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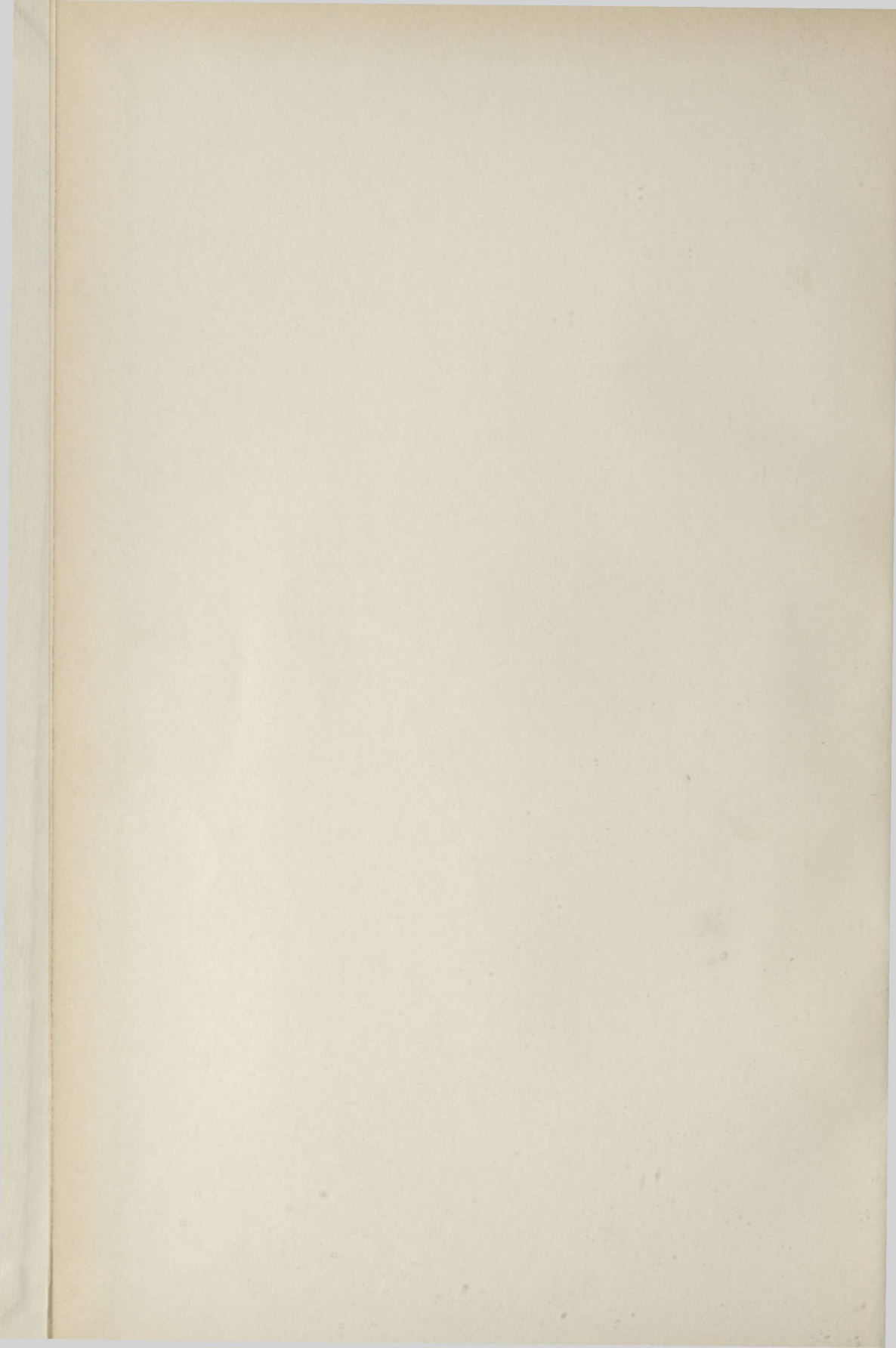
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Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

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THE SENATE OF CANADA

BILL S-2.

An Act to amend the Canada-Netherlands
Income Tax Agreement Act, 1957.

First reading, Tuesday, 19th January, 1960.

Honourable Senator ASELTINE

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22175-4

THE SENATE OF CANADA

BILL S-2.

An Act to amend the Canada-Netherlands
Income Tax Agreement Act, 1957.

1957, c. 16.

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

Supple-
mentary
Convention
approved.

1. The Supplementary Convention entered into between Canada and the Netherlands, set out in the Schedule, is hereby approved and declared to have the force of law in Canada, and shall be deemed to be included in and to form part of the Convention set out in the Schedule to the *Canada-Netherlands Income Tax Agreement Act, 1957*. 5

Coming into
force.

2. This Act shall come into force on a day to be fixed 10 by proclamation of the Governor in Council.

EXPLANATORY NOTE.

The purpose of this Bill is to implement the Supplementary Convention entered into between Canada and the Netherlands modifying the Convention between Canada and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Ottawa on April 2, 1957.

SCHEDULE.

Supplementary Convention modifying the Convention between Canada and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion in respect of taxes on income, signed at Ottawa on April 2, 1957.

The Government of Canada and the Government of the Kingdom of the Netherlands, desiring to conclude a Supplementary Convention, modifying the Convention between Canada and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion in respect of taxes on income, signed at Ottawa on April 2, 1957, agree as follows:

ARTICLE I.

The provisions of the above-mentioned Convention of April 2, 1957, are hereby modified as follows:

- (a) By deleting the following words which appear in Article VII, paragraph 2 and Article VIII, paragraph 2:

“In case either of the States introduces into its law for the tax mentioned a rate exceeding 15%, such State may terminate the limitation of the rate of tax to 15% by giving written notice of termination to the other State through diplomatic channels on or before the thirtieth day of June in any year after the year in which this Convention comes into force. In such event, this limitation shall cease to be effective on and after the first day of January in the year next following that in which such notice is given”.

- (b) By deleting paragraph 3 of Article VII and replacing it with the following three paragraphs:

“3. Notwithstanding the second paragraph of this article the rate of tax shall not exceed $2\frac{1}{2}\%$ if the dividends are paid by a company which is a resident of one of the States to a company which is a resident of the other State, provided that during the whole of the taxation year the latter company owns all of the voting stock of the former company (except directors' qualifying shares), either alone or in association with not more than three other companies which are residents of that other State, but each of these companies must own at least 10% of the voting stock of the former company.

4. Notwithstanding the third paragraph of this article none of the States shall levy a tax by way of deduction at the source on dividends paid by a company which is a resident of that State to a company which is a resident of the other State provided that

- (a) all of the gross income of the former company is derived from dividends or interest received from companies which are not residents of that State, for the three year period ending with the close of the taxation year of the former company preceding the payment of such dividends or for such part of such period as may be applicable, and
- (b) the condition mentioned in paragraph 3 has been fulfilled.

5. Where in paragraph 4(a) the three year period referred to includes any or all of the taxation years 1957, 1958 or 1959 the word 'all' shall be replaced by 'at least 95%' for any such year or years."

ARTICLE II.

The provisions of the Protocol signed at Ottawa on April 2, 1957, and annexed to the above-mentioned Convention of the same date are hereby modified by deleting the following words in the paragraph relating to article XVII: "alimonies as well as".

ARTICLE III.

1. This Supplementary Convention shall be ratified and the instruments of ratification shall be exchanged at The Hague as soon as possible.
2. This Supplementary Convention shall come into force on the date on which the instruments of ratification are exchanged and shall thereupon have effect:
 - (a) as respects income taxes, for any taxation year beginning after December 31, 1959, and
 - (b) as respects taxes on income withheld at the source, during the calendar year 1960 and subsequent years.
3. As from the date of its entry into force this Supplementary Convention shall be considered as an integral part of the Convention of April 2, 1957.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Supplementary Convention and have affixed thereto their seals.

DONE, in duplicate, this 28th day of October nineteen hundred and fifty-nine at OTTAWA, in the English and Netherlands languages, both texts being equally authentic

SEAL FOR THE GOVERNMENT OF CANADA:
(Sgd) DONALD M. FLEMING.

SEAL FOR THE GOVERNMENT OF
THE KINGDOM OF THE NETHERLANDS:
(Sgd) D. J. VON BALLUSECK

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-3.

An Act to repeal certain Fisheries Laws of Newfoundland.

First reading, Tuesday, 19th January, 1960.

Honourable Senator ASELTINE.

3rd Session, 24th Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-3.

An Act to repeal certain Fisheries Laws of Newfoundland.

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

Fisheries
Laws
repealed.

1. The Fisheries Laws of Newfoundland as defined in paragraph (1) of Term 22 of the Terms of Union of Newfoundland with Canada and all orders, rules and regulations made thereunder, in force at the commencement of this Act, are repealed.

EXPLANATORY NOTES.

Term 22 of the Terms of Union of Newfoundland with Canada continued in force certain Acts of Newfoundland in so far as they related to the export marketing of salted fish "for a period of five years from the date of Union and thereafter until the Parliament of Canada otherwise provides".

The Statutes of Canada relating to fisheries have now been brought into force in Newfoundland and the continuation of the pre-Confederation Newfoundland Fisheries Laws is no longer necessary.

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-4.

An Act to amend the Windsor Harbour Commissioners Act.

First reading, Tuesday, 19th January, 1960.

Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-4.

An Act to amend the Windsor Harbour Commissioners Act.

1957, c. 38.

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

1. Subsection (1) of section 4 of the *Windsor Harbour Commissioners Act* is repealed and the following substituted therefor: 5

Boundaries
of harbour.

“4. (1) For the purposes of this Act, the harbour of Windsor comprises all the waters of the Detroit River within the following boundaries:

Commencing at a point where the ordinary high water line of the Detroit River intersects the easterly boundary of the City of Windsor, thence westerly along the ordinary high water line of the Detroit River to a point where the said line intersects the southerly boundary of the Municipality of Ojibway, thence westerly along the extended southerly boundary of the Municipality of Ojibway to a point where it intersects the International Boundary between Canada and the United States in the Detroit River, thence easterly along the said International Boundary to a point where it intersects the easterly extended boundary of the City of Windsor, thence southerly along the easterly extended boundary of the City of Windsor to the point of beginning and all water-front property, wharves, piers, docks, buildings, shores and beaches in or along the said waters.” 10 15 20 25

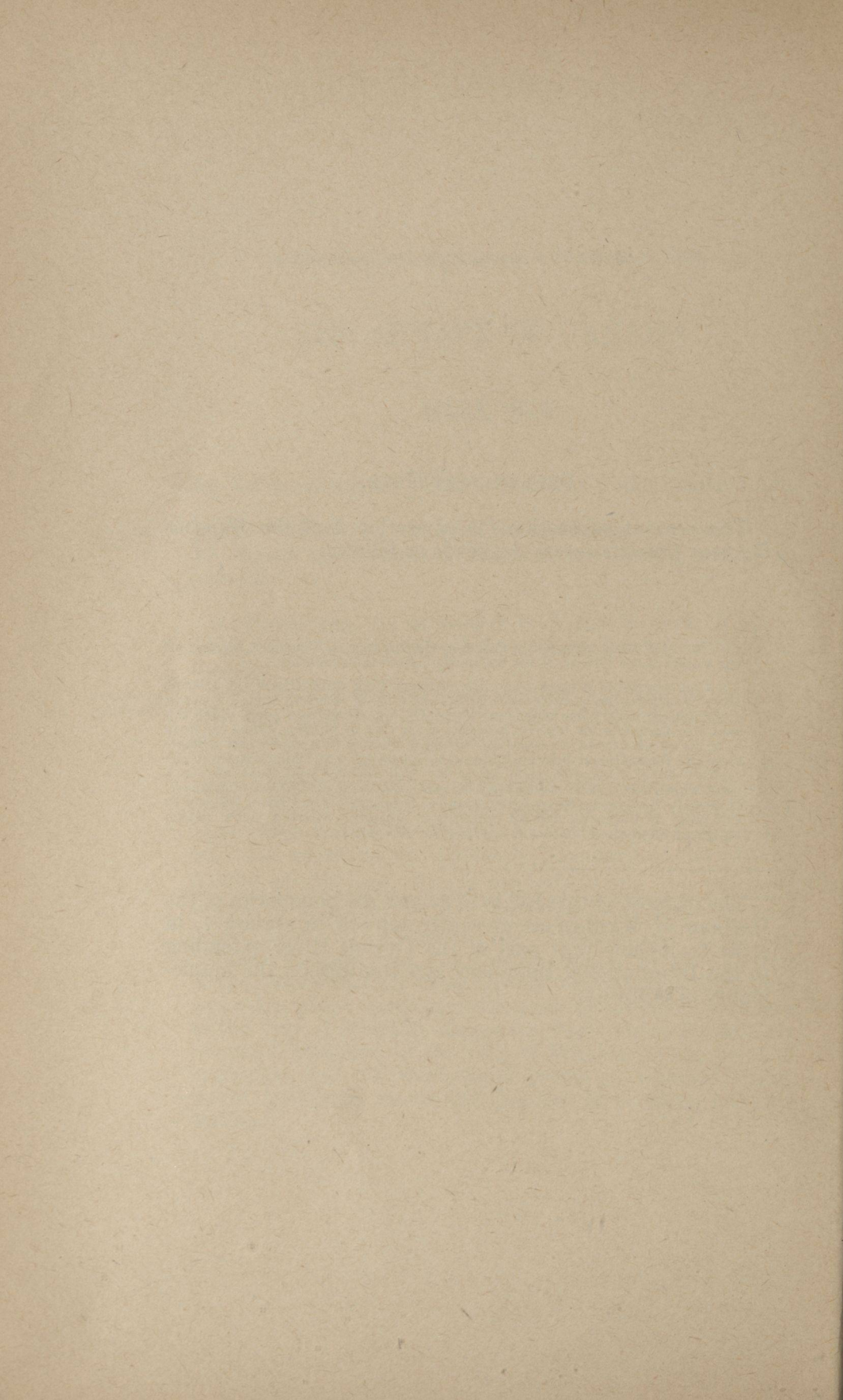
EXPLANATORY NOTE.

The present subsection (1) of section 4 of the *Windsor Harbour Commissioners Act* reads as follows:

"4. (1) For the purposes of this Act, the harbour of Windsor comprises all the waters of the Detroit River within the following boundaries:

Commencing at a point where the ordinary high water line of the Detroit River intersects the easterly boundary of the City of Windsor, thence westerly along the ordinary high water line of the Detroit River to a point where the said line intersects *the westerly boundary of the City of Windsor, thence northerly along the extended westerly boundary of the City of Windsor* to a point where it intersects the International Boundary between Canada and the United States in the Detroit River, thence easterly along the said International Boundary to a point where it intersects the easterly extended boundary of the City of Windsor, thence southerly along the easterly extended boundary of the City of Windsor to the point of beginning and all water-front property, wharves, piers, docks, buildings, shores and beaches in or along the said waters."

The purpose of this Bill is to extend the boundaries of the Harbour of Windsor as presently set out in section 4, in order to include that part of the Detroit River extending to the International Boundary and fronting on the municipality of Ojibway.



Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-5.

An Act to incorporate the Oshawa Harbour Commissioners.

First reading, Tuesday, 19th January, 1960.

Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-5.

An Act to incorporate the Oshawa Harbour Commissioners.

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

SHORT TITLE.

Short title. **1.** This Act may be cited as the *Oshawa Harbour Commissioners Act*. 5

INCORPORATION.

Incorporation. **2.** There is hereby established a body corporate under the name of "Oshawa Harbour Commissioners", hereinafter referred to as the "Corporation".

INTERPRETATION.

Definitions. **3.** In this Act,
"By-law." (a) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act; 10
"Commissioner." (b) "commissioner" means a member of the Corporation;
"Goods." (c) "goods" includes all tangible personal property or movables other than vessels; 15
"Harbour." (d) "harbour" means the harbour of Oshawa as described in section 4;
"Minister." (e) "Minister" means the Minister of Transport;
"Rate." (f) "rate" means any rate, toll or duty whatsoever imposed by or under this Act; and 20
"Vessel." (g) "vessel" includes any ship, boat, barge, raft, dredge, floating elevator, scow, seaplane on the water or other floating craft.

EXPLANATORY NOTE.

The purpose of this Bill is to establish a Corporation to manage and develop a harbour at the city of Oshawa in the province of Ontario. The powers of the Corporation are similar to those of other harbour corporations established in the past.

Boundaries
of harbour.

4. (1) For the purposes of this Act, the harbour of Oshawa comprises all the waters of Lake Ontario within the following limits:

Commencing at the high water mark of Lake Ontario where it intercepts the easterly limit of Lot 1 of the broken front concession of the Township of East Whitby; 5

Thence along the high water mark in a westerly direction to a point where it intercepts the westerly limit of Lot 17 of the broken front concession of the Township of East Whitby; 10

Thence in a southerly direction 3,000 feet into Lake Ontario on the extension of the said westerly limit of Lot 17;

Thence on a straight line in an easterly direction to a point on a southerly extension of the said easterly limit of Lot 1, 3,000 feet from the high water mark; 15

Thence in a northerly direction to the point of commencement.

And all water-front property, wharves, piers, docks, buildings, shores and beaches in or along the said waters. 20

(2) The Corporation may erect marks or signs to indicate the limits of the harbour and such marks or signs shall be held to determine, *prima facie*, the said limits.

CONSTITUTION.

Members of
Corporation.

5. The Corporation shall consist of three commissioners, one of whom shall be appointed by the Council of the City of Oshawa and the other two by the Governor in Council. 25

COMMISSIONERS.

Tenure of
Office.

6. (1) Each commissioner appointed by the Governor in Council shall hold office during pleasure for such term not exceeding three years as is fixed by the Governor in Council, and at the expiration of his term of office may be reappointed. 30

Council
members
ineligible.

(2) No member of the Council of the City of Oshawa is eligible to be a commissioner.

Oath of
office.

7. Before a commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially and to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, and such oath shall be filed on record in the office of the Corporation. 35

Chairman.

8. (1) The commissioners shall elect one of their number as Chairman. 40

Quorum.

(2) Two commissioners constitute a quorum for the transaction of the business of the Corporation.

Remuneration
of members.

(3) The Chairman and other commissioners may be paid out of the revenues of the Corporation such remuneration for their services as the Governor in Council from time to time determines.

OFFICERS AND EMPLOYEES.

Officers and
employees
and their
compensation.

9. The Corporation may appoint a harbour master and employ such other officers and employees as it deems necessary to carry out the purposes and provisions of this Act, and may prescribe the conditions of their employment and pay them such compensation or salaries as it deems fit. 5

GENERAL POWERS.

Jurisdiction
within
harbour.

10. Subject to this Act, the Corporation has jurisdiction within the limits of the harbour, but nothing in this Act gives the Corporation the right to enter upon or deal with any property of Her Majesty, except when authorized to do so by order of the Governor in Council, or gives the Corporation jurisdiction or control over private property or rights within the limits of the harbour, except as provided in this Act. 10 15

Property.

11. (1) The Corporation may purchase, expropriate or otherwise acquire and hold, lease, sell or otherwise dispose of such land, buildings or other property, real or personal, within the harbour as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development or control of such property or for any of the other purposes of this Act, and may in its discretion invest the proceeds arising therefrom. 20 25

Administra-
tion of
Crown and
City
property.

(2) The Corporation, subject to such terms and conditions as may be agreed upon at the time control thereof is transferred to it, may hold, develop and administer on behalf of Her Majesty in right of Canada or the Council of the City of Oshawa any property owned by Her Majesty in right of Canada or by the City of Oshawa in or in the vicinity of the harbour. 30

Disposal of
land acquired
from Crown.

(3) Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage or otherwise dispose of any land acquired by it from Her Majesty in right of Canada. 35

Regulation
and control
of water-
front
property.

12. (1) Subject to this Act, the Corporation may regulate and control the use and development of all land and other property on the water-front within the limits of 40

the harbour and all docks, wharves, buildings and equipment erected or used in connection therewith, and may, for such purposes, make by-laws.

Constructing
etc., of
harbour
facilities.

(2) The Corporation may construct, maintain and operate channels, docks, wharves, warehouses and other buildings, cranes and other machinery and equipment for use in the carrying on of the harbour or transportation business, and may sell or lease the same. 5

Railways on
Corporation
lands.

(3) Subject to the provisions of the *Railway Act* that are applicable to the exercise of the powers granted by this subsection, the Corporation may 10

(a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the harbour and upon lands owned by or within the jurisdiction of the Corporation; 15

(b) enter into agreements with any railway company for the maintenance by such company of the railways referred to in paragraph (a), and the operation thereof by any motive power, to be maintained and operated at all times in a manner that will afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company; and 20

(c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour or for making connection between the lines or vessels of such companies and those of the Corporation; 25

but nothing in this subsection shall be deemed to constitute the Corporation a railway company. 30

Harbour
machinery
etc.

(4) The Corporation may own and operate by any motive power any kind of appliance, plant or machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein.

Works subject
to *Navigable
Waters
Protection
Act*.

(5) Any work undertaken by the Corporation affecting the use of any navigable waters is subject to the *Navigable Waters Protection Act*. 35

BY-LAWS.

By-laws.

13. (1) The Corporation may make by-laws not inconsistent with this Act for the direction, conduct and government of the Corporation, its officers and employees, and for the administration, management and control of the harbour and the works and property therein under its jurisdiction, including 40

(a) the regulation and control of the navigation and use of the harbour by vessels including their mooring, berthing, discharging and loading; 45

- (b) the regulation and control of all works and operations within the harbour;
- (c) the regulation, prohibition and control of the construction and maintenance of channels, docks, wharves, piers, buildings or other structures within the limits of the harbour, and the excavation, removal or deposit of material, or any other action that is likely to affect in any way the docks, piers, wharves or channels of the harbour or the lands adjacent thereto; 5
- (d) the construction, regulation, operation and maintenance of railways, elevators, pipes, conduits and other works or appliances upon the docks, piers, wharves, or channels or any part thereof, and the control, regulation or prohibition of the erection of towers or poles, the stringing of wires or the use of any machinery that might affect any property or business owned, controlled or operated by the Corporation; 10 15
- (e) the transportation, handling or storing within the harbour, including private property within the harbour, of explosives or other substances that, in the opinion of the Corporation, constitute or are likely to constitute a danger or hazard to life or property; 20
- (f) the maintenance of order and the protection of property within the harbour, and the appointment of constables and such other officers as the Corporation deems necessary to enforce its by-laws as well as any statute or other law relating to the harbour; 25
- (g) the prescribing of the punishment, by a fine not exceeding five hundred dollars or by imprisonment for a term not exceeding six months, or both, to be imposed upon summary conviction for the breach of any by-law; 30
- (h) the government of all persons and vessels coming into or using the harbour, including the imposition and collection of rates to be paid upon such vessels and upon goods landed from or shipped on board such vessels, or transshipped by water within the harbour, as the Corporation deems advisable according to the use that may be made of the harbour and its works and property; and 35 40
- (i) generally, the doing of anything necessary to carry out the purposes and provisions of this Act. 40
- (2) No by-law has effect until it has been confirmed by the Governor in Council and published in the *Canada Gazette*, and every by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the City Clerk of the City of Oshawa. 45
- (3) A copy of a by-law certified by the secretary of the Corporation or a commissioner under the seal of the Corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada. 50

Confirmation
and
publication.

