File Number: 40570

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR ALBERTA)

B E T W E E N:

TRANSALTA GENERATION PARTNERSHIP and
TRANSALTA GENERATION (KEEPHILLS 3)

Appellants

and

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF ALBERTA and
MINISTER OF MUNICIPAL AFFAIRS FOR THE PROVINCE OF ALBERTA

Respondents

and

ATTORNEY GENERAL OF BRITISH COLUMBIA,TRIAL LAWYERS ASSOCIATION OF BRITISH COLUMBIA, HIV & AIDS LEGAL CLINIC ONTARIO AND HEALTH JUSTICE PROGRAM,ATTORNEY GENERAL OF QUEBEC, CHICKEN FARMERS OF CANADA, EGG FARMERS OF CANADA, TURKEY FARMERS OF CANADA AND CANADIAN HATCHING EGG PRODUCERS, WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA, ATTORNEY GENERAL OF ONTARIO, CANADIAN ASSOCIATION OF REFUGEE LAWYERS, ASSOCIATION QUÉBÉCOISE DES AVOCATS ET AVOCATES EN DROIT DE L'IMMIGRATION, ADVOCATES FOR THE RULE OF LAW, ATTORNEY GENERAL FOR SASKATCHEWAN and THE NATIONAL ASSOCIATION OF PHARMACY REGULATORY AUTHORITIES

Interveners

(continuation of titles on the inside page)

FACTUM OF THE INTERVENERS, CHICKEN FARMERS OF CANADA, EGG FARMERS OF CANADA, TURKEY FARMERS OF CANADA AND CANADIAN HATCHING EGG PRODUCERS ("SM-4")

File Number: 40582

A N D B E T W E E N:

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and

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TABLE OF CONTENTS

PART I - OVERVIEW AND STATEMENT OF FACTS

1. These appeals are of extraordinary importance to the supply management interveners, Chicken Farmers of Canada, Egg Farmers of Canada, Turkey Farmers of Canada, and Canadian Hatching Egg Producers (collectively, the "SM-4"). Each SM-4 agency has the statutory power to make regulations that set out key aspects of the supply management system, such as by allocating how much regulated product is to be marketed and prescribing levies that fund the administration of the supply management system. The stability of supply management—and of administrative law itself—requires that this Court articulate renew its commitment to certain foundational principles for reviewing regulations.

2. The SM-4's submissions proceed in three parts. **First,** they identify key principles for reviewing regulations derived from this Court's jurisprudence. **Second,** they highlight how these principles are rooted in the legislative nature of the function conferred, rather than the identity of the regulation-maker. **Third,** they identify the implications of these principles, and of any deviation from them.

PART II - STATEMENT OF QUESTIONS IN ISSUE

3. The SM-4 accept the issues as they are framed by the parties in both appeals. The present factum is solely concerned with the legal framework for reviewing delegated legislation.

PART III - STATEMENT OF ARGUMENT

A. The Fundamental Principles for the Review of Regulations

4. There is no dispute that regulations are subject to judicial review, which is a cornerstone of the rule of law.[1] The parties also recognize that where a regulation is inconsistent with the scope or purposes of the enabling act, it can be struck.[2] Finally, there is no question that a regulation can be reviewed for constitutionality, though the present appeals do not involve such a challenge.[3]

5. The parties differ in their articulation of what else is appropriate for courts to review.

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[1] *Yatar v TD Insurance Meloche Monnex,* 2024 SCC 8 at para 45-46 [*Yatar*]; *Canada (Minister of Citizenship and Immigration) v Vavilov,* 2019 SCC 65 at para 2 [*Vavilov*].
[2] See e.g. Respondent's Factum [R.F.] (*Auer*) at para 42; Appellant's Factum [A.F.] (*Auer*) at paras 1-2.
[3] See e.g. R.F. (*Auer*) at para 41(d); A.F. (*Auer*) at footnote 73.

Focusing on the standard of review or whether to apply the *Katz* or *Vavilov* framework puts the cart before the horse. To select the proper legal framework and grapple with the approaches advanced by the parties and interveners, it is more helpful to begin with first principles.[4]

6. *Katz* is of continuing importance because it embodies key principles that flow from decades of jurisprudence on the review of regulations.[5] Focusing on the precise words or structure of *Katz* is unhelpful—as is fixating on words such as "hyperdeferential" (a word that is not used in *Katz* at all)[6]—because this distracts from the key principles that animate the jurisprudence.

