

Canada. Laws, Statutes, etc.

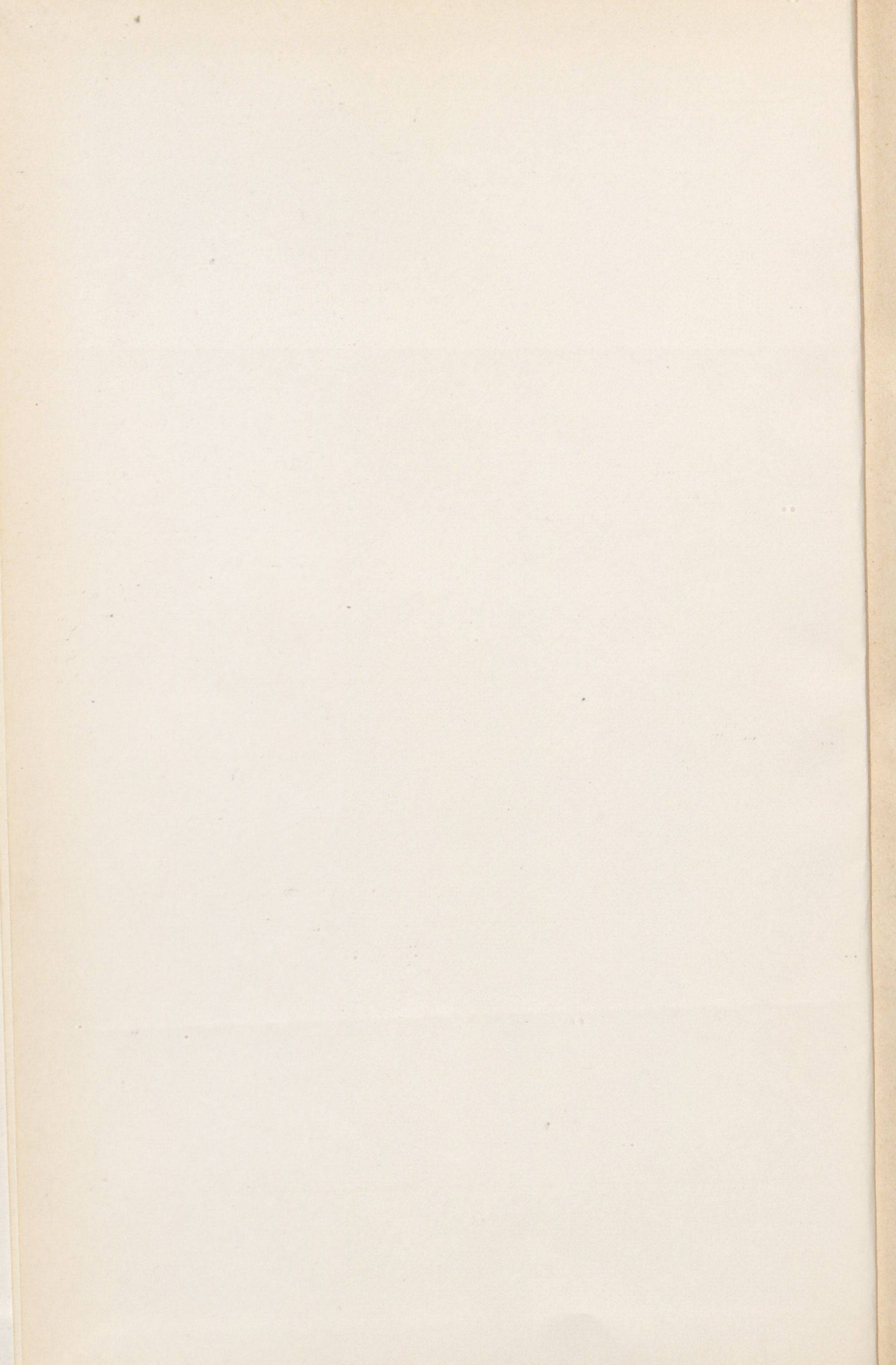
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S-2.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-2.

An Act to amend the Bankruptcy Act.

First reading, Tuesday, 2nd October, 1962.

Honourable Senator BROOKS, P.C.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-2.

An Act to amend the Bankruptcy Act.

R.S., c. 14.

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

1. Subsection (6) of section 26 of the *Bankruptcy Act* is repealed. 5

2. Sections 114, 115 and 116 of the said Act are repealed.

3. The said Act is further amended by adding thereto the following heading and sections:

"PART X.

ORDERLY PAYMENT OF DEBTS.

Definitions.

"Clerk."

"Court."

"Debtor."

"Registered creditor."

- 173.** In this Part, 10
- (a) "clerk" means a clerk of the court;
- (b) "court" means
- (i) in the Province of Alberta, the district court,
- (ii) in the Province of Manitoba, the county 15 court, and
- (iii) in any other province, such court as is designated from time to time by the regulations for the purposes of this Part;
- (c) "debtor" does not include a corporation; and 20
- (d) "registered creditor" means a creditor who is named in a consolidation order.

EXPLANATORY NOTES.

Clauses 1 and 2: The purpose of these amendments is to correct certain abuses that have occurred in the administration of small estates under the *Bankruptcy Act*, by repealing those sections in the Act that provide for the summary administration of such estates.

Subsection (6) of section 26 at present reads as follows:

“(6) Where the bankrupt is not a corporation and in the opinion of the official receiver the realizable assets of the bankrupt, after deducting the claims of secured creditors, will not exceed five hundred dollars, the provisions of the Act relating to summary administration of estates shall apply.”

Sections 114 to 116 at present set out special provisions for the administration of the estates referred to in subsection (6) of section 26. The effect of these provisions is to relax, in respect of such estates, certain of the ordinary safeguards set out in the Act such as the requirement that a trustee deposit security for the due administration of each estate and the requirement that inspectors be appointed for each estate.

Clause 3: The purpose of this amendment is to enact, as part of the *Bankruptcy Act*, provisions relating to the orderly payment of debts. Similar provisions are contained in the legislation of certain provinces but have recently been declared by the Supreme Court of Canada to be *ultra vires* of the provincial legislature.

Application.

174. (1) This Part applies only to the following classes of debts:

- (a) a judgment for the payment of money where the amount of the judgment does not exceed one thousand dollars; 5
- (b) a judgment for the payment of money where the amount of the judgment is in excess of one thousand dollars if the judgment creditor consents to come under this Part; and
- (c) a claim or demand for or in respect of money, debt, account, covenant or otherwise, not in excess of one thousand dollars. 10

(2) Notwithstanding subsection (1), this Part does not apply to the following classes of debts:

Exception.

- (a) a debt due, owing or payable 15
 - (i) to Her Majesty in right of Canada or a province,
 - (ii) to a municipality in Canada, or
 - (iii) to a school district in Canada;
- (b) a debt relating to the public revenue or one that may be levied and collected in the form of taxes; 20
- (c) a covenant in a mortgage or charge on land or in an agreement for sale of land; or
- (d) a debt incurred by a trader or merchant in the ordinary course of his business. 25

(3) Notwithstanding subsection (1), this Part does not apply to any of the following classes of debts, unless the creditor consents to come under this Part:

Idem.

- (a) in the Province of Alberta 30
 - (i) a claim for wages that may be heard before, or a judgment therefor by, a magistrate under the *Masters and Servants Act*,
 - (ii) a claim for a lien or a judgment thereon under the *Mechanics' Lien Act*, or 35
 - (iii) a claim for a lien under the *Garagemen's Lien Act*;
- (b) in the Province of Manitoba
 - (i) a claim for wages that may be heard before, or a judgment therefor by, a magistrate under the *Wages Recovery Act*, or 40
 - (ii) a claim for a mechanic's lien or a judgment thereon under the *Mechanics' Liens Act*; or
- (c) in any other province, any debt of a class designated by the regulations to be a class of debts to which this Part does not apply. 45

Application
for
consolidation
order.

Affidavit
to be
filed.

175. (1) A debtor who resides in a province in which this Part is in force may apply to the clerk of the court having jurisdiction where he resides for a consolidation order.

(2) Upon an application pursuant to subsection (1), the debtor shall file an affidavit setting forth the following: 5

- (a) the names and addresses of his creditors and the amount he owes to each creditor and, if any of them are related to him, the relationship; 10
- (b) a statement of the property he owns or in which he has any interest and of the value thereof;
- (c) the amount of his income from all sources, naming them, and where he is married the amount of the income of his wife from all sources, 15 naming them;
- (d) his business or occupation and that of his wife, if any, and the name and address of his employer and of his wife's employer, if any;
- (e) the number of persons dependent upon him, the 20 name and relationship of each and particulars of the extent to which each is so dependent;
- (f) the amount payable for board and lodging or for rent or as payment on home property, as the case may be; and 25
- (g) whether any of his creditors' claims are secured and, if so, the nature and particulars of the security held by each such creditor.

Duties
of clerk.

176. (1) The clerk shall

- (a) file the affidavit referred to in subsection (2) of 30 section 175, giving it a number, and enter the particulars it contains in a register;
- (b) upon reading the affidavit and hearing the debtor, settle the amounts to be paid by the debtor into court and the times of payment 35 thereof until all of the claims entered in the register are paid in full, and enter in the register particulars of the amounts and times of payment so settled or, where applicable, enter in the register a statement that the present cir- 40 cumstances of the debtor do not warrant the immediate settling of any such amounts or times; and
- (c) fix a date for hearing objections by creditors.

Notice to
be given.

(2) The clerk shall give notice of an application for a consolidation order to each creditor named in the affidavit filed in connection with the application, setting forth in the notice

- (a) the particulars of all entries made in the register with respect to the application; and 5
- (b) the date fixed for hearing objections by the creditors to the application or to any of the entries made in the register in respect thereof.

Idem.

(3) The notice referred to in subsection (2) shall be served by registered mail and the clerk shall enter in the register the date the notice was mailed. 10

Objection
by creditor.

177. (1) A creditor may, within a period of twenty days after the date of mailing of the notice of an application for a consolidation order pursuant to section 176, file with the clerk an objection with respect to any of the following matters: 15

- (a) the amount entered in the register as the amount owing to him or to any other creditor;
- (b) the amounts settled by the clerk as the amounts to be paid by the debtor into court, or the fact that no such amounts have been settled; or 20
- (c) the times of payment of any such amounts, where applicable.

Idem.

(2) The clerk shall enter in the register a memorandum of the date of receipt of any objection filed with him. 25

Notice of
objection.

(3) Where an objection has been filed by a creditor, the clerk shall forthwith, by registered mail, give notice of the objection and of the time and place appointed for the hearing thereof to the debtor and the creditor and to any other creditor whose claim has been objected to under subsection (1). 30

Adding
additional
creditors.

178. At the time appointed for the hearing of any objection in connection with a consolidation order, the clerk may add to the register the name of any creditor of the debtor of whom he has notice and who is not disclosed in the affidavit of the debtor. 35

Hearing of
objections.

179. (1) The clerk shall, at the time appointed for the hearing thereof, consider any objection in connection with a consolidation order that has been filed with him in accordance with this Part, and 40

- (a) if the objection is to the claim of a creditor and the parties are brought to agreement or if the creditor's claim is a judgment of a court and the only objection is to the amount paid thereon, he 45

may dispose of the objection in a summary manner and determine the amount owing to the creditor;

- (b) if the objection is to the proposed terms or method of payment of the claims by the debtor or that terms of payment are not but should be fixed, he may dispose of the objection in a summary manner and determine, as the circumstances require, the terms and method of payment of the claims, or that no terms be presently fixed; and
- (c) in any case he may on notice of motion refer any objection to be disposed of by the court or as the court otherwise directs.

Issue of order.

(2) After the conclusion of the hearing referred to in subsection (1), the clerk shall enter in the register his decision or the decision of the court, as the case may be, and issue a consolidation order.

Issue of consolidation order.

180. Where no objection has been received within twenty days after the date of mailing of the notice of an application for a consolidation order pursuant to section 176, the clerk shall

- (a) make an entry in the register to that effect, and
- (b) issue the consolidation order.

Contents of consolidation order.

181. (1) A consolidation order shall state the following:

- (a) the name of and the amount owing to each creditor named in the register; and
- (b) the amounts to be paid into court by the debtor and the times of payment thereof or, where applicable, that the present circumstances of the debtor do not warrant the immediate settling of any such amounts or times.

Effect of order.

- (2) A consolidation order
- (a) is a judgment of the court in favour of each creditor named in the register for the amount stated therein to be owing to such creditor; and
- (b) is an order of the court for the payment by the debtor of the amounts stated therein and at the stated times.

Consolidation order not to be issued.

182. (1) A consolidation order that does not provide for the payment in full of all the debts to which it refers within a period of three years shall not be issued unless

- (a) all registered creditors consent thereto in writing, or

Referral to court.

(b) the order is approved by the court.

(2) Any consolidation order referred to in subsection (1) shall be referred to the court for approval or otherwise by the clerk upon notice of motion to any registered creditor who has not consented thereto in writing. 5

Review of consolidation order.

183. (1) The court may, on application to review a consolidation order of the clerk made by notice of motion within fourteen days of the making of the order by any of the parties affected thereby, review the consolidation order and confirm or vary it or set it aside and make such disposition of the matter as the court sees fit. 10

Decision to be entered.

(2) The clerk shall enter any decision made by the court under subsection (1) in the register and the decision shall take effect in place of the order of the clerk. 15

Terms may be imposed on debtor.

184. The court may, in deciding any matter brought before it, impose such terms on a debtor with respect to the custody of his property or any disposition thereof or of the proceeds thereof as it deems proper to protect the registered creditors and may give such directions for that purpose as the circumstances require. 20

Process stayed by consolidation order.

185. Upon the making of a consolidation order, no process shall be issued out of any court in the province in which the debtor resides against the debtor at the instance of a creditor in respect of any debt to which this Part applies, except as permitted by this Part. 25

Assignments of debtor's property to clerk.

186. (1) The clerk may, at any time after the making of a consolidation order, require of and take from the debtor an assignment to himself as clerk of the court of any moneys due, owing or payable or to become due, owing or payable to the debtor, or earned or to be earned by the debtor. 30 35

Notification.

(2) Unless otherwise agreed upon the clerk shall forthwith notify the person owing or about to owe the moneys of the assignment referred to in subsection (1) and all moneys collected thereon shall be applied to the credit of the claims against the debtor under the consolidation order. 40

Writ of execution.

(3) The clerk may issue a writ of execution in respect of a consolidation order and cause it to be filed in any place where the writ of execution may bind or be a charge upon land or chattels. 45

Adding
creditors
after
order.

187. (1) Where at any time before the payment in full of the claims against a debtor under a consolidation order, the clerk is notified of a claim to which this Part applies that is not entered in the order, he shall, upon notice to the debtor and the creditor and subject to subsection (2), 5

- (a) settle the amount owing to the creditor;
- (b) where he deems it necessary to do so, vary the amounts to be paid by the debtor into court and the times of payment thereof in order to provide for the new claim; and 10
- (c) enter the matters referred to in paragraphs (a) and (b) in the register.

Court to
decide.

(2) Where the debtor disputes the claim of a creditor described in subsection (1), the clerk shall on notice of motion refer the matter to the court and the decision of the court shall be entered in the register. 15

Notice.

(3) The clerk shall make such amendments to the consolidation order as may be necessary to give effect to any entries in the register made pursuant to this section, and shall give notice thereof to the registered creditors. 20

Creditor
to share.

(4) Upon the entry of a claim in the register pursuant to this section, the creditor shall share with the other creditors in any further distribution of moneys paid into court by or on behalf of the debtor. 25

Secured
claims.

188. (1) A registered creditor holding security for a claim may, at any time, elect to rely upon his security notwithstanding that the claim is included in a consolidation order. 30

Proceeds
in excess.

(2) Where the proceeds from the disposal of the security referred to in subsection (1) are in excess of the registered creditor's claim, the excess shall be paid into court and applied in payment of other judgments against the debtor. 35

Exemption.

(3) Subsection (2) does not apply where the security is in the form of chattels exempt from seizure under any law in force in the province in which the consolidation order was issued.

Reduced
claim.

(4) Where the proceeds from the disposal of the security referred to in subsection (1) are less than the registered creditor's claim, the creditor shall remain entitled to the balance of his claim. 40

Exception.

(5) Subsection (4) does not apply in a case where, under the law in force in the province in which the consolidation order was issued, a creditor 45

- (a) who enforces his security by repossession or repossession and sale, or

- (b) who seizes and sells such security under an execution issued pursuant to a judgment obtained against the debtor in respect of the claim so secured,

is limited in his recovery of such claim to the security so repossessed or the proceeds of the sale thereof. 5

Enforcement
of order in
default of
debtor.