Certified
copy as
evidence.

BORROWING POWERS.

Power to
borrow and
issue
securities.

14. For the purpose of defraying the expenses of constructing, extending and improving the wharves, structures and other accommodations in the harbour in such manner as the Corporation deems best calculated for facilitating trade and increasing the convenience and utility of the harbour, the Corporation, with the prior approval of the Governor in Council, may

- (a) borrow money in Canada and elsewhere at such rates of interest as it finds expedient, and
- (b) issue debentures for sums of not less than one hundred dollars, payable in not more than forty years, and, subject to sections 10 and 11, such debentures may be secured upon the real property vested in or controlled by the Corporation.

FINANCES.

Charges
against
revenues.

15. (1) The revenues of the Corporation shall be charged with

- (a) the costs of collecting such revenues;
- (b) the expenses incurred by the Corporation in operating, maintaining, administering and managing the harbour, works and property owned, controlled, administered or managed by the Corporation under this Act;
- (c) the interest and other charges incurred in connection with securities issued or money borrowed by the Corporation under this Act, including such amount as the Governor in Council approves for a sinking fund or other means to secure the repayment of such securities issued or money borrowed; and
- (d) any other expenses, other than capital expenses, lawfully incurred by the Corporation in carrying out the objects of this Act.

Remaining
revenues
payable to
Receiver
General.

(2) The revenues of the Corporation remaining at the end of a fiscal year, after providing for the charges specified in subsection (1) and for such sum for working capital as in the opinion of the Minister is reasonable and necessary for carrying out the objects of this Act, shall be paid by the Corporation to the Receiver General within four months after the end of such fiscal year.

Accounts.

16. (1) The Corporation shall keep separate accounts for all moneys borrowed, received and expended by it under this Act and shall account therefor annually to the Minister in such form and manner as the Minister may direct.

Inspection
of books.

(2) All books, accounts, records and documents of the Corporation shall be at all times open for inspection by the Minister or the Council of the City of Oshawa or by a person authorized by the Minister or the Council for such purpose.

5

EXPROPRIATION.

Expropria-
tion
proceedings
under
*Railway
Act.*

17. (1) The Corporation, where it desires to acquire lands for the purposes of this Act and is unable to agree with the owner as to the price to be paid therefor, may acquire such lands without the consent of the owner, and the provisions of the *Railway Act* relating to the taking of lands by 10 railway companies are, *mutatis mutandis*, applicable to the acquisition of such lands by the Corporation.

Consent of
Governor in
Council.

(2) No proceedings by the Corporation for the expropriation of the lands shall be commenced without the prior consent of the Governor in Council.

15

HARBOUR RATES.

Valuation
of goods
under
Customs Act.

18. (1) The valuation of goods on which *ad valorem* rates are imposed by by-law shall be made in accordance with the provisions of the *Customs Act* as far as applicable and the provisions of that Act shall, for the purposes of such valuation, be held to form part of this Act as if embodied 20 herein.

Rates
payable by
masters.

(2) The rates imposed by by-law upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the amounts 25 so paid, but the Corporation may demand and recover the rates from the owners, consignees, agents or shippers of such cargoes if it sees fit to do so.

Commuta-
tion, etc.,
of rates.

(3) The Corporation may, with the approval of the Minister, commute, reduce or waive any rates imposed by 30 by-law on such terms and conditions as the Corporation deems expedient.

SEIZURES.

Seizure and
detention of
vessels.

19. The Corporation may seize and detain any vessel, at any place within the limits of the Province of Ontario, where 35

(a) any amount is due in respect of the vessel for rates or for commutation of rates and is unpaid; or

(b) the master, owner or person in charge of the vessel has in respect of such vessel violated the provisions of any 40 by-law.

40

Seizure and
detention of
goods.

20. The Corporation may seize and detain any goods where

- (a) any amount is due in respect of such goods for rates and is unpaid; or
- (b) the provisions of any by-law have been violated in respect of such goods. 5

Detention
until charges
paid.

21. (1) Every lawful seizure and detention made under this Act is at the risk, cost and charge of the owner of the vessel or goods seized, and all such vessels and goods may be detained until all amounts due and penalties incurred together with all proper and reasonable costs and charges incurred in the seizure and detention and the costs of any conviction have been paid in full. 10

When seizure
may take
place.

(2) The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any rates, amounts due, penalties or damages or pending such suit, action or proceedings or as incidental thereto or without the institution of any action or proceedings. 15

Who may
order seizure.

(3) The seizure and detention may be effected upon the order of 20

- (a) a judge of any court;
- (b) a magistrate or justice of the peace having the power of two justices of the peace; or
- (c) the collector of customs at the City of Oshawa. 25

Application
for and
execution of
seizure.

(4) An order for seizure and detention may be made on the application of the Corporation, its authorized agent or its solicitor, and may be executed by any constable, bailiff or other person entrusted by the Corporation with the execution thereof and such constable, bailiff or other person may take all necessary means and demand all necessary aid to enable him to execute the order. 30

GENERAL.

Who may
administer
oaths.

22. Where, by or under this Act, a person is required to take an oath, it may be administered by a commissioner, the secretary of the Corporation, the harbour master or a justice of the peace. 35

Pecuniary
dealings with
members
prohibited.

23. The Corporation shall not have any transaction of a pecuniary nature, either in buying or selling, directly or indirectly, with any member of the Corporation.

Limitations
of actions.

24. No complaint or information with respect to any violation of a by-law in force under this Act shall be made or laid after two years from the time the matter of the complaint or information arose. 40

COMING INTO FORCE.

Coming into
force.

25. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-6.

An Act to amend the Criminal Code (Capital Punishment).

Read a first time, Wednesday, 20th January, 1960.

Honourable Senator CROLL.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22258-8

THE SENATE OF CANADA

BILL S-6.

An Act to amend the Criminal Code (Capital Punishment).

1953-54, c. 51;
1955, cc. 2, 45;
1956, c. 48,
ss. 19, 20;
1958, c. 18;
1959, cc. 40,
41.

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

1. Section 75 of the *Criminal Code*, chapter 51 of the statutes of 1953-54, is repealed and the following substituted therefor: 5

Piracy by law
of nations.

“**75.** (1) Every one commits piracy who does any act that, by the law of nations, is piracy.

Punishment.

(2) Every one who commits piracy while in or out of Canada is guilty of an indictable offence and is liable to imprisonment for life.” 10

2. Section 206 of the said Act is repealed and the following substituted therefor:

Punishment
for murder.

“**206.** Every one who commits murder is guilty of an indictable offence and shall be sentenced to imprisonment for life.” 15

EXPLANATORY NOTES.

The purpose of this Bill is to provide that hereafter no person shall, except in certain cases of treason, be sentenced in Canada to suffer death but that such person shall hereafter be liable to imprisonment for life.

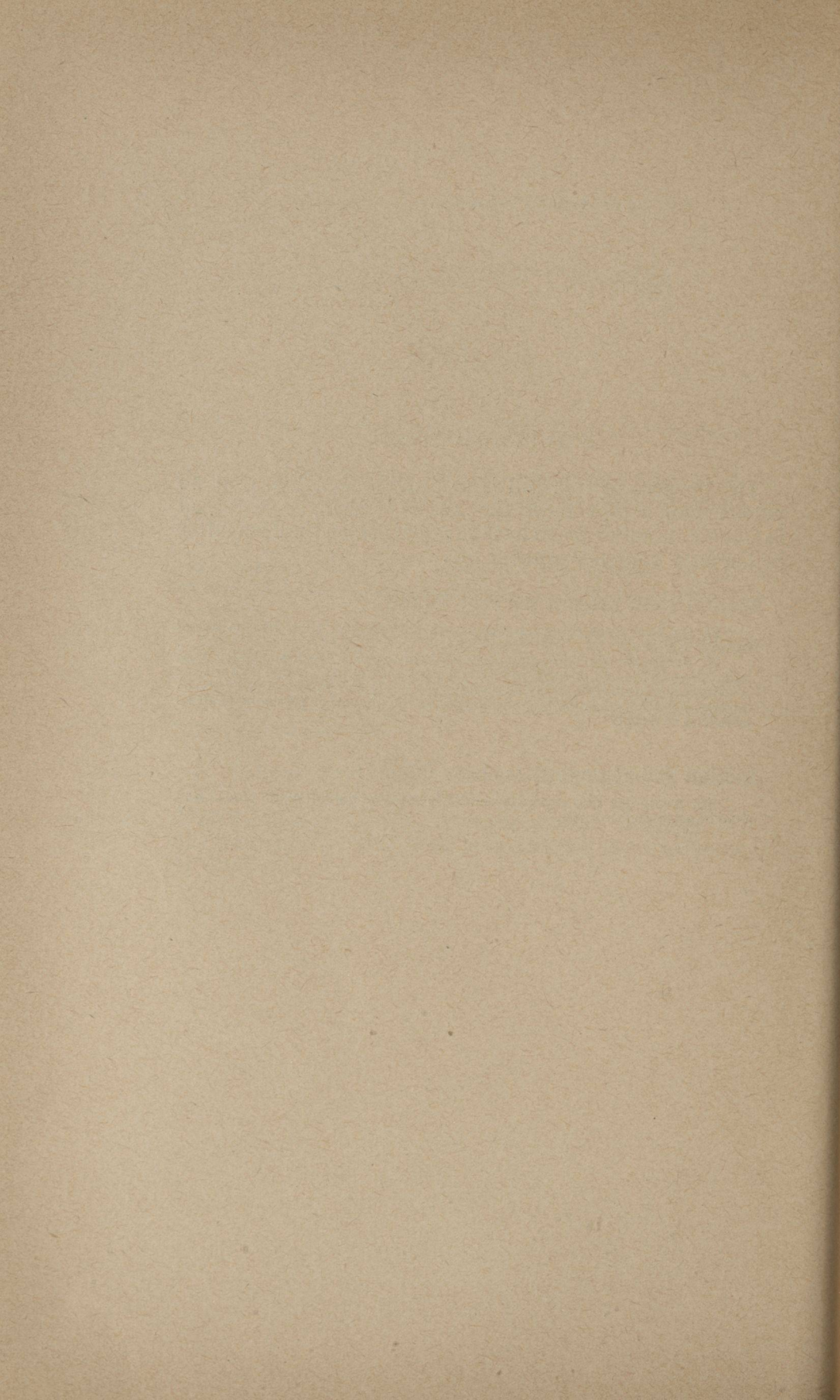
Section 75 at present reads as follows:—

“75. (1) Every one commits piracy who does any act that, by the law of nations, is piracy.

(2) Every one who commits piracy while in or out of Canada is guilty of an indictable offence and is liable to imprisonment for life, but if while committing or attempting to commit piracy he murders or attempts to murder another person or does any act that is likely to endanger the life of another person he shall be sentenced to death.”

Section 206 at present reads as follows:—

“206. Every one who commits murder is guilty of an indictable offence and shall be sentenced to death.”



Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-7.

An Act to incorporate United Canada Insurance Company.

Read a first time, Tuesday, 26th January, 1960.

Honourable Senator METHOT.

THE SENATE OF CANADA

BILL S-7.

An Act to incorporate United Canada Insurance 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:— 5

Incorporation.

1. James Thomas Buttery, insurance executive, and James Walker Henderson, insurance executive, both of the city of Montreal, in the province of Quebec, and Alexander John Campbell, one of Her Majesty's Counsel, of the city of Westmount, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of United Canada Insurance Company, and, in French, Canada Uni Compagnie d'Assurance, 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, divided into shares of one hundred dollars each. 20

Subscription before general meeting.

4. The amount to be subscribed before the general meeting is called for the election of directors shall be five hundred thousand dollars.

Head office.

5. The head office of the Company shall be in the city of Montreal, in the province of Quebec. 25

Classes of
insurance
authorized.

6. The Company may undertake, transact and make contracts of insurance for all or any of the following classes of insurance:

(a) fire insurance;	
(b) accident insurance;	5
(c) aircraft insurance;	
(d) automobile insurance;	
(e) boiler insurance;	
(f) credit insurance;	
(g) earthquake insurance;	10
(h) explosion insurance;	
(i) falling aircraft insurance;	
(j) fidelity insurance;	
(k) forgery insurance;	
(l) hail insurance;	15
(m) impact by vehicles insurance;	
(n) inland transportation insurance;	
(o) live stock insurance;	
(p) machinery insurance;	
(q) marine insurance;	20
(r) personal property insurance;	
(s) plate glass insurance;	
(t) real property insurance;	
(u) sickness insurance;	
(v) sprinkler leakage insurance;	25
(w) surety insurance;	
(x) theft insurance;	
(y) water damage insurance;	
(z) weather insurance;	
(aa) windstorm insurance.	30

Subscription
and payment
of capital
before
commencing
business.

7. (1) The Company shall not commence any business of insurance until at least five hundred and twenty thousand dollars of its capital has been bona fide subscribed and at least that amount paid thereon. It may then transact the business of fire insurance, accident insurance, automobile insurance, boiler (excluding machinery) insurance, explosion insurance, inland transportation insurance, personal property insurance, plate glass insurance, real property insurance, theft insurance, and in addition thereto, earthquake insurance, falling aircraft insurance, hail insurance, impact by vehicles insurance, sprinkler leakage insurance, water damage insurance, weather insurance and windstorm insurance, limited to the insurance of the same property as is insured under a policy of fire insurance of the Company.

Additional amounts for certain classes of insurance.

(2) The Company shall not commence any of the other classes of business authorized by section 6 of this Act until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts depending upon the nature of the additional class or classes of business, as follows, that is to say:—for aircraft insurance, the said increase shall not be less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for fidelity insurance, not less than fifty thousand dollars; for forgery insurance, not less than forty thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for surety insurance, not less than fifty thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; and for windstorm insurance, not less than fifty thousand dollars.

Periodic increase of paid capital and surplus.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

When Company may transact any or all classes of insurance business.

(4) Notwithstanding anything to the contrary contained in this section, the Company may transact all or any of the classes of insurance business authorized by section 6 of this Act when the paid capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least one million dollars.

“Surplus”
defined.

(5) In this section the word “surplus” means the excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

5

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

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

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-8.

An Act respecting The British and Foreign Bible Society
in Canada.

Read a first time, Tuesday, 26th January, 1960.

Honourable Senator BRUNT.

THE SENATE OF CANADA

BILL S-8.

An Act respecting The British and Foreign Bible Society in Canada.

Preamble.
1906, c. 74;
1930, c. 78;
1949 (2nd
Sess.), c. 43.

WHEREAS The British and Foreign Bible Society in Canada, hereinafter called "the Society", 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.

1. The name of The British and Foreign Bible Society in Canada is changed to Canadian Bible Society, Auxiliary of The British and Foreign Bible Society, but such change in name shall not in any way impair, alter or affect the rights or liabilities or any bequest, gift or donation now made or which hereafter may be made to the Society whether by any of its former names or its new name, or any suit or proceeding now pending or judgment existing either by or in favour of or against the Society which, notwithstanding such change in the name of the Society, may be enforced and continued as if this Act had not been passed. 10 15

Repeal.

2. Section 2 of chapter 74 of the statutes of 1906 as amended by section 2 of chapter 78 of the statutes of 1930 is repealed and the following substituted therefor: 20

Composition of general board.

"**2.** (1) The affairs of the Society shall be managed and controlled by a general board composed of members elected from time to time by the auxiliaries or districts composing it, in accordance with the constitution of the Society, and of such other persons as may be provided for in the said constitution: Provided that the majority of the members of the general board shall be elected by the auxiliaries or districts. 25

Proviso.

EXPLANATORY NOTES.

The purpose of clause 1 of the bill is to change the name of the Society.

Section 2 of chapter 74 of the statutes of 1906, as amended by section 2 of chapter 78 of the statutes of 1930, reads as follows:—

"2. The affairs of the Society shall be managed and controlled by a general board composed of members elected from time to time by the auxiliaries composing it in accordance with the constitution of the Society. The honorary general treasurer shall also be ex officio a member of the board.

(2) The general board shall have power to adopt such constitution and by-laws not inconsistent with the provisions of this Act as it may deem necessary or expedient for carrying on and controlling its affairs, and may by such constitution and by-laws provide for the appointment of an executive committee and such other committees as it may deem necessary or expedient, and may by its constitution and by-laws confer upon the executive committee and other committees and upon its officers such of its powers as it may from time to time deem proper.

(3) The constitution and by-laws of the Society at the date of the passing of this Act shall be and continue to be the constitution and by-laws of the Society until altered or amended under the provisions thereof, but no such alteration or amendment shall be contrary to law or inconsistent with the provisions of this Act."

The purpose of clause 2 of the bill is to make possible the appointment of certain prominent Canadians to the general board, with the proviso that the majority of the members shall be elected by the auxiliaries or districts. Clause 2 also confirms the existing constitution of the Society.

- Officers and committees. (2) The constitution and by-laws of the Society may provide for the appointment of such officers and such committees as may be deemed necessary or expedient, and may confer on the said officers and committees such of the powers of the general board as may from time to time be deemed proper 5
- Amendment of constitution. (3) The constitution and by-laws of the Society in force at the date of the coming into force of this Act shall be and continue to be the constitution and by-laws of the Society until altered or amended under the provisions thereof: Provided that no such alteration or amendment shall be contrary to law or inconsistent with the provisions of this Act." 10
- Proviso.
- Repeal. **3.** Section 4 of chapter 74 of the statutes of 1906 is repealed and the following substituted therefor: 15
- Object. "**4.** The sole object of the Society shall be to promote and encourage the wider circulation throughout Canada of the Scriptures, without note or comment, and to co-operate with The British and Foreign Bible Society in its world-wide work." 20
- Repeal. **4.** (1) Section 5 of chapter 74 of the statutes of 1906 as enacted by section 3 of chapter 78 of the statutes of 1930 is repealed and the following substituted therefor:
- Acquisition and disposal of property. "**5.** The Society may acquire by purchase or otherwise, take, receive and hold conveyances, devises, bequests and gifts of real and personal property or any real estate or interest therein in Canada, and may use, sell and dispose thereof, and may apply the proceeds of such property for the purposes for which the Society has been organized." 25
- Removal of limitation. (2) There shall not be, and shall be deemed not to have been in the past, any limitation on the value of the real estate that may be held by the Society. 30
- Meaning of "auxiliary". **5.** The term "auxiliary", wherever it appears in chapter 74 of the statutes of 1906, shall be deemed to include the present auxiliaries, which may hereafter be known as districts, and any auxiliaries hereafter formed or known as districts. 35
- Repeal. **6.** Section 6 of chapter 74 of the statutes of 1906 is repealed and the following substituted therefor:
- Admission of constituents. "**6.** The general board may, by resolution, admit as constituents of the Society such auxiliaries or districts of The British and Foreign Bible Society or of the Society, formed or hereafter formed in Canada, as desire to join the Society." 40

Section 4 of chapter 74 of the statutes of 1906 now reads as follows:—

“4. The sole object of the Society shall be to promote the wider circulation throughout Canada and Newfoundland of the Bible without note or comment, and to assist the British and Foreign Bible Society in its work.”

The purpose of clause 3 of the bill is to re-state the objects of the Society.

The purpose of clause 4 of the bill is to remove the existing restrictions on the value of the real estate that may be held by the Society.

Section 6 of chapter 74 of the statutes of 1906 now reads as follows:—

“6. The said general board may by resolution admit as constituents of the Society such other auxiliaries of the British and Foreign Bible Society, hereafter formed in Canada or Newfoundland, as desire to join the Society and as the said board thinks fit to accept.”

Clause 5 of the bill would broaden the basis of admitting constituents to the Society.

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-9.

An Act respecting the Canadian Public Health Association.

Read a first time, Tuesday, 26th January, 1960.

Honourable Senator CONNOLLY.
(Halifax North)

THE SENATE OF CANADA

BILL S-9.

An Act respecting the Canadian Public Health Association.

Preamble.
1912, c. 79.

WHEREAS the Canadian Public Health Association, 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

Repeal.

1. Section 2 of chapter 79 of the statutes of 1912 is repealed and the following substituted therefor:

Head office.

"2. (1) The head office of the Association shall be in the city of Toronto, in the province of Ontario, or such other place in Canada as may be prescribed from time to time by by-law. 10

Change of
head office.

(2) Notice in writing shall be given to the Secretary of State by the Association of any change of the head office and a copy of such notice shall be published forthwith in the *Canada Gazette*." 15

Repeal.

2. Section 3 of chapter 79 of the statutes of 1912 is repealed and the following substituted therefor:

Objects.

"3. The objects of the Association shall be the development and diffusion throughout Canada of the knowledge of public health and preventive medicine and all other matters and things appertaining thereto or connected therewith." 20

Repeal.

3. Section 5 of chapter 79 of the statutes of 1912 is repealed and the following substituted therefor:

By-laws.

"5. The Association may make such by-laws as are necessary for the attainment of its objects and the carrying out of the provisions of this Act and, without limiting the generality of the foregoing, in respect of the following matters: 25

EXPLANATORY NOTES.

Section 2 of chapter 79 of the statutes of 1912 now reads as follows:—

“2. The head office of the Association shall be in the city of Ottawa.”

Clause 1 of the bill will permit of flexibility in fixing the place of the head office which will initially be transferred to the city of Toronto, in the province of Ontario.

Section 3 of the said Act now reads as follows:—

“3. The objects of the Association shall be the development and diffusion throughout Canada of the knowledge of sanitation in all its branches, and all other matters and things appertaining thereto, or connected therewith.”

The word “sanitation” has, in accordance with modern usage, too narrow a meaning and it is considered desirable to substitute “public health and preventive medicine”. This is the purpose of clause 2 of the bill.