7. **First,** when reviewing regulations, the focus of the inquiry is on whether the regulation is inconsistent with the scope of the statutory mandate or the objective of the enabling statutory scheme.[7] This can be articulated in the form of review for *vires*. Alternatively, the Court can make clear that judicial review of regulations is focused on whether they comply with the legal rules and constraints that bear upon them. Aside from constitutionality, the primary constraints are the scope of the enabling provision and any preconditions set out therein, the purposes of the statutory scheme, and related legal constraints rooted in statutory or common law.

8. **Second,** judicial review of regulations does not involve assessing the policy merits of regulations to determine whether they are "necessary, wise, or effective in practice".[8] Indeed, a strength of the *Katz* test is that it centres the question of whether a legislature's delegate has respected the scope given to it. Alternatively, the Court can articulate this principle using the *Vavilov*-ian language of "constraints", albeit with tailoring to reflect the particular considerations at issue when regulations are reviewed. Regardless of the language is used, these appeals highlight that courts need concrete guidance on the *parameters* of judicial review of regulations. This is necessary both to guard against an *overt* intrusion into legislative policy-making by reviewing courts, and to prevent courts from accepting a litigant's invitation to do so *through the backdoor*, such as by weighing whether, as a matter of evidence, a regulation is "reasonable".

9. **Third**, regulations benefit from an "interpretative approach that reconciles the regulation with its enabling statute, so that, "where possible", the regulation is "construed in a manner" that

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[4] See also *Yatar* at para 45.
[5] *Katz Group Canada Inc v Ontario (Health and Long-Term Care),* 2013 SCC 64 [*Katz*].
[6] A.F. (*TransAlta*) at paras 47, 102, 103, 106, 108; see generally *Katz*.
[7] *Katz* at paras 24, 27.
[8] *Katz* at paras 27-28.

upholds it.[9] In *Katz* and other cases, this flows from a presumption of validity.[10] Put another way, where it is possible to construe the regulation as falling within the scope of the enabling act, then the regulation ought to be upheld—even if there are other reasonable interpretations.[11]

10. Each principle continues to animate this Court's jurisprudence, as explained below.

1) The question courts should ask: whether the regulation is inconsistent with the scope of the statutory mandate or the objective of the statutory scheme.

11. When reviewing regulations whose validity has been challenged, legislative intent and the rule of law require that a court's focus be on asking whether the regulation-making body has respected the scope of the legislature's delegation. This question is necessarily different from the one asked when reviewing administrative action.

12. Judicial review of *administrative* decision-making has its roots in the legislature's decision to give "authority to a decision maker other than the courts".[12] This Court has recognized that a decision to reallocate authority is itself a reason for deference.[13] The origins of administrative law also explain why administrative decision-making can create rule of law concerns: without proper oversight, this reallocation risks undermining the constitutionally entrenched role of the courts and lessening protections for those affected by decisions.[14] *Vavilov* responds to these concerns by requiring courts to consider both (1) whether the decision evidences internally consistent reasoning, and (2) whether it is justified in light of its legal and factual constraints. This framing is tailored to the need to foster a "culture of justification in administrative decision making".[15]

13. By contrast, the power to enact regulations reflects a distinct intention: the legislature has chosen to delegate a *legislative power* to adopt instruments with the force of federal or provincial law. This Court has recognized that "it is common for a statute to 'set out the legislature's basic

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[9] *Katz* at para 25.
[10] *Katz* at para 25; *Canadian Council for Refugees v Canada*, 2023 SCC 17 at para 54 [*Canadian Council for Refugees*].
[11] *1120732 BC Ltd v Whistler (Resort Municipality)*, 2020 BCCA 101 at para 88 [*Whistler*].
[12] *Canada (Canadian Human Rights Commission) v Canada (Attorney General)*, 2018 SCC 31 at para 50, cited in *Vavilov* at para 30.
[13] *Vavilov* at para 30.
[14] See e.g. McLachlin C.J., "Administrative Tribunals and the Courts: An Evolutionary Relationship" (2013), Annual Conference of the Council of Canadian Administrative Tribunals.
[15] *Vavilov* at para 2.