189. (1) A registered creditor may apply by notice of motion to the court where

- (a) a debtor defaults in complying with an order for payment or any other order or direction of the court; 10
- (b) any other proceeding for the recovery of money is brought against the debtor;
- (c) the debtor has, after the consolidation order was made, incurred further debts totalling in excess of two hundred dollars; 15
- (d) a judgment is recovered against the debtor larger in amount than a judgment to which this Part applies without the judgment creditor's consent, and the judgment creditor refuses to permit his name to be added to the register; or 20
- (e) the debtor has property or funds that should be made available for the satisfaction of the consolidation order. 25

Ex parte
application.

(2) A registered creditor may apply *ex parte* to the court where a debtor

- (a) is about to abscond or has absconded from the province in which the consolidation order was issued leaving personal property liable to seizure under execution; or 30
- (b) with intent to defraud his creditors has attempted or is attempting to remove from the province in which the consolidation order was issued personal property liable to seizure under execution. 35

Proceedings
authorized.

(3) Upon the application referred to in subsection (1) or (2), the court may

- (a) authorize the registered creditor making the application to take on behalf of all the registered creditors such proceedings to enforce the consolidation order as the court deems advisable; or 40
- (b) where it deems it advisable and on notice to all parties, make an order permitting all the registered creditors to proceed each independently of the others for the enforcement of their claims under the consolidation order. 45

Moneys applied to judgment.

(4) All moneys recovered as a result of proceedings taken pursuant to paragraph (a) of subsection (3) after payment of costs incurred thereby shall be paid into the court and shall be applied to the credit of the judgments against the debtor appearing in the register. 5

Debtor not entitled to relief.

(5) Where an order is made under paragraph (b) of subsection (3), the debtor under the consolidation order is not, without the leave of the court, entitled to any further relief under this Part during the currency of any claim against him entered in the register. 10

Re-examination of debtor.

190. (1) A debtor or any registered creditor may at any time apply *ex parte* to the clerk for a further examination and hearing of the debtor in respect of his financial circumstances. 15

Idem.

(2) The further hearing referred to in subsection (1) may only be held

(a) with the leave of the clerk; or

(b) in the event of the refusal of the clerk, with the leave of the court. 20

Notice of hearing.

(3) The clerk shall give all parties to the consolidation order at least twenty days' notice of the time appointed for the hearing referred to in subsection (1). 25

Clerk may vary order, etc.

(4) Where after considering the evidence presented at the further hearing referred to in subsection (1) the clerk is of the opinion that

(a) the terms of payment set out in the consolidation order, or 30

(b) the decision that the circumstances of the debtor do not warrant the immediate settling of any amounts or times of payment thereof, should be changed because of a change in the circumstances of the debtor, he may 35

(c) vary the order as to the amounts to be paid by the debtor into court or the times of payment thereof, or

(d) on notice of motion refer the matter to the court for settlement. 40

Application of section 183.

(5) Section 183 applies *mutatis mutandis* to a decision of the clerk under subsection (4).

Disposition of moneys paid into court.

191. (1) The clerk shall distribute the moneys paid into court on account of the debts of a debtor at least once every three months. 45

Idem.

(2) The clerk shall distribute the money *pro rata*, or as nearly so as is practicable, among the registered creditors.

Oaths.

192. (1) The clerk may for the purposes of this Part examine any person under oath and may administer oaths.

Record.

(2) The clerk shall make a written record in summary form of all evidence given at a hearing.

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Where assignment or receiving order made.

193. (1) Where a debtor, in respect of whom a consolidation order has been issued under this Part, makes an assignment pursuant to section 26 or where a receiving order is made against him under section 21 or where a proposal by such debtor is approved by the court having jurisdiction in bankruptcy under section 34, any moneys that have been paid into court pursuant to such consolidation order shall forthwith be paid over by the clerk to the trustee acting in respect of the bankruptcy or the proposal, or to the official receiver if performing the duties of such trustee.

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Proceedings may be taken under other Parts.

(2) The fact that proceedings have been taken under this Part shall not prevent the taking of proceedings by or against the debtor under the provisions of any other Part of this Act.

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Idem.

(3) None of the provisions of Parts I to IX of this Act apply to proceedings under this Part.

Appeal.

194. A decision or order of the court under this Part shall be subject to appeal in the same manner as if it were a judgment of the court in a civil action.

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Clerk to report.

195. (1) Upon the issue of any consolidation order, the clerk shall forward a copy thereof to the Superintendent of Bankruptcy.

Idem.

(2) The clerk shall report to the Superintendent of Bankruptcy upon the conclusion of each proceedings taken under this Part, within thirty days of such conclusion, in a form prescribed by the regulations or, if no form is so prescribed, in a form prescribed by the Superintendent.

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Regulations.

196. The Governor in Council may make regulations

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- (a) prescribing the forms to be used under this Part;
- (b) prescribing fees to be paid under this Part;
- (c) designating the "court" for the purpose of this Part in any province except Alberta and Manitoba;
- (d) adapting this Part to the court organization or other circumstances of a particular province;

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- (e) varying, in respect of any province, the classes of debts and amounts thereof to which this Part applies;
- (f) changing or prescribing, in respect of any province, the classes of debts to which this Part does not apply; and 5
- (g) generally, for carrying into effect the purposes and provisions of this Part.

Audit of proceedings.

197. The accounts of every clerk relating to proceedings under this Part shall be subject to audit in the same manner as if he were a provincial officer. 10

Coming into force.

198. This Part shall come into force in any province only upon the issue, at the request of the Lieutenant-Governor in Council of that province, of a proclamation by the Governor in Council declaring it to be in force in that province." 15

Proceedings continued.

4. Any proceedings commenced before the coming into force of this Act to which sections 114 to 116 of the *Bankruptcy Act* apply shall be continued as though this Act has not been enacted. 20

THE SENATE OF CANADA

BILL S-3.

An Act to make Provision for the Disclosure of
Information in respect of Finance Charges.

Read a first time, Thursday, 4th October, 1962.

Honourable Senator CROLL.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-3.

An Act to make Provision for the Disclosure of Information in respect of Finance Charges.

Preamble.

WHEREAS Canadian consumers generally are not being fully or accurately informed, with reference to any recognizable common standard, of the cost of the credit extended to them in respect of retail purchases, and it is highly desirable in the public interest to ensure that in future they will be provided with such essential information: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as the *Finance Charges (Disclosure) Act*.

Definitions.

“credit financier”.

2. In this Act,
(a) “credit financier” means any person who in the ordinary course of his business, whether operated separately or in conjunction with some other business, enters into a transaction with another person arising out of a sale or agreement for the sale of personal property to such other person whereby the whole or part of the price therefor is to become payable after the transaction is complete, and in respect of which finance charges are to become payable to such person;

“finance charges”.

(b) “finance charges” means the total cost of the credit to the consumer thereof, and includes interest, fees, bonuses, service charges, discounts and any other type of charge whether described as interest or not;

“person”.

(c) “person” includes any individual, partnership, association, corporation or unincorporated organization.

EXPLANATORY NOTES.

The sole purpose of this bill is to require every person who carries on the business of extending consumer credit to disclose in writing to the consumer of such credit the total cost thereof, expressed both as a lump sum and in terms of simple annual interest.

The bill is restricted to the field of consumer credit and has no application to cash loans, mortgages on real estate, etc.

No criminal liability would flow from non-compliance with the bill but in the event of non-disclosure a credit financier would be unable to recover or retain any finance charges whatever on any unpaid balance in respect of which he has extended credit.

Statement
in writing.

3. Every credit financier who enters into a transaction extending credit to another person, as referred to in paragraph (a) of section 2, shall in accordance with regulations made under section 5, and before the transaction is complete, furnish such other person with a clear statement in writing setting forth 5

- (a) the total amount of the unpaid balance outstanding; 5
- (b) the total amount of the finance charges to be borne by such other person in connection with the transaction; and 10
- (c) the percentage relationship, expressed in terms of simple annual interest, that the total amount of the finance charges bears to the unpaid balance outstanding under the transaction. 15

Recovery of
finance
charges.

4. (1) No credit financier who fails to provide the written statement referred to in section 3 to a person to whom he is extending credit shall have any right, remedy or cause of action either in law or equity with respect to any finance charges whatsoever under the transaction. 20

(2) Where a credit financier has failed to provide the written statement referred to in section 3 to a person to whom he is extending credit, and such person has paid some or all of the finance charges to such credit financier, such person shall have a right of action against such credit financier whereby he may recover back the finance charges so paid. 25

Regulations.

5. The Governor in Council may make regulations prescribing 30

- (a) the form and manner in which the written statement referred to in section 3 is to be made; 30
- (b) the manner of calculating the percentage relationship mentioned in paragraph (c) of section 3 in respect of any transaction or type of transaction; and 35
- (c) the degree of accuracy within which the percentage relationship mentioned in paragraph (c) of section 3 shall be calculated.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-4.

An Act respecting Canadian Pacific Railway Company.

Read a first time, Tuesday, 9th October, 1962.

Honourable Senator ASELTINE, P.C.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-4.

An Act respecting Canadian Pacific Railway Company.

Preamble.

WHEREAS Canadian Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Line of railway authorized.

1. Canadian Pacific Railway Company, hereinafter called "the Company", may construct a line of railway commencing from a point in the southeast $\frac{1}{4}$ of section 35, township 22, range 1, west of the second meridian at or in the vicinity of Bredenbury, in the province of Saskatchewan, at mile 117.5 of the Bredenbury subdivision, thence in a generally southerly direction for a distance of approximately 15.5 miles to a point in the northeast $\frac{1}{4}$ of section 24, township 20, range 33, west of the principal meridian in the said province.

Time for completion.

2. If the construction of the said line of railway is not commenced within a period of two years or is not completed and put in operation within a period of five years after the passing of this Act, the powers of construction hereby conferred upon the Company shall cease and be null and void as regards so much of the said line of railway as shall then remain uncompleted.

EXPLANATORY NOTE.

The purpose of this bill is to authorize Canadian Pacific Railway Company to construct a branch line of railway off its Bredenbury subdivision at or in the vicinity of Bredenbury, in the province of Saskatchewan, to serve a potash development plant of International Minerals and Chemical Corporation (Canada) Limited.

Parliamentary authority is necessary because the powers of the Board of Transport Commissioners for Canada to authorize construction of branch lines under the *Railway Act* are limited to those not exceeding six miles in length.

THE PARLIAMENTS OF CANADA

THE PARLIAMENTS OF CANADA

The purpose of this bill is to authorize the Government of Canada to acquire the assets and liabilities of the [Company Name] in order to ensure the continuity of its operations and to provide for the orderly liquidation of the company in the event of its failure. The bill also provides for the appointment of a receiver to manage the affairs of the company and to distribute its assets in accordance with the provisions of the bill.

The Government of Canada has the honor to announce that it has introduced the above-mentioned bill in the House of Commons. The bill is intended to provide for the orderly liquidation of the company and to ensure that the interests of its creditors and shareholders are protected. The bill is expected to be passed by the House of Commons in the near future.

The Government of Canada is committed to ensuring that the liquidation process is conducted in a fair and equitable manner. It will continue to monitor the progress of the liquidation and will take any necessary steps to ensure that the interests of all parties are protected.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-5.

An Act respecting The Eastern Trust Company.

Read a first time, Tuesday, 9th October, 1962.

Honourable Senator SMITH
(*Queens-Shelburne*).

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-5.

An Act respecting The Eastern Trust Company.

Preamble.
1893, c. 84;
1899, c. 110;
1908, c. 103;
1948, c. 88.

WHEREAS The Eastern Trust Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name in French.

1. The Company may use, in the transaction of its business, either the name The Eastern Trust Company or the name Le Trust de l'Est Canadien, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Existing rights saved.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

EXPLANATORY NOTE.

The sole purpose of this bill is to add a French version to the name of The Eastern Trust Company.

THE SENATE OF CANADA

BILL 1-3

1907

The Senate of Canada has the honor to acknowledge the receipt of the Bill for the purpose of the Senate of Canada, and to inform the House of Commons that the Bill has been received by the Senate of Canada.

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First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-6.

An Act respecting The North American General
Insurance Company.

Read a first time, Wednesday, 17th October, 1962.

Honourable Senator HUGESSEN.

THE SENATE OF CANADA

BILL S-6.

An Act respecting The North American General Insurance Company.

Preamble.
1917, c. 65;
1959, c. 62.

WHEREAS The North American General Insurance Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name in French.

1. The Company may use, in the transaction of its business, either the name The North American General Insurance Company or the name La Nord Américaine, Compagnie d'Assurances Générales, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Existing rights saved.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

THE SENATE OF CANADA

EXPLANATORY NOTE.

The sole purpose of this bill is to add a French version to the name of The North American General Insurance Company.

THE SENATE OF CANADA

BILL 54

AN ACT TO AMEND THE CUSTOMS ACT

The Senate of Canada do hereby assent to the following Bill, which was passed by the House of Commons on the 14th day of June, 1900.

1. The following provisions shall be in force in relation to the duties on goods imported into Canada from the United States of America, and in relation to the duties on goods imported into the United States of America from Canada, from and after the first day of July, 1900:

2. The following provisions shall be in force in relation to the duties on goods imported into Canada from the United States of America, and in relation to the duties on goods imported into the United States of America from Canada, from and after the first day of July, 1900:

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-7.

An Act to incorporate The Christian Brothers of
Ireland in Canada.

Read a first time, Tuesday, 23rd October, 1962.

Honourable Senator HIGGINS.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-7.

An Act to incorporate The Christian Brothers of
Ireland in Canada.

- Preamble. **W**HEREAS the Brothers of the Christian Schools of Ireland, hereinafter called "the Congregation", is a religious congregation in communion with the Roman Catholic Church; and whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—
- Incorporation. **1.** The Reverend William E. Drayton, of the city of Montreal, in the province of Quebec, the Reverend Joseph B. Darcy and the Reverend Gordon R. Bellows, both of the city of St. John's, in the province of Newfoundland, all being members of the Congregation, together with such other persons as may become members of the corporation, are hereby incorporated under the name of The Christian Brothers of Ireland in Canada, hereinafter called "the Corporation".
- Corporate name. 10
- Head office. **2.** (1) The head office of the Corporation shall be in the city of Montreal, in the province of Quebec, or at such other place within Canada as the Corporation may determine by by-law from time to time. 15
- Notice of change. (2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and a copy of such notice shall be published forthwith in the *Canada Gazette*. 25
- Objects. **3.** The objects of the Corporation, subject to the laws in force in Canada, shall be
- (a) to provide educational facilities;
 - (b) to establish and maintain orphanages;
- 30

- (c) to establish, maintain and conduct novitiates to be used for educational, religious and residential purposes;
- (d) to promote the religious life;
- (e) to create, erect, organize, maintain, enlarge and operate or direct and administer teaching and other educational institutions such as colleges, schools and academies; and
- (f) to administer in Canada the property, business and other temporal affairs of the Corporation.

Powers.

4. Subject to the laws in force in Canada, the Corporation may

- (a) enter into agreements with dioceses, school commissions, associations of teachers, governmental institutions and other bodies or persons for the purposes of the Corporation;
- (b) establish and organize, in the teaching and other institutions administered by the Corporation, boards of governors or benefactors, the members of which shall act in an advisory capacity and in conformity with the rules and regulations of the Corporation; and
- (c) acquire the real or personal property of any other corporation having objects similar to those of the Corporation on the assumption of all the obligations of such corporation.

Power to acquire and hold property.

5. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever given, granted, devised, mortgaged or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with, the uses or purposes of the Corporation.

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment in and disposal of property.

6. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real or personal property, held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or

any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages, hypothecs or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages, hypothecs or assignments either in whole or in part. 5 10

Application
of mortmain
laws.

7. A licence in mortmain shall not be necessary for the exercise of the powers granted by this Act concerning any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada; but otherwise the exercise of the said powers shall be, in any province of Canada, subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation. 15

Board of
Directors.

8. (1) The powers of the Corporation shall be exercised by a Board of Directors, hereinafter called "the Board", which shall control and administer all the business and affairs of the Corporation. 20

(2) Subject to subsection (4), the Board shall consist of the Brother Provincial having from time to time canonical jurisdiction in Canada of the Brothers of the Christian Schools of Ireland and his four consultors in the Congregation. 25

(3) The Board may make, amend and repeal such by-laws, rules, orders and regulations, not contrary to law or inconsistent with the rules and constitution of the Congregation, as the Board may deem appropriate for the conduct and government of the Corporation and its members, for the promotion of its objects and for the acquisition, management, supervision and disposal of its property. 30 35

(4) In particular, without limiting the generality of subsection (3), the Board may make, amend and repeal by-laws, rules, orders and regulations concerning

- (a) the requirements for admission to and continuance in membership of the Corporation, and the rights and duties of such members; 40
- (b) the constitution of the Board, the duration of the tenure and the mode of appointment of the members of the Board and the filling of any vacancy occurring on the Board, whether such vacancy is caused by death, resignation or otherwise; and 45
- (c) the calling and holding of meetings of the Board and fixing the quorum thereof.

