

THE SENATE OF CANADA

BILL H.

An Act to amend The Companies' Creditors Arrangement Act, 1933.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

PART I.

1. Paragraph (g) of section 2 of *The Companies' Creditors Arrangement Act, 1933*, chapter 36 of the statutes of 1932-33, is repealed and the following substituted therefor: 5

"Unsecured creditor".

"(g) 'unsecured creditor' means any creditor of a company who is not a secured creditor, whether resident or domiciled within or without Canada and a trustee for the holders of any unsecured bonds, debentures, debenture stock, or other evidences of indebtedness issued under a trust deed or other instrument running in favour of the trustee shall be deemed to be an unsecured creditor for all purposes of this Act except voting at a creditors' meeting in respect of any such bonds, debentures, debenture stock or other evidences of indebtedness." 10 15

2. The said Act is further amended by adding thereto, immediately after section 2 thereof, the following section: 20

Application.

"2A. This Act does not apply in respect of a debtor company unless

(a) the debtor company has outstanding an issue of secured or unsecured bonds, debentures, debenture stock or other evidences of indebtedness of the debtor company or of a predecessor in title of the debtor company issued under a trust deed or other instrument running in favour of a trustee, and 25