objects and provisions', while 'most of the heavy lifting [is] done by regulations".[16]

14. Moreover, the primary rule of law concern is not the usurpation of the role of the courts and corresponding lack of accountability. Rather, it is the *democratic deficit* that could result from the delegation of legislative functions by the elected body.[17] This Court has consistently been alive to this concern: most recently, in *References re Greenhouse Gas Pollution Pricing Act,* the Court reaffirmed that broad legislative powers could be delegated, with the corollary limit being that the legislature could not "abdicate its legislative role".[18] As the appellant TransAlta observes, the rule of law question turns on whether the regulations respect the scope of the authority delegated by the legislature: "What if a minister does something the legislature never intended her to have the power to do? Then the minister's regulation is *thwarting* the democratically established will of the people's elected representatives."[19] *Katz* and the jurisprudence it embodies make clear that a reviewing court's role is to uphold the rule of law by asking whether a regulation respects the scope and purpose of its enabling statute, and thus respects the will of the legislature's democratic process. In the language of *Vavilov*, the focus is on whether the regulation respects the legal constraints that bear upon it.

15. The particular constraints with which a court is faced will vary depending on the issues raised. However, where the statutory legality of a regulation is challenged, the primary constraint will be whether it comports with the statute from which it derives legitimacy.[20] Other statutory or common law rules may also operate as constraints, but this is so because they are implicit in a statutory grant of legislative power. For example, in *Brant Dairy*, this Court recognized in a supply management context that the legislative nature of the power conferred is itself a constraint. A regulator cannot turn "a legislative power into an administrative one" such as a "random power to administer as it sees fit without any reference point in standards fixed by regulation".[21] Similarly, any restrictions on the legislature also apply to the delegated lawmaker, because a legislature

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[16] *References re Greenhouse Gas Pollution Pricing Act*, 2021 SCC 11 at para 86 [*GGPPA*].
[17] See e.g. Lorne Neudorf, "Reassessing the Constitutional Foundation of Delegated Legislation in Canada" (2018) 41:2 Dalhousie LJ 519 at p. 549.
[18] *GGPPA* at para 85.
[19] A.F. (*TransAlta*) at para 104 [italics in original].
[20] *Canadian Council for Refugees* at para 51.
[21] *Brant Dairy Co v Milk Commission of Ontario*, 1972 CanLII 11 (SCC) at p. 147 (emphasis added).

cannot delegate a power it does not have.[22] For example, just as Parliament cannot adopt an unconstitutional statute, a regulator cannot adopt an unconstitutional regulation.[23]

2) The questions courts should not ask: whether the regulation is necessary, wise, or effective in practice.

16. The corollary of articulating the proper question is that there are certain questions that fall outside of the parameters of judicial review of regulations. These parameters flow from this Court's historic and modern recognition of regulations' proximity to the legislative function.

17. The power to confer a legislative function is "ancillary to legislation".[24] This Court has consistently affirmed that regulations are a delegation of Parliament's own legislative powers.[25] The federal *Statutory Instruments Act* also confirms that, when Parliament authorizes the making of regulations, it authorizes "the exercise of a legislative power conferred by or under an Act of Parliament".[26] Moreover, regulations are, by their very nature, far closer to statutes than to decisions made in the exercise of administrative functions. Regulations have the "same force of law as a statute".[27] Their function is to complete the statutory scheme—to colour the statutory picture within the lines drawn by the enabling act.[28]

18. Thus, this Court has been clear that, when reviewing statutes, the judiciary's role is not to question the "wisdom of Parliament" or to examine whether a statute reflects an *appropriate* or *effective* response to the factual situation or submissions before the legislator.[29] *Katz* recognizes that the proximity between a statute and the regulations made under it requires that the restriction on questioning the legislature's wisdom also inform review of delegated legislation. For a court to second-guess the wisdom or efficacy of a product of delegated legislative power would involve