Section 5 of chapter 79 of the statutes of 1912 now reads as follows:—

“5. The Association, at its first general meeting and thereafter at any annual or special general meeting, may make rules, regulations and by-laws for the following purposes:

(1) The defining and regulating of the terms upon which persons may be admitted to active membership, associate membership, or honorary membership in the Association; the determining of the respective rights and privileges of the different classes of members;

(2) The constitution, powers, duties, quorum, term of office and method of election of the executive council and the executive committee; and the numbers, powers and duties of the officers of the Association;

(3) The time and place for holding the annual general meeting of the Association, which may be held at any place within the Dominion of Canada, and the notice to be given of the annual general meeting;

(4) The calling of meetings, regular and special, of the Association, of the executive council and of the executive committee, the notice to be given, the quorum, and the procedure in all things at any such meetings;

(5) The administration and management of the affairs of the Association; and for this or any other purpose authorized by this Act, the Association may by by-law delegate any of its powers to the executive council, or the executive committee.”

- (a) notwithstanding section 4, the establishment of new classes of members, the modification or termination of existing classes, the terms, conditions, rights and privileges of membership, including termination thereof, and the extension of membership to incorporated or unincorporated societies or organizations; 5
- (b) the calling of annual and special meetings, notice thereof, the mode of holding meetings, provision for quorum, rights of voting and the conduct of business thereat; 10
- (c) the method of enacting, repealing or amending by-laws;
- (d) the number, powers and duties of the officers of the Association and the constitution, powers, duties, quorum and terms of office of the executive council and the executive committee; 15
- (e) the indemnification or other protection of officers and members of the executive council or a committee against liability in the performance of official duties; 20
- (f) custody of the corporate seal and certifying of documents issued by the Association;
- (g) audit of accounts and appointment of auditors;
- (h) the administration and management of the affairs of the Association, including the delegation by by-law of any of its powers to the executive council or executive committee thereof; 25
- (i) the establishment of such committees as the executive council or the executive committee may from time to time deem necessary or advisable for the carrying out of the objects of the Association, including the duties, powers and constitution of such committees; 30
- (j) the establishment of branches or divisions of the Association, the organization and administration thereof, including arrangements for the recognition, as a branch or division, of any incorporated or unincorporated association having objects substantially similar to those of the Association." 35

Repeal.

4. Sections 6, 7 and 8 of chapter 79 of the statutes of 1912 are repealed and the following substituted therefor: 40

Executive council.

"6. Subject to and in accordance with the by-laws enacted by the Association, there shall be an executive council and an executive committee thereof, each consisting of such persons as the Association may from time to time elect or appoint thereto, and the executive council and the executive committee shall have and exercise such duties, powers and responsibilities as may be prescribed by the by-laws." 45

Executive committee.

The purpose of clause 3 of the bill is to clarify and extend the matters which may be dealt with by by-law.

Section 6 of chapter 79 of the statutes of 1912 now reads as follows:—

“6. The first general meeting of the Association shall be held, within one year after the passing of this Act, at the city of Ottawa, or at such other place in Canada as is designated by the first executive committee.”

This section is of course spent.

Section 7 of the said Act now reads as follows:—

“7. At the first general meeting of the Association, and at each subsequent annual general meeting, the Association shall elect an executive council.”

Section 8 of the said Act now reads as follows:—

“8. The executive council shall elect in the manner provided by the by-laws from time to time in force an executive committee.

2. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., and L. Laberge, M.D., shall be the first executive committee of the Association, and until the first general meeting of the Association may exercise, on behalf of the Association, all the powers conferred by this Act on this Association.”

Clause 4 of this bill repeals the above-mentioned sections 6, 7 and 8 and provides in a single section for the establishment of an executive council and an executive committee.

Section 9 of the said Act now reads as follows:—

“9. The Association may acquire, hold and dispose of such real property as is necessary to carry out its objects, provided that the total value of such real property held at any time for the actual use of the Association shall not exceed two hundred and fifty thousand dollars.”

In the light of experience gained in the administration of the Association since its incorporation, it is considered expedient to remove the limitation on the value of real property which may be held and dealt with; and to furnish to the Association the additional powers set out in the proposed new section 7 to be added by clause 5 of the present bill.

Repeal.

5. Section 9 of chapter 79 of the statutes of 1912 is repealed and the following substituted therefor:

Additional powers.

“7. In addition to the general powers accorded to it by law, the Association shall have power

- (a) to purchase, take on lease or in exchange, hire and 5
otherwise acquire by gift, legacy, devise or otherwise
and to own and hold any estate, property or rights,
real or personal, movable or immovable, or any title
or interest therein, and to sell, exchange, alienate,
manage, develop, mortgage, hypothecate, lease or 10
otherwise deal therewith as it may deem advisable for
the purposes of the Association;
- (b) to borrow money for the purposes of the Association;
- (c) to draw, make, accept, endorse, discount, execute and
issue promissory notes, bills of exchange, and other 15
negotiable or transferable instruments;
- (d) to invest and deal with moneys of the Association not
immediately required, in such manner as may be
determined from time to time; and
- (e) to do all such lawfull acts and things as are incidental 20
or conducive to the attainment of the objects and
the exercise of the powers of the Association.”

6. Chapter 79 of the statutes of 1912 is further amended by adding thereto the following as section 8 thereof:

Officers and members of executive council and of executive committee continue to hold office.

“8. (1) The officers of the Association and the members of 25
the executive council and of the executive committee
holding office at the time of the coming into force of this
Act, shall continue to hold office until their successors have
been appointed or elected in accordance with the provisions
of this Act and the by-laws made thereunder. 30

By-laws to continue until amended or repealed.

(2) The by-laws of the Association established at the
time of the coming into force of this Act shall continue until
amended or repealed under the provisions of this Act.”

Section 10 renumbered.

7. Section 10 of chapter 79 of the statutes of 1912 is
renumbered as section 9 thereof. 35

Clause 6 of the bill provides for the continued status of officers of the Association and of members of the executive council and executive committee thereof, as well as for the continuing validity of the present by-laws.

7. Section 10 of the said Act now reads as follows:—

"10. The Association may receive gifts of real property, grants of money, or subsidies in any form whatsoever, from the government of Canada, the government of any province of Canada, any municipality or any person; and shall apply the same in accordance with the conditions of the gift, grant or subsidy, or, if there be no such condition, in accordance with the objects set forth in section 3 of this Act."

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-10.

An Act to incorporate the Nanaimo Harbour
Commissioners.

First reading, Wednesday, 27th January, 1960.

The Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-10.

An Act to incorporate the Nanaimo Harbour Commissioners.

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

SHORT TITLE.

Short title. **1.** This Act may be cited as the *Nanaimo Harbour Commissioners Act*. 5

INCORPORATION.

Incorporation. **2.** There is hereby established a body corporate under the name of "Nanaimo Harbour Commissioners", hereinafter referred to as the "Corporation".

INTERPRETATION.

Definitions. **3.** In this Act,
"By-law." (a) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act; 10
"Commissioner." (b) "commissioner" means a member of the Corporation;
"Goods." (c) "goods" includes all tangible personal property or movables other than vessels; 15
"Harbour." (d) "harbour" means the Nanaimo harbour as described in section 4;
"Minister." (e) "Minister" means the Minister of Transport;
"Rate." (f) "rate" means any rate, toll or duty whatsoever imposed by or under this Act; and 20
"Vessel." (g) "vessel" includes any ship, boat, barge, raft, dredge, floating elevator, scow, seaplane on the water or other floating craft.

EXPLANATORY NOTE.

The purpose of this Bill is to establish a Corporation to manage and develop a harbour at the city of Nanaimo in the province of British Columbia. The powers of the Corporation are similar to those of other harbour corporations established in the past.

Boundaries
of harbour.

4. (1) For the purposes of this Act, the Nanaimo harbour comprises all the waters within the following boundaries:

Commencing at the point of intersection of the northerly boundary of District Lot 29, Wellington District with the high water mark of Horswell Channel; thence south-easterly across Rainbow Channel and Fairway Channel to the intersection point of the southerly boundary of Section 24, Gabriola Island, Nanaimo District, with the high water mark of Fairway Channel, near Malaspina Point; thence southerly and south easterly along the high water mark of Gabriola Island to the intersection point with the easterly boundary of Section 28, Gabriola Island; thence southerly across False Narrows on the production of the said easterly boundary of said Section 28, Gabriola Island to an intersection with the high water mark of Mudge Island, thence northerly and westerly along the high water mark of Mudge Island to the point of intersection with the production easterly of the southerly boundary of Section 22, Range 4, Cedar District; thence westerly across Dodd Narrows along said production to an intersection with the high water mark of Vancouver Island; thence westerly and northerly along the high water mark of Vancouver Island to the point of commencement, and all waterfront property, wharves, piers, docks, buildings, shores and beaches in and along the said waters.

(2) The Corporation may erect marks or signs to indicate the limits of the harbour and such marks or signs shall be held to determine, *prima facie*, the said limits.

CONSTITUTION.

Members of
Corporation.

5. The Corporation shall consist of three commissioners, two of whom shall be appointed by the Governor in Council and one of whom shall be appointed by the Council of the City of Nanaimo.

COMMISSIONERS.

Tenure of
office.

6. (1) Each commissioner appointed by the Governor in Council shall hold office during pleasure for such term not exceeding three years as is fixed by the Governor in Council, and at the expiration of his term of office may be re-appointed.

Council
members
ineligible.

(2) No member of the Council of the City of Nanaimo is eligible to be a commissioner.

40

Oath of
office.

7. Before a commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially and to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, and such oath shall be filed on record in the office of the Corporation. 5

Chairman.

8. (1) The commissioners shall elect one of their number as Chairman.

Quorum.

(2) Two commissioners constitute a quorum for the transaction of the business of the Corporation. 10

Remuneration of
members.

(3) The Chairman and other commissioners may be paid out of the revenues of the Corporation such remuneration for their services as the Governor in Council from time to time determines.

OFFICERS AND EMPLOYEES.

Officers
and
employees
and their
compensation.

9. The Corporation may appoint a harbour master and employ such other officers and employees as it deems necessary to carry out the purposes and provisions of this Act, and may prescribe the conditions of their employment and pay them such compensation or salaries as it deems fit. 15

GENERAL POWERS.

Jurisdiction
within
harbour.

10. Subject to this Act, the Corporation has jurisdiction within the limits of the harbour, but nothing in this Act gives the Corporation the right to enter upon or deal with any property of Her Majesty, except when authorized to do so by order of the Governor in Council, or gives the Corporation jurisdiction or control over private property or rights within the limits of the harbour, except as provided in this Act. 20 25

Property.

11. (1) The Corporation may purchase, expropriate or otherwise acquire and hold, lease, sell or otherwise dispose of such land, buildings or other property, real or personal, within the harbour as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development or control of such property or for any of the other purposes of this Act, and may in its discretion invest the proceeds arising therefrom. 30 35

Administra-
tion of Crown
and City
property.

(2) The Corporation, subject to such terms and conditions as may be agreed upon at the time control thereof is transferred to it, may hold, develop and administer on behalf of Her Majesty in right of Canada or the Council of the City of Nanaimo any property owned by Her Majesty in right of Canada or by the City of Nanaimo in or in the vicinity of the harbour. 40

Disposal of
land acquired
from Crown.

(3) Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage or otherwise dispose of any land acquired by it from Her Majesty in right of Canada.

Regulation
and control
of water-front
property.

12. (1) Subject to this Act, the Corporation may regulate and control the use and development of all land and other property on the water-front within the limits of the harbour and all docks, wharves, buildings and equipment erected or used in connection therewith, and may, for such purposes, make by-laws. 5

Constructing,
etc., of
harbour
facilities.

(2) The Corporation may construct, maintain and operate channels, docks, wharves, warehouses and other buildings, cranes and other machinery and equipment for use in the carrying on of the harbour or transportation business, and may sell or lease the same. 10

Railways on
Corporation
lands.

(3) Subject to the provisions of the *Railway Act* that are applicable to the exercise of the powers granted by this subsection, the Corporation may 15

(a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the harbour and upon lands owned by or within the jurisdiction of the Corporation; 20

(b) enter into agreements with any railway company for the maintenance by such company of the railways referred to in paragraph (a), and the operation thereof by any motive power, to be maintained and operated at all times in a manner that will afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company; and 25

(c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour or for making connection between the lines or vessels of such companies and those of the Corporation; 30

but nothing in this subsection shall be deemed to constitute the Corporation a railway company. 35

Harbour
machinery,
etc.

(4) The Corporation may own and operate by any motive power any kind of appliance, plant or machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein. 40

Works subject
to *Navigable
Waters
Protection
Act*.

(5) Any work undertaken by the Corporation affecting the use of any navigable waters is subject to the *Navigable Waters Protection Act*.

BY-LAWS.

By-laws.

13. (1) The Corporation may make by-laws not inconsistent with this Act for the direction, conduct and government of the Corporation, its officers and employees, and 45

for the administration, management and control of the harbour and the works and property therein under its jurisdiction, including

- (a) the regulation and control of the navigation and use of the harbour by vessels including their mooring, 5
berthing, discharging and loading;
- (b) the regulation and control of all works and operations within the harbour;
- (c) the regulation, prohibition and control of the construction and maintenance of channels, docks, 10
wharves, piers, buildings or other structures within the limits of the harbour, and the excavation, removal or deposit of material, or any other action that is likely to affect in any way the docks, piers, wharves or channels of the harbour or the lands 15
adjacent thereto;
- (d) the construction, regulation, operation and maintenance of railways, elevators, pipes, conduits and other works or appliances upon the docks, piers, wharves or channels or any part thereof, and the 20
control, regulation or prohibition of the erection of towers or poles, the stringing of wires or the use of any machinery that might affect any property or business owned, controlled or operated by the Corporation; 25
- (e) the transportation, handling or storing within the harbour, including private property within the harbour, of explosives or other substances that, in the opinion of the Corporation, constitute or are likely to constitute a danger or hazard to life or 30
property;
- (f) the maintenance of order and the protection of property within the harbour, and the appointment of constables and such other officers as the Corporation deems necessary to enforce its by-laws as well as any 35
statute or other law relating to the harbour;
- (g) the prescribing of the punishment, by a fine not exceeding five hundred dollars or by imprisonment for a term not exceeding six months, or both, to be imposed upon summary conviction for the breach of 40
any by-law;
- (h) the government of all persons and vessels coming into or using the harbour, including the imposition and collection of rates to be paid upon such vessels and upon goods landed from or shipped on board 45
such vessels, or transshipped by water within the harbour, as the Corporation deems advisable according to the use that may be made of the harbour and its works and property; and

(i) generally, the doing of anything necessary to carry out the purposes and provisions of this Act.

Confirmation
and publica-
tion.

(2) No by-law has effect until it has been confirmed by the Governor in Council and published in the *Canada Gazette*, and every by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the City Clerk of the City of Nanaimo. 5

Certified
copy as
evidence.

(3) A copy of a by-law certified by the secretary of the Corporation or a commissioner under the seal of the Corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada. 10

BORROWING POWERS.

Power to
borrow and
issue
securities.

14. For the purpose of defraying the expenses of constructing, extending and improving the wharves, structures and other accommodations in the harbour in such manner as the Corporation deems best calculated for facilitating trade and increasing the convenience and utility of the harbour, the Corporation, with the prior approval of the Governor in Council, may 15

(a) borrow money in Canada and elsewhere at such rates of interest as it finds expedient, and 20

(b) issue debentures for sums of not less than one hundred dollars, payable in not more than forty years, and, subject to sections 10 and 11, such debentures may be secured upon the real property vested in or controlled by the Corporation. 25

FINANCES.

Charges
against
revenues.

15. (1) The revenues of the Corporation shall be charged with

(a) the costs of collecting such revenues;

(b) the expenses incurred by the Corporation in operating, maintaining, administering and managing the harbour, works and property owned, controlled, administered or managed by the Corporation under this Act; 30

(c) the interest and other charges incurred in connection with securities issued or money borrowed by the Corporation under this Act, including such amount as the Governor in Council approves for a sinking fund or other means to secure the repayment of such securities issued or money borrowed; and 35

(d) any other expenses, other than capital expenses, lawfully incurred by the Corporation in carrying out the objects of this Act. 40

Remaining
revenues
payable to
Receiver
General.

(2) The revenues of the Corporation remaining at the end of a fiscal year, after providing for the charges specified in subsection (1) and for such sum for working capital as in the opinion of the Minister is reasonable and necessary for carrying out the objects of this Act, shall be paid by the Corporation to the Receiver General within four months after the end of such fiscal year. 5

Accounts.

16. (1) The Corporation shall keep separate accounts for all moneys borrowed, received and expended by it under this Act and shall account therefor annually to the Minister in such form and manner as the Minister may direct. 10

Inspection of
books.

(2) All books, accounts, records and documents of the Corporation shall be at all times open for inspection by the Minister, the Council of the City of Nanaimo or by a person authorized by the Minister or the Council for such purpose. 15

EXPROPRIATION.

Expropria-
tion proceed-
ings under
Railway Act.

17. (1) The Corporation, where it desires to acquire lands for the purposes of this Act and is unable to agree with the owner as to the price to be paid therefor, may acquire such lands without the consent of the owner, and the provisions of the *Railway Act* relating to the taking of lands by railway companies are, *mutatis mutandis*, applicable to the acquisition of such lands by the Corporation. 20

Consent of
Governor in
Council.

(2) No proceedings by the Corporation for the expropriation of the lands shall be commenced without the prior consent of the Governor in Council. 25

HARBOUR RATES.

Valuation of
goods under
Customs Act.

18. (1) The valuation of goods on which *ad valorem* rates are imposed by by-law shall be made in accordance with the provisions of the *Customs Act* as far as applicable and the provisions of that Act shall, for the purposes of such valuation, be held to form part of this Act as if embodied herein. 30

Rates
payable
by masters.

(2) The rates imposed by by-law upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the amounts so paid, but the Corporation may demand and recover the rates from the owners, consignees, agents or shippers of such cargoes if it sees fit to do so. 35

Commuta-
tion, etc. of
rates.

(3) The Corporation may, with the approval of the Minister, commute, reduce or waive any rates imposed by by-law on such terms and conditions as the Corporation deems expedient. 40

SEIZURES.

Seizure and detention of vessels.

19. The Corporation may seize and detain any vessel at any place within the limits of the Province of British Columbia, where

- (a) any amount is due in respect of the vessel for rates or for commutation of rates and is unpaid; or 5
- (b) the master, owner or person in charge of the vessel has in respect of such vessel violated the provisions of any by-law.

Seizure and detention of goods.

20. The Corporation may seize and detain any goods where 10

- (a) any amount is due in respect of such goods for rates and is unpaid; or
- (b) the provisions of any by-law have been violated in respect of such goods.

Detention until charges paid.

21. (1) Every lawful seizure and detention made under this Act is at the risk, cost and charge of the owner of the vessel or goods seized, and all such vessels and goods may be detained until all amounts due and penalties incurred together with all proper and reasonable costs and charges incurred in the seizure and detention and the costs of any conviction have been paid in full. 15 20

When seizure may take place.

(2) The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any rates, amounts due, penalties or damages or pending such suit, action or proceedings or as incidental thereto or without the institution of any action or proceedings. 25

Who may order seizure.

(3) The seizure and detention may be effected upon the order of 30

- (a) a judge of any court;
- (b) a magistrate or justice of the peace having the power of two justices of the peace; or
- (c) the collector of customs at the City of Nanaimo.

Application for and execution of seizure.

(4) An order for seizure and detention may be made on the application of the Corporation, its authorized agent or its solicitor, and may be executed by any constable, bailiff or other person entrusted by the Corporation with the execution thereof and such constable, bailiff or other person may take all necessary means and demand all necessary aid to enable him to execute the order. 35 40

GENERAL.

Who may administer oaths.

22. Where, by or under this Act, a person is required to take an oath, it may be administered by a commissioner, the secretary of the Corporation, the harbour master or a justice of the peace.

Pecuniary
dealings with
members
prohibited.

23. The Corporation shall not have any transaction of a pecuniary nature, either in buying or selling, directly or indirectly, with any member of the Corporation.

Limitation
of actions.

24. No complaint or information with respect to any violation of a by-law in force under this Act shall be made or laid after two years from the time the matter of the complaint or information arose. 5

COMING INTO FORCE.

Coming
into force.

25. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-11.

An Act respecting Montreal Life Insurance Company.

Read a first time, Thursday, 4th February, 1960.

Honourable Senator MONETTE.

THE SENATE OF CANADA

BILL S-11.

An Act respecting Montreal Life Insurance Company.

Preamble.
1908, c. 165;
1924, c. 92.

WHEREAS Montreal Life 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 Montreal Life Insurance Company or the name La Compagnie d'Assurance-Vie de Montréal, 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 the 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 Montreal Life Insurance Company.

THE UNIVERSITY OF CHICAGO

PH.D. THESIS OF [Name] SUBMITTED TO THE FACULTY OF THE DIVISION OF THE PHYSICAL SCIENCES IN CANDIDACY FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

DEPARTMENT OF CHEMISTRY

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-12.

An Act respecting The Algoma Central and Hudson Bay
Railway Company.

Read a first time, Tuesday, 9th February, 1960.

Honourable Senator LEONARD.

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-12.

An Act respecting The Algoma Central and Hudson Bay
Railway Company.

Preamble.
1899, c. 50;
1900, c. 49;
1901, c. 46;
1902, c. 38;
1905, c. 53;
1906, c. 54;
1907, c. 57;
1909, c. 40;
1910, c. 65;
1911, c. 34;
1916, c. 32;
1927, c. 78;
1930, c. 51;
1931, c. 62;
1932-33, c. 56;
1958, c. 53.

WHEREAS The Algoma Central and Hudson Bay Rail-
way 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:—

EXPLANATORY NOTES.

The Algoma Central and Hudson Bay Railway Company, a company incorporated by chapter 50 of the statutes of 1899, has constructed and operates a line of railway from the city of Sault Ste. Marie to Hearst, in the province of Ontario, and a branch thereof running south-westerly from Michipicoten Harbour, in the province of Ontario.

The financial structure of The Algoma Central and Hudson Bay Railway Company was substantially reorganized by chapter 53 of the statutes of 1958. Under the authority granted by that statute, the Company created and sold \$11,000,000 total principal amount of first mortgage bonds and debentures, together with \$4,000,000 par value of 6% cumulative redeemable convertible preferred shares and from the proceeds retired on March 10, 1959, the previously existing \$10,308,500 principal amount of 5% first mortgage income debenture stock and/or bonds with interest arrears thereon of \$5,097,038, and the Company also redeemed the previously existing \$500,000 par value of 5% non-cumulative, non-voting preferred shares.

The Voting Trust Agreement dated the 15th day of June, 1931, as amended, under which all of the common shares of the Company had been deposited with The Royal Trust Company to be voted in accordance with the direction of the Joint Bondholders' Committee, was terminated on March 10, 1959, and at the meeting of shareholders held on April 2, 1959, for the first time the owners of the common shares in the capital stock of the Railway were directly represented and elected their nominees to the board of directors of the Company.

