

(4) Where, after the commencement of the prescribed day of a constrained-share company, a corporation or trust that was at any time not a member of the constrained-class in respect of the shares of the company becomes a member of such constrained-class, the shares of the company acquired by the corporation or trust while it was not a member of the constrained-class and held by it while it is a member of the constrained-class shall not be voted at any meeting of the company.

(5) If a provision of this section is contravened at a general meeting of the shareholders of a company, no proceeding, matter or thing at that meeting is void by reason only of such contravention, but any such proceeding, matter or thing is, at any time within twelve months from the day of commencement of the general meeting at which the contravention occurred, voidable at the option of the directors of the company by a by-law duly passed by the directors and sanctioned by two-thirds of the votes cast at a special general meeting of the shareholders called for the purpose.

6. (1) The directors of a constrained-share company may make such by-laws as they deem necessary to carry out the intent of these provisions and in particular, but without restricting the generality of the foregoing, the directors may make by-laws

- (a) requiring any person in whose name a share of the company is held to submit a declaration
 - (i) with respect to his direct or indirect ownership of any shares of the company,
 - (ii) whether the shareholder and any person in whose right or for whose use or benefit the share is held are residents,
 - (iii) whether the shareholder is associated with any other shareholder,
 - (iv) whether he is a Canadian citizen,
 - (v) if the shareholder is a corporation or trust, information establishing that the shareholder is a resident; and
 - (vi) with respect to such other matters as the directors may deem relevant for the purposes of these provisions, and
- (b) requiring any person desiring to have a transfer of a share to him made or recorded in the register of the company or desiring to subscribe for a share of the company to submit such declaration as may be required pursuant to this section in the case of a shareholder; and
- (c) providing for the determination of the circumstances in which any declarations shall be required, their form and the times at which they are to be submitted.

(2) Where pursuant to any by-law made under subsection (1) any declaration is required to be submitted by any shareholder or person in respect of the transfer of or subscription for any share, the directors may