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[22] See e.g. *Eldridge v British Columbia (Attorney General),* 1997 CanLII 327 (SCC) at para 21 [*Eldridge*].
[23] *Eldridge* at para 21.
[24] *In re Board of Commerce,* 1920 CanLII 66 (SCC) at p. 472, citing *Hodge v The Queen (1883),* 9 App Cas 117 at p. 132.
[25] *GGPPA* at para 85.
[26] *Statutory Instruments Act*, RSC 1985, c S-22, s. 2(1) [emphasis added].
[27] Sean Fluker, "Judicial Review on the Vires of Subordinate Legislation: Full Vavilov, Partial Vavilov or No Vavilov?" (6 February 2023), online: *ABlawg*.
[28] *Reference re Agricultural Products Marketing*, [1978] 2 SCR 1198 at p. 1271, per Laskin C.J., writing for the minority but uncontradicted on this point.
[29] See e.g. *Canadian Council for Refugees* at para 4.

overstepping the bounds of the judicial role.[30]

19. While this principle can be articulated in *Vavilov*'s language of constraints, doing so requires identifying which constraints are generally not relevant to the review of regulations. For example, a clear focus on the legal constraints bearing on the regulation means it will normally not be relevant to ask whether the regulation is justified in light of submissions made by individuals, the competing interests of various stakeholders who might be affected by the decision, or the facts before the regulator when the decision to enact the regulation was made (except insofar as the enabling statute sets out such preconditions to meet).[31]

20. Citing *Vavilov*, the appellants invite the Court to expand judicial review of regulations to include such questions, echoing a similar invitation made in *Catalyst Paper* following the release of *Dunsmuir.*[32] The Court rejected such an invitation in *Catalyst Paper,* and it should do the same here. Accepting this invitation would transform a reviewing court's inquiry into one that centres the soundness of a legislative enactment and the policy choices it reflects. This would be a marked departure from longstanding legal principles recognizing the important but restrained role of judicial review of regulations. The restriction articulated in *Katz* is the product of a considered understanding of the judicial role—one that remains just as relevant in the post-*Vavilov* era.

3) Answering the question: where possible, a regulation should be construed in a manner which upholds it.

21. The final principle from *Katz*—the presumption of validity—appears to be the one that both the appellant in *TransAlta* and the Federal Court of Appeal in *Portnov* oppose.[33] This is perplexing. In *Canadian Council for Refugees*, this Court reiterated that regulations benefit from a presumption of validity.[34] This remains a foundational principle for reviewing regulations. A key teaching in *Katz* is that, where it is possible to construe the regulation as falling within the scope of the enabling act, then the regulation ought to be upheld—even if there are competing ways of

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[30] See, by analogy, e.g. *Nelson (City) v Marchi*, 2021 SCC 41 at paras 43-44; *Auer v Auer*, 2022 ABCA 375 at paras 56-58 [*Auer*].
[31] *Auer* at para 66.
[32] *Catalyst Paper Corp v North Cowichan (District)*, 2012 SCC 2 at paras 19-23 [*Catalyst Paper*].
[33] A.F. (*TransAlta*) at para 6; *Portnov v Canada (Attorney General),* 2021 FCA 171 at para 20 [*Portnov*].
[34] *Canadian Council for Refugees* at para 54.

seeing the issue. Thus, if there is a reasonable interpretation that leads to the conclusion that the regulation falls within its enabling authority (even if there are other reasonable interpretations), then the applicant will not have met their burden.[35]

22. This interpretive approach recognizes that delegating a legislative power is itself an expression of legislative will. The legislature has taken care to consider *what* legislative subject matter it seeks to delegate—and *to whom*. For example, each SM-4 agency has been delegated the power to "make such orders and regulations as it considers necessary" with respect to the orderly marketing of chicken, eggs, hatching eggs and turkey, subject to approval by the Farm Products Council of Canada.[36] This power dovetails with commitments in federal-provincial agreements about how the policy decisions reflected in such regulations will be made. These agreements, together with the *Farm Products Agencies Act* and related provincial statutes, "weave together the legislative jurisdiction of both levels of government in order to ensure a seamless regulatory regime".[37] Supply management illustrates just how complex the decision to delegate regulation-making power can be, and thus the importance of both restraint and respect for a legislature's aims when reviewing the exercise of such delegated authority.

B. The Fundamental Principles Flow from the Nature of the Function Delegated, Not the Identity of the Delegate

23. Importantly, the three foregoing principles apply to regulations with the force of federal or provincial law. Such regulations reflect a delegation of the federal or provincial legislature's own law-making powers. These principles are not restricted to regulations adopted by the Governor-in-Council, contrary to what the Court of Appeal held without explanation in *Auer*.[38] Such a binary does not flow from any principle, nor does it reflect the actual landscape of delegated law-making.