Following these transactions the statutes governing the Company have been reviewed and the present bill is designed to overcome certain comparatively minor difficulties in relation to the administration of the affairs of the Company.

Meetings
of share-
holders.

1. (1) All general meetings of shareholders of the Company, whether annual or special, may be held at any place within Canada as may from time to time be specified by resolution of the directors.

Number of
directors.

(2) The board of directors of the Company shall consist of such number not being less than five or more than fifteen as shall be determined by the shareholders at each annual meeting. 5

Quorum of
directors.
Proviso.

(3) The quorum of the board of directors shall be fixed by the board of directors: Provided that the quorum shall not be less than four directors. 10

Alternate
directors.

(4) A director may with the approval of the board of directors appoint any person who is qualified to be elected as a director to serve as his alternate director and as such to attend and vote in his absence in his stead at meetings of the board of directors, and such alternate director shall if present be included in the count for a quorum. An alternate director shall *ipso facto* vacate office as an alternate director if and when the appointing director vacates office as a director or removes the appointee from office as alternate director, and any appointment or removal under this clause shall be made in writing under the hand of the director making the same. 15 20

Executive
committee.

(5) The board of directors of the Company whenever it consists of more than six may, if authorized by by-law duly passed by the directors and sanctioned by at least two-thirds of the votes cast at a special general meeting of shareholders duly called for considering the by-law, elect from its number an executive committee of not less than three, which executive committee shall have power to fix its quorum at not less than a majority of its members and may exercise such powers of the board as are delegated to it by such by-law, subject to any restrictions contained in such by-law and to any restrictions imposed from time to time by the board. 25 30 35

R.S., c. 234.

(6) The foregoing subsections shall apply in respect of the Company notwithstanding anything contained in the *Railway Act* or in any other Act. 35

R.S., c. 234.

2. Notwithstanding anything contained in the *Railway Act* or in any other Act, the Company may apply to the Parliament of Canada for a Special Act to authorize 40

Increase of
capital,
Issue of
bonds, etc.

(a) the increase in the capital stock of the Company, or
(b) the issue of bonds, debentures, perpetual or terminable debenture stock or other securities by the directors of the Company, 45
if duly empowered in that behalf by at least two-thirds of the votes cast at a special meeting called for the purpose or at any annual meeting in case notice of intention to

Clause 1 of the bill contains a provision for the holding of general meetings of shareholders in Canada elsewhere than at Sault Ste. Marie, Ontario, makes provision for an increase in the board of directors to 15 in number, fixes the quorum of the board of directors, authorizes the appointment of alternate directors in certain cases and permits the appointment of an executive committee of the board. Under the Act of incorporation, chapter 50 of the statutes of 1899, the number of directors was restricted to 12, and under section 120 of the *Railway Act* a majority of the directors is required to constitute a quorum. There is no provision in any of the statutes relating to the Company permitting the appointment of alternate directors or of an executive committee of the board. By statute the Canadian Pacific Railway Company is empowered to have an executive committee, and companies incorporated under the *Companies Act*, chapter 53 of the Revised Statutes of Canada, 1952, have a similar right. Correspondingly, the Companies Acts of several provinces make provision for appointment of alternate directors and in the light of the widespread geographical representation on the board of the Company this power is considered desirable.

Clause 2 of the bill provides a procedure by which shareholders' approval may be obtained in the future to authorize an application to Parliament for a Special Act to increase the capital of the Company or to authorize the issue of additional bonds, debentures or other securities and in this respect is intended to modify the effect of sections 79 and 134 of the *Railway Act* which impose unworkable quorum requirements for shareholders' meetings in respect of future financing of the Company.

apply for such authority at such annual meeting has been given, at which meeting, whether annual or special, shareholders representing at least ten per centum in value of the subscribed stock of the Company who have paid all calls due thereon and are entitled to vote thereat, are present 5
 Proviso. in person or represented by proxy: Provided that, in lieu
 R.S., c. 234. of the notice required by the *Railway Act*, a printed, written or typewritten notice stating the day, hour and place of meeting and the nature of the business to be transacted, shall be served, either personally or by sending such 10
 notice to each shareholder entitled to vote at such meeting through the post, in a post-paid wrapper or letter, at least ten days (exclusive of the day of mailing but inclusive of the day for which notice is given) before the date of such meeting at such address as appears on the books of the 15
 Company, or, if no address be given therein, then to the last address of such shareholder known to the Secretary of the Company.

Officers. **3.** Subsection (2) of section 115 and section 123 of the *Railway Act* shall not prevent officers of the Company from 20
 R.S., c. 234. being directors thereof and from entering into contracts of employment with the Company.

Dividends. **4.** Dividends may, from time to time, be declared and paid by the directors of the Company in accordance with the provisions of section 129 of the *Railway Act*, or out of 25
 R.S., c. 234. any funds of the Company available for that purpose:
 Proviso. Provided that no dividends shall be declared when the Company is insolvent or when such declaration and payment would render the Company insolvent.

Proxies for shareholders. **5.** Notwithstanding the provisions of section 110 of the 30
 R.S., c. 234. *Railway Act*, the appointment, in writing, of a proxy to vote at meetings of shareholders need not be made under seal unless the Company's by-laws specifically so provide.

Contracts. **6.** In lieu of the provisions of section 123 of the *Railway Act*, the provisions of section 96 of the *Companies Act* shall 35
 R.S., c. 234; apply with respect to any contract or proposed contract with the Company in which a director of the Company is in any way, whether directly or indirectly, interested.
 R.S., c. 53.

Application of *Railway Act*. **7.** Nothing in this Act shall in any way restrict the powers of the Board of Transport Commissioners for 40
 Act. R.S., c. 234. Canada and all the provisions of the *Railway Act* now applying to the Company and its railway and undertaking not inconsistent with the provisions of this Act shall continue to apply thereto.

Clause 3 is designed to alleviate the restrictions contained in sections 115 and 123 of the *Railway Act* which would appear to prevent any officer of the Company from being a director thereof and from entering into contracts of employment with the Company while occupying the office of director and in this respect to conform with the practice permitted under the *Companies Act*.

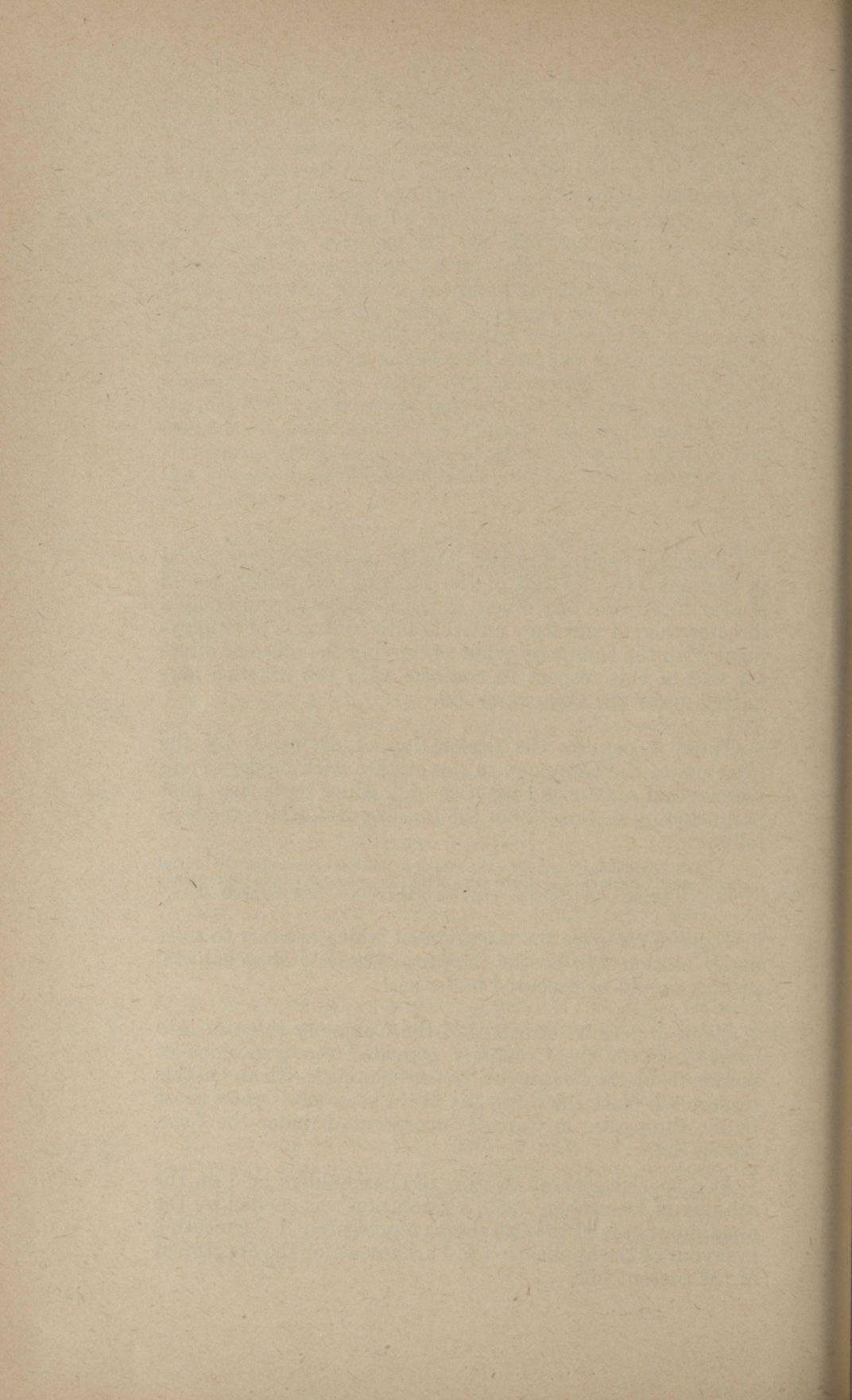
Clause 4 permits the declaration of dividends by the directors of the Company in accordance with modern commercial and accounting practice on a wider basis than that permitted by section 129 of the *Railway Act*, which reads as follows:—

“129. Dividends, at and after the rate of so much per share upon the several shares held by shareholders in the stock of the Company, may, from time to time, be declared and paid by the directors out of the net profits of the undertaking.”

Clause 5 removes the requirement which appears to exist under section 110 of the *Railway Act* that shareholders' proxies should be executed under seal.

Clause 6 permits directors of the Company to enter into contracts with the Company provided the provisions of section 96 of the *Companies Act* are complied with and in this respect will place the Company in the same position as those public companies in Canada incorporated under the *Companies Act*.

At a special general meeting of shareholders held on the 8th day of December, 1959, a resolution was carried by the unanimous vote of 194,020 shares represented at the meeting in favour of the application to Parliament for the enactment of the present bill.



Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-13.

An Act to incorporate Canadian Reassurance Company.

Read a first time, Wednesday, 10th February, 1960.

Honourable Senator THORVALDSON.

THE SENATE OF CANADA

BILL S-13.

An Act to incorporate Canadian Reassurance 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:— 5

Incorporation.

1. Frank Breadon Common, junior, one of Her Majesty's Counsel, William Shirley Tyndale, advocate, and Kenneth Simpson Howard, advocate, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of Canadian Reassurance Company, and, in French, Compagnie Canadienne de Réassurance, hereinafter called "the Company". 10

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. 15

Capital stock.

3. The capital stock of the Company shall be one million dollars, which may be increased to three million dollars.

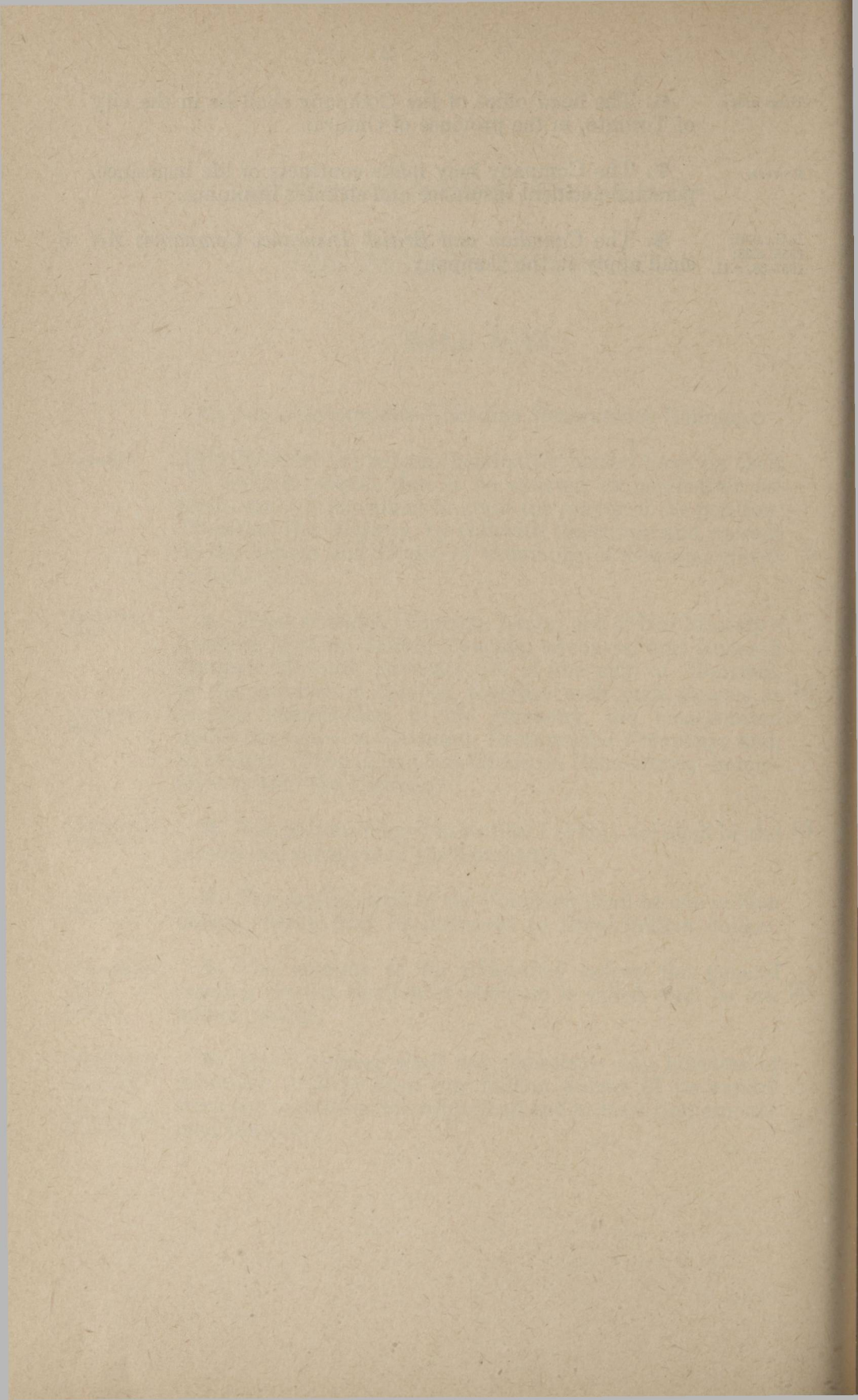
Subscription before general meeting.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one million dollars. 20

Subscription and payment of capital before commencing business.

5. The Company shall not commence any business of insurance until at least one million dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon. 25

- Head office. **6.** The head office of the Company shall be in the city of Toronto, in the province of Ontario.
- Powers. **7.** The Company may make contracts of life insurance, personal accident insurance and sickness insurance.
- R.S., c.31;
1956, c.28;
1957-58, c.11. **8.** The *Canadian and British Insurance Companies Act* 5 shall apply to the Company.



Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-14.

An Act to incorporate Munich Reinsurance Company of
Canada.

Read a first time, Thursday, 11th February, 1960.

Honourable Senator MOLSON.

THE SENATE OF CANADA

BILL S-14.

An Act to incorporate Munich Reinsurance 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.** William Fraser Macklaier, one of Her Majesty's Counsel, Raymond Eric Parsons, advocate, and James Knatchbull Hugessen, advocate, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of Munich Reinsurance Company of Canada, hereinafter called "the Company". 10
- Corporate name.
- Provisional directors. **2.** The persons named in section 1 shall be the provisional directors of the Company. 15
- Capital stock. **3.** The capital stock of the Company shall be one million dollars, which may be increased to three million dollars.
- Subscription before general meeting. **4.** The amount to be subscribed before the general meeting for the election of directors is called shall be one million dollars. 20
- Subscription and payment of capital before commencing business. **5.** The Company shall not commence any business of insurance until at least one million dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon. It may then transact all or any of the classes of insurance authorized by section 7 of this Act. 25

Head office. **6.** The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Classes of insurance authorized.

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

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

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

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-15.

An Act to incorporate The College of General Practice
of Canada.

Read a first time, Tuesday, 16th February, 1960.

Honourable Senator GERSHAW.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

THE SENATE OF CANADA

BILL S-15.

An Act to incorporate The College of General Practice 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: 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 Howard Black and Edwin Clarence McCoy, both of the city of Vancouver, in the province of British Columbia, Patrick Blair Rose, of the city of Edmonton, in the province of Alberta, Irwin Wesley Bean, of the city of Regina, in the 10 province of Saskatchewan, Jack McKenty, of the city of Winnipeg, in the province of Manitoba, William Victor Johnston, of the city of Toronto, and Maurice Edgerton Hobbs, of the village of Millbrook, both in the province of Ontario, Murray Raymond Stalker, of the village of Orms- 15 town, Armand Rioux, of the city of Quebec, and Laurent Mailloux, of the city of Montreal, all in the province of Quebec, Charles Leonard Gass, of Tatamagouche, in the province of Nova Scotia, and John Aloysius Walsh, of 20 Manuels, in the province of Newfoundland, all engaged in the general practice of medicine, and all other members of the unincorporated association known as College of General Practice (Medicine) of Canada, together with such other persons as become members of the association to be hereby incorporated, be incorporated under the name of The 25 College of General Practice of Canada, and, in French, Le Collège de Médecine Générale du Canada, hereinafter called "the College".

Corporate name.

Head office.

2. (1) The head office of the College shall be in the city of Toronto, in the province of Ontario, or at such other place in Canada as two-thirds of the membership of the College may determine by by-law from time to time.

(2) Notice in writing shall be given to the Secretary of State by the College of any change of the head office, and a copy of such notice shall be published forthwith in the *Canada Gazette*. 5

Objects.

3. The objects of the College shall be

- (a) to sustain and improve the professional qualifications of members of the medical profession who are engaged in general practice in Canada; 10
- (b) to promote high standards in the general practice of medicine in the provinces through the medium of provincial chapters of the College; 15
- (c) to enlighten and direct public opinion in Canada in relation to the general practice of medicine;
- (d) to encourage and assist in the provision of a high standard of teaching and training for undergraduate medical students who may become engaged in general practice in Canada; 20
- (e) to establish a register of members of the College and to publish and revise the same from time to time;
- (f) to conduct, direct, encourage, support or provide for research in matters relating to the general practice of medicine; 25
- (g) to publish and encourage publication of journals, reports and treatises on matters relating to the general practice of medicine and allied subjects; and
- (h) to undertake all such other lawful acts and things as are incidental or conducive to the attainment of the foregoing objects. 30

Membership.

4. Anyone licensed to practise medicine in the jurisdiction in which he resides and who possesses the qualifications set up by the by-laws of the College, and no others, may be admitted to membership by the College: Provided that an honorary membership may be conferred by the College upon anyone who has made an outstanding contribution to the general practice of medicine in Canada. The College may by by-law provide for various classes of membership. 35 40

Proviso.

Board of directors.

5. The affairs of the College shall be managed by a board of directors to be known as the Board of Representatives, the members of which shall be elected or appointed as the College may prescribe by by-law and which shall have the powers set out in the by-laws of the College. 45

By-laws.

6. The College may make such by-laws not contrary to law or the provisions of this Act as it may deem necessary or advisable for the government and management of its business and affairs and, without restricting the generality of the foregoing, the College may make by-laws with respect to the qualifications, classifications, privileges, rights, admission and expulsion of members, the fees and dues which it may deem advisable to impose, and the number, constitution, powers and duties and mode of election of the Board of Representatives, committees, sub-committees, and of its officers, and may from time to time alter or repeal all or any such by-laws as it may see fit. 5 10

Officers, etc.,
continue to
hold office.

7. The present officers and Board of Representatives of the unincorporated College shall continue to be the officers and Board of Representatives of the College until replaced by others in accordance with the by-laws of the College. 15

Powers of
present
officers.

8. The present officers and Board of Representatives may make such by-laws as the College itself may make under this Act, and the same shall be the by-laws of the College: Provided that any such by-laws shall be effective only until the first annual meeting of the members of the College, which shall be held not later than the first day of December, 1961, when such by-laws shall be revoked, amended or adopted, as the case may be, by majority vote of those present at such annual meeting. 20 25

Additional
powers.

9. In addition to the general powers accorded to it by law, the College shall have power

- (a) to purchase, take on lease or in exchange, hire and otherwise acquire by gift, legacy, devise or otherwise and to own and hold any estate, property or rights, real or personal, movable or immovable, or any title or interest therein, and to sell, exchange, alienate, manage, develop, mortgage, hypothecate, lease or otherwise deal therewith as it may deem advisable for the purposes of the College; 30 35
- (b) to borrow money for the purposes of the College;
- (c) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;
- (d) to establish and support or aid in the establishment and support of associations, institutions, funds, trusts and projects calculated to advance the science or practice of medicine in Canada; 40

- (e) to invest and deal with the moneys of the College not immediately required, in such manner as may be determined from time to time; and
- (f) to do all such lawful acts and things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the College. 5

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-16.

An Act to incorporate Matador Pipe Line Company, Ltd.

Read a first time, Tuesday, 16th February, 1960.

Honourable Senator THORVALDSON.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

THE SENATE OF CANADA

BILL S-16.

An Act to incorporate Matador Pipe Line Company, Ltd.

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

Incorporation.

1. George Maxwell Peacock, one of Her Majesty's Counsel, of the city of Edmonton, in the province of Alberta, MacLean Everett Jones, one of Her Majesty's Counsel, and William Gordon Brown, barrister-at-law, both of the city of Calgary, in the said province of Alberta, Cortlandt Scoville Dietler, oil producer, of the city of Denver, in the state of Colorado, one of the United States of America, and Elmer Goodman Balsam, oil transporter, of Miles City, in the state of Montana, one of the United States of America, together with such persons as become shareholders in the company, are incorporated under the name of Matador Pipe Line Company, Ltd., hereinafter called "the Company". 10 15

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the first directors of the Company. 20

Capital stock.