Transfer of
property held
in trust. 322

9. Insofar as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise for the use and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof, to the Corporation. 5

Disposition
of property
by gift or
loan.

10. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary or useful for any church, college, school or hospital, or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient. 10 15

Investment
of funds.

11. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof or any such securities. 20

Borrowing
powers.

12. (1) The Corporation may, from time to time, for the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation; 25
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill; 30 35
- (d) issue bonds or other securities of the Corporation; 40
- (e) pledge or sell such bonds or other securities for such sums and at such prices as may be deemed expedient; and
- (f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, present or future, to secure the repayment of any money borrowed for the purposes of the Corporation. 45

Section 10. The Corporation may, in addition to the powers conferred by the Charter of the Corporation, do all such lawful acts and things as are incidental or necessary to the carrying out of its objects and powers in any part of Canada.

Section 11. The Corporation may, in addition to the powers conferred by the Charter of the Corporation, do all such lawful acts and things as are incidental or necessary to the carrying out of its objects and powers in any part of Canada.

Section 12. The Corporation may, in addition to the powers conferred by the Charter of the Corporation, do all such lawful acts and things as are incidental or necessary to the carrying out of its objects and powers in any part of Canada.

Section 13. The Corporation may, in addition to the powers conferred by the Charter of the Corporation, do all such lawful acts and things as are incidental or necessary to the carrying out of its objects and powers in any part of Canada.

Section 14. The Corporation may, in addition to the powers conferred by the Charter of the Corporation, do all such lawful acts and things as are incidental or necessary to the carrying out of its objects and powers in any part of Canada.

- Limitation. (2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. 5
- Branches. **13.** The Corporation may establish and maintain branches to promote the objects of the Corporation and for such purpose may appoint such subordinate officers with such powers and tenure of office as the Corporation may deem advisable. 10
- Sections of *Companies Act* to apply. R.S., c. 53. **14.** Subsection (1) of section 14, except paragraphs (t) and (u), and section 20 of Part I of the *Companies Act* shall apply *mutatis mutandis* to the Corporation.
- Incidental powers. **15.** The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects. 15
- Jurisdiction. **16.** The Corporation may pursue its objects and exercise its rights and powers in any part of Canada.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-8.

An Act respecting The Trustee Board of The Presbyterian
Church in Canada.

Read a first time, Wednesday, 24th October 1962.

Honourable Senator PATERSON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-8.

An Act respecting The Trustee Board of The Presbyterian Church in Canada.

Preamble.
1939, c. 64;
1939, c. 65.

WHEREAS The Trustee Board of The Presbyterian Church in Canada, hereinafter called "the Board", and the Executive of the Administrative Council of the said The Presbyterian Church in Canada, have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Repeal.

1. (1) Paragraph (a) of section 15 of chapter 64 of the statutes of 1939 is repealed and the following substituted therefor:

Investment
of funds.

"(a) Power to invest or reinvest or lend moneys in or upon any securities, real or personal, in which a Canadian insurance company may invest its funds or upon which it may lend its funds under the authority of the *Canadian and British Insurance Companies Act*, subject to the same limitations and conditions as apply to such a company pursuant to that Act, except that investments in common shares shall not be subject to the limitation set out in subsection (7) of section 63 thereof; and the Board shall have all such rights and remedies for the collection, enforcement or repayment of an investment or loan as any individual or corporation would have by law in the premises;"

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

(2) Section 15 of chapter 64 of the statutes of 1939 is further amended by adding thereto, immediately after paragraph (d) thereof, the following paragraphs:

EXPLANATORY NOTES.

The purpose of this bill is to clarify the powers of The Trustee Board of The Presbyterian Church in Canada with respect to the investment of funds, the retention of property, the arrangement of pensions for ministers, employees, etc., and to clarify references in the Act to the chief executive and administrative body of the said church.

The purpose of clause 1 is to clarify the powers of the Board respecting the investment of funds of the church and would limit the scope of investments to those in which a Canadian insurance company may invest but without any restriction on the proportion of assets that may be invested in common shares.

Section 15 sets forth certain incidental and ancillary powers of the Board and paragraph (a) thereof at present reads as follows:—

- “(a) Power to invest and reinvest or lend moneys in or upon any securities real or personal in which a life insurance company carrying on business in Canada may from time to time invest or lend moneys, and the Board shall have all such rights and remedies for the collection and enforcement or repayment of an investment or loan as any individual would have;”

Retention
of property.

“(e) Power to hold and retain any property, real or personal, received by way of gift, devise, deed, conveyance, transfer, lease, bequest or assignment to or for the benefit of The Presbyterian Church in Canada or any of the trusts in connection with the said church, or any of the institutions, organizations, schemes or funds of the said church, notwithstanding that the said property is not in the nature of an investment authorized by law for the investment of trust funds or an investment in which the Board is empowered to invest or reinvest moneys under the provisions of paragraph (a) of this section; and

Pension
plans, etc.

(f) Power to establish one or more plans providing for payments by way of gratuities, pensions, superannuation or retirement allowances, annuities or insurance benefits for ministers or former ministers of The Presbyterian Church in Canada, their widows and orphan children, and employees or servants or former employees or servants of the said church, or any class or classes thereof, out of any fund or funds comprising contributions made by such persons or any class or classes thereof, or by the said church or by the Board, or by all or any of them, or otherwise, whether effected by agreements or arrangements entered into with one or more insurance companies authorized under the laws of Canada or of any province thereof to transact business in Canada, or with Her Majesty in right of Canada, or with Her Majesty in right of any province of Canada, or otherwise; or to vary or terminate any such plan heretofore or hereafter established; and for the purposes aforesaid, to sell, transfer, assign and convey such funds and assets, in whole or in part, as may now or hereafter be held or received by the Board for the purposes of any such plan: Provided that the establishment, variation or termination of any such plan shall be subject to the approval and direction of the General Assembly of the said church, or the Administrative Council of the said church or the Executive of the Administrative Council.”

Proviso.

The proposed new paragraph (e) of section 15 would clarify the power of the Board to retain securities of types in which it is not empowered to invest, which the Board may receive by way of gift or otherwise.

The proposed new paragraph (f) would enable the church, through the Board, to make the best possible arrangements to provide pensions for ministers and former ministers, their widows and orphan children and employees and former employees of the church. Among other things, the amendment would authorize the sale or transfer by the Board of funds and assets held by it in trust for pension purposes in order to purchase annuities, etc.

2. Chapter 64 of the statutes of 1939 is further amended by adding thereto, immediately after section 22 thereof, the following section:

Administra-
tive bodies.

“**23.** Wherever in this Act reference is made to the Board of Administration or the Administrative Council of The Presbyterian Church in Canada, such references apply to the board, council, committee or other body, by whatever name called, that is from time to time vested with the chief executive and administrative powers of The Presbyterian Church in Canada between meetings of the General Assembly of the said church.”

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With respect to clause 2, the name and constitution of the Board of Administration, which was the chief executive and administrative body of the church under the General Assembly, have been changed since the Act was passed in 1939 and the Administrative Council is now the chief executive and administrative body. The proposed amendment would bring the Act into conformity with this change and would provide for any possible further change in the name or constitution of the chief executive and administrative body of the church in the future.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-9.

An Act respecting The Evangelical Lutheran Synod
of Western Canada.

Read a first time, Tuesday, 6th November, 1962.

Honourable Senator HNATYSHYN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-9.

An Act respecting The Evangelical Lutheran Synod of Western Canada.

Preamble.
1952-53, c. 65.

WHEREAS The Evangelical Lutheran Synod of Western Canada, hereinafter called "the Corporation", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

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Change of name.

Existing rights saved.

1. The name of the Corporation is hereby changed to Central Canada Synod of the Lutheran Church in America, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Corporation, nor in any way affect any suit or proceeding now pending or judgment existing, either by, or in favour of, or against the Corporation which, notwithstanding such change in the name of the Corporation, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Corporation by its former name may be commenced or continued by or against it by its new name.

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Amendment.

2. Section 4 of chapter 65 of the statutes of 1952-53 is amended by adding thereto the following paragraph:

Objects.

"(h) in ecclesiastical matters to adhere to the Lutheran Church in America or its lawful successors and to be amenable to its laws."

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EXPLANATORY NOTES.

The purpose of the present bill is to give effect to an Agreement of Consolidation, effective as of July 1st, 1962, whereby four large branches of the Lutheran Church in the United States and Canada, namely, American Evangelical Lutheran Church, the Augustana Evangelical Lutheran Church, the Finnish Evangelical Lutheran Church of America and the United Lutheran Church in America agreed to consolidate under the name of "Lutheran Church in America". The Evangelical Lutheran Synod of Western Canada was one of the Synods of the United Lutheran Church in America.

The territorial jurisdiction of the Evangelical Lutheran Synod of Western Canada included the provinces of British Columbia, Alberta, Saskatchewan, Manitoba and that part of Ontario lying west of the 86th meridian of longitude and the Yukon Territory and the Northwest Territories.

Under the terms of consolidation, this Synod is to be known as "Central Canada Synod of the Lutheran Church in America" and the territorial jurisdiction is to be limited to the provinces of Saskatchewan and Manitoba and that portion of the province of Ontario lying west of the 88th meridian of longitude.

Clause 1 of the bill changes the name of the Corporation in accordance with the Agreement of Consolidation.

Clause 2 of the bill provides for the adherence of the Corporation to the Lutheran Church in America in ecclesiastical matters.

Repeal.

3. Section 18 of chapter 65 of the statutes of 1952-53 is repealed and the following substituted therefor:

Territorial jurisdiction.

“18. The Corporation may exercise the rights and powers conferred upon it by this Act in the provinces of Saskatchewan and Manitoba and that portion of the province of Ontario lying west of the 88th meridian of longitude.” 5

Clause 3 of the bill restricts the territorial jurisdiction of the Corporation in accordance with the Agreement of Consolidation.

THE SENATE OF CANADA

BILL S-10.

An Act to incorporate The Ukrainian Canadian
Foundation of Taras Shevchenko.

Read a first time, Tuesday, 6th November, 1962.

Honourable Senator HNATYSHYN.

THE SENATE OF CANADA

BILL S-10.

An Act to incorporate The Ukrainian Canadian Foundation of Taras Shevchenko.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Definitions.

1.

In this Act,

“Ukrainian Canadian Committee”.

(a) “Ukrainian Canadian Committee” means the committee established in November, 1940, consisting of representatives of the Ukrainian Catholic Brotherhood of Canada, Ukrainian Self Reliance League, Ukrainian National Federation, United Hetman Organization, and Association of Ukrainian Organizations, and of representatives of all other organizations that have joined the Ukrainian Canadian Committee since that time; 10 15

“Praesidium”.

(b) “Praesidium” means the executive of the Ukrainian Canadian Committee;

“Ukrainian culture”.

(c) “Ukrainian culture” means the culture of the Ukrainian people in the fields of letters, fine arts, literature and science; 20

“organization”.

(d) “organization” includes a person, an incorporated or unincorporated body, a committee or any other institution; and 25

“income”.

(e) “income” means “realized income”. 25

Incorporation.

2.

Monsignor Wasyl Kushnir, clergyman, John Hnat Syrnick, editor, Wladimir Kossar, director, Ivan Iwanchuk, clerk, George Hwozdulych, labourer, William J. Sarchuk, assistant director, Peter Wach, life underwriter, 30

Peter Bashuk, organizer, Roman Bryk, sales manager, Anna Figus, secretary, Semen Izyk, clergyman, Harry Kuksa, horticulturist, Daniel Lobay, editor, Michael Marunchak, social worker, Theodore Mychaliwskyj, manager, Peter Oleinicki, artist-decorator, Serhij Radchuk, barrister, L. Standret, clergyman, all of the city of Winnipeg, in the province of Manitoba, together with such other persons as may become members of the Praesidium, are incorporated under the name of The Ukrainian Canadian Foundation of Taras Shevchenko, hereinafter called "the Foundation", for the purposes set out in this Act and, in particular, for administering and controlling the activities of the Foundation. 5

Corporate name.

Head office.

3. (1) The head office of the Foundation shall be in the city of Winnipeg, in the province of Manitoba, or 15 at such other place as may be decided upon by the Foundation.

Notice of change.

(2) Notice in writing shall be given to the Secretary of State by the Foundation of any change in the head office and such notice shall be published forthwith 20 in the *Canada Gazette*.

Objects.

- 4.** The objects of the Foundation shall be
- (a) to receive donations, contributions and legacies from donors and to invest such receipts in accordance with the provisions of this Act; 25 and
 - (b) to use the income from such investments for the purpose of promoting and advancing the Ukrainian culture in Canada.

Management.

5. The affairs of the Foundation shall be managed 30 by a Board of Directors, hereinafter called "the Board", composed of seven members appointed by the unanimous agreement of the members of the Praesidium. Each member shall be appointed for a term of three years: 35 Provided that the first members of the Board shall be appointed as follows, two members for a term of one year each, two members for a term of two years each, and three members for a term of three years each. Each retiring member of the Board shall be eligible for re-appointment and shall hold office until his successor is appointed. 40

Proviso.

Meeting of Board.

6. The members of the Board shall meet at least once each year and from among themselves shall elect a chairman, a vice-chairman and a secretary-treasurer.

Board of
Auditors.

7. A Board of Auditors composed of five members shall be appointed by the Praesidium to audit the affairs of the Foundation. Each member of such Board shall hold office for a period of three years. Each retiring member shall be eligible for re-appointment and shall hold office 5 until his successor is appointed.

Provisional
members of
Board.

8. The seven executive officers of the Praesidium shall constitute the provisional members of the Board, shall have the same powers as duly appointed members of the Board, shall hold office for a period of not more than 10 six months and shall not be eligible for re-appointment.

Appointment
of Board
members.

9. Should the Ukrainian Canadian Committee cease to exist, the appointment of the members of the Board and of the Board of Auditors shall be made jointly in a manner to be determined by the Archbishop Metro- 15 politan of Winnipeg, as president of the Ukrainian Catholic Church, and the Ukrainian Greek Orthodox Church of Canada.

Distribution
of income.

- 10.** The Board is empowered to
- (a) use or grant to other organizations such portion 20 of the income of the Foundation as the Board may deem proper for the preservation, fostering, promotion and advancement of the Ukrainian culture in Canada, with the stipulation that any organization which receives such a 25 contribution from the Foundation may not use any portion of such receipts for its administrative, operational or organizational expenses; and
 - (b) grant to individuals scholarships, fellowships 30 and bursaries for the preservation, fostering, promotion and advancement of Ukrainian culture in Canada.

Audit.

11. The Board shall cause an audit to be made by a chartered accountant, at least once a year, of the 35 receipts and disbursements of the Foundation and of each separate donation thereto, and shall cause to be published in such publication as the Board may decide upon a complete financial statement together with the auditor's certificate. In addition, the Board shall cause to be published the names 40 and addresses of all the donors from the date of the inception of the Foundation to the end of the last fiscal year prior to such publication.

Power to
make
by-laws.

12. The Board may make by-laws for carrying out the objects and purposes of the Foundation; and, in 45 particular, without limiting the generality of the foregoing,

may make by-laws concerning the fixing of the fiscal year, the election of officers, the management and control of property, the fixing of dates of annual meetings, the establishment of quorums at meetings of the Board and of the Board of Auditors, and the fixing of terms for the audit and distribution of the income of the Foundation. 5

Trust
companies,
etc.

13. The Foundation is empowered to entrust such trust companies, institutions or agencies as in the opinion of the Board are acceptable, with the custody and management of all or any portion of the property received by the Foundation from time to time. 10

Appointment
of officers,
etc.

14. The Board may appoint such officers and engage such employees at such salaries or for such remuneration as the Board may deem proper, and may incur such expenditures, incidental to the conduct of the affairs of the Foundation and for the carrying out of its objects, as to the Board may appear requisite. 15

Transfers of
property.

15. All transfers, documents, assignments or conveyances of property by the Foundation shall be executed by and on behalf of the Foundation in such a manner as the Board may prescribe from time to time. 20

Power to
acquire and
hold
property.

16. The Foundation may purchase, take, have, hold, receive, possess, retain and enjoy property, both real and personal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it or appropriated, purchased or acquired by it in any manner or way whatsoever. The Foundation may also hold such real and personal property or estate therein as is bona fide mortgaged to it by way of security or conveyed to it in satisfaction of debts or judgments recovered. 25
30

Investment
in and
disposal of
property.

17. Subject always to the terms of any trust relating thereto or subject to the express terms of the donor making a donation, the Foundation may convert, sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Foundation, whether by way of investment for the uses and purposes of the Foundation or not; and may also, from time to time, invest all or any of its funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Foundation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either in whole or in part. 35
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Investment
of funds.