24. Supply management illustrates this point: the SM-4 have the power to enact regulations with the same force of federal law as those enacted by the Governor-in-Council. These regulations are published in the *Canada Gazette*; they play the same role in completing the statutory scheme as regulations adopted by the Governor-in-Council; and they are subject to the same scrutiny by

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[35] See e.g. *Whistler* at para 88.
[36] *Farm Products Agencies Act,* RSC 1985, c F-4, s. 22(1)(f) [*FPAA*].
[37] *Fédération des producteurs de volailles du Québec v Pelland*, 2005 SCC 20 at para 4 [*Pelland*].
[38] *Auer* at paras 81-82.

the Standing Joint Committee on the Scrutiny of Regulations.[39]

25. There is no principled basis for making the judicial approach to review of regulations contingent on the identity of the regulation-maker. This Court recently recognized that regulations "derive their validity from the statute which creates the power, and not from the executive body by which they are made".[40] Consequently, the approach to reviewing whether regulations accord with their enabling power should not depend on the identity of the body that enacts them, but on the substance of the power being exercised.

26. Indeed, when the Governor in Council is exercising an adjudicative power, this Court has recognized that its decisions are reviewed under the same framework as all other administrative decision-makers.[41] It follows that the inverse is also true, and that any approach to reviewing regulations should not be exclusive to the Governor-in-Council.

C. Departing from the Fundamental Principles Could Have Significant Repercussions

27. Regardless of what vocabulary is employed, the Court should maintain its commitment to the fundamental principles governing judicial review of regulations, as summarized above. To depart from these principles would risk affecting the stability of regulatory regimes, and the coherence of this Court's administrative law frameworks in related areas.

28. Supply management is a case in point. Regulations operationalize the framework chosen by Parliament, and negotiated with provinces, for the orderly marketing of agricultural products. Canadian farmers rely on these systems for their livelihoods, and Canadian consumers rely on them for a dependable supply of chicken, eggs and turkey. This Court has described this system as "a unified and coherent regulatory scheme" that is effectively "a successful federal-provincial merger".[42] SM-4 regulations embody cooperative federalism, recognizing that, for supply management to function, neither federal nor provincial bodies can "go it alone".[43]

29. A key feature of this regulatory scheme is that SM-4 agencies are representative bodies,

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[39] *Statutory Instruments Act*, RSC 1985, c S-22, s. 6, 19, 19.1.
[40] *Canadian Council for Refugees* at para 51, citing *Reference as to the Validity of the Regulations in relation to Chemicals*, 1943 CanLII 1 (SCC) at p. 13.
[41] *Canadian National Railway Co v Canada (Attorney General)*, 2014 SCC 40 at paras 51-54.
[42] *Pelland,* at para 38.
[43] *British Columbia (Milk Marketing Board) v Aquilini*, 1997 CanLII 2061 (BCSC) at para 69, aff'd 1998 CanLII 6518 (BCCA).

governed by boards of directors drawn from provincial and industry stakeholder nominating bodies as prescribed by the various Proclamations that create each agency.[44] The decisions reflected in SM-4 regulations are polycentric and policy-driven, and are made following processes that engage the views of provincial commodity boards and other stakeholder groups from across Canada. They are also subject to oversight by the Farm Products Council of Canada, which must approve any SM-4 regulations and which can also adjudicate complaints from persons directly affected by an SM-4 agency's operations, including complaints about agency regulations.[45]

30. If the Court's approach leaves the door open to judicial consideration of the policy merits of an SM-4 regulation, this will invite courts to second-guess complex policy decisions made by SM-4 agencies in exercising their regulation-making function. Such an exercise risks taking courts outside the limits of their institutional competence.[46] Moreover, it is unnecessary. The *Farm Products Agencies Act* illustrates that Parliament can and does create mechanisms to supervise the *merits* of a delegate's exercise of regulation-making power, whereas courts play a critical role in scrutinizing the *legality* of the regulation.