3. (1) The capital stock of the Company shall consist of
(a) one hundred thousand common shares without nominal or par value, and
(b) eighteen thousand preferred shares of the par value of fifty dollars per share. 25
(2) The Company may by by-law

- (a) provide for the issue of the preferred shares in one or more series with such preferences, privileges or other special rights, restrictions, conditions or limitations attaching to each series whether with regard to dividends, capital or otherwise as in the by-law may be declared, and 5
- (b) subdivide or consolidate into shares of smaller or larger par value and reclassify into another or different series any unissued preferred shares and amend, vary, alter or change any of the preferences, privileges, rights, restrictions, conditions or limitations which may have been attached to any unissued preferred shares: 10

Proviso.

Provided that no such by-law shall be valid or acted upon until it has been sanctioned by at least two-thirds of the votes cast at a special general meeting of the common shareholders of the Company duly called for considering the same and until a certified copy of such by-law has been filed with the Secretary of State. 15

(3) Except to the extent that such rights may be provided by any by-law enacted under subsection (2), the holders of preferred shares of any series shall not as such have the right to vote or to receive notice of or to attend any meeting of the common shareholders of the Company, but no change shall be made affecting the rights or privileges of the holders of issued and outstanding preferred shares of any series except by by-law duly enacted by the directors and sanctioned by the common shareholders in the manner set forth in subsection (2), nor shall such by-law have any force or effect unless or until it has been sanctioned by at least two-thirds of the votes cast at a special general meeting of the holders of the issued and outstanding preferred shares of such series duly called for considering the same, and a certified copy thereof has been filed with the Secretary of State. 20 25 30

(4) Ownership of preferred shares shall not qualify any person to be a director of the Company. 35

Head office
and other
offices.

4. (1) The head office of the Company shall be in the city of Calgary, in the province of Alberta, which head office shall be the domicile of the Company in Canada; and the Company may establish such other offices and agencies elsewhere within or without Canada as it deems expedient. 40

(2) The Company may, by by-law, change the place where the head office of the Company is to be situate.

(3) No by-law for the said purpose shall be valid or acted upon until it is sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders duly called for considering the by-law and a copy 45

of the by-law certified under the seal of the Company has been filed with the Secretary of State and published in the *Canada Gazette*.

Pipe lines
legislation
to apply.
1959, c. 46.

5. The Company shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of the *National Energy Board Act*, and any other general legislation relating to pipe lines enacted by Parliament with respect to the transmission and transportation of oil and other liquid hydrocarbons. 5
10

Power to
construct
and operate
pipe lines.

6. The Company, subject to the provisions of any general legislation relating to pipe lines for the transmission and transportation of oil and other liquid hydrocarbons which is enacted by Parliament, may

- (a) within Canada in the province of Manitoba and 15
outside Canada construct, purchase, lease or other-
wise acquire and hold, develop, operate, maintain,
control, lease, mortgage, hypothecate, create liens or
other security upon, sell, convey or otherwise dispose
of and turn to account any and all extra-provincial 20
and/or international pipe lines and all appurtenances
relative thereto for gathering, transmitting, trans-
porting, storing and delivering of oil or other liquid
hydrocarbons or products thereof, including pumping
stations, terminals, storage tanks or reservoirs and 25
all works relative thereto for use in connection with
the said pipe lines; and buy or otherwise acquire,
transmit, transport and sell or otherwise dispose of
and distribute oil and other liquid hydrocarbons and
products thereof; and own, lease, sell, operate and 30
maintain aircraft and aerodromes for the purpose of
its undertaking, together with the facilities required
for the operation of such aircraft and aerodromes;
and own, lease, operate and maintain interstation 35
telephone, teletype and telegraph communication
systems and, subject to the *Radio Act* and any other
statute relating to radio, own, lease, operate and
maintain interstation radio communication facilities;
- (b) purchase, hold, lease, sell, improve, exchange or 40
otherwise deal in real property or any interest and
rights therein legal or equitable or otherwise how-
soever and deal with any portion of the lands and
property so acquired, and may subdivide the same
into building lots and generally lay the same out into
lots, streets and building sites for residential purposes 45
or otherwise and may construct streets thereon and
necessary sewerage and drainage systems and build

R.S., c. 233.

Power to
hold land.

upon the same for residential purposes or otherwise and supply any buildings so erected, or other buildings erected upon such lands, with electric light, heat, gas, water and other requisites, and lease or sell the same, upon such terms and subject to such conditions as appear requisite, either to its employees or to others; and 5

Ancillary powers.

- (c) exercise as ancillary and incidental to the purposes or objects set forth in this Act, the powers following, unless such powers or any of them are expressly excluded by this Act, namely, the powers set forth in paragraphs (a) to (bb) inclusive of subsection (1) of section 14 of the *Companies Act*. 10

R.S., c. 53.

Sections of the *Companies Act* to apply. R.S., c. 53. Proviso.

7. The provisions of subsections (7), (8), (9) and (10) of section 12 and sections 39, 40, 62, 63, 64, 65, 84, 91 and 94 of Part I of the *Companies Act* apply to the Company: Provided that wherever in the said subsection (10) of section 12 the words "letters patent" or "supplementary letters patent" appear, the words "Special Act" shall be substituted therefor. 15 20

Sections of the *Companies Act* not to apply. R.S., c. 53.

8. Sections 153, 162, 167, 184, 190, 193 and 194 of Part III of the *Companies Act* shall not be incorporated with this Act.

Company not to make a loan to shareholders or directors.

9. (1) The Company shall not make any loan to any of its shareholders or directors or give, whether directly or indirectly, and whether by means of a loan, guarantee, the provision of security or otherwise, any financial assistance for the purpose of, or in connection with, a purchase made or to be made by any person of any shares in the Company: Provided that nothing in this section shall be taken to prohibit 25 30

Proviso.

- (a) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling or assisting those persons to purchase or erect dwelling houses for their own occupation; and the Company may take, from such employees, mortgages or other securities for the repayment of such loans; 35
- (b) the provision by the Company, in accordance with any scheme for the time being in force, of money for the purchase by trustees of fully paid shares in the capital stock of the Company, to be held by, or for the benefit of, employees of the Company, including any director holding a salaried employment or office in the Company; or 40 45

(c) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling those persons to purchase fully paid shares in the capital stock of the Company, to be held by themselves by way of beneficial ownership. 5

(2) The powers under paragraphs (b) and (c) of subsection 1 of this section shall be exercised by by-law only.

(3) If any loan is made by the Company in violation of the foregoing provisions, all directors and officers of the Company making the same or assenting thereto, shall, until repayment of said loan, be jointly and severally liable to the Company and to its creditors for the debts of the Company then existing or thereafter contracted: Provided that such liability shall be limited to the amount of said loan with interest. 15

Proviso.

When redemption or purchase not a reduction of paid-up capital.

10. The redemption or purchase for cancellation of any fully paid preferred shares created by this Act or by by-law pursuant to the provisions of this Act, in accordance with any right of redemption or purchase for cancellation reserved in favour of the Company in the provisions attaching to such preferred shares, or the redemption or purchase for cancellation of any fully paid shares of any class, not being common or ordinary shares, and in respect of which the by-laws provide for such right of redemption or purchase, in accordance with the provisions of such by-laws, shall not be deemed to be a reduction of the paid-up capital of the Company, if such redemption or purchase for cancellation is made out of the proceeds of an issue of shares made for the purpose of such redemption or purchase for cancellation, or if, 20

(a) no cumulative dividends on the preferred shares or shares of the class in respect of which such right of redemption or purchase exists and which are so redeemed or purchased for cancellation are in arrears; and 25

(b) if such redemption or purchase for cancellation of such fully paid shares is made without impairment of the Company's capital by payments out of the ascertained net profits of the Company which have been set aside by the directors for the purposes of such redemption or of such purchase for cancellation, and if such net profits are then available for such application as liquid assets of the Company, as shown by the last balance sheet of the Company, certified by the Company's auditors, and being made up to a date not more than ninety days prior to such redemption or purchase for cancellation, and after giving effect to such redemption or purchase for cancellation; 30 35 40 45

and subject as aforesaid, any such shares may be redeemed or purchased for cancellation by the Company on such terms and in such manner as are set forth in the provisions attaching to such shares, and the surplus resulting from such redemption or purchase for cancellation shall be designated as a capital surplus, which shall not be reduced or distributed by the Company except as provided by a subsequent Act of the Parliament of Canada. 5

Commission
on sub-
scription.

11. The Company may pay a commission to any person in consideration of his subscribing or agreeing to subscribe, 10 whether absolutely or conditionally, for any shares, bonds, debentures, debenture stock or other securities of the Company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares, bonds, debentures, debenture stock or other securities of the Com- 15
pany: Provided, however, that as regards shares, such commission shall not exceed ten per centum of the amount realized therefrom.

Proviso.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-17.

An Act respecting The National Sanitarium Association.

Read a first time, Tuesday, 16th February, 1960.

Honourable Senator LEONARD.

THE SENATE OF CANADA

BILL S-17.

An Act respecting The National Sanitarium Association.

Preamble.
1896 (1st
Sess.), c. 52;
1900, c. 107.

WHEREAS The National Sanitarium Association, 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

1. Chapter 52 of the statutes of 1896 (First Session) is amended by striking out all of section 1 after the word "Corporation" in line 11 and by inserting a period after the word "Corporation" in line 11. 10

2. Chapter 52 of the statutes of 1896 (First Session) is further amended by adding immediately after section 1 the following as section 1A:

Powers.

"1A. (1) The Corporation shall have power to establish, equip, maintain and conduct clinics, hospitals, public institutions and other facilities, at such places in Canada as the Corporation may decide, for the diagnosis, treatment and cure of persons affected with any kind of disability, disease or illness; and to establish and conduct laboratories, research projects and other services ancillary thereto and to provide instruction to students in medicine, nursing, physiotherapy and related studies. 15 20

Powers as to property.

(2) 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 and purposes of the Corporation. 25

EXPLANATORY NOTES.

The words being deleted from section 1 of chapter 52 of the statutes of 1896, by the operation of clause 1 of this bill, are as follows:—

“with power to establish, equip, maintain and conduct, in such place or places within Canada as are decided upon as hereinafter mentioned, public institutions for the isolation, treatment and cure of persons affected with pulmonary disease, and with power to acquire by gift, purchase or otherwise, moneys and property, and hold for the use of the Corporation moneys and personal property of all kinds, also such real property as may be necessary for the purposes of the Corporation: Provided always that the Corporation shall, within ten years after its acquisition of any real estate, sell or otherwise dispose of and alienate so much of such real estate as is not required for the purposes of the Corporation; and with all such other powers and rights as are incident to such undertaking.”

The principal purpose of this bill is to enable the Association to use the beds and other facilities in the hospitals it supervises for the diagnosis, treatment and care of persons with any kind of disease or illness. Because of increasingly early diagnosis of tuberculosis and the effective use of antibiotics in the treatment thereof, there are vacant beds in all three of the Association's hospitals. The joint effect of clauses 1 and 2 of this bill is to enable the Association to make full use of all its beds and other facilities.

A secondary purpose of the present bill is to modernize the provisions, which have not been revised since 1896, concerning the powers of the Association in respect of the acquisition and disposal of property. This would be accomplished by the enactment of clauses 2 and 3 of the bill.

(3) The Corporation shall have such other powers and rights as may be required for the carrying out of the undertakings set out in subsection (1)."

Repeal.

3. Section 2 of chapter 52 of the statutes of 1896 is repealed and the following substituted therefor:

5

"**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."

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-18.

An Act to incorporate Adanac General Insurance Company
of Canada.

Read a first time, Thursday, 18th February, 1960.

Honourable Senator THORVALDSON.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

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THE SENATE OF CANADA

BILL S-18.

An Act to incorporate Adanac General Insurance Company 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: 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. Alfred Buckhout Cornell, investment counsellor, of the city of New York, in the state of New York, one of the United States of America, Francis Walton Dowler, one of Her Majesty's Counsel, of the city of London, in the province of Ontario, John Rainsford Gosnell, insurance executive, and Robert Dudley Harrington, insurance executive, both of the city of Worcester, in the state of Massachusetts, one of the United States of America, Frederick William Pryce Jones, dean, Ninian Townsend Sanderson, executive, 15
Freeman James Talbot, gentleman, David Black Weldon, investment dealer, and Richard William Yantis, executive, all of the city of London, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of Adanac General Insurance Company of Canada, hereinafter called "the Company". 20

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 25 dollars, divided into shares of one hundred dollars each.

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.

Head office.

5. The head office of the Company shall be in the city of London, in the province of Ontario.

Classes of insurance authorized.

6. The Company may undertake, transact and make contracts of insurance for all or any of the following classes of insurance:—

- | | |
|--------------------------------------|----|
| (a) fire insurance; | 5 |
| (b) accident insurance; | |
| (c) aircraft insurance; | |
| (d) automobile insurance; | |
| (e) boiler insurance; | 10 |
| (f) credit insurance; | |
| (g) earthquake insurance; | |
| (h) explosion insurance; | |
| (i) falling aircraft insurance; | |
| (j) forgery insurance; | 15 |
| (k) guarantee insurance; | |
| (l) hail insurance; | |
| (m) impact by vehicles insurance; | |
| (n) inland transportation insurance; | |
| (o) live stock insurance; | 20 |
| (p) machinery insurance; | |
| (q) marine insurance; | |
| (r) personal property insurance; | |
| (s) plate glass insurance; | |
| (t) real property insurance; | 25 |
| (u) sickness insurance; | |
| (v) sprinkler leakage insurance; | |
| (w) theft insurance; | |
| (x) water damage insurance; | |
| (y) weather insurance; | 30 |
| (z) windstorm insurance. | |

Subscription and payment of capital before commencing business.

7. (1) 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 two hundred and eighty thousand dollars paid thereon. It may then transact the business of fire insurance, automobile insurance, inland transportation insurance, personal property insurance and, in addition thereto, civil commotion insurance, earthquake insurance, limited or inherent explosion insurance, falling aircraft insurance, impact by vehicles insurance, hail insurance, sprinkler leakage insurance, water damage insurance, weather insurance and windstorm insurance, limited to the insurance of the same property as insured under a policy of fire insurance of the Company.

Additional amounts for certain classes of business.

(2) The Company shall not commence any of the other classes of business authorized by section 6 of this Act until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:—for accident insurance, the said increase shall not be less than eighty thousand dollars; for aircraft insurance, not less than forty thousand dollars; for boiler insurance, not less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for explosion insurance, not less than forty thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than forty thousand dollars; for guarantee insurance, not less than one hundred thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for plate glass insurance, not less than twenty thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for theft insurance, not less than forty thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; and for windstorm insurance, not less than fifty thousand dollars.

Periodic increase of paid capital and surplus.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

When Company may transact any or all classes of insurance business.

(4) Notwithstanding anything to the contrary contained in this section the Company may transact all or any of the classes of insurance business authorized by section 6 of this Act when the paid capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least one million dollars.

“Surplus”
defined.

(5) In this section the word “surplus” means the excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

5

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

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-19.

An Act to incorporate The Evangelical Lutheran Church
of Canada.

Read a first time, Tuesday, 23rd February, 1960.

Honourable Senator THORVALDSON.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

THE SENATE OF CANADA

BILL S-19.

An Act to incorporate The Evangelical Lutheran Church of Canada.

Preamble.
1913, c. 143;
1931, c. 77;
1951, c. 76.

R.S., c. 53.

WHEREAS a petition has been presented by the Board of Management of the Canadian District of the American Lutheran Church, a corporation incorporated by chapter 143 of the statutes of 1913 as amended by chapter 77 of the statutes of 1931, The Norwegian Lutheran Church of Canada, a corporation incorporated by Letters Patent issued under and pursuant to the *Companies Act* on the 1st day of June, 1922, The Evangelical Lutheran Church of Canada, a corporation incorporated by chapter 76 of the statutes of 1951, and the West Canada District of the United Evangelical Lutheran Church, an unincorporated religious body, praying that the four bodies be constituted a single body corporate under the name of The Evangelical Lutheran Church of Canada, 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 Marvin Odland, a pastor of The Evangelical Lutheran Church of Canada, of the town of Provost, in the province of Alberta, the Reverend Henry Holte, a pastor of The Evangelical Lutheran Church of Canada, of the village of Armena, in the province of Alberta, the Reverend Donald Voigts, a pastor of the Board of Management of the Canadian District of the American Lutheran Church, of the city of Saskatoon, in the province of Saskatchewan, Chris Mikkelsen, executive, a member of the West Canada District of the United Evangelical Lutheran Church, of the city of Calgary, in the province of Alberta, Selmer Gjesdal, farmer, a member of The Evangelical Lutheran Church of Canada, of the village of Brancepeth,

in the province of Saskatchewan, Alger Lyseng, farmer, a member of The Evangelical Lutheran Church of Canada, of the city of Camrose, in the province of Alberta, Gordon Alexander Guthrie, manager, a member of the Board of Management of the Canadian District of the American Lutheran Church, of the city of Regina, in the province of Saskatchewan, George Epp, municipal clerk, a member of the Board of Management of the Canadian District of the American Lutheran Church, of the town of Rosthern, in the province of Saskatchewan, and John Singer, barrister-at-law, a member of the Board of Management of the Canadian District of the American Lutheran Church, of the city of Edmonton, in the province of Alberta, together with such other persons and congregations as may from time to time become members of the religious body hereby incorporated, are constituted a body politic and corporate under the name of The Evangelical Lutheran Church of Canada, hereinafter called "the Corporation", for the purposes set out in this Act and for the purpose of administering the property and other temporal affairs of the Corporation.

Corporate name.

Succession.

2. The Corporation shall be deemed to be the successor of the Board of Management of the Canadian District of the American Lutheran Church, The Norwegian Lutheran Church of Canada, The Evangelical Lutheran Church of Canada, and the West Canada District of the United Evangelical Lutheran Church.

Trustees.

3. The persons named in section 1 of this Act shall be the first trustees of the Corporation, and constitute the first board of trustees.

Head office.

4. (1) The head office of the Corporation shall be in the city of Saskatoon, in the province of Saskatchewan, or at such other place as may be decided by the Corporation.
(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of location of the head office, and such notice shall be published forthwith in the *Canada Gazette*.

Objects.

5. The objects of the Corporation shall be
(a) to promote, maintain, superintend and carry on in any and all parts of Canada, in accordance with the faith, doctrines, constitution, acts and rulings of the Corporation, any or all of the work of that body;
(b) to advance and increase the diffusion of the faith espoused by the Corporation in all lawful ways;

- (c) to organize, maintain and carry on in any and all parts of Canada and elsewhere churches and missions, and to erect and maintain and conduct churches, colleges granting academic degrees, theological seminaries granting theological degrees and diplomas of graduation, hospitals, dispensaries, orphanages and homes for the aged and other religious, health or welfare agencies; 5
- (d) to promote the erection and purchase of houses of worship and parsonages; 10
- (e) to administer in Canada the property, business and other temporal affairs of the Corporation;
- (f) to establish, support and maintain a publishing house for the purpose of printing and publishing and disseminating literature, including works of religion, education, arts and science; and 15
- (g) to promote the spiritual welfare of all the congregations and mission fields of the Corporation.

Power to
make
by-laws.

6. 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 a Board of Trustees or any special committees or boards from time to time created for the purposes of the Corporation and defining the powers of such Board of Trustees, committees or boards; 30
- (d) the calling of regular or special meetings of the Corporation, or of the Board of Trustees of the Corporation;
- (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, doctrines and religious standards of the Corporation; and 40
- (h) generally carrying out the objects and purposes of the Corporation.

Management.

7. Subject to and in accordance with the by-laws enacted by the Corporation under section 6, the Board of Trustees, consisting of nine persons elected by the Corporation, shall 45 manage all temporal affairs of the Corporation.

Incidental powers.

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

Boards and committees.

9. The Corporation may exercise all its powers by and through such boards or committees as it may appoint or elect from time to time pursuant to by-law. 5

Power to acquire and hold property.

10. (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 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 and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution or activity established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation. 15

(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. 20

Investment in and disposal of property.

11. 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, hypothecation or charge upon real property; and for the purpose 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 wholly or partly. 25 30 35

Application of mortmain laws.

12. 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. 40 45

Transfer of
property held
in trust.

13. 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. 5

Execution of
documents.

14. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate 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, or of his lawful attorney. 15

Disposition
of property
by gift or
loan and
guarantee.

15. The Corporation may make a gift or lend any of its property, whether real or personal, and may guarantee, with or without security, the debts of others for or to carry out the objects of the Corporation or for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, parsonage, seminary, 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. 20

Borrowing
powers.

16. (1) The Corporation may, from time to time, for the purposes of the Corporation 25

- (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 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 40
- (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;

- (e) issue bonds, debentures or other securities of the Corporation; and
 (f) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.

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Limitation.

(2) Nothing in the preceding subsection 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.

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Investment
of funds.

17. The Corporation may invest and reinvest any of 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 may lend its funds or any portion thereof on any such securities.

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Scope.

18. The Corporation may exercise its functions throughout Canada, and meetings of the board of directors of the Corporation may be held at any place within Canada.

Property
vested in the
Corporation.

19. All property, real, personal and mixed, which on the coming into force of this section is owned, used, held, possessed, occupied or enjoyed by the Board of Management of the Canadian District of the American Lutheran Church, The Norwegian Lutheran Church of Canada, The Evangelical Lutheran Church of Canada, and the West Canada District of the United Evangelical Lutheran Church, for their general uses and purposes, shall, as from the coming into force of this section, be vested in the Corporation, subject, however, to all such rights, obligations and liabilities with respect to any property so acquired as exist at such date; and nothing in this section contained shall be deemed in any way to vary or otherwise affect any trust relating to such property.

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Existing
trusts
continued.

20. Where, prior to the coming into force of this section, 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 religious, charitable, educational, congregational or social purpose, in connection with the corporations and unincorporated religious body mentioned 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

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obligations and liabilities of the corporations and unincorporated religious body mentioned 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. 5

Existing
rights
saved.

21. The change in the names of the corporations hereinbefore referred to shall not in any way impair, alter or affect the rights or liabilities of any of the said corporations or any bequest, gift or donation now made or which hereafter may be made to any of the said corporations, whether by their original or their new name, or any suit or proceeding now pending or judgment existing, either by or in favour of or against any of the said corporations which, notwithstanding such change in the names of the said corporations, may be enforced and continued as if this Act had not been passed. 10 15

Repeal.

22. Chapter 143 of the statutes of 1913, as amended by chapter 77 of the statutes of 1931, and chapter 76 of the statutes of 1951 are repealed.

Coming into
force.

Proviso.