18. In the absence of any direction by a donor to the contrary, the Foundation may invest and reinvest any of its funds

- (a) in any bonds or debentures of any municipality or public school corporation or district in Canada, or in securities of or guaranteed by the Government of Canada or of any province thereof; or 5
- (b) in any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds, subject to the limitations on investments in stocks, bonds and debentures and real estate mortgages set out in the *Canadian and British Insurance Companies Act.* 15

R.S., c. 31;
1956, c. 58;
1957-58, c. 11;
1960-61, c. 13.

Application
of mortmain
laws.

19. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province. 20

Incidental
powers.

20. The Foundation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects. 25

Jurisdiction.

21. The Foundation may exercise its functions throughout Canada.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-11.

An Act respecting The Sovereign Life Assurance
Company of Canada.

Read a first time, Tuesday, 6th November, 1962.

Honourable Senator THORVALDSON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-11.

An Act respecting The Sovereign Life Assurance Company of Canada.

Preamble.
1902, c. 102.

WHEREAS The Sovereign Life Assurance Company of Canada, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name in
French.

1. The Company may use, in the transaction of its business, either the name The Sovereign Life Assurance Company of Canada or the name La Souveraine, compagnie d'assurance-vie du Canada, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Existing
rights
saved.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

THE SENATE OF CANADA

EXPLANATORY NOTE.

The sole purpose of this bill is to add a French version to the name of The Sovereign Life Assurance Company of Canada.

THE STATE OF CANADA

1871

Parliamentary Paper

The sole purpose of this Bill is to add a French version to the name of The Government Life Assurance Company of Canada.

The Government Life Assurance Company of Canada, incorporated under the laws of the Province of Ontario, has the honor to acknowledge the receipt of the Bill in relation to the above-named company, and to state that the same is in accordance with the provisions of the Act in that behalf passed by the Legislature of the Province of Ontario, in the year 1871.

The Bill is in accordance with the provisions of the Act in that behalf passed by the Legislature of the Province of Ontario, in the year 1871, and it is the duty of the Government to give effect to the same.

The Bill is in accordance with the provisions of the Act in that behalf passed by the Legislature of the Province of Ontario, in the year 1871, and it is the duty of the Government to give effect to the same.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-12.

An Act to incorporate Allstate Life Insurance
Company of Canada.

Read a first time, Tuesday, 6th November, 1962.

Honourable Senator THORVALDSON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-12.

An Act to incorporate Allstate Life Insurance Company of Canada.

- Preamble. **W**HEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5
- Incorporation. **1.** John Atkinson, insurance executive, Edgar Gordon Burton, merchant, James Wilson Button, merchant, Gordon McCalla Graham, merchant, John James Illingworth, insurance executive, and Norman Currie Urquhart, financier, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of Allstate Life Insurance Company of Canada, hereinafter called "the Company". 10 15
- Corporate name.
- Provisional directors. **2.** The persons named in section 1 shall be the provisional directors of the Company.
- Capital stock. **3.** The capital stock of the Company shall be one million dollars, which may be increased to three million dollars. 20
- Subscription before general meeting. **4.** The amount to be subscribed before the general meeting for the election of directors is called shall be five hundred thousand dollars.
- Subscription and payment of capital before commencing business. **5.** The Company shall not commence any business of insurance until at least five hundred thousand dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon, together with a contribution to surplus of five hundred thousand dollars. 25

Head office.

6. The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Classes of insurance authorized.

7. The Company may undertake, transact and make contracts of insurance in any one or more of the following classes of insurance: 5

- (a) life insurance;
- (b) personal accident insurance; and
- (c) sickness insurance.

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

8. The *Canadian and British Insurance Companies Act* shall apply to the Company. 10

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-13.

An Act to incorporate Baptist Convention of Ontario
and Quebec.

Read a first time, Tuesday, 13th November, 1962.

Honourable Senator WILLIS.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-13.

An Act to incorporate Baptist Convention of Ontario and Quebec.

Preamble.
1889, c. 105;
1911, c. 38;
1922, c. 76;
1957, c. 51.

WHEREAS the Baptist Convention of Ontario and Quebec, hereinafter called "the Convention", a religious body formed pursuant to chapter 105 of the statutes of 1889, The Home Mission Board of the Baptist Convention, The Ministerial Superannuation Board of the Baptist Convention, The Publication Board of the Baptist Convention, The Church Extension Board of the Baptist Convention, The Western Mission Board of the Baptist Convention, The Board of Religious Education of the Baptist Convention, The Properties Board of the Baptist Convention of Ontario and Quebec, and The Board of Evangelism and Social Service of the Baptist Convention of Ontario and Quebec, hereinafter collectively called "the Boards", have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Arthur Bachelor Francis, chartered accountant, of the town of Burlington, Gordon Benjamin Woodcock, 20 clergyman, of the city of Belleville, Harold Stibbards, clergyman, of the city of Brantford, Murray John Stanley Ford, clergyman, and Robert Alexander Mitchell, life underwriter, of the town of Dundas, Ernest Winston Lawson, business consultant, of the township of Etobicoke, Howard 25 Sands Matthews, retired executive, of the city of Guelph, Dixon Alexander Burns, clergyman, Robert Edward Henderson, clergyman, and Harold Urban Trinier, clergyman, of the township of North York, John Henry Haines Root, farmer, of the township of Erin, James Kenneth Allaby, 30 clergyman, Thomas William Kenneth Gillespie, clergyman,

Leland Andrew Gregory, clergyman, Mortimer Cleeve Hooper, one of Her Majesty's Counsel, Alexander Cecil Fyfe Hotson, retired civil servant, Philip Karpetz, clergyman, and Malcolm Fair Morden, clergyman, of the city of Toronto, all in the province of Ontario, together with such other persons, churches and associations of churches as may from time to time become members of the religious body hereby incorporated, are incorporated under the name of Baptist Convention of Ontario and Quebec, hereinafter called "the Corporation", for the purposes set out in this Act and for the purposes of administering the property and other temporal affairs of the Corporation. 5 10

Merger of
Boards.

2. The Boards are hereby merged and amalgamated with the Corporation and are continued with the Corporation as one corporate body under the name of the Corporation. 15

Management.

Proviso.

3. The temporal affairs of the Corporation shall be managed and directed by an Assembly constituted in accordance with the by-laws of the Corporation: Provided that between meetings of the Assembly, the temporal affairs of the Corporation shall be managed and directed by a Council subject to and in accordance with the by-laws of the Corporation. 20

Head office.

4. The head office of the Corporation shall be in the city of Toronto, in the province of Ontario, or at such other place within Canada as the Corporation may determine by by-law from time to time. 25

Objects.

- 5.** The objects of the Corporation shall be
- (a) to promote, maintain, superintend and carry on, in accordance with the constitution, acts and rulings of the Corporation, any and all of the work of that body; 30
 - (b) to give expression to the opinions of its constituency upon moral, religious and ecclesiastical matters; 35
 - (c) to organize, establish, maintain and carry on missions, churches, places of worship, parsonages, residences, schools, hospitals, summer camps, conference properties, child care institutions, homes for the aged, rest homes, and agencies of all kinds for promoting, teaching, propagating and disseminating the faith and doctrine of its constituency and for training persons for the said purposes; 40

- (d) to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;
- (e) to establish, support, maintain and carry on offices, libraries, houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of religion, education, arts and science; 5
- (f) to administer the property, business and other temporal affairs of the Corporation; and 10
- (g) to promote the spiritual welfare of all the churches, mission fields and enterprises of the Corporation.

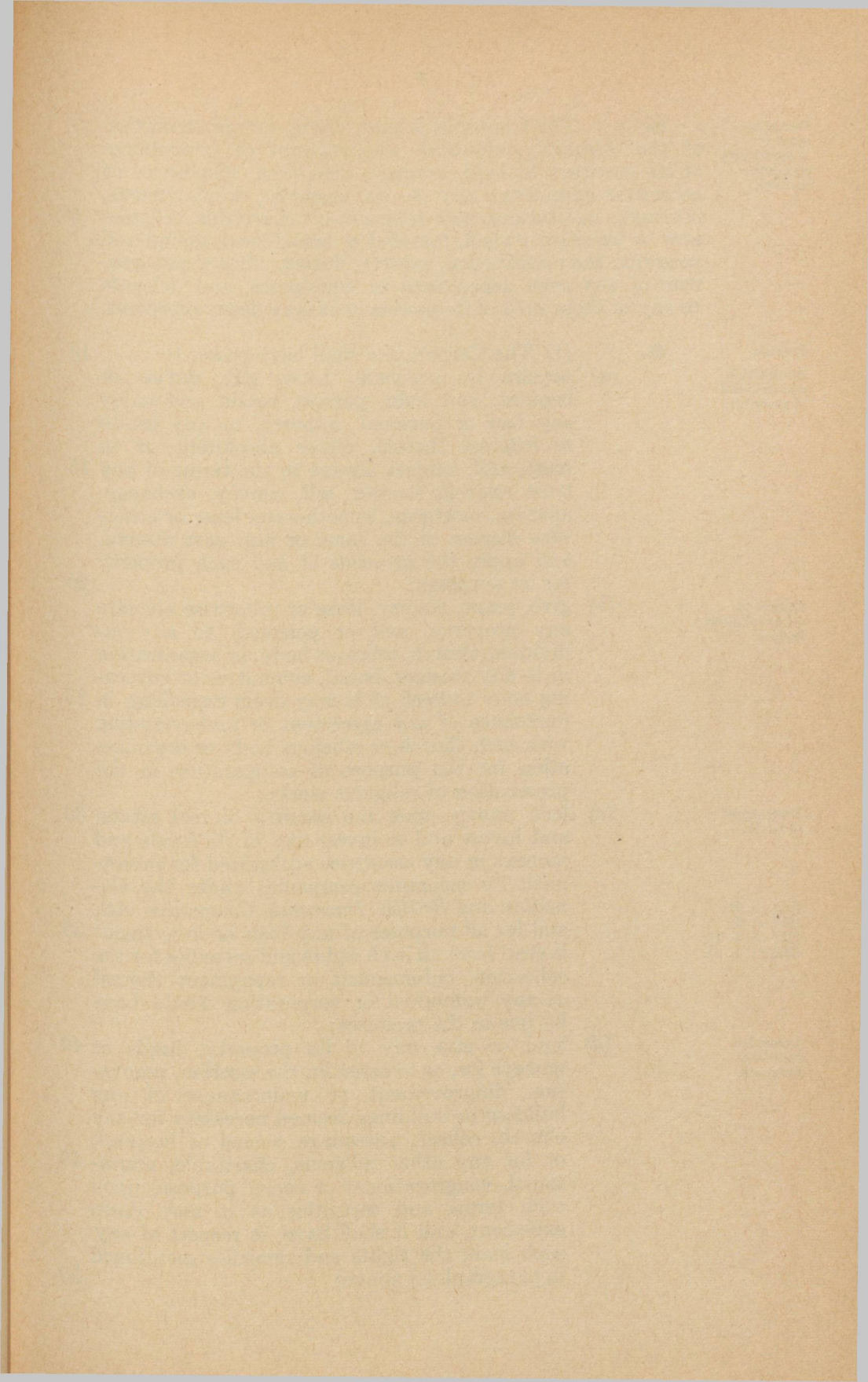
Property
vested in
Corporation.

6. All property, real and personal, belonging to or held in trust for or for the benefit of the Convention and the respective Boards or belonging to or held in trust for or for the benefit of any committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, the Convention or any of the Boards, shall be vested in the Corporation subject, however, to all such rights, obligations and liabilities with respect to any property so acquired as exist on the coming into force of this Act; and nothing in this section shall be deemed in any way to vary or otherwise affect any trust relating to such property. 25

Limitation.

Existing
trusts
continued.

7. Where, prior to the coming into force of this Act, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance of any principles, doctrines or religious standards, or to the support, assistance or maintenance of any congregation, minister or charity, or to the furtherance of any charitable, educational, congregational or social purpose, in connection with the Convention, the respective Boards, or any committee or other body referred to in the preceding section, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with the Corporation, and the Corporation shall perform and discharge all of the obligations and liabilities of the Convention, the respective Boards, and any committee or other body referred to in the preceding section, with respect to such trusts, and anything done in pursuance of this Act shall not be deemed to be a breach of any such trust but shall be deemed to be in compliance therewith and a performance thereof. 45



Establishment of departments and committees.

8. The Corporation may, by by-law or resolution of the Assembly, establish departments or committees of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests, institutions and religious or charitable schemes now or hereafter owned, founded or established, define and prescribe the constitution, powers, duties, officers and quorum of any such department or committee, and delegate to any of them such of its powers as it may deem expedient. 5

Powers.

Acquisition and disposal of property.

9. (1) The Corporation shall have power to 10
 (a) acquire by purchase, lease, gift, devise or bequest, and hold, possess, retain and enjoy any real or personal property, or any estate or interest therein, either absolutely or in trust, and, subject always to the terms of any trust relating thereto, sell, convey, exchange, alienate, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes; 15 20

Grants to other religious bodies.

(b) give, grant, convey, lease or otherwise alienate any property, real or personal, to any individual, church, religious body, or organization or to any trustees, board, committee or governing body thereof, as it may deem expedient, in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work; 25

Investment of funds.

(c) lend money upon the security of real estate, and invest and re-invest any of its funds and moneys in any securities authorized for investment by insurance companies under the *Canadian and British Insurance Companies Act*, and for all purposes of any loan or investment it shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises; 30 35

R.S., c. 31;
 1956, c. 28;
 1957-58, c. 11;
 1960-61, c. 13.

Loans for building purposes.

(d) lend or give any of its property, funds or moneys for, or to assist in, the erection, renovation, improvement or maintenance of any building or buildings deemed necessary for any church, college, parsonage, school or hospital, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and securities as it may deem expedient, and it shall have, in respect of any such loan, the rights and remedies mentioned in paragraph (c) above; 40 45 50

- Borrowing powers. (e) borrow money for its purposes upon its credit, and mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan;
- Negotiable instruments. (f) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments; 5
- Annuities, etc. (g) receive and accept for its own use as to the principal sum or corpus thereof any moneys or other personal property, subject to and in consideration of the payment of interest thereon or of any annuity in respect thereof; 10
- By-laws. (h) make such by-laws, rules or regulations as it may deem expedient for the exercise of any powers conferred by this Act, and amend or repeal any such by-laws, rules or regulations; 15
- Boards, departments and committees. (i) exercise the powers conferred by this Act, or any of them, by and through such departments, committees or other bodies as the Assembly or the Council acting within its jurisdiction under the provisions of the by-laws, rules and regulations may from time to time establish or appoint, and determine the method of appointment or election thereof, and define and prescribe the constitution, powers, duties, officers, and quorum of such departments, committees or other bodies; and 20 25
- Incidental powers. (j) do all such lawful acts or things as are incidental to or as may be conducive to the carrying out of the terms and provisions of this Act and the objects of the Corporation. 30
- Restriction. (2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. 35
- Debentures. **10.** The Corporation, and any department or committee appointed by the Corporation or by the Council, having charge of any of the funds or property of the Corporation, may issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized, and the seal of the Corporation, or the seal (if any) of such department or committee issuing the same, for any money borrowed under the authority of this Act; and the payment of such debentures and the interest 40 45

thereon may be secured by mortgage in favour of a trustee or trustees for the holders of such debentures upon any real estate under the control of the Corporation or of such department or committee.

Documents to
be evidence.

11. Any copy of the by-laws, rules and regulations of the Corporation, or any amendments or alterations thereto, published in any Year Book issued under the direction or authority of the Corporation, and any copy of any by-law, rule, regulation or resolution of the Assembly or Council under the seal of the Corporation, and signed by the President or General Secretary of the Corporation, shall be evidence in all courts of the contents thereof. 5 10

Repeal.

12. Chapter 105 of the statutes of 1889 as amended from time to time is repealed.

Coming into
force.

13. This Act shall come into force on the 13th 15 day of June, 1963.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-14.

An Act respecting Merit Insurance Company.

Read a first time, Wednesday, 14th November, 1962.

Honourable Senator BOUFFARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-14.

An Act respecting Merit Insurance Company.

Preamble.
1952-53, c. 61.

WHEREAS Merit Insurance Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Name in
French.