31. A shift in this Court's approach would also create a problem of moving goalposts. Unlike most administrative decisions, regulations can underpin entire areas of law until they, or the enabling provisions, are repealed. Some of the regulations adopted by the SM-4 have been in force for decades.[47] Similarly, the facts in *Auer* are indicative of the challenges that courts may face: the *Federal Child Support Guidelines* at issue came into force on May 1, 1997, but over a quarter-century later, are being challenged for being unreasonable in substance. The stability of regulatory regimes would be undermined—and the many people who rely on them would be negatively impacted—if judicial review of regulations is broadened to allow courts to adjudicate the intricate policy decisions they reflect. For this reason, just as this Court has cautioned against "disguised correctness" when reviewing administrative decisions,[48] it must guard against both overt and

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[44] See e.g. *Chicken Farmers of Canada Proclamation,* SOR/79-158, s. 2-3; *Canadian Hatching Egg Producers Proclamation*, SOR/87-40, s. 2-3.
[45] *FPAA,* s. 7(1)(d), (e), (f); *Agencies' Orders and Regulations Approval Order*, CRC, c 648.
[46] See e.g. Canada *(Prime Minister) v Khadr,* 2010 SCC 3 at paras 46-47; see also *Catalyst Paper* at para 21, citing *Kruse v Johnson*, [1898] 2 QB 91 (Div Ct) at 99-100.
[47] See e.g. *Canadian Egg Marketing Agency Quota Regulations, 1986*, SOR/86-8; *Canadian Turkey Marketing Quota Regulations, 1990*, SOR/90-231.
[48] *Mason v Canada (Citizenship and Immigration),* 2023 SCC 21 at para 62.

disguised policy review of regulations.

32. A retreat from fundamental principles would have ripple effects beyond those canvassed by the parties. For example**,** procedural review recognizes that regulations, as an exercise of the legislative function, cannot be equated with administrative decision-making. Administrative decision-making attracts a duty of procedural fairness, while regulation-making does not.[49] If this Court adopts the Federal Court of Appeal's view that "regulations, like administrative decisions and orders, are nothing more than binding legal instruments that administrative officials decide to make",[50] then the Court will also implicitly call this principle into question, creating further instability for supply management and other areas.

33. Accordingly, the clarity and stability of administrative law requires a continued commitment to the principles that underlie *Katz*. Regardless of whether this Court uses the language of *vires* or the language of constraints, these principles serve to identify the question that courts *should* ask, the questions that they should *not* ask, and the interpretive approach that they should adopt when answering the questions that guide the inquiry.

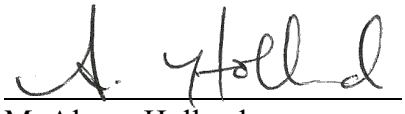
PART IV - SUBMISSIONS ON COSTS

34. The SM-4 seeks no costs in these appeals and asks that no costs be ordered against them.

PART V - ORDER SOUGHT

35. The SM-4 takes no position regarding the disposition of these appeals.

ALL OF WHICH IS RESPECTFULLY SUBMITTED, THIS 5TH DAY OF APRIL 2024.



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[49] See e.g. *Knight v Indian Head School Division No 19,* 1990 CanLII 138 (SCC) at p. 669; *Green v Law Society of Manitoba*, 2017 SCC 20 at para 54.
[50] *Portnov* at para 23.

PART VII - TABLE OF AUTHORITIES

TAB	AUTHORITY	PARA(S) CITED
	JURISPRUDENCE	
1	*Auer v Auer*, 2022 ABCA 375	18, 19, 26, 31
2	*Brant Dairy Co v Milk Commission of Ontario*, 1972 CanLII 11 (SCC)	15
3	*British Columbia (Milk Marketing Board) v Aquilini*, 1997 CanLII 2061	28
4	*Canada (Canadian Human Rights Commission) v Canada (Attorney General),* 2018 SCC 31	12
5	*Canada (Minister of Citizenship and Immigration) v Vavilov,* 2019 SCC 65	4, 5, 12, 14, 19, 20
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12	*Green v Law Society of Manitoba*, 2017 SCC 20	32
13	*In re Board of Commerce,* 1920 CanLII 66 (SCC)	17
14	*Katz Group Canada Inc v Ontario (Health and Long-Term Care),* 2013 SCC 64	6, 7, 8, 9, 14, 18, 20, 21, 33
15	*Knight v Indian Head School Division No 19,* 1990 CanLII 138 (SCC)	32
16	*Mason v Canada (Citizenship and Immigration),* 2023 SCC 21	31