23. Sections 19 and 22 of this Act shall come into force on the 1st day of January, 1961: Provided that prior to the 1st day of January, 1961, the rights, obligations and liabilities referred to in section 19 may be protected and enforced as if the remaining sections of this Act had not come into force. 20 25

Third Session, Twenty-Fourth Parliament, 8 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-20.

An Act respecting British Columbia Telephone Company.

Read a first time, Tuesday, 23rd February, 1960.

Honourable Senator FARRIS.

THE SENATE OF CANADA

BILL S-20.

An Act respecting British Columbia Telephone Company.

Preamble.

1916, c. 66;
1940-41, c. 36;
1947, c. 86;
1951, c. 85;
1957-58, c. 40.

WHEREAS British Columbia Telephone 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

1. Chapter 66 of the statutes of 1916 is amended by adding thereto, immediately after section 9 thereof, the following section:—

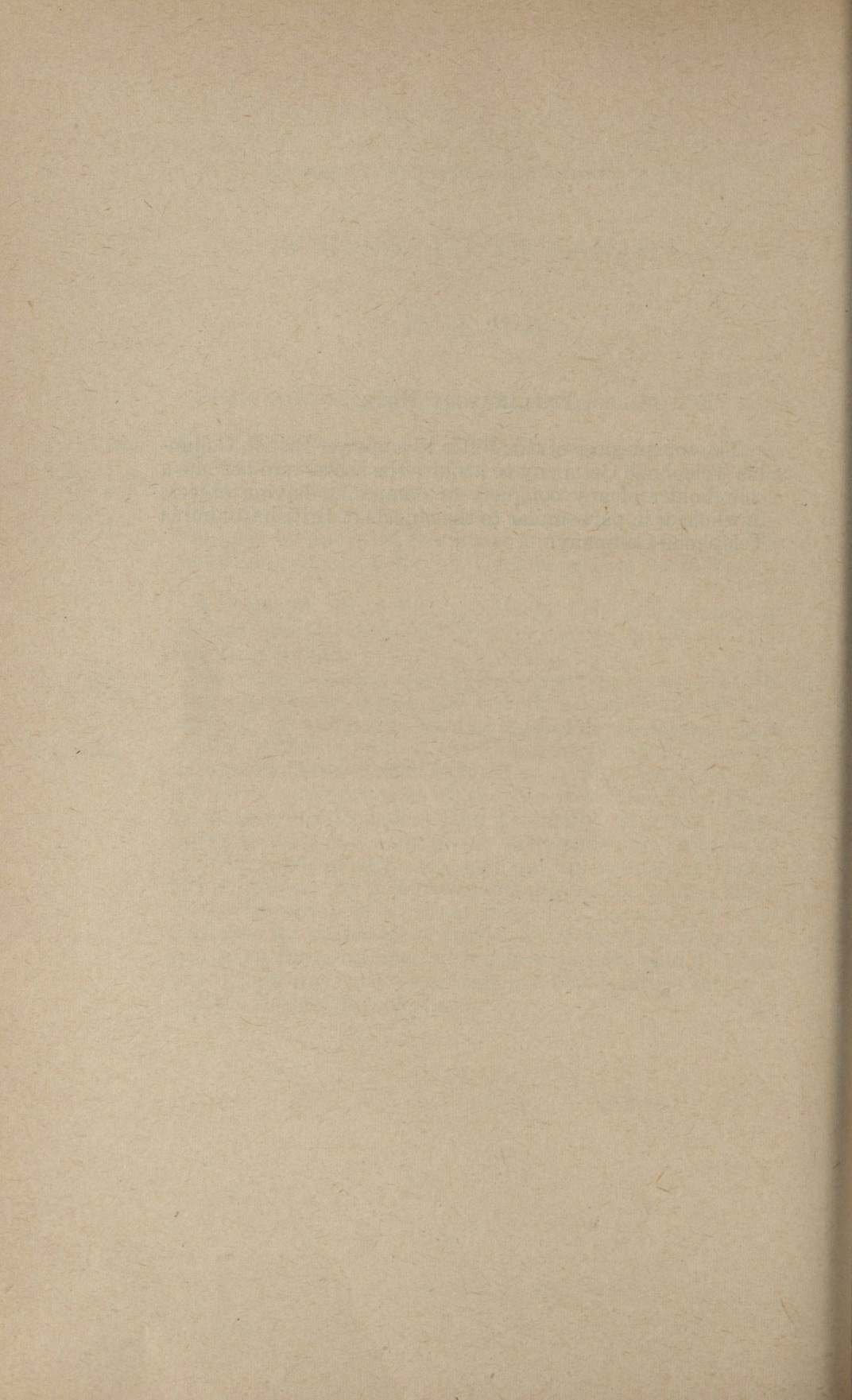
Acquisition
of shares.

Proviso.

"9A. The Company shall have power to purchase or otherwise acquire the shares, and become a shareholder, of any company or companies having objects in whole or in part similar to the objects of the Company: Provided that no agreement therefor shall take effect until it has been submitted to and approved by the Board of Transport Commissioners for Canada. The Company shall also have power to allot and issue to the shareholders or any one or more of them of any such company or companies, shares either ordinary or preference, or both, in the capital stock of the Company in whole or in part in payment of or in exchange for the shares of any such company or companies, and to so allot and issue such shares as fully paid up or as partly paid up as may be agreed upon between the Company and the holders of such shares." 10 15 20

EXPLANATORY NOTE.

The sole purpose of this Bill is to empower British Columbia Telephone Company to acquire the shares and become a shareholder of any company or companies having objects in whole or in part similar to the objects of British Columbia Telephone Company.



Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-21.

An Act respecting Eastern Telephone and Telegraph
Company.

Read a first time, Tuesday, 23rd February, 1960.

Honourable Senator ISNOR.

THE SENATE OF CANADA

BILL S-21.

An Act respecting Eastern Telephone and Telegraph Company.

Preamble.
1917, c. 76;
1931, c. 79;
1953-54, c. 77.

WHEREAS Eastern Telephone and Telegraph 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

Capital stock.

1. Notwithstanding anything contained in chapter 76 of the statutes of 1917 or chapter 79 of the statutes of 1931 or chapter 77 of the statutes of 1953-54, the capital stock 10 of the Company shall be ten million dollars divided into shares of one hundred dollars each, which may be issued in whole or in part in such manner as the directors determine:

Proviso.

Provided that the Company shall not make any public issue or sale of its capital stock or any part thereof without 15 first obtaining the approval of the Board of Transport Commissioners for Canada of the amount, terms or conditions of such public issue or sale.

EXPLANATORY NOTES.

Eastern Telephone and Telegraph Company was incorporated by chapter 76 of the statutes of 1917 with an authorized capital stock of ten million dollars divided into shares of one hundred dollars each.

By chapter 79 of the statutes of 1931 the Act of incorporation was amended by conferring on the Company the power to reduce its authorized capital stock by by-law subject to the terms and conditions therein contained.

Pursuant to the said authority the authorized capital stock of the Company was reduced to seventy-five thousand dollars divided into shares of one hundred dollars each by by-law No. 2 enacted on the 1st day of September, 1931, and sanctioned by the unanimous vote of all the shareholders of the Company cast at a special general meeting of the shareholders duly called for considering the same, and held on the 1st day of September, 1931, and confirmed by the Secretary of State for Canada on the 16th day of December, 1931.

By chapter 77 of the statutes of 1953-1954, the Act of incorporation was further amended by increasing the capital stock of the Company to five million dollars divided into shares of one hundred dollars each.

The Company, in the exercise of its statutory powers, became a party to a contract executed on the 30th day of September, 1957, for the construction and maintenance of a second Transatlantic Telephone Cable System, which contract will require the Company to make substantial investments and expenditures for the construction, ownership and maintenance of portions of the cable system within Canada. Accordingly, the sole purpose of this bill is to increase the capital stock of the Company to ten million dollars divided into shares of one hundred dollars each.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-22.

An Act to incorporate Convenient Credit Limited.

Read a first time, Wednesday, 24th February, 1960.

Honourable Senator MONETTE.

THE SENATE OF CANADA

BILL S-22.

An Act to incorporate Convenient Credit Limited.

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

Incorporation.

1. Peter Paul Saunders, executive, Andrew E. Saxton, executive, D. E. Fenton, executive, Ralph S. Paxton, executive, all of the city of Vancouver, in the province of British Columbia, John W. Rook, executive, Roland Therien, 10 executive, and Fernand Delhaes, executive, all of the city of Montreal, in the province of Quebec, together with such other persons as become shareholders in the company, are incorporated under the name of Convenient Credit Limited, and, in French, Le Crédit Commode Limitée, 15 hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars which may be increased to one million 20 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 one hundred thousand dollars.

Amount to be subscribed and paid before commencement.

5. The Company shall not commence business until two 25 hundred and fifty thousand dollars of the capital stock have been subscribed and one hundred thousand dollars paid thereon.

Head office

6. The head office of the Company shall be in the city of Vancouver, in the province of British Columbia.

R.S., c. 251;
1956, c. 46.

7. The Company is incorporated pursuant to Part II of the *Small Loans Act*, and to it all the provisions of that Act shall extend and apply.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-23.

An Act respecting International Loan Company.

Read a first time, Tuesday, 8th March, 1960.

Honourable Senator HNATYSHYN.

THE SENATE OF CANADA

BILL S-23.

An Act respecting International Loan Company.

Preamble.
1920, c. 91.

WHEREAS International Loan 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

Change of
name.

Existing
rights saved.

1. The name of the Company is hereby changed to Federal Mortgage and Savings Corporation, 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 legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name. 10 15

EXPLANATORY NOTE.

The purpose of this Bill is to change the name of International Loan Company.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-24.

An Act respecting Wabush Lake Railway Company Limited
and Arnaud Railway Company.

Read a first time, Tuesday, 15th March, 1960.

Honourable Senator BRUNT.

THE SENATE OF CANADA

BILL S-24.

An Act respecting Wabush Lake Railway Company Limited and Arnaud Railway Company.

Preamble.

WHEREAS Wabush Lake Railway Company Limited was incorporated pursuant to the provisions of *The Companies Act* of Newfoundland on April 12, 1955, for the purpose of constructing, operating and using certain railways in Labrador, and was granted certain rights, privileges, franchises and immunities pursuant to certain Acts of the Legislature of the province of Newfoundland, namely, *The Wabush Lake Railway Act, 1955*, Number 57 of the statutes of the province of Newfoundland, 1955 (First Session), *The Wabush Lake Railway (Amendment) Act, 1955*, Number 2 of the statutes of the province of Newfoundland, 1955 (Second Session), *The Wabush Lake Railway (Amendment) Act, 1959*, Number 32 of the statutes of the province of Newfoundland, 1959, and *The Wabush-Carol (Agreement) Act, 1959*, Number 37 of the statutes of the province of Newfoundland, 1959;

WHEREAS Arnaud Railway Company was incorporated by an Act of the Legislature of the province of Quebec, chapter 187 of the statutes of the province of Quebec, 1959, for the purpose of constructing and operating a railway in the province of Quebec, and was granted certain rights, privileges, franchises and immunities pursuant to the said Act; and

WHEREAS the Companies have presented a joint petition praying 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:—

Definition.

1. In this Act, "the Companies" means the bodies corporate and politic referred to in the preamble.

EXPLANATORY NOTES.

This bill deals with Wabush Lake Railway Company Limited, a Newfoundland railway company, and Arnaud Railway Company, a Quebec railway company. These two companies are presently subject to their respective provincial railway enactments, and the purpose of this bill is to bring them under the jurisdiction of Parliament, the *Railway Act* of Canada and the Board of Transport Commissioners. The railways are part of a transportation system which will haul the concentrated ore products to be produced by Wabush Iron Company Limited from a mine-site in Labrador to the St. Lawrence River. The total distance involved is approximately 290 miles, the first 40 miles of which is serviced by the Wabush Railway and the final 20 miles of which is serviced by the Arnaud Railway. The mid-section of this system is the Quebec North Shore and Labrador Railway Company, a railway already built and in operation, which is presently subject to the Board of Transport Commissioners. The bill is designed to make all three companies subject to the same rules and regulations. Corporate authority is also granted to Wabush Railway and Arnaud Railway to construct, prior to January 1st, 1965, and to operate connecting railways from the mine-site to the St. Lawrence River, but such construction and operation would have to be authorized by the Board of Transport Commissioners.

Works for
general
advantage
of Canada.

2. The railway works and undertakings of the Companies are declared to be works for the general advantage of Canada.

Application
of provincial
statutes.

3. (1) Nothing herein contained shall be construed so as to affect or render inoperative any of the provisions of the Acts of the Legislature of the province of Newfoundland, or of the Act of the Legislature of the province of Quebec, referred to in the preamble; and the Companies shall respectively have and continue to have, exercise and enjoy all the rights, powers and privileges conferred, subject to all the limitations and restrictions imposed upon them, by the said Acts and by the Statutory Agreement referred to in *The Wabush-Carol (Agreement) Act, 1959*, and by any other Acts of the Legislature of the province of Newfoundland or the Legislature of the province of Quebec heretofore enacted.

(2) Without limiting the generality of the foregoing, Wabush Lake Railway Company Limited may construct, prior to January 1, 1965, and may operate a railway from the mine of Wabush Iron Co., Limited, near Wabush Lake, in Labrador, by the most convenient route to or about the Quebec-Newfoundland boundary, to connect with the railway of Arnaud Railway Company; and Arnaud Railway Company may construct, prior to January 1, 1965, and may operate a railway from a connection with the said railway at or about the Quebec-Newfoundland boundary, to the St. Lawrence River at or near Pointe Noire, in Arnaud township, in the province of Quebec.

Application of
Railway Act.

4. Notwithstanding section 3, each of the Companies and any corporate successor or successors thereof, in respect of their respective tolls and tariffs, and of the operation, construction, improvement, maintenance and control of all railways and railway undertakings which either of them may own or operate in Canada, shall hereafter have all the powers, rights and immunities and be subject to all the obligations provided for in the *Railway Act* in respect of railways and railway undertakings subject to the legislative authority of the Parliament of Canada.

R.S., c. 234.

R.S., c. 234.

Agreements
with other
companies.

5. Subject to the provisions of section 153 of the *Railway Act*, each of the Companies is hereby authorized to enter into an agreement with any other company, whether within the legislative authority of the Parliament of Canada or not, for selling, conveying or leasing to such company the railway and railway undertaking of the Company, in whole or in part, or for purchasing from such company the railway and railway undertaking of such company, in whole or in part, or for amalgamation.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-25.

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

Read a first time, Wednesday, 16th March, 1960.

Honourable Senator CROLL.

THE SENATE OF CANADA

BILL S-25.

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

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

Definitions.
"credit". **2.** In this Act,
(a) "credit" means any loan, residential mortgage, deed of trust, advance, or discount, any conditional sales contract, any contract to sell or sale or contract of sale of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment or leasing of property; any option, demand, lien, pledge or other claim against or for the delivery of property or money; any purchase, discount or other acquisition of or any credit upon the security of any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect;
"finance charges". (b) "finance charges" includes interest, fees, bonuses, service charges, discounts and any similar type of charge;
"person". (c) "person" means any individual, partnership, association, business trust, corporation or unincorporated organization.

Offence and
penalty.

3. Every person who carries on the business of extending credit and in the course of that business furnishes credit to another person is guilty of an offence punishable on summary conviction; unless, before the transaction becomes legally binding, he furnishes to that other person a clear statement in writing setting forth 5

(a) the total amount of the finance charges to be borne by that person in connection with the transaction; and

(b) the percentage relationship, expressed in terms of simple annual interest, that the amount of the finance charges bears to the outstanding principal obligation or unpaid balance under the transaction. 10

Non-
recovery
of finance
charges.

4. Every person who carries on the business of extending credit and furnishes credit to another person without having complied with the requirements of section 3 shall not be entitled to recover from such other person any finance charges whatsoever on the outstanding principal obligation or unpaid balance under the transaction. 15

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-26.

An Act to amend the National Energy Board Act.

Read a first time, Thursday, 24th March, 1960.

Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-26.

An Act to amend the National Energy Board Act.

1959, c. 46.

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

1. Section 61 of the *National Energy Board Act* is repealed and the following substituted therefor: 5

Tolls for transmission of gas.

"61. Where the gas transmitted by a company through its pipe line is the property of the company, such proportion as the Board may fix of the differential between the amount paid by the company for the gas and the amount for which the gas is sold by the company shall for the purposes of this Part be deemed to be a toll charged by the company to the purchaser for the transmission thereof." 10

2. Section 99 of the said Act is amended by adding thereto the following subsection:

Expiry date.

"(2) A licence for the exportation of power issued under the *Exportation of Power and Fluids and Importation of Gas Act* before the 2nd day of November, 1959 shall, notwithstanding any term or condition set out in the licence or applicable thereto under the *Exportation of Power and Fluids and Importation of Gas Act* or the regulations thereunder, be deemed to expire on the 31st day of December, 1961, unless on any earlier day a licence for the exportation of power issued under this Act in replacement of that licence becomes effective, in which case the licence so issued under the *Exportation of Power and Fluids and Importation of Gas Act* shall be deemed to have expired on the day before that earlier day." 15 20 25

3. Sections 1 and 2 shall come into force on the day this Act is assented to, except that if that day is after the 30th day of March, 1960, section 2 shall be deemed to have come into force on the 30th day of March, 1960. 30

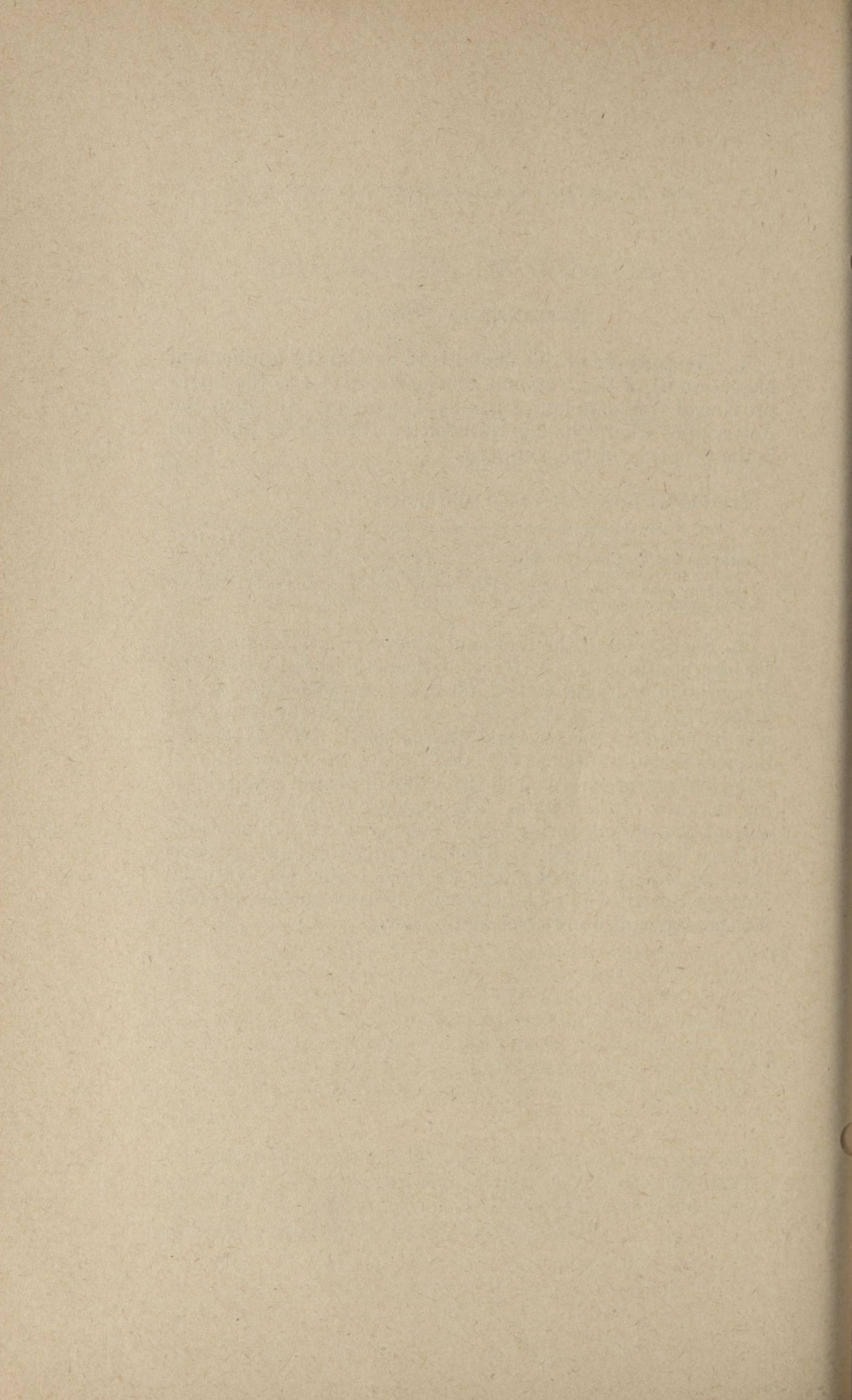
EXPLANATORY NOTES.

1. The purpose of this clause is to extend the application of section 61 of the *National Energy Board Act* to the intra-provincial transmission of gas by a company to which the Act applies where the gas transmitted through its pipe line is the property of the company.

Section 61 presently reads as follows:

"61. Where the gas transmitted by a company through its pipe line *from any place within a province to any place outside the province* is the property of the company, such proportion as the Board may fix of the differential between the amount paid by the company for the gas and the amount for which the gas is sold by the company shall for the purposes of this Part be deemed to be a toll charged by the company to the purchaser for the transmission thereof."

2. Section 99 of the *National Energy Board Act* provides for the continuation in force of licences issued under the *Exportation of Power and Fluids and Importation of Gas Act* before November 2, 1959, the day on which the latter Act was repealed by the *National Energy Board Act*. However, licences issued under the repealed Act for the exportation of electrical power expire on the 31st day of March next following the date of their issue. The purpose of this clause is to extend the period during which such licences will continue in force beyond March 31, 1960, in order to allow sufficient time for the holding of public hearings before the National Energy Board of applications with respect to new licences for the exportation of electrical power.



Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-27.

An Act to Control and Regulate the Sale of Feeds.

First reading, Thursday, 31st March, 1960.

The Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-27.

An Act to Control and Regulate the Sale of Feeds.

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

SHORT TITLE.

Short title. **1.** This Act may be cited as the *Feeds Act*.

INTERPRETATION.