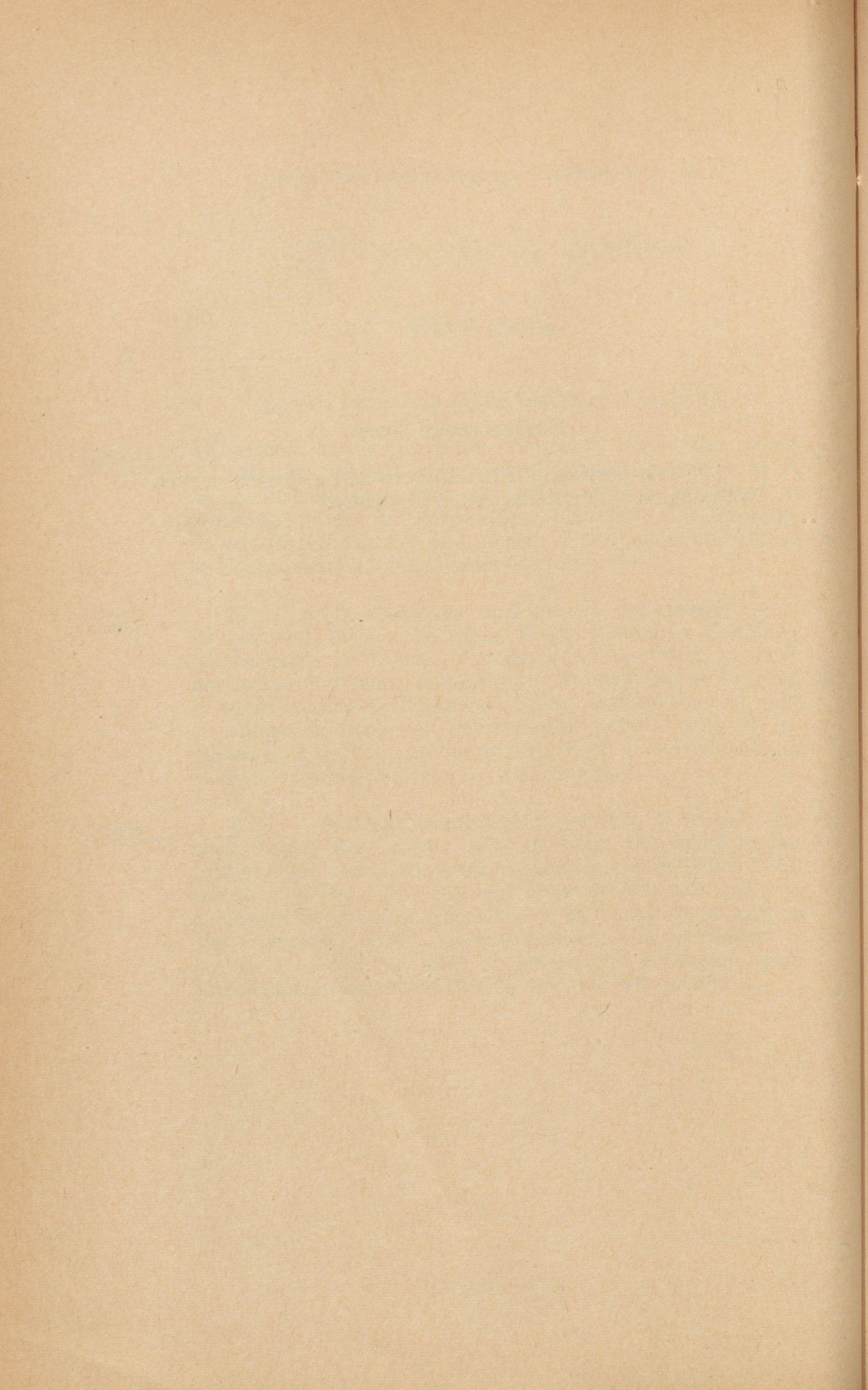
1. The Company may use, in the transaction of its business, either the name Merit Insurance Company or the name La Mérite, Compagnie d'Assurance, or both names, as and when it so elects. It may sue or be sued in either or both such names, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either or both of the said names shall be valid and binding on the Company. 10

Existing
rights saved.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act has not been passed. 15 20

EXPLANATORY NOTE.

The sole purpose of this bill is to add a French version to the name of Merit Insurance Company.



First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-15.

An Act to incorporate The Pharmacy Examining
Board of Canada.

Read a first time, Wednesday, 14th November, 1962.

Honourable Senator KINLEY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-15.

An Act to incorporate The Pharmacy Examining Board of Canada.

- Preamble. **W**HEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5
- Incorporation. **1.** John Cameron Turnbull, manager, of the city of Toronto, in the province of Ontario, Wesley Claude MacAulay, professor, of the city of Saskatoon, in the province of Saskatchewan, and John Keith Lawton, pharmacist, of the city of Halifax, in the province of Nova Scotia, together with such persons as become members of the Board as hereinafter provided, are incorporated under the name of The Pharmacy Examining Board of Canada. 10
- Corporate name.
- Definitions. **2.** In this Act, 15
- “Board”. (a) “Board” means The Pharmacy Examining Board of Canada constituted under this Act;
- “licensing body”. (b) “licensing body” means a professional board, council or corporation authorized by statute of any province of Canada to license persons to practise pharmacy within such province; 20
- “participating licensing body”. (c) “participating licensing body” means a licensing body which has by resolution elected to appoint a representative to the Board; and
- “qualified pharmacist”. (d) “qualified pharmacist” means a person holding a licence or authority to engage in the practice of pharmacy from any licensing body. 25
- Provisional members. **3.** The persons named in section 1 shall be the provisional members of the Board with power to effect the organization of the Board as provided for in this Act. 30

Head office.

4. The head office of the Board shall be in the city of Toronto, in the province of Ontario, or at such other place as the Board may determine by by-law from time to time.

Purposes.

5. The purposes of the Board shall be
- (a) to establish qualifications for pharmacists, acceptable to participating licensing bodies and recognizable as the highest in Canada; 5
 - (b) to provide for fair and equitable examinations, for the issuance of certificates of qualification to, and for the registration of, applicants therefor; and 10
 - (c) to promote, with the consent of the appropriate licensing bodies, the enactment of such provincial legislation as may be necessary or desirable in order to supplement the provisions of 15 this Act.

Members of Board.

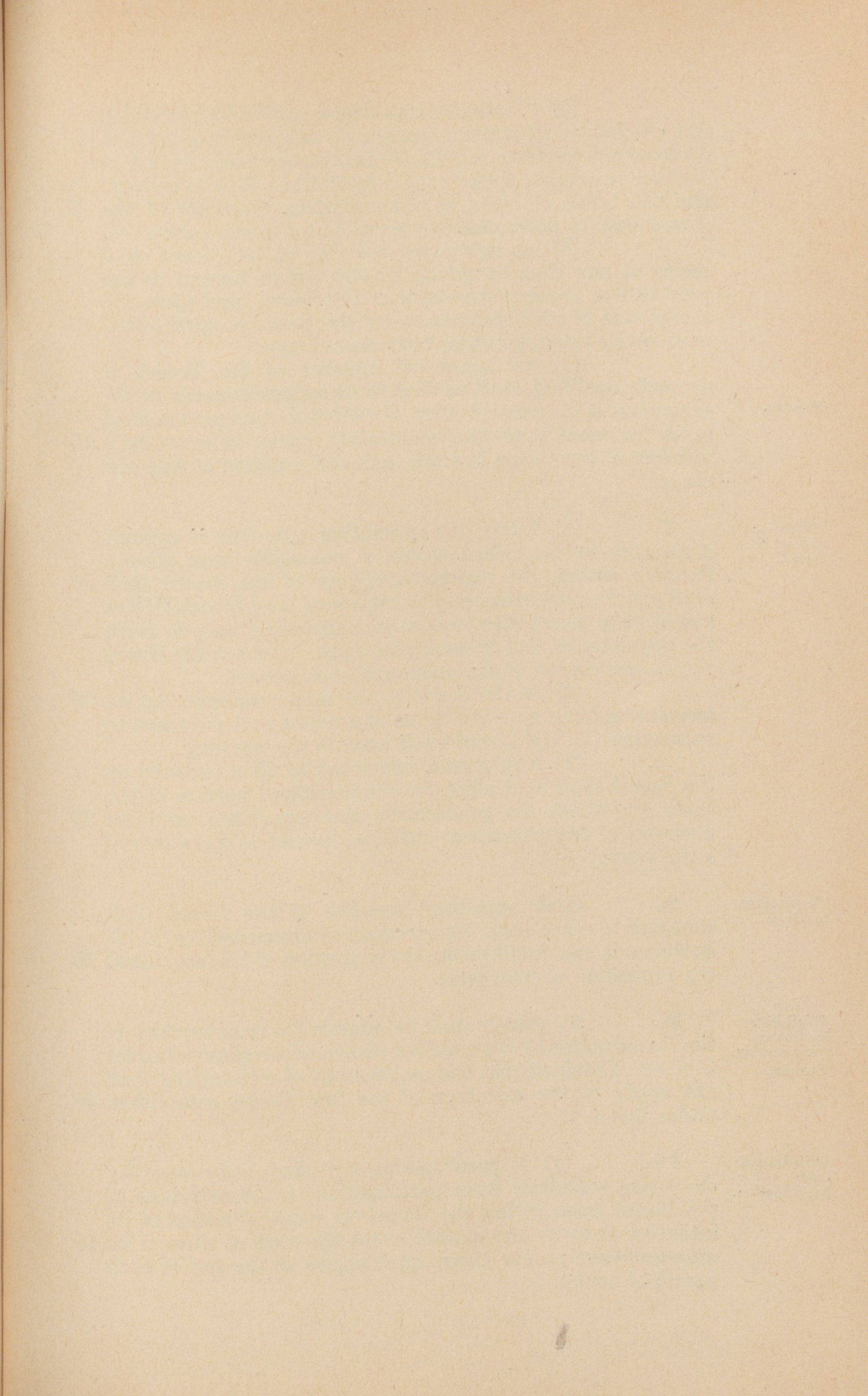
6. (1) The Board shall be composed of
- (a) one member appointed as its representative by each participating licensing body;
 - (b) two members appointed by the Canadian Conference of Pharmaceutical Faculties, at least one of whom shall be proficient in both the French and the English languages;
 - (c) one member appointed by the Canadian Society of Hospital Pharmacists; 25
 - (d) the general manager for the time being of The Canadian Pharmaceutical Association; and
 - (e) the president for the time being of The Canadian Pharmaceutical Association.

(2) Where any of the organizations mentioned in paragraphs (a), (b) or (c) of subsection (1) ceases to exist or fails to appoint a representative to the Board, or where either of the offices referred to in paragraphs (d) and (e) of subsection (1) becomes vacant, the Board shall be deemed to be properly constituted by the remaining members thereof. 30

Proviso.

(3) The term of office of each member of the Board appointed pursuant to paragraph (a), (b) or (c) of subsection (1) shall be three years: Provided that this shall not apply to the members appointed to constitute the first Board established under this Act. 40

(4) Where the first Board established under this Act consists of an even number of members, the terms of office of one-half of the members appointed pursuant to paragraphs (a), (b) or (c) of subsection (1) shall be two years, and of the remaining one-half four years, and the members 45 constituting each such one-half shall be chosen by lot in such manner as the Board may determine.



(5) Where the first Board appointed under this Act consists of an uneven number of members, the term of office of one member of such Board, to be chosen by lot in such manner as the Board may determine, shall be two years; and the terms of office of the remaining members of the Board shall be determined as provided for in subsection (4). 5

(6) An appointed member of the Board may resign at any time by giving written notice thereof to the president or registrar-treasurer of the Board, and upon the acceptance of such resignation by the Board it shall forthwith notify the appointing body accordingly. 10

Proviso. (7) An appointed member of the Board, if properly qualified, shall be eligible for reappointment on the expiration of his term of office: Provided that no person shall serve for more than two consecutive terms or serve as a member of the Board in more than one capacity at any one time. 15

Failure to appoint to Board.

7. (1) Where any appointing body fails to appoint a member to the Board within a reasonable time after a vacancy occurs, the registrar-treasurer of the Board shall notify such appointing body by registered mail of such failure and shall in such notice require the appointing body to make the appointment and to certify the appointment to the Board within one month of the mailing of such notice. 20

(2) In the event of any non-compliance by an appointing body with the terms of a notice sent pursuant to subsection (1), the Board itself may fill the vacancy. 25

(3) Any person appointed to fill a vacancy on the Board shall hold office for the unexpired portion of the term for which his predecessor was appointed, and for purposes of reappointment shall be deemed to have served a full term. 30

Continuance in office.

8. Each appointed member of the Board shall continue in office until his successor is appointed, or, if his successor is appointed before the expiration of his term, until the expiration of such term. 35

Eligibility for Board membership. Proviso.

9. No person shall be eligible for membership on the Board unless he is a qualified pharmacist registered under this Act: Provided that the requirement of registration shall not apply to the members of the first Board established under this Act. 40

Withdrawal from participation.

10. (1) A participating licensing body may by resolution withdraw from participation in the activities of the Board upon giving the Board six months' notice of its intention so to do and in such event the term of office of its representative on the Board shall expire at the end of such period of notice. 45

(2) Any licensing body which has so withdrawn may apply to the Board for reinstatement as a participating licensing body, and the Board may if it sees fit reinstate such body accordingly.

Powers of Board.

- 11.** (1) The Board shall have power to 5
- (a) issue certificates of qualification in pharmacy to applicants therefor;
 - (b) establish, maintain and revise from time to time a register (hereinafter called "the Register") of all persons who have been granted 10 certificates of qualification by the Board;
 - (c) establish the terms and conditions under which persons may obtain certificates of qualification and, subject to this Act, the terms and conditions under which their names may be placed 15 on the Register, removed therefrom or restored thereto; and
 - (d) establish and maintain a panel or panels of examiners to conduct examinations and make recommendations to the Board concerning the 20 issuance of certificates of qualification to, and the registration of, applicants therefor.

Proviso.

(2) Nothing in subsection (1) shall authorize the Board to interfere with or otherwise affect the rights or privileges of any licensing body under provincial law. 25

Removal from Register.

- 12.** (1) The Board may direct that the name of any person be removed from the Register if such person
- (a) has been convicted of an offence against any Act of the Parliament of Canada or of the legislature of any province of Canada relating 30 to drugs, poisons, medicines or alcoholic liquors, or
 - (b) has been convicted of any indictable offence under the *Criminal Code*, or
 - (c) has been found by the Board to have been 35 guilty of negligence, incompetence or improper conduct in a professional capacity, or
 - (d) has been determined to be mentally incompetent under provincial law.

(2) Where any person registered under this 40 Act has been licensed or otherwise authorized to practise pharmacy under the laws of any province and such licence or authority has been revoked or suspended under the laws of that province for any of the causes referred to in subsection (1) or for any cause involving professional misconduct 45 or incompetence, the Board shall direct the name of such person to be removed from the Register.

Correction
of Register.

(3) The Board may direct that any entry in the Register be cancelled or corrected on the ground of fraud, accident or mistake.

Notice of
hearing.

13. (1) The name of a person shall not be removed from the Register under section 12 except by direction of the Board after it has given such person one month's notice of a meeting of the Board called for the consideration of such matter and, if so requested, has permitted such person to appear and be heard by the Board either in person or by counsel. 5

(2) Notice under this section may be given to any person by registered mail sent to the most recent address shown on the Register. 10

By-laws and
regulations.

