FCA 18	22
<i>Moore v. British Columbia (Education)</i> , [2012] 3 SCR 360 , 2012 SCC 61	13
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<i>Reference re Assisted Human Reproduction Act</i> , [2010] 3 SCR 457 , 2010 SCC 61	6, 8, 19, 20

<i>Reference re Firearms Act</i> , [2000] 1 SCR 783, 2000 SCC 31	6
<i>Reference re Validity of Section 5 (a) Dairy Industry Act</i> , [1949] SCR 1	19
<i>Scowby v. Glendinning</i> , [1986] 2 SCR 226	23
<i>Zurich Insurance Co. v. Ontario (Human Rights Commission)</i> , [1992] 2 SCR 321	16, 18

PART VII – STATUTORY PROVISIONS

	Paragraph(s)
<i>Alberta Human Rights Act</i> , RSA 2000, c A-25.5, s. 3(1)	22
<i>Canada Labour Code</i> , R.S.C., 1985, c. L-2 / <i>Code canadien du travail</i> , L.R.C. (1985), ch. L-2	2, 3, 23
<i>Canadian Charter of Rights and Freedoms</i> , Part I of the <i>Constitution Act, 1982</i> , being Schedule B to the <i>Canada Act 1982 (UK), 1982, c 11</i> / <i>Charte canadienne des droits et libertés</i> , Partie I de la <i>Loi constitutionnelle de 1982</i> , édictée comme l'annexe B de la <i>Loi de 1982 sur le Canada, 1982, ch 11 (RU)</i> Section 15 / article 15	13, 17
<i>Canadian Human Rights Act</i> , R.S.C., 1985, c H-6 / <i>Loi canadienne sur les droits de la personne</i> , L.R.C. (1985), ch H-6 Sub-section 3(3) / paragraphe 3(3) Section 13 (repealed) / article 13 (abrogé)	2, 3, 12, 15, 22, 23
<i>Canadian Human Rights Benefit Regulations</i> , SOR/80-68 / <i>Règlement sur l'application de la Loi canadienne sur les droits de la personne aux régimes de prestations</i> , DORS/80-68	17

<i>Criminal Code</i> , R.S.C., 1985, c. C-46 / <i>Code criminel</i> , L.R.C. (1985), ch. C-46 Sections 318-320 / articles 318-320 21, 24
<i>Genetic Non-Discrimination Act</i> , S.C. 2017, c. 3 / <i>Loi sur la non-discrimination génétique</i> , L.C. 2017, ch. 3 1-7, 10-14, 23-24
<i>Human Rights Code</i> , R.S.O. 1990, ch H.19, s. 22 16, 18
<i>Human Rights Code</i> , RSBC 1996, c 210, s. 7 22
<i>The Constitution Act</i> , 1867, 30 & 31 Victoria, c. 3 (U.K.) / <i>Loi constitutionnelle de 1867</i> , 30 & 31 Victoria, ch. 3 (R.U.) Sections 91 and 92 / articles 91 et 92 6, 20, 23, 24