- Definitions. **2.** In this Act, 5
- “Analyst.” (a) “analyst” means a person appointed or designated as an analyst pursuant to section 6;
- “Feed.” (b) “feed” means any substance or mixture of substances containing proteins, carbohydrates, fats, minerals, condiments or vitamins manufactured, sold or represented for use
- (i) for consumption by live stock,
- (ii) for consumption by live stock in combination with other materials, or
- (iii) for the purpose of preventing or correcting nutritional disorders of live stock; 15
- “Inspector.” (c) “inspector” means a person appointed or designated as an inspector pursuant to section 6;
- “Label.” (d) “label” includes any legend, word, mark, symbol or design applied or attached to, included in, belonging to or accompanying any feed or package;
- “Live stock.” (e) “live stock” means horses, cattle, sheep, goats, swine, foxes and poultry and includes such other animals and birds as may be designated by regulation as live stock for purposes of this Act; 25
- “Minister.” (f) “Minister” means the Minister of Agriculture;
- “Package.” (g) “package” includes a sack, bag, barrel, case or any other container in which feeds are placed or packed;

EXPLANATORY NOTE.

The purpose of this Bill is to revise the *Feeding Stuffs Act* to meet recent trends and developments in the production and merchandising of feeds. The Bill contemplates no substantive changes in policy and is in a form similar to other agricultural statutes enacted in recent years.

"Prescribed."
"Sell."

- (h) "prescribed" means prescribed by regulation; and
(i) "sell" includes sell, offer for sale, expose for sale, have in possession for sale and distribute.

REGISTRATION.

Sale and importation of feeds.

- 3.** No person shall sell or import into Canada any feed unless the feed 5
- (a) has been registered as prescribed;
 - (b) conforms to prescribed standards; and
 - (c) is packaged and labelled as prescribed.

Exception.

4. (1) Section 3 does not apply to feeds sold by an individual grower thereof if they are free from prescribed deleterious substances. 10

Idem.

(2) Paragraphs (a) and (b) of section 3 do not apply to any feed consisting of whole seeds or grains of cultivated farm crops.

REGULATIONS.

Regulations.

- 5.** The Governor in Council may make regulations 15
- (a) prescribing the form in which applications for registration shall be made and the information to be furnished therewith;
 - (b) respecting the registration of feeds and prescribing fees for registration; 20
 - (c) respecting the duration and cancellation of registration;
 - (d) exempting any feed or any person from the operation of all or any of the provisions of this Act;
 - (e) prescribing the form, composition and other standards for feeds; 25
 - (f) respecting the packaging and labelling of feeds and packages thereof;
 - (g) respecting the taking of samples and the making of analyses for the purposes of this Act; 30
 - (h) providing that feeds registered under this Act and containing a pest control product as defined in the *Pest Control Products Act* shall, in prescribed circumstances and subject to prescribed conditions, be deemed to be registered under that Act; 35
 - (i) designating specific animals and birds as live stock for purposes of this Act;
 - (j) prescribing anything else that by this Act is required to be prescribed; and
 - (k) generally, for carrying out the purposes and provisions 40 of this Act.

ADMINISTRATION.

Inspectors
and
analysts.

6. (1) The inspectors and analysts necessary for the administration and enforcement of this Act shall be appointed under the provisions of the *Civil Service Act*.

Idem.

(2) The Minister may designate any person as an inspector or analyst for the purposes of this Act.

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Powers of
inspector.

7. (1) An inspector may at any reasonable time

(a) enter any place in which he reasonably believes there is any feed to which this Act applies and may open any package found therein that he has reason to believe contains any such feed and may examine it and take samples thereof, and

(b) require any person to produce for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading, documents containing mixing instructions, or other documents or papers with respect to the administration of this Act or the regulations.

Certificate
of
appointment.

(2) An inspector shall be furnished with a prescribed certificate of his appointment or designation and on entering any place under subsection (1) shall, if so required, produce the certificate to the person in charge thereof.

Assistance to
inspector.

(3) The owner or person in charge of any place described in subsection (1) and every person found therein shall give an inspector all reasonable assistance in his power to enable the inspector to carry out his duties and functions under this Act and shall furnish him with such information with respect to the administration of this Act and the regulations as he may reasonably require.

Seizure.

8. (1) Whenever an inspector believes on reasonable grounds that this Act has been violated, he may seize the articles by means of or in relation to which he reasonably believes the violation was committed.

Detention.

(2) Any article seized pursuant to subsection (1) shall not be detained after

(a) the provisions of this Act and the regulations have, in the opinion of the inspector, been complied with, or

(b) the expiration of six months from the day of seizure, unless before that time proceedings have been instituted in respect of the violation, in which event the article may be detained until the proceedings are finally concluded.

Forfeiture.

(3) Where a person has been convicted of an offence under this Act, every article by means of or in relation to which the offence was committed is, upon the conviction, in addition to any penalty imposed, forfeited to Her Majesty.

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- Regulations. (4) The Governor in Council may make regulations
 (a) respecting the detention of anything seized under
 this section and for preserving or safeguarding
 anything so detained, and
 (b) respecting the disposition of anything forfeited under
 this section. 5

- Obstruction
 of inspector. 9. (1) No person shall obstruct or hinder an inspector
 in the carrying out of his duties or functions under this Act.
 False
 statements. (2) No person shall make a false or misleading statement
 either verbally or in writing to an inspector or other officer
 engaged in carrying out his duties or functions under this
 Act. 10

OFFENCE AND PENALTY.

- Offence. 10. (1) Every person who, or whose employee or agent,
 has violated any provision of this Act or any regulation made
 under subsection (4) of section 8 is guilty of an offence and is
 liable 15

- (a) on summary conviction to a fine not exceeding five
 hundred dollars or to imprisonment for a term not
 exceeding six months or to both fine and imprison-
 ment, or 20
 (b) upon conviction on indictment to a fine not exceeding
 two thousand dollars or to imprisonment for a term
 not exceeding one year or to both fine and imprison-
 ment.

- Offence by
 agent or by
 employee. (2) In a prosecution for an offence under this Act, it is
 sufficient proof of the offence to establish that it was com-
 mitted by an employee or agent of the accused whether or
 not the employee or agent is identified or has been prosecuted
 for the offence. 25

- Limitation. (3) No proceedings by way of summary conviction in re-
 spect of an offence under this Act shall be instituted more
 than one year after the time when the subject matter of the
 proceedings arose. 30

EVIDENCE.

- Certificate
 of analyst. 11. (1) A certificate of an analyst stating that he has
 examined a substance or a sample submitted to him by an
 inspector and stating the result of his examination is admis-
 sible in evidence in a prosecution for an offence under this
 Act, and in the absence of any evidence to the contrary is
 proof of the statement of analysis contained in the certi-
 ficate. 40

Ad-
missibility.

(2) In a prosecution for a violation of this Act, a document purporting to be the certificate of an analyst shall be received in evidence without proof of the signature of the person by whom it purports to be signed and without proof of his official position.

5

Trial of
offences.

12. A complaint or information in respect of an offence under this Act may be heard, tried or determined by a magistrate or a justice if the accused is resident or carrying on business within his territorial jurisdiction, although the matter of the complaint or information did not arise in that territorial jurisdiction. 10

REPEAL.

Repeal.
R.S., c. 113.

13. The *Feeding Stuffs Act*, chapter 113 of the Revised Statutes of Canada, 1952, is repealed.

COMING INTO FORCE.

Commence-
ment.

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

15

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-28.

An Act respecting a certain Trade Agreement between
Canada and Australia.

First reading, Thursday, 31st March, 1960.

The Honourable Senator ASELTINE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22889-0

THE SENATE OF CANADA

BILL S-28.

An Act respecting a certain Trade Agreement between
Canada and Australia.

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 *Australian Trade Agreement Act, 1960.*

5

Trade Agreement approved.

2. The Trade Agreement between the Government of Canada and the Government of the Commonwealth of Australia, set forth in the Schedule, is hereby approved and declared to have the force of law in Canada.

Orders and regulations.

3. The Governor in Council may make such orders and 10 regulations as are deemed necessary for the purpose of carrying out the Agreement or for giving effect to any of the provisions thereof.

Inconsistent laws.

4. In the event of any inconsistency between the provisions of this Act, or the Agreement, and the operation of any 15 other law, the provisions of this Act and the Agreement shall prevail to the extent of the inconsistency.

Repeal of Australian Trade Agreement Act, 1931.

5. *The Australian Trade Agreement Act, 1931* is repealed.

Commencement and duration.

6. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council, and shall continue 20 in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Agreement, and no longer.

SCHEDULE.

EXPLANATORY NOTE.

The purpose of this Bill is to implement the Trade Agreement between the Government of Canada and the Government of the Commonwealth of Australia, signed at Canberra on the 12th day of February, 1960.

SCHEDULE.

TRADE AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND
THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA.

The Government of Canada (hereinafter referred to as the Canadian Government) and the Government of the Commonwealth of Australia (hereinafter referred to as the Australian Government), desiring to increase the trade between their respective countries, have agreed as follows:—

ARTICLE I.

1. Subject to the provisions of the Customs laws and regulations of Canada, except as otherwise provided in this Agreement, the Canadian Government grants:

- (a) to goods specified in Schedule A, being the growth, produce or manufacture of Australia, when imported into Canada;
 - (i) rates of duty no higher than those set forth in Schedule A or the tariff treatment provided for in that Schedule, provided that the rates of duty on such goods shall in no case be higher than the rates chargeable on like goods imported from any other country;
 - (ii) the minimum margins of preference set forth in Schedule A;
- (b) to all other goods, being the growth, produce or manufacture of Australia, when imported into Canada, the benefits of the British Preferential Tariff.

2. The margins of preference specified in Schedule A relate to the differences between the rates of duty applicable to goods, being the growth, produce or manufacture of Australia, and the rates of duty applicable to like goods entitled to entry under the Most-Favoured-Nation Tariff of Canada.

ARTICLE II.

1. Subject to the provisions of the Customs laws and regulations of the Commonwealth of Australia, except as otherwise provided in this Agreement, the Australian Government grants:

- (a) to goods specified in Part I of Schedule B, being the growth, produce or manufacture of Canada, when imported into Australia;
 - (i) rates of duty no higher than those set forth in Part I of Schedule B, or the tariff treatment provided for in that Part of the Schedule;
 - (ii) the minimum margins of preference set forth in Part I of Schedule B;

(b) to all other goods, except those listed in Part II of Schedule B, being the growth, produce or manufacture of Canada, when imported into Australia, the benefits of the British Preferential Tariff.

2. The margins of preference specified in Part I of Schedule B relate to the differences between the rates of duty applicable to goods, being the growth, produce or manufacture of Canada, and the rates of duty applicable to like goods imported from countries entitled to most-favoured-nation tariff treatment in Australia.

ARTICLE III.

1. Notwithstanding the provisions of Articles I and II should either Government, in order to implement a recommendation of its Tariff Board, wish to apply a rate of duty to the goods of the other country in excess of that provided for under the terms of those Articles, it shall enter into consultations with the other Government for the purpose of seeking a mutually satisfactory adjustment.

2. It is agreed that consultations as provided for in paragraph 1 of this Article shall commence within a period of thirty days after a request for consultations has been made.

3. In any such consultations the initiating Government shall, as far as practicable, offer substantially equivalent concessions in place of the concession which is the subject of the consultation.

4. In the event that agreement cannot be reached within a period of ninety days after the commencement of consultations the initiating Government shall nevertheless be free to withdraw the concession.

5. If a concession is withdrawn by one Government in accordance with paragraph 4 of this Article, the other Government shall be free to withdraw substantially equivalent concessions.

ARTICLE IV.

1. The tariff advantages provided for in clause (a) of paragraph 1 of Article I shall apply only to goods imported direct into Canada, except in special cases where goods are shipped from Australia to Canada on a through bill of lading and the Australian Government certifies that direct shipment to Canada of such goods is not reasonably practicable.

2. Notwithstanding the provisions of the Customs laws and regulations of Canada or the other provisions of this Agreement, dried currants and raisins that are the growth or produce of Australia and that are not imported into Canada in the manner provided for in paragraph 1 of this Article shall be subject to the rates of duty set forth in the Most-Favoured-Nation Tariff of Canada.

3. The tariff advantages provided for in paragraph 1 of Article II shall apply only to goods that have been shipped from Canada to Australia and have not been trans-shipped or, if trans-shipped, then only if it is proved to the satisfaction of the Collector of Customs that the intended destination of the goods when originally shipped from Canada was Australia.

ARTICLE V.

In determining the value for duty of goods the growth, produce or manufacture of Canada or Australia, no greater amount of inland freight charges shall be included in such value for duty than the actual amount of freight charges that would be incurred if the goods were forwarded from the point of origin of such goods to the nearest point of exit from the exporting country.

ARTICLE VI.

1. Australian goods imported into Canada shall not be subject to the provisions of Section 6 of the Customs Tariff of Canada.

2. Canadian goods imported into Australia shall not be subject to the provisions of Sections 4 and 5 of the Australian Customs Tariff (Industries Preservation) Act 1921-1957.

3. If either Government considers that any product is being imported from the other country under such conditions as to cause material injury to producers of like or directly competitive products in the country of importation, the two Governments shall after notice has been given in writing, consult together to consider measures to prevent further injury.

4. If a mutually satisfactory solution does not result within sixty days from the commencement of these consultations the relevant provisions of paragraph 1 or 2 of this Article shall not apply to the product specified in the notice.

ARTICLE VII.

1. Notwithstanding the provisions of Article II of this Agreement, the Australian Government may admit goods under By-law items of the Australian Customs Tariff.

2. Where the admission of goods under By-law has the effect of eliminating a minimum margin of preference accorded to Canada on goods specified in Part I of Schedule B, the Australian Government will afford the Canadian Government opportunity to consult and will take into account any representations which that Government may make. This undertaking shall not limit the right of the Australian Government to determine whether any particular goods shall be admitted under By-law.

ARTICLE VIII.

1. The Canadian Government and the Australian Government shall consult together, at the request of either, regarding the operation of this Agreement or of any provision thereof.

2. The two Governments recognise that matters not otherwise dealt with in this Agreement, including instability in international trade in basic primary products, shipping problems and non-tariff obstacles to trade, such as agricultural protectionism, import restrictions, surplus disposal transactions, other non-commercial trading practices and export subsidies, may have a material effect on their trade. The two Governments shall consult together about any such matters at the request of either.

3. The two Governments shall establish the consultative procedures necessary to achieve the purposes of this Article.

ARTICLE IX.

1. This Agreement shall be ratified and shall enter into force on the date of exchange of instruments of ratification.

2. On the entry into force of this Agreement the Trade Agreement between the two Governments, signed on 5th June, 1931 in Ottawa and on 8th July, 1931 in Canberra, shall cease to have effect.

3. This Agreement shall remain in force for a period of three years from the date of its entry into force and thereafter until six months from the day on which either Government shall have given written notice to the other Government of its intention to terminate the Agreement.

IN WITNESS WHEREOF the representatives of the two Governments, duly authorised for the purpose, have signed this Agreement.

DONE in duplicate at Canberra, this 12th day of February, One thousand nine hundred and sixty.

(Sgd.) T. W. L. MACDERMOT

For the Government
of Canada.

(Sgd.) J. McEWEN

For the Government of the
Commonwealth of Australia.

SCHEDULE A.

Tariff Item		Rate of Duty or Tariff Treatment	Margin of Preference
7	Meats, fresh, n.o.p.: (a) Beef and veal.....per pound (c) Lamb and mutton.....per pound	3 cts. $\frac{1}{2}$ ct.	— 3 cts.
8	Canned corned beef..... Canned beef, n.o.p.....	Free Free	30 p.c. 15 p.c.
8g	Extracts of meat and fluid beef, not medicated.	10 p.c.	15 p.c.
9b) Ex. 9)	Rabbits, frozen.....	Free	12 $\frac{1}{2}$ p.c.
12a	Sausage skins or casings, cleaned.....	Free	—
14	Tallow.....	Free	17 $\frac{1}{2}$ p.c.
16	Eggs in the shell.....per dozen	2 cts.	1 $\frac{1}{2}$ cts.
16a	Eggs, whole, egg yolk or egg albumen, frozen or otherwise prepared, n.o.p., whether or not sugar or other material be added...per pound	5 cts.	5 cts.
Ex. 17	Cheddar cheese.....	British Preferential Tariff	—
18	Butter.....	British Preferential Tariff	—
35	Hops.....per pound	Free	10 cts.
43a	Powdered milk, the weight of the package to be included in the weight for duty.....	British Preferential Tariff	—
62	Rice, uncleaned, unhulled or paddy.....	Free	—
92	Fruits, fresh, in their natural state, the weight of the packages to be included in the weight for duty:— (6) Pears (During the months of February, March and April)..... (9) Quinces and nectarines.....	Free Free	— 10 p.c.
94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for duty:— (a) Vitis Vinifera species.....	Free	—
95c	Passion fruit (passiflora edulis).....	Free	15 p.c.
99a	Plums or prunes, dried, unpitted.....	Free	—
99c	Raisins.....per pound	Free	3 cts.
99g	Apricots, nectarines, pears and peaches, dried, desiccated, evaporated or dehydrated.....	Free	15 p.c.
99h	Dried currants.....per pound	Free	4 cts.
101	Oranges, n.o.p.....	Free	—
104a	Fruit pulp, other than grape pulp, not sweetened, in airtight cans or other air-tight packages....per pound	Free	1 $\frac{1}{2}$ cts.
Ex. 105	Passion fruit pulp, sweetened.....	Free	—
106	Fruits, prepared in air-tight cans or other air- tight containers, the weight of the containers to be included in the weight for duty—		

SCHEDULE A.—Continued.

Tariff Item	—	Rate of Duty or Tariff Treatment	Margin of Preference
	(1) Apricots.....per pound	½ ct.	2 cts.
	(3) Peaches.....per pound	¼ ct.	2 cts.
	(4) Pears.....per pound	Free	2 cts.
	(5) Pineapples.....per pound	Free	2 cts.
	(7) Mixtures containing peaches, pears or apricots.....per pound	1 ct.	1 ct.
	(8) N.o.p.....per pound	Free	1 ct.
109a	Peanuts, green, in the shell or not further pro- cessed than shelled.....	Free	—
Ex. 135	Sugar above No. 16 Dutch standard in colour when imported or pur- chased in bond in Canada by a re- cognized sugar refiner, for refining purposes only, under regulations by the Minister, when exceeding 98 degrees, but not exceeding 99 de- grees polarization.....per 100 lb.	31.64 cts.	\$1.15966
152	Fruit juices and fruit syrups, n.o.p., namely:—		
	(b) Orange juice.....	Free	7½ p.c.
	(c) Lemon juice.....	Free	10 p.c.
	(d) Passion fruit juice.....	Free	10 p.c.
	(e) Pineapple juice.....	Free	—
	(i) Fruit syrups, namely:—orange, lemon, passionfruit and pineapple.....	Free	—
156	(d) Brandy.....per proof gallon	\$3.00	\$1.00
Ex. 164	Wines of the fresh grape of all kinds, not spark- ling, containing not less than 34 and not more than 36 p.c. proof spirit.....per gallon	10 cts.	60 cts.
Ex. 164	Wines of the fresh grape of all kinds, except sparkling wines, imported in barrels or in bottles: containing more than 24 but not more than 26 per cent proof spirit.....per gallon	20 cts.	30 cts.
	containing more than 26 but not more than 27 per cent proof spirit.....per gallon	20 cts.	33 cts.
	containing more than 27 but not more than 28 per cent proof spirit.....per gallon	20 cts.	36 cts.
	containing more than 28 but not more than 29 per cent proof spirit.....per gallon	20 cts.	39 cts.
	containing more than 29 but not more than 30 per cent proof spirit.....per gallon	20 cts.	42 cts.
	containing more than 30 but not more than 31 per cent proof spirit.....per gallon	20 cts.	45 cts.
	containing more than 31 but not more than 32 per cent proof spirit.....per gallon	20 cts.	48 cts.
	containing more than 32 but not more than 33 per cent proof spirit.....per gallon	20 cts.	51 cts.

SCHEDULE A.—*Concluded.*

Tariff Item	—	Rate of Duty or Tariff Treatment	Margin of Preference
Ex. 164	Wines— <i>Concluded</i> containing more than 33 but not more than 34 per cent proof spirit.....per gallon	20 cts.	54 cts.
165	Champagne and all other sparkling wines:— (a) in bottles containing each not more than a quart but more than a pint (old wine measure).....per dozen bottles	\$4.00	—
	(b) in bottles containing not more than a pint each, but more than one-half pint (old wine measure).....per dozen bottles	\$2.00	—
	(c) in bottles containing one-half pint each or less (old wine measure) .per dozen bottles	\$1.00	—
	(d) in bottles containing over one quart each (old wine measure).....per gallon	\$2.00	—
232c	Gelatine, edible.....	5 p.c.	17½ p.c.
232d	Casein.....	12½ p.c.	—
Ex. 264a	Eucalyptus oil.....	Free	7½ p.c.
295a	Zirconium silicate.....	Free	—
Ex. 506	Novelties and ornaments made from mulga or other Australian woods.....	Free	—
Ex. 507a 507d	Veneers, namely:—Australian blackwood, wal- nut, silky oak, silkwood, blackbean, maple, Tasmanian myrtle, and eucalyptus, single ply, not more than five-sixteenths of an inch in thickness.....	Free	12½ p.c.
Ex. 511	Tennis racquets.....	10 p.c.	—
549a	Wool, not further prepared than scoured.....	Free	—
Ex. 599	Sheep skins, raw.....	Free	—
Ex. 624a	(2) Toys representing Kangaroos or Koala bears	Free	—
642	Hatters' furs, not on the skin.....	Free	—
Ex. 648	Australian opals, not mounted or set.....	Free	—
Ex. 711	Catgut, adapted for use in the manufacture of sporting goods.....	Free	—
	Note: Schedule A does not affect "additional duties" which Canada levies on alcoholic beverages as an offset to domestic excise taxes.		