14. (1) The Board may make such by-laws and regulations, not contrary to the provisions of this Act, as it may deem necessary or advisable for 15

(a) the government and management of its business and affairs and the calling and conduct of its meetings;

(b) the selection, election or appointment and remuneration of a president, registrar-treasurer, and other officers and employees and prescribing their respective powers and duties; 20

(c) the imposition and collection of dues or fees; and

(d) dealing with such matters as may require regulation to promote the purposes of the Board or facilitate the exercise of its powers under this Act. 25

(2) The Board may from time to time alter or repeal all or any of such by-laws or regulations as it may see fit. 30

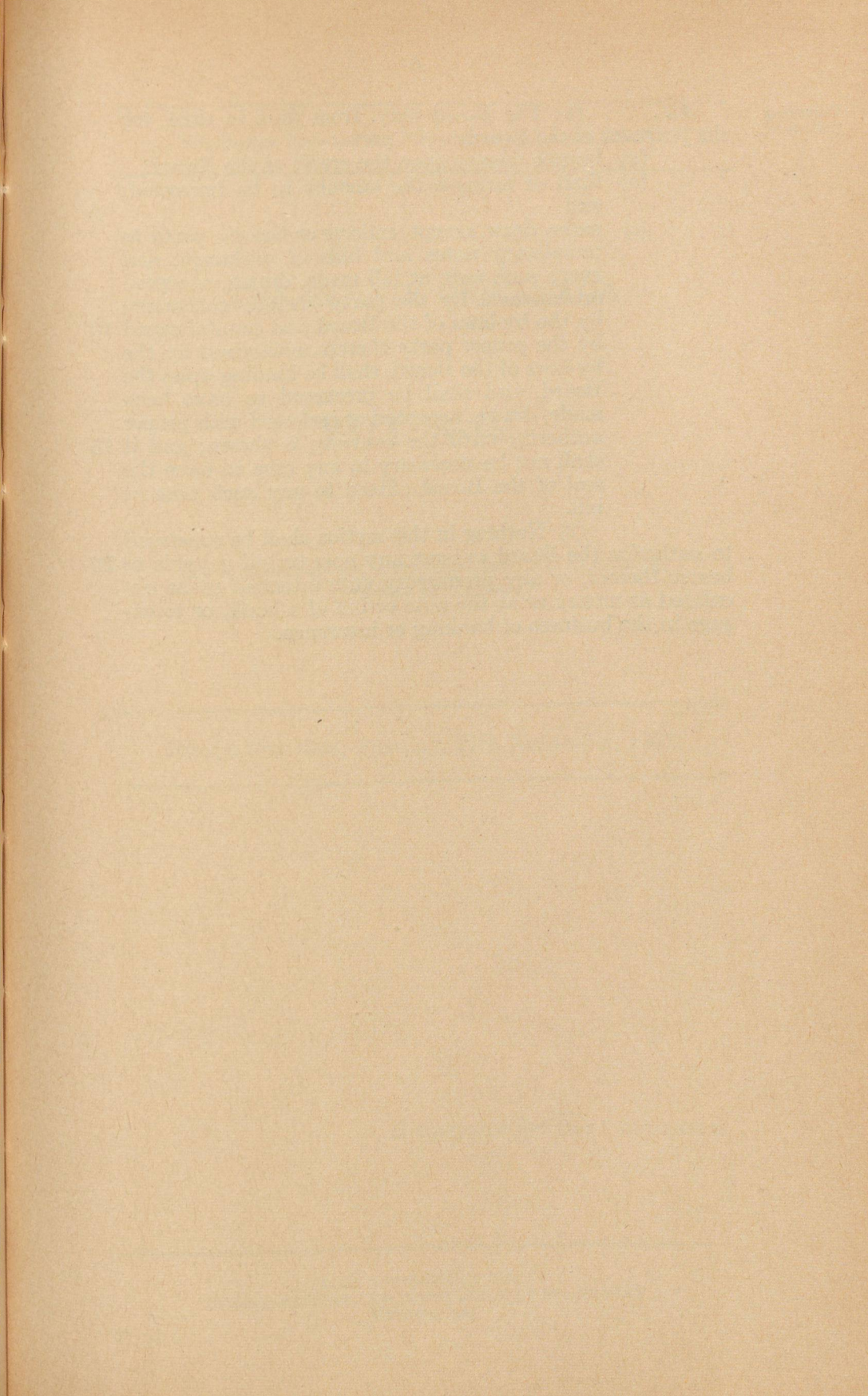
(3) No such by-law or regulation shall be enacted, altered or repealed except with the concurrence of two-thirds of the members of the Board appointed by participating licensing bodies. 35

Registration
of qualified
pharmacists.

15. Any qualified pharmacist licensed or registered in any province prior to the coming into force of this Act shall, after ten years from the date when he became so licensed or authorized, be entitled to be registered under this Act without examination upon payment of the prescribed fees. 40

Board may
hold
property.

16. The Board may acquire, own, hold, invest, deal with and dispose of real or personal property as may be required for the purposes of the Board.



Borrowing
powers.

17. (1) The Board may, from time to time, for the purposes of the Board

- (a) borrow money upon the credit of the Board;
- (b) limit or increase the amount to be borrowed; and
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Board and countersigned 10 by the proper party thereto authorized by the by-laws of the Board, shall be binding upon the Board, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it 15 shall not be necessary in any case to have the seal of the Board affixed to any such note or bill.

(2) Nothing in this section shall be construed to authorize the Board to issue any note or bill payable to 20 bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-16.

An Act respecting The Imperial Life Assurance
Company of Canada.

Read a first time, Tuesday, 27th November, 1962.

Honourable Senator CHOQUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-16.

An Act respecting The Imperial Life Assurance Company of Canada.

Preamble.
1896, c. 50.

WHEREAS The Imperial Life Assurance Company of Canada, and in French, Compagnie Canadienne d'assurance sur la vie l'Impériale, hereinafter called "the Company", has by its petition prayed that it be enacted hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Change of
name in
French.

Existing
rights
saved.

1. The name of the Company in French is hereby changed to L'Impériale, compagnie d'Assurance-Vie, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or proceeding that might have been commenced or continued by or against the Company under its former name may be commenced or continued by or against it under its new name. 10 15 20

EXPLANATORY NOTE.

The sole purpose of this bill is to change the name of the Company in French from Compagnie Canadienne d'assurance sur la vie l'Impériale, to L'Impériale, compagnie d'Assurance-Vie.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-17.

An Act to incorporate The Good News Broadcasting
Association of Canada.

Read a first time, Tuesday, 11th December, 1962.

Honourable Senator BEAUBIEN
(Provencher).

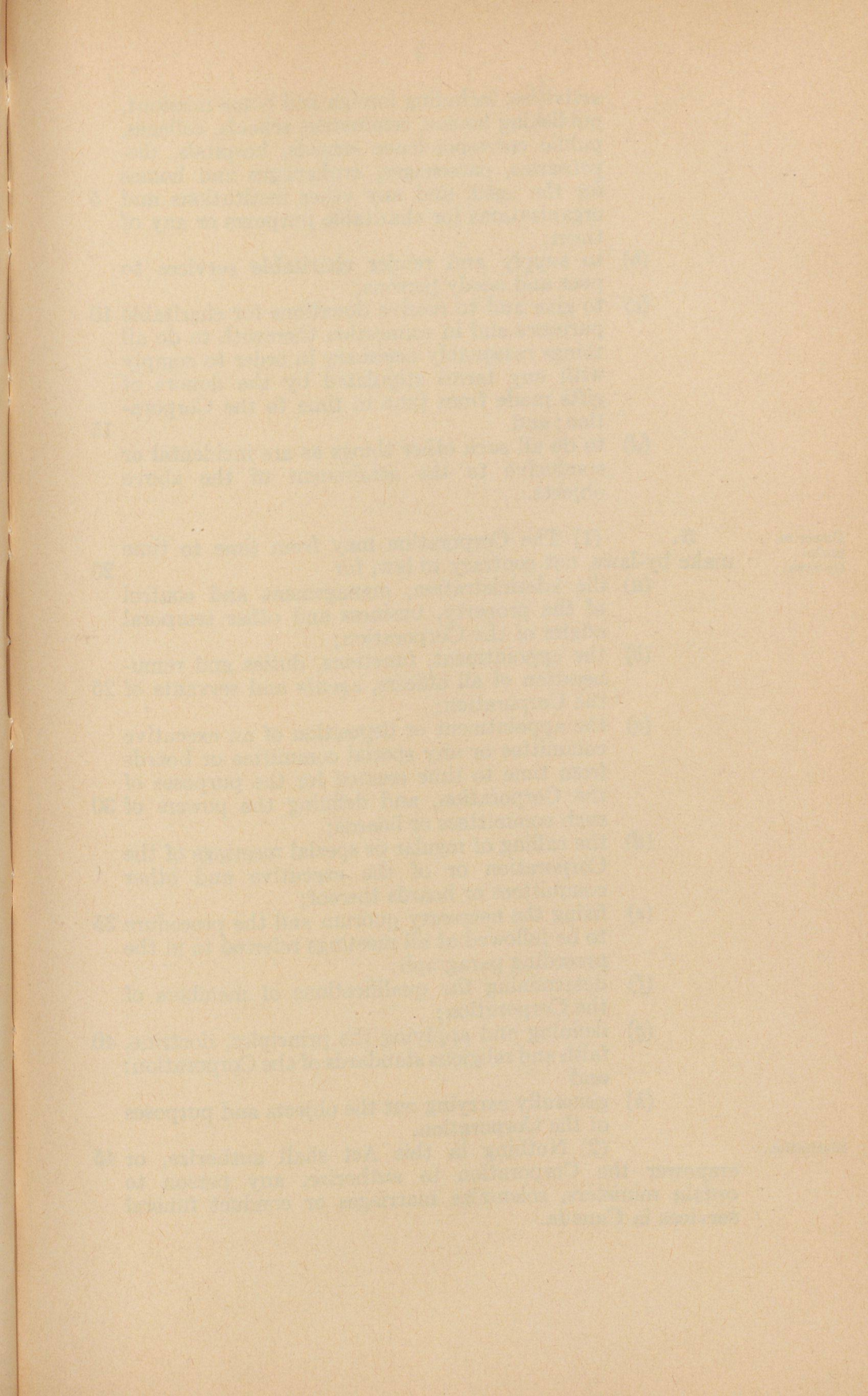
ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-17.

An Act to incorporate The Good News Broadcasting Association of Canada.

- Preamble. **W**HEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5
- Incorporation. **1.** Clarence Lewis Reimer, manager, Walter Carman Newman, barrister, and Wesley Bernard Penner, barrister, all of the city of Winnipeg, in the province of Manitoba, together with such persons as may become 10
- Corporate name. members of the corporation, are hereby incorporated under the name of The Good News Broadcasting Association of Canada, hereinafter called "the Corporation".
- Directors. **2.** The persons named in section 1 shall be the first directors of the Corporation. 15
- Head office. **3.** (1) The head office of the Corporation shall be in the city of Winnipeg, in the province of Manitoba, or at such other place within Canada as the Corporation may determine by by-law from time to time.
- Notice of change. (2) Notice in writing shall be given to the 20 Secretary of State by the Corporation of any change in the head office and such notice shall be published forthwith in the *Canada Gazette*.
- Objects. **4.** The objects of the Corporation shall be (a) to promote the dissemination of Christian 25 knowledge and to promote, organize, establish, maintain and carry on, conduct and assist organizations or facilities for the dissemination of Christian knowledge in all its branches and



activities, including foreign and home missions, publishing houses, seminaries, schools, colleges, public correspondence schools, hospitals, dispensaries, parsonages, orphanages and homes for the aged, and any other institutions and organizations for charitable purposes or any of them; 5

- (b) to supply and render charitable services to poor and needy persons;
- (c) to give and to receive donations for charitable purposes and in connection therewith to do all things reasonably necessary in order to comply with any terms stipulated by the donors of gifts made from time to time to the Corporation; and 10 15
- (d) to do all such other things as are incidental or conducive to the attainment of the above objects.

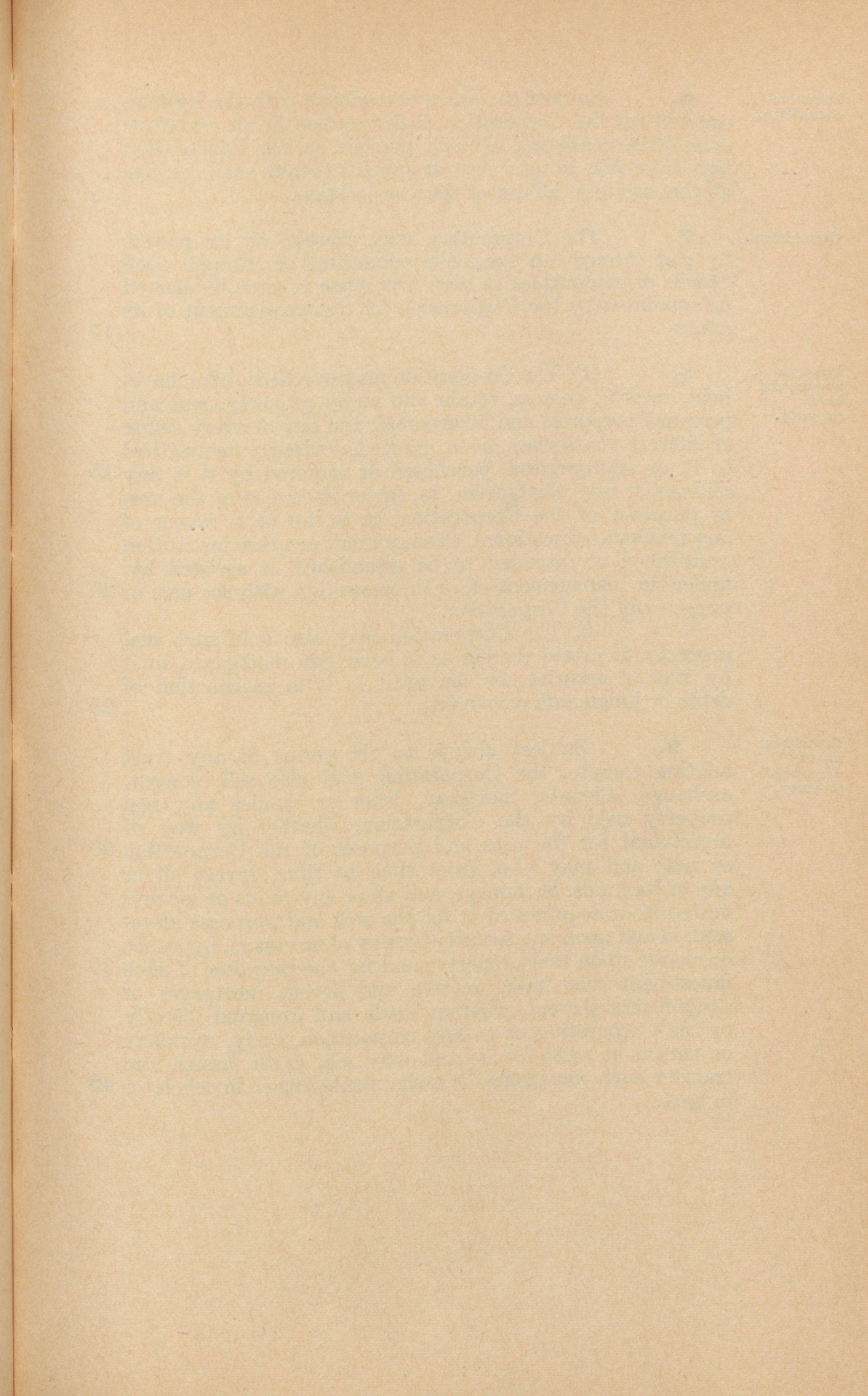
Power to
make
by-laws.

5. (1) The Corporation may from time to time make by-laws, not contrary to law, for 20

- (a) the administration, management and control of the property, business and other temporal affairs of the Corporation;
- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation; 25
- (c) the appointment or deposition of an executive committee or any special committee or boards from time to time created for the purposes of the Corporation, and defining the powers of such committees or boards; 30
- (d) the calling of regular or special meetings of the Corporation or of the executive and other committees or boards thereof;
- (e) fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph; 35
- (f) determining the qualifications of members of the Corporation;
- (g) defining and applying the principles, doctrine, faith and religious standards of the Corporation; 40 and
- (h) generally carrying out the objects and purposes of the Corporation.

Limitation.

(2) Nothing in this Act shall authorize, or empower the Corporation to authorize, any person to ordain ministers, solemnize marriages or conduct funeral services in Canada. 45



Executive
committee.

6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation.

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Committees.

7. The Corporation may exercise all its powers by and through an executive committee or through such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs.

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Power to
acquire and
hold
property.

8. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses or purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established or assisted by, under the management of, or in connection with the uses or purposes of the Corporation.

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(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

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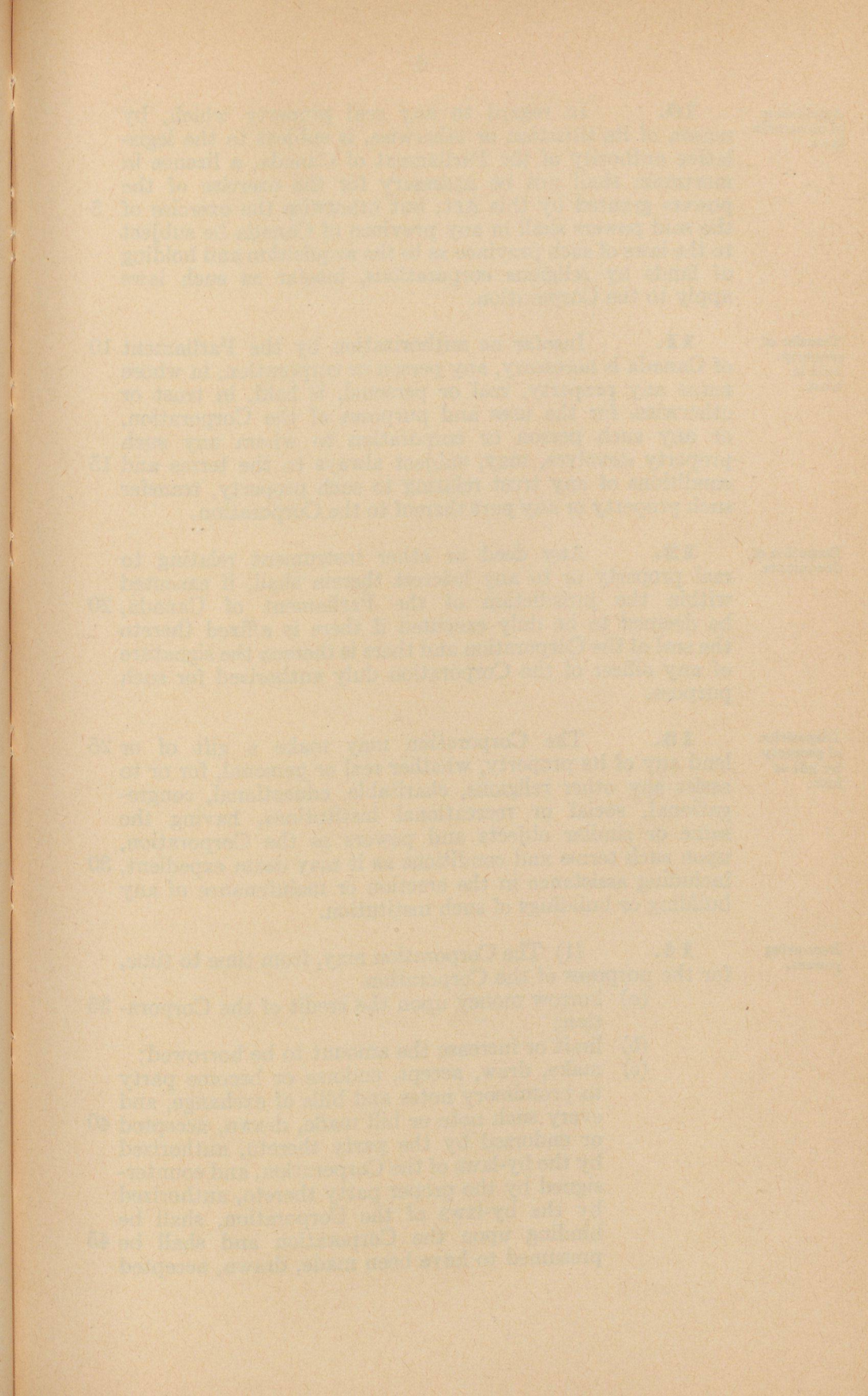
Investment
in and
disposal of
property.

9. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds, or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either in whole or in part.

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Application
of mortmain
laws.

10. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation. 5

Transfer of
property
held in
trust.

11. Insofar as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation. 10 15

Execution of
documents.

12. Any deed or other instrument relating to real property or to any interest therein shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereon the signature of any officer of the Corporation duly authorized for such purpose. 20

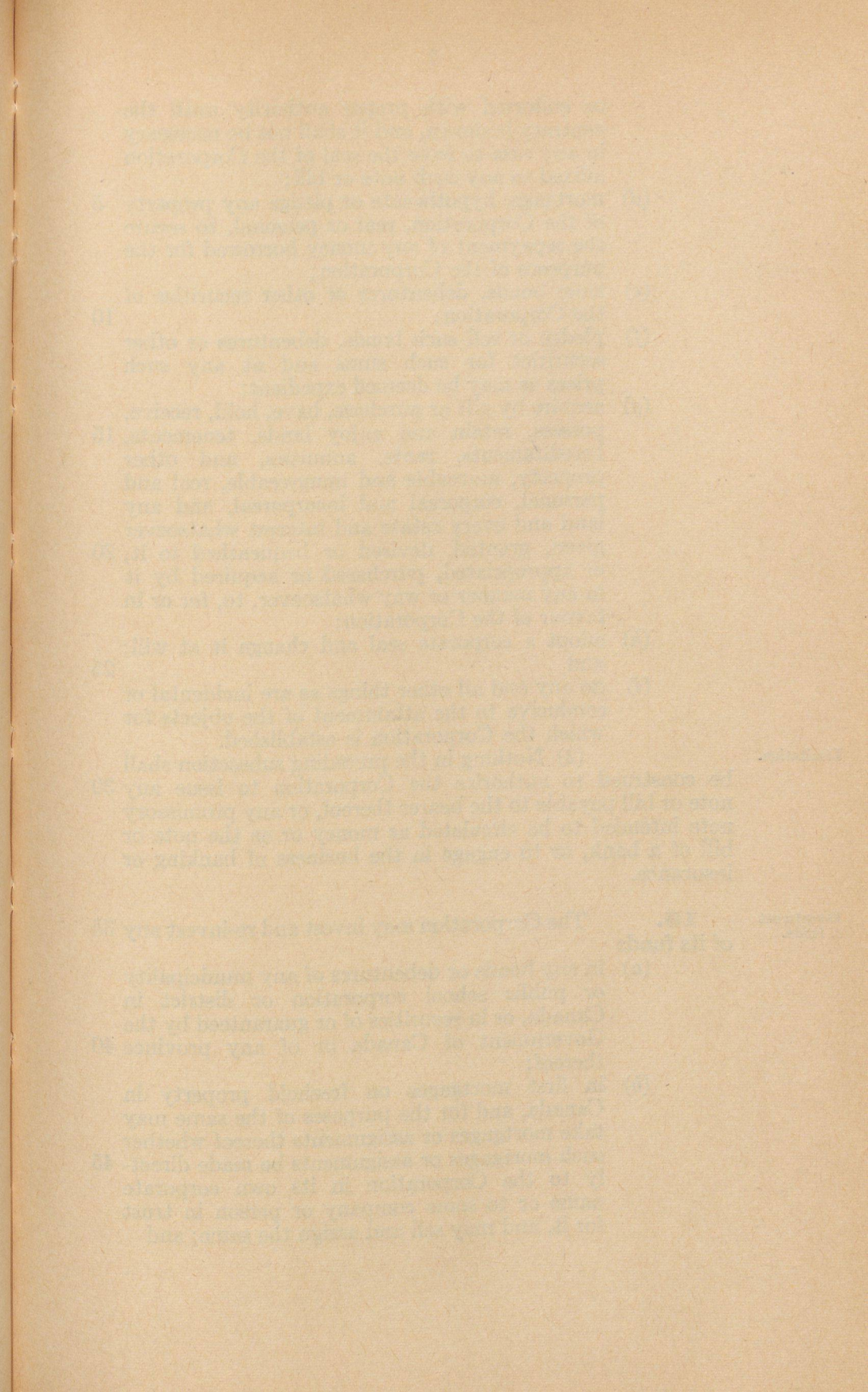
Disposition
of property
by gift or
loan.

13. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist any other religious, charitable, educational, congregational, social or recreational institutions, having the same or similar objects and powers as the Corporation, upon such terms and conditions as it may deem expedient, including assistance in the erection or maintenance of any building or buildings of such institution. 25 30

Borrowing
powers.

14. (1) The Corporation may, from time to time, for the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the Corporation and shall be presumed to have been made, drawn, accepted 35 40 45



or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

- (d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation; 5
- (e) issue bonds, debentures or other securities of the Corporation; 10
- (f) pledge or sell such bonds, debentures or other securities for such sums and at any such prices as may be deemed expedient;
- (g) acquire by gift or purchase, have, hold, receive, possess, retain and enjoy lands, tenements, hereditaments, rents, annuities, and other property, moveable and immoveable, real and personal, corporeal and incorporeal, and any land and every estate and interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the Corporation; 15 20
- (h) adopt a corporate seal and change it at will; and 25
- (i) do any and all other things as are incidental or conducive to the attainment of the objects for which the Corporation is established.

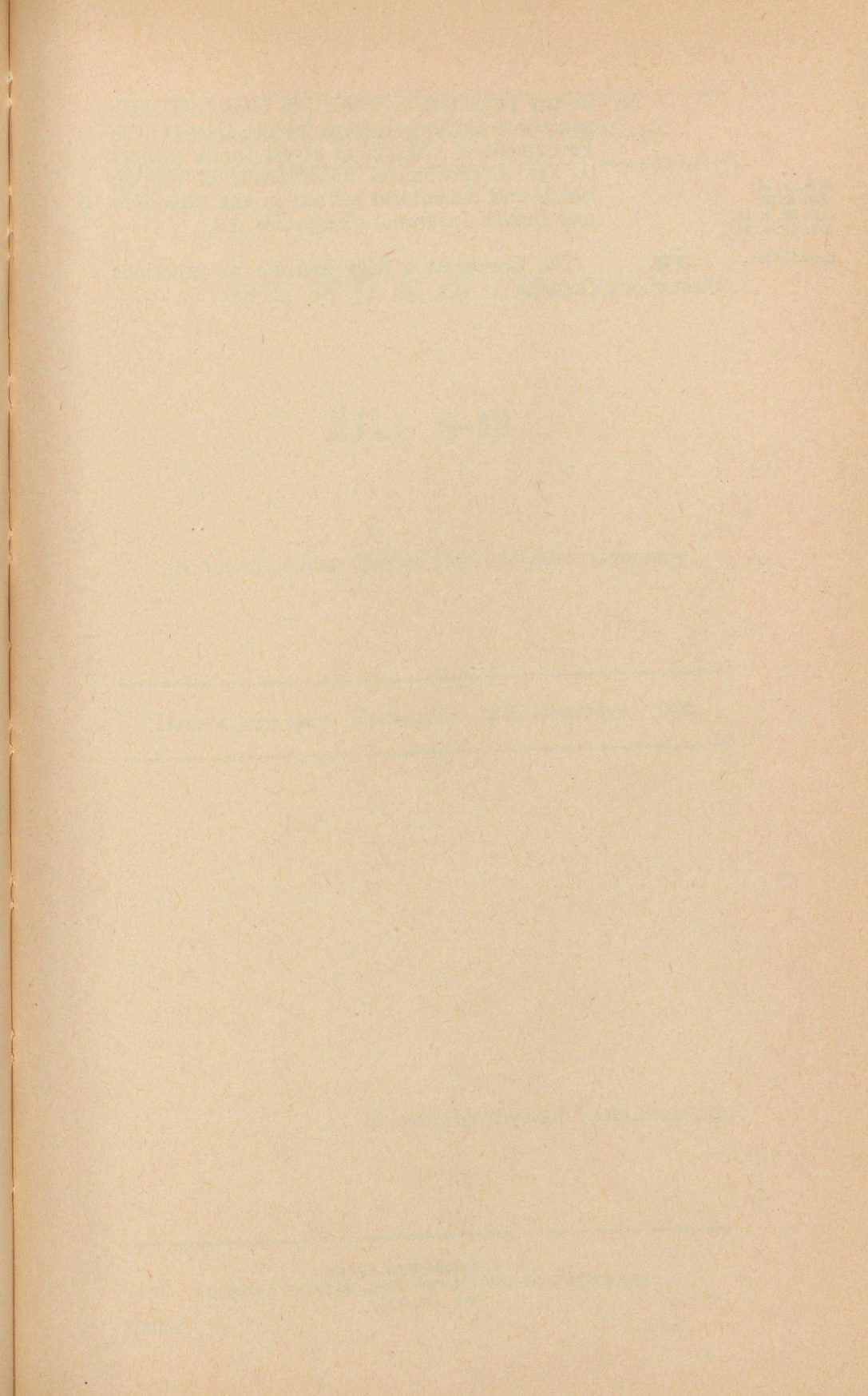
Limitation.

(2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. 30

Investment of funds.

15. The Corporation may invest and re-invest any 35 of its funds

- (a) in any bonds or debentures of any municipality or public school corporation or district in Canada, or in securities of or guaranteed by the Government of Canada or of any province thereof; 40
- (b) in first mortgages on freehold property in Canada, and for the purposes of the same may take mortgages or assignments thereof whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it, and may sell and assign the same; and 45



- (c) in any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds subject to the limitation on investments in stocks, bonds and debentures set out in the *Canadian and British Insurance Companies Act*. 5

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

Jurisdiction.

16. The Corporation may exercise its functions throughout Canada.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-18.

An Act respecting Quebec Fire Assurance Company.

Read a first time, Wednesday, 12th December, 1962.

Honourable Senator VAILLANCOURT.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-18.

An Act respecting Quebec Fire Assurance Company.

Preamble.
1878, c. 31;
1879, c. 69;
1883, c. 83.

WHEREAS Quebec Fire Assurance Company, and in French, Compagnie d'Assurance de Québec contre les accidents du feu, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of name.

Existing rights saved.

1. The name of the Company is hereby changed to Quebec Assurance Company, and in French, Compagnie d'assurance du Québec, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or proceeding that might have been commenced or continued by or against the Company under its former name may be commenced or continued by or against it under its new name.

EXPLANATORY NOTE.

The sole purpose of this bill is to change the name of the Company from Quebec Fire Assurance Company, and in French, Compagnie d'Assurance de Québec contre les accidents du feu, to Quebec Assurance Company, and in French, Compagnie d'assurance du Québec.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-19.

An Act respecting Co-operative Fire and Casualty Company.

Read a first time, Wednesday, 12th December, 1962.

Honourable Senator CAMERON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-19.

An Act respecting Co-operative Fire and Casualty Company.

Preamble.
1951 (1st
Sess.), c. 68;
1959, c. 59.

WHEREAS Co-operative Fire and Casualty Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Short title.

1. This Act may be cited as the *Co-operative Fire and Casualty Company Act, 1962*.

Corporate
existence
continued.

2. (1) The Company is hereby converted into a joint stock company, hereinafter called "the converted Company", and is continued as a body corporate under the same name with all the rights, powers and privileges hereinafter set forth, is vested with all the property and rights of the Company and is liable for all the debts and obligations of the Company. 15

Composition
of converted
Company.

(2) The converted Company shall be composed of the contributors listed in the Schedule to this Act, together with such other persons as may become shareholders in the converted Company: Provided that every policyholder in the Company as at the date on which this section comes into force shall continue to have one vote at all meetings of the converted Company until his policy expires, or where he is the holder of more than one policy in the Company as at such date, until all such policies expire. 20 25

Proviso.

Capital
stock.

3. The capital stock of the converted Company shall be two million dollars, which may be increased to five million dollars, divided into shares of one hundred dollars each. 30

EXPLANATORY NOTES.

The purpose of this Act is to convert the Company from a mutual to a joint stock company. The present contributors to the guarantee fund of the Company, being members of the Co-operative movement across Canada, will be given the opportunity to convert their contributions into shares of the capital stock of the Company. The resulting shareholders will have exclusive voting rights after the expiry date of existing policies, but surpluses may continue to be paid to policyholders as before.

Conversion
to capital
stock.

4. (1) All sums contributed to the Company in cash or paid to the Company under guarantees and listed in the Schedule to this Act are hereby converted into capital stock of the converted Company, and the converted Company shall issue paid-up shares of the said capital stock at par value to each contributor so listed in the amount shown opposite the name of such contributor in the said Schedule. 5

(2) Upon the request of a contributor, any sum contributed to the Company in cash or paid to the Company under guarantee by such contributor, and not previously repaid to such contributor or converted into capital stock, other than residual sums under one hundred dollars, shall be converted into capital stock of the converted Company, and the converted Company shall issue paid-up shares of the said capital stock at par value to such contributor in the amount of the sum converted. 15

(3) Upon the conversion into capital stock of the converted Company of a sum contributed to the Company in cash or paid to the Company under guarantee by a contributor, and upon the issuance to the contributor of paid-up shares of the said capital stock at par value, the liability of the converted Company to refund such sum to the contributor shall terminate. 20

(4) Any sum contributed to the Company in cash or paid to the Company under guarantee by a contributor, and not previously repaid to such contributor or converted into capital stock, may be repaid out of accumulated surpluses in whole or in part as the directors may from time to time determine, and until repaid or converted into capital stock the directors may pay interest thereon at such a rate as the directors may from time to time determine: Provided that such rate shall not exceed six per cent per annum. 30

(5) No repayment of any sum contributed to the Company in cash or paid to the Company under guarantee by a contributor and no payment of interest as aforesaid shall be made at any time where the effect thereof would be to reduce the assets of the converted Company below the minimum required by the provisions of the *Canadian and British Insurance Companies Act*. 40

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

(6) Until such time as all sums contributed to the Company in cash or paid to the Company under guarantees by contributors have been fully repaid or converted as hereinbefore provided, the converted Company shall indicate in all published financial statements and in its annual statement filed under the provisions of the *Canadian and British Insurance Companies Act*, the amount thereof not repaid or converted, and that such amount is a liability of the converted Company. 45 50

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

Head office.

5. The head office of the converted Company shall be in the city of Regina, in the province of Saskatchewan.

Classes of insurance authorized.

6. The converted Company may make or continue to make contracts of insurance in any one or more of the following classes of insurance: 5

- (a) accident insurance;
- (b) aircraft insurance;
- (c) automobile insurance;
- (d) boiler insurance; 10
- (e) credit insurance;
- (f) earthquake insurance;
- (g) explosion insurance;
- (h) falling aircraft insurance;
- (i) fire insurance; 15
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance; 20
- (o) livestock insurance;
- (p) marine insurance;
- (q) personal property insurance;
- (r) plate glass insurance;
- (s) real property insurance; 25
- (t) sickness insurance;
- (u) sprinkler leakage insurance;
- (v) theft insurance;
- (w) water damage insurance;
- (x) weather insurance; and 30
- (y) windstorm insurance.

Directors.

7. (1) At any general meeting the converted Company may by by-law change, or authorize the board of directors to change from time to time, the number of directors, but the board shall at all times consist of not less than nine nor more than twenty-one directors, and in the event of any increase in the number of directors having been made by the directors, the vacancy, or vacancies, in the board thereby created may be filled by the directors from among the qualified shareholders to hold office until the next annual meeting. 35

(2) The converted Company may by by-law provide that all of the directors shall be elected for one, two or three years, and if the by-law provides for a term of two or three years, it may also provide that the term 45

of office of each director shall be for the whole of that term, or that, as nearly as may be, one-half of the directors shall retire each year if the term is two years, and, as nearly as may be, one-third of the directors shall retire each year if the term is three years; but a director who has completed his term of office shall be eligible for re-election. 5

Distributions to policy-holders.

8. The directors may from time to time, out of the earnings of the converted Company, distribute equitably to the holders of policies issued by the Company or by the converted Company such sums as in the judgment of the directors are proper and justifiable. 10

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

9. The provisions of the *Canadian and British Insurance Companies Act* shall apply to the converted Company except as otherwise provided in section 7 of this Act. 15

By-laws continue.

10. (1) Except insofar as they may be inconsistent with the provisions of this Act, the by-laws by which the Company is governed as at the date on which this section comes into force shall continue in effect until amended or repealed. 20

Directors continue.

(2) The directors of the Company holding office as at the date on which this section comes into force shall continue in office with their then existing qualifications until the first general meeting of the converted Company following the said date. 25

Repeal.

11. Chapter 68 of the statutes of 1951 (First Session) and chapter 59 of the statutes of 1959 are repealed.

Coming into force.

12. The foregoing sections of this Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*, and such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the Company present or represented by proxy at a meeting duly called for that purpose, nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given. 30
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SCHEDULE.

Alberta Poultry Marketers Co-operative Limited, Edmonton, Alberta.....	\$ 8,000.00
Alberta Wheat Pool, Calgary, Alberta.....	100,000.00
British Columbia Co-operative Wholesale Society, Burnaby, British Columbia.....	12,600.00
Co-op Vegetable Oils Ltd., Altona, Manitoba.....	7,200.00
Federated Co-operatives Limited, Saskatoon, Saskatchewan.....	280,000.00
La Federation des Caisses Populaires Acadiennes Limitee, Caraquet, New Brunswick.....	25,000.00
Manitoba Pool Elevators, Winnipeg, Manitoba.....	50,000.00
Maritime Co-operative Services Ltd., Moncton, New Brunswick.....	100,000.00
Northern Alberta Dairy Pool Ltd., Edmonton, Alberta..	37,000.00
Nova Scotia Credit Union League, Antigonish, Nova Scotia.....	50,000.00
Saskatchewan Wheat Pool, Regina, Saskatchewan.....	135,000.00
United Farmers of Alberta Co-operative Limited, Calgary, Alberta.....	57,500.00
TOTAL.....	<u>\$ 862,300.00</u>

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962.

THE SENATE OF CANADA

BILL S-20.

An Act to incorporate Standard Trust Company.

Read a first time, Monday, 17th December, 1962.

Honourable Senator CHOQUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE SENATE OF CANADA

BILL S-20.

An Act to incorporate Standard Trust Company.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Wilbur Carlisle Cochrane, executive, and Bert-ram Elmore Willoughby, realtor, of the city of Toronto, Wesley Gardiner Thompson, grain merchant, of the town of Blenheim, Stephen Boleslav Roman, executive, of the township of Markham, George Gustav Rodanz, farmer, of the township of Whitchurch, both in the county of York, and John Bull, farmer, of the township of Chinguacousy, in the county of Peel, all in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of Standard Trust Company, hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The persons named in section 1 shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be five million dollars.

Amount to be subscribed before general meeting.

4. The amount to be subscribed before the provisional directors may call a general meeting of the shareholders shall be five hundred thousand dollars.

Amount to be subscribed and paid before commencement.

5. The Company shall not commence business until at least one million dollars of the capital stock shall have been subscribed and at least one million dollars paid thereon.

Head office.

6. The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Trust Companies Act
to apply.
R.S., c. 272;
1952-53, c. 10;
1958, c. 42;
1960-61, c. 55.

7. The Company has all the powers, privileges and immunities conferred by, and is subject to all the limitations, liabilities and provisions of the *Trust Companies Act*. 5

THE SENATE OF CANADA

BILL S-21.

An Act to incorporate The Union of Slavic Churches of
Evangelical Christians and Baptists of Canada.

Read a first time, Tuesday, 18th December, 1962.

Honourable Senator WILLIS.

THE SENATE OF CANADA

BILL S-21.

An Act to incorporate The Union of Slavic Churches of Evangelical Christians and Baptists of Canada.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: 5
Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. John Mark, clergyman, Alexander Bondarenko, clergyman, Peter Nesterenko, proprietor, and Alex Evdoki- 10
menko, packer, of the city of Toronto, in the province of Ontario, Jan Doygalev, engineering technician, of the town of Oshawa, in the province of Ontario, Peter Kolibaiev, clergyman, of the city of Montreal, in the province of Quebec, and Paul Gnylycky, clergyman, of the city of 15
Calgary, in the province of Alberta, together with such other persons as may from time to time become members of the corporation, are hereby incorporated under the name of The Union of Slavic Churches of Evangelical Christians and Baptists of Canada, hereinafter called "the Corpo- 20
ration".

Corporate name.

Directors.

2. The persons named in section 1 shall be the first directors of the Corporation.

Head office.

3. (1) The head office of the Corporation shall be in the city of Toronto, in the province of Ontario, or at 25
such other place within Canada as the Corporation may determine by by-law from time to time.

Notice of change.

(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published forthwith in 30
the *Canada Gazette*.

Objects.

- 4.** The objects of the Corporation shall be
- (a) to promote, maintain, superintend and carry on, in accordance with the Christian faith, doctrines, constitution, acts and rulings of the Corporation, any or all of the work of that body; 5
 - (b) to advance and increase the diffusion of the Christian faith of the Corporation in all lawful ways;
 - (c) to promote, organize, establish, maintain, carry on, conduct and assist the Corporation in all its branches and activities including missions, seminaries, schools, colleges, hospitals, dispensaries, parsonages, orphanages and homes for the aged, and any other institutions for religious, educational, congregational, social or recreational purposes; 15
 - (d) to promote the erection and purchase of houses of worship and parsonages;
 - (e) to administer the property, business and other temporal affairs of the Corporation and its congregations; 20
 - (f) to establish, support and maintain a publishing house for the purpose of printing and disseminating Gospel literature for the support of the doctrines and faith of the Corporation; and 25
 - (g) to promote generally the spiritual welfare of all the members, congregations and mission fields of the Corporation.

Power to make by-laws.

- 5.** The Corporation may from time to time make by-laws, not contrary to law, for 30
- (a) the administration, management and control of the property, business and other temporal affairs of the Corporation;
 - (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation; 35
 - (c) the appointment or deposition of an executive committee or any special committees or boards from time to time created for the purposes of the Corporation, and defining the powers of such committees or boards; 40
 - (d) the calling of regular or special meetings of the Corporation or of the executive and other committees or boards thereof;
 - (e) fixing the quorum and the procedure to be followed at all meetings referred to in the preceding paragraph; 45
 - (f) determining the qualifications of members of the Corporation;

- (g) defining and applying the principles, doctrine, faith and religious standards of the Corporation; and
 (h) generally carrying out the objects and purposes of the Corporation. 5

Executive committee.

6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation. 10

Incidental powers.

7. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects.

Committees.

8. The Corporation may exercise all its powers by and through an executive committee or such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs. 15

Power to acquire and hold property.

9. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses or purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established or assisted by, under the management of, or in connection with the uses or purposes of the Corporation. 20 25

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered. 30

Investment in and disposal of property.

10. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive and accept mortgages or assign- 35 40

ments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either in whole or in part.

Application
of mortmain
laws.

11. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation. 5 10

Transfer of
property
held in trust.

12. Insofar as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation. 15 20

Execution of
documents.

13. Any deed or other instrument relating to real property or to any interest therein shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereon the signature of any officer of the Corporation duly authorized for such purpose. 25

Disposition
of property
by gift
or loan.

14. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist any other religious, charitable, educational, congregational, social or recreational institutions, having the same or similar objects and powers as the Corporation, upon such terms and conditions as it may deem expedient, including assistance in the erection or maintenance of any building or buildings of such institution. 30 35

Borrowing
powers.

15. (1) The Corporation may, from time to time, for the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed; 40
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and counter- 45

signed by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the Corporation and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill; 5

- (d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation; 10
- (e) issue bonds, debentures or other securities of the Corporation;
- (f) pledge or sell such bonds, debentures or other securities for such sums and at any such prices as may be deemed expedient; 15
- (g) acquire by gift or purchase, have, hold, receive, possess, retain and enjoy lands, tenements, hereditaments, rents, annuities, and other property, moveable and immoveable, real and personal, corporeal and incorporeal, and any land and every estate and interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the Corporation; 20
- (h) adopt a corporate seal and change it at will; and
- (i) do any and all other things as are incidental or conducive to the attainment of the objects for which the Corporation is established. 25

Limitation.

(2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. 35

Investment of funds.

16. The Corporation may invest and reinvest any of its funds

- (a) in any bonds or debentures of any municipality or public school corporation or district in Canada, or in securities of or guaranteed by the Government of Canada or of any province thereof; 40
- (b) in first mortgages on freehold property in Canada, and for such purposes may take mortgages or assignments thereof, whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it, and may sell or assign the same; and 50

- (c) in any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds, subject to the limitation on investments in stocks, bonds and debentures set out in the *Canadian and British Insurance Companies Act*. 5

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

Jurisdiction.

17. The Corporation may exercise its functions throughout Canada.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962-63.

THE SENATE OF CANADA

BILL S-22.

An Act respecting General Mortgage Service
Corporation of Canada.

Read a first time, Monday, 28th January, 1963.

Honourable Senator THORVALDSON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

THE SENATE OF CANADA

BILL S-22.

An Act respecting General Mortgage Service Corporation of Canada.

Preamble.
1960-61, c. 78.

WHEREAS General Mortgage Service Corporation of Canada, hereinafter called "the Corporation", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Amendment.

1. Chapter 78 of the statutes of 1960-61 is amended by adding thereto, immediately after section 1 thereof, the following sections: 10

Name in French.

"1A. The Corporation may use, in the transaction of its business, either the name General Mortgage Service Corporation of Canada or the name Compagnie Générale Mortgage Service du Canada, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Corporation in either of the said names shall be valid and binding on the Corporation." 15

Existing rights saved.

"1B. Nothing contained in section 1A of this Act shall in any way impair, alter or affect the rights or liabilities of the Corporation, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Corporation, which, notwithstanding the provisions of section 1A of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed." 20 25

EXPLANATORY NOTES.

The purpose of clause 1 of the bill is to add a French version to the name of the Corporation.

Amendment. **2.** Chapter 78 of the statutes of 1960-61 is further amended by adding thereto, immediately after section 9 thereof, the following sections:

Power of interim investment.

"9A. All moneys received by the Corporation for the purposes of Mortgage Fund A, until invested in the manner provided in section 8 of this Act, and all moneys received by the Corporation for the purposes of Mortgage Fund B, until invested in the manner provided in section 9 of this Act, may be invested in the bonds, debentures or other securities of, or guaranteed by, the government of Canada or the government of any province of Canada, or in any loans fully secured by such bonds, debentures or other securities." 5 10

Power to pledge bonds to banks.

"9B. Notwithstanding anything contained or expressed in this Act, the Corporation may issue Series A Mortgage Bonds or Series B Mortgage Bonds to chartered banks in Canada by way of pledge as security for money borrowed: Provided that in no event shall the principal amount of the bonds so issued exceed the moneys borrowed on the security thereof." 15 20

Proviso.

Moneys received through pledge of bonds.

"9C. All moneys received as a consequence of the issue of Series A Mortgage Bonds or Series B Mortgage Bonds by way of pledge shall, for the purposes of subsection (2) of section 8 and subsection (2) of section 9 of this Act, be deemed to be moneys received from the sale of such bonds." 25

Pledgee deemed to be a holder.

"9D. Any bank to which a Series A Mortgage Bond or a Series B Mortgage Bond is pledged shall be deemed to be the holder thereof for the purposes of subsection (3) of section 8 and subsection (4) of section 9, as the case may be, of this Act." 30

Power to redeem bonds pledged.

"9E. The directors may withdraw from Mortgage Fund A such amounts as may be required from time to time to repay moneys borrowed on the security of Series A Mortgage Bonds issued by way of pledge and may withdraw from Mortgage Fund B such amounts as may be required, from time to time, to repay moneys borrowed on the security of Series B Mortgage Bonds issued by way of pledge." 35

The purpose of proposed new section 9A is to give the Corporation express powers of interim investment of funds received for the purpose of investment in mortgages.

The purpose of proposed new section 9B is to give the Corporation power to issue bonds by way of pledge to chartered banks in Canada.

The purpose of proposed new section 9c is to give moneys received by a pledge of bonds the same legal status as moneys received by a sale of bonds.

The purpose of proposed new section 9D is to give the holder of a bond by way of pledge the same legal status as a holder of a bond by way of purchase.

The purpose of proposed new section 9E is to authorize the directors to use moneys in Mortgage Fund A to redeem Series A Mortgage Bonds issued by way of pledge, and to authorize the directors to use moneys in Mortgage Fund B to redeem Series B Mortgage Bonds issued by way of pledge.

THE SENATE OF CANADA

BILL S-23.

An Act respecting Canada Permanent Toronto General
Trust Company.

Read a first time, Monday, 28th January, 1963.

Honourable Senator CHOQUETTE.

THE SENATE OF CANADA

BILL S-23.

An Act respecting Canada Permanent Toronto General Trust Company.

Preamble.
1913, c. 87;
1947, c. 87;
1960-61, c. 77.

WHEREAS Canada Permanent Toronto General Trust Company, and, in French, Compagnie de Fiducie Canada Permanent Toronto General, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of name.

1. The name of the Company, in English, is hereby changed to Canada Permanent Trust Company, and, in French, to La Canada Permanent, Compagnie de Fiducie. 10

Transaction of business, etc.

2. The Company may use in the transaction of its business either or both of such names, as and when it so elects, and may sue or be sued in either or both of such names.

Existing rights saved.

3. Nothing contained in sections 1 and 2 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, or in any way affect any right of action or judgment existing, or any suit or proceeding now pending, either by or in favour of or against the Company, which, notwithstanding the provisions of sections 1 and 2 of this Act, may be initiated, prosecuted, continued, completed and enforced as if this Act had not been passed. 15 20

Coming into force.

4. This Act shall come into force on the thirtieth day following the day on which this Act is assented to. 25

EXPLANATORY NOTE.

The sole purpose of this bill is to change the name of the Company in English and in French.

First Session, Twenty-Fifth Parliament, 11 Elizabeth II, 1962-63.

THE SENATE OF CANADA

BILL S-24.

An Act respecting Confederation Life Association.

Read a first time, Monday, 28th January, 1963.

Honourable Senator LEONARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

THE SENATE OF CANADA

BILL S-24.

An Act respecting Confederation Life Association.

Preamble.
1871, c. 54;
1874, c. 88;
1879, c. 72;
1890, c. 45;
1930, c. 60.

WHEREAS Confederation Life Association, and, in French, Association d'assurance sur la vie dite de la Confédération, hereinafter called "the Association", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Change of
name in
French.

1. The name of the Association, in French, is hereby changed to La Confédération, Compagnie d'Assurance-Vie. 10

Transaction
of business,
etc.

2. The Association may use in the transaction of its business either the name Confederation Life Association or the name La Confédération, Compagnie d'Assurance-Vie, or both of such names, as and when it so elects, and may sue or be sued in either or both of such names. 15

Existing
rights
saved.

3. Nothing contained in sections 1 and 2 of this Act shall in any way impair, alter or affect the rights or liabilities of the Association, except as therein expressly provided, or in any way affect any right of action or judgment existing, or any suit or proceeding now pending, either by or in favour of or against the Association, which, notwithstanding the provisions of sections 1 and 2 of this Act, may be initiated, prosecuted, continued, completed and enforced as if this Act had not been passed. 20 25

EXPLANATORY NOTE.

The sole purpose of this bill is to change the name of the Association in French.