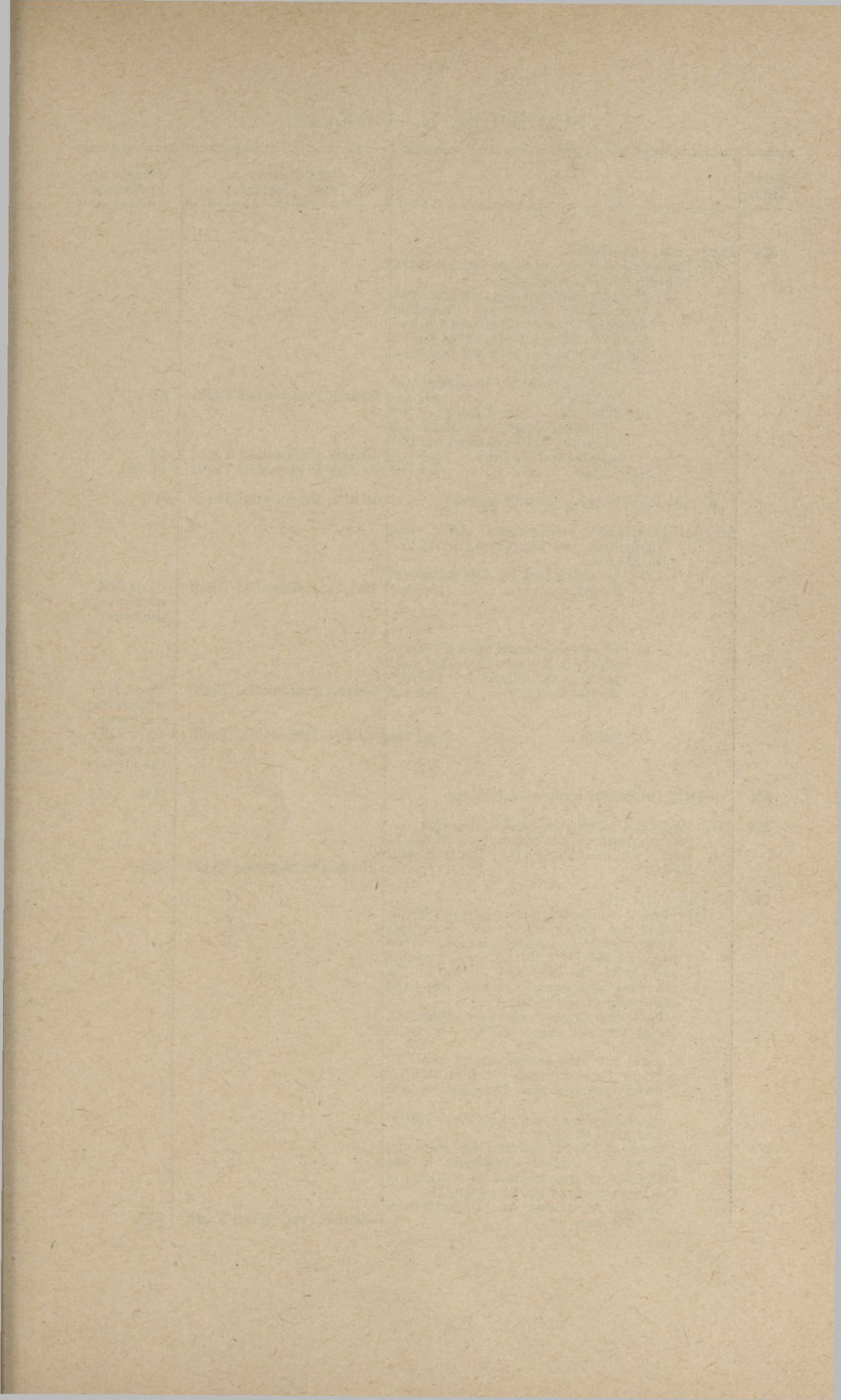
SCHEDULE B.

PART I

Tariff Item	—	Rate of Duty or Tariff Treatment	Margin of Preference
51	Fish, viz.— (C) Preserved in tins or other air-tight vessels including the weight of liquid contents— (1) Salmon..... per lb. (2) Crustaceans..... per lb. (3) Sardines, sild, brisling and similar small immature fish..... per lb. (4) Other..... per lb.	1d. British Preferential Tariff 1d. British Preferential Tariff	1½d. 3d. 1d. 2d.
90	Sausage casings— (A) Hog, natural..... (B) Other.....	Free Free	— —
136	Iron and Steel— Ex. (D) Plate and sheet (plain), viz.: Stainless steel..... per ton..	British Preferential Tariff	70s.
137	(A)(I) Aluminium viz.: Blocks, Cubes, Ingots, Pigs, Scrap and Granulated.....	British Preferential Tariff	7½%
Ex. 139	Brass, Britannia Metal, Bronze, German Silver, Gilding Metal, Nickel Silver, Phosphor Tin, Yellow Metal, and other Non-ferrous Alloys n.e.i. viz— Aluminium alloys (A) Blocks, ingots, pigs.....	British Preferential Tariff	7½%
	Note: Aluminium alloys are metal alloys in which aluminium is the metal which predominates by weight and which do not contain more than 10 per cent by weight of nickel or iron.		
168	Machinery, viz.— Ex. (A)(2) Buttonhole Punching and Sewing Machines; Darning Machines; Garment Drafting Machines; Knitting Machines, n.e.i.; Straw Envelope-making Machines viz.— Knitting machine needles.....	Free	7½%
169	Machinery, viz.— Ex. (A)(3) Adding and computing machines and all attachments, viz.: Book-keeping machines.....	Free	7½%
169	(A)(4) Typewriters (including covers).....	—	7½%
169	(B) Cash registers.....	Free	7½%
174	Machines, Machine Tools, and Appliances for use in connection therewith, viz.:— (x) Other machines and appliances, viz.:— (73) Tabulating machines, statistical, including machines especially constructed for use in conjunction therewith for punching, sorting or verifying cards, and other accessories therefor.....	Free	7½%
176	(A) Roller Bearings and Ball Bearings not being roller-bearing or ball-bearing Plummer or Hanger Blocks.....	British Preferential Tariff	7½%
273	Carbide of Calcium..... per lb.....	British Preferential Tariff	1½d.
Ex. 274	(A) Cyanide of Sodium and Calcium Cyanide..	Free	—

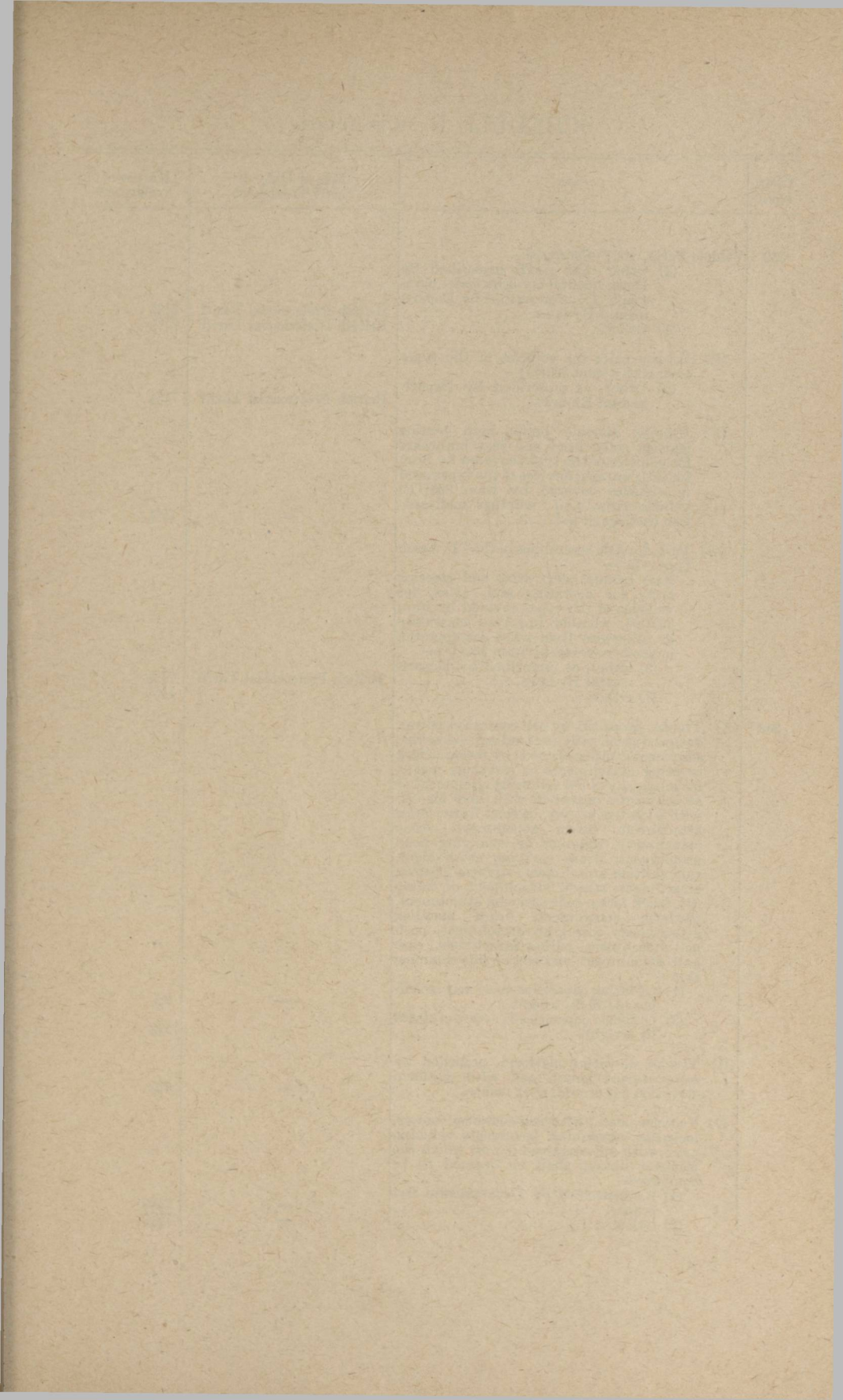
SCHEDULE B.—Continued.

Tariff Item	—	Rate of Duty or Tariff Treatment	Margin of Preference
281	Drugs and Chemicals, viz.:— (L) N.E.I.— Ex. (1) When not packed for retail sale, viz.:— Acetic anhydride, Pentaerythritol, Styrene monomer, Vinyl Acetate monomer.....	British Preferential Tariff	7½%
291	Timber, viz.:— (F) Timber, undressed, n.e.i., viz.:—Redwood (Sequoia Sempervirens) and Western Red Cedar (Thuja Plicata) . . per 100 super feet	—	2s.
	(H) Timber, undressed, n.e.i., viz.:—Other per 100 super feet	—	1s.
	(M) Plywood including Plywood veneered with any material:— (1) Not exceeding three-sixteenths of an inch in thickness..... per 100 square feet, or	—	2s. 10%
	(2) Exceeding three-sixteenths of an inch in thickness but not exceeding seven-eighths of an inch in thickness per 100 square feet with an additional duty for each one-sixteenth of an inch in thickness in excess of three-sixteenths of an inch per 100 square feet or, alternatively.....	—	2s. 6d. 10%
	(3) N.E.I.....	—	10%
	Note: With regard to Items 291 (M)(1) and 291 (M)(2), the specific margin shall be applicable to goods subject to specific rates of duty and the ad valorem margin to goods subject to ad valorem rates of duty.		
	(N) Veneers— (1) The value for duty of which does not exceed 44 s. per 100 square feet.	—	7½%
	(2) The value for duty of which exceeds 44 s. per 100 square feet per 100 square feet	—	2s.8d.
328	(A) Goloshes, rubber sand boots and shoes and plimsolls— (1) Children's..... (2) Other.....	— —	7½% 7½%
334	Paper, viz.— (C) Newsprinting, not glazed, mill-glazed or coated, in sheets not less than 20 inches by 25 inches (or its equivalent) or in rolls not less than 10 inches in width..... per ton	British Preferential Tariff	£4
	(D) (2) Tissue paper, toilet tissue paper, tissue cap paper, toilet tissue cap paper, creped or uncreped, and paper for paper patterns, in sheets or rolls, weight not to exceed 9 lb. for 480 sheets 20 inches by 30 inches (a) As prescribed by Departmental By-laws..... per ton (b) Other..... per ton	British Preferential Tariff British Preferential Tariff	£2 £2



SCHEDULE B.—Continued.

Tariff Item		Rate of Duty or Tariff Treatment	Margin of Preference
334	Paper, viz.:— <i>Concluded</i> (F) Irrespective of size or shape but not ruled or printed in any way, viz.— (2) Printing paper, n.e.i., writing and typewriting paper not including duplicating paper, in sheets not less than 21 inches by 16½ inches (or its equivalent) or in rolls not less than 13 inches in width— (a) As prescribed by Departmental By-laws..... per ton (b) The free on board price per ton of which is not less than the price per ton as defined by Departmental By-laws.... per ton (c) Other..... per ton	British Preferential Tariff British Preferential Tariff British Preferential Tariff	£4 £4 £4.10s
	(O) (2) Paperhangings or wall papers.....	British Preferential Tariff	7½%
	Ex. (Q) Strawpaper, strawboard other than corrugated, and boards, n.e.i., viz.:—boards n.e.i.		
	(1) As prescribed by Departmental By-laws..... per ton	British Preferential Tariff	£4 or 7½% whichever the lower
	(2) The free on board price per ton of which is not less than the price per ton as defined by Departmental By-laws..... per ton	British Preferential Tariff	£4 or 7½% whichever the lower
	(3) Other..... per ton	British Preferential Tariff	£5 or 7½% whichever the lower
351	(B)(1) Brake and transmission linings.....	—	7½%
358	(B) Parts and materials, used in the manufacture or repair of aeroplanes and other aircraft, as prescribed by Departmental By-laws.....	British Preferential Tariff	7½%
359	Vehicle Parts, viz.:— (D) Vehicle components whether the Tariff otherwise provides or not (excepting when imported separately, lamps covered by item 181(D)(1)(b) and commutators and parts therefor and excepting the following components whether imported separately or otherwise— batteries covered by item 180(G)(2) cigarette and cigar lighters and parts therefor parts for axle assemblies of the "I" beam type covered by item 359(G) radio receivers and transmitters and parts therefor sparking plugs covered by item 180(H) and parts therefor tyres and tubes covered by item 333 for use as original equipment in the assembly or manufacture of vehicles of the types covered by item 360(D)		
	(1) As prescribed by Departmental By-laws.....	British Preferential Tariff	7½%



SCHEDULE B.—Continued.

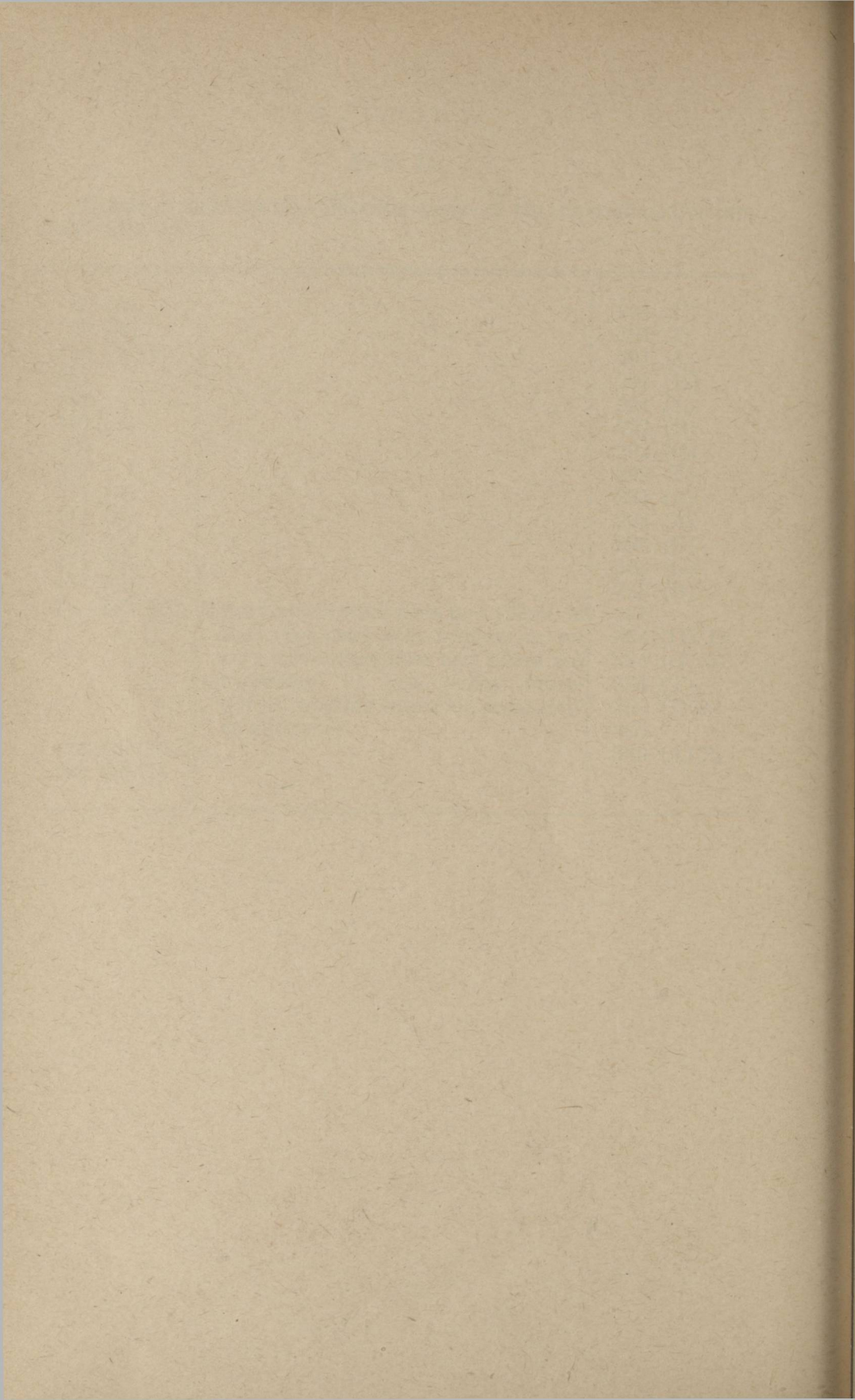
Tariff Item	—	Rate of Duty or Tariff Treatment	Margin of Preference
369	Goods not included under any other heading in the Tariff, viz.:— (C) Synthetic resins, not processed, or processed to a lesser extent than the state of blocks, films, rods, sheeting, sheets, strips, tubes or other preformed shapes, and synthetic resin moulding compounds, viz.:— (5) Of polyethylene— (a) As prescribed by Departmental By-laws..... (b) Other.....	Free British Preferential Tariff	— 7½%
Ex. 374	(E) Asbestos, crude, viz.—Chrysotile asbestos.	Free	—
Ex. 379	Felts and Wires for Paper Making Machines..	Free	7½%

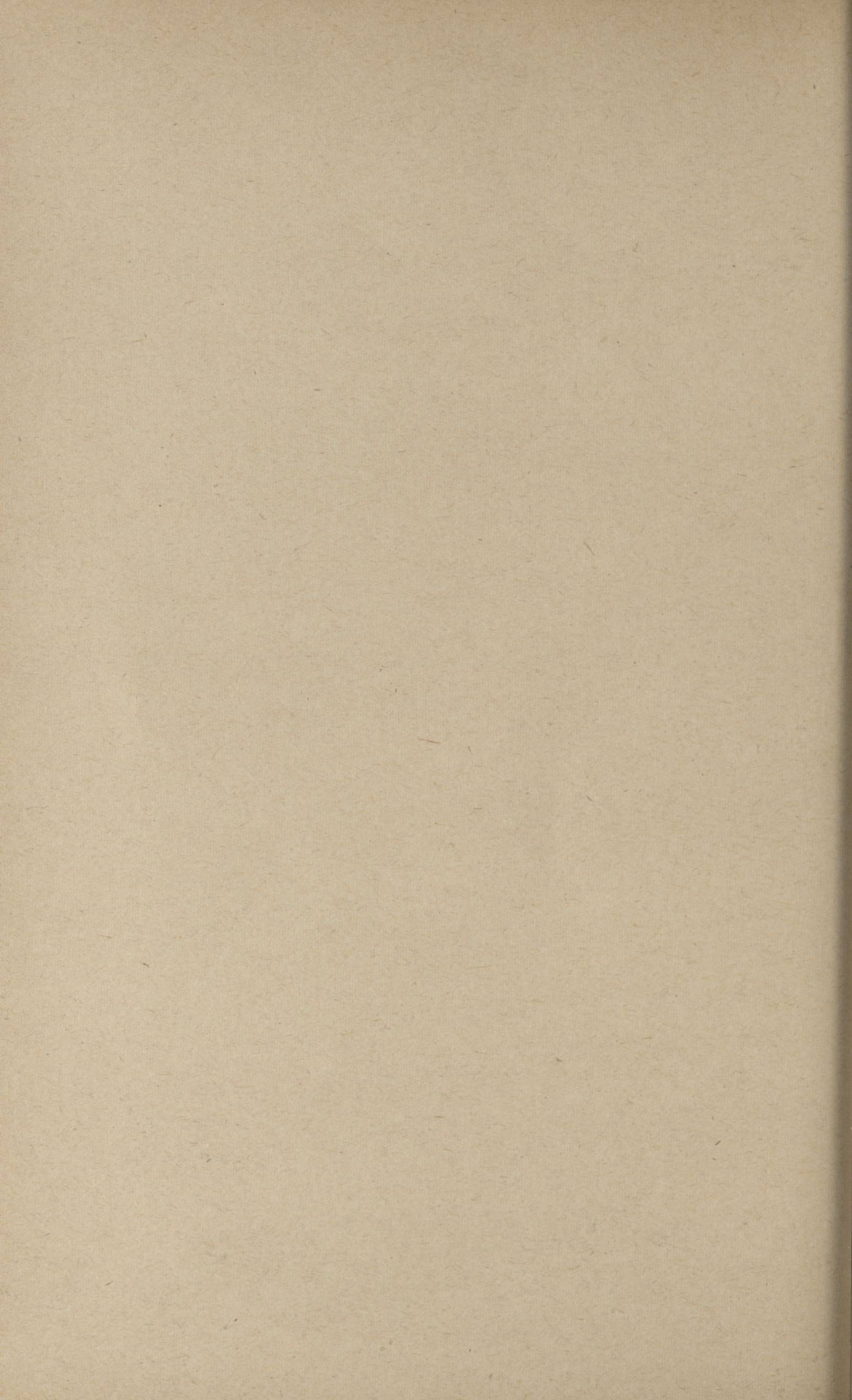
SCHEDULE B.

PART II.

Goods covered by the following items of the Australian Customs
Tariff 1933-1959.

57 (A)		291 (C)
58 (B)		291 (I)
110 (A)(5)		291 (J)
157		291 (K)
162		291 (L)
163 (A)		292 (B)
165		292 (C)
167		292 (F)
171 (A)		293 (B)
171 (B)		294 (A)
171 (C)		294 (B)
171 (D)		303 (C)
176 (O)		328 (B)
Ex. 177 (C)	Rotary cultivators hoes and tillers, of the types used with tractors or ro- tary cultivators hoes and tillers not exceeding 10 belt pulley horse- power, whether imported separately or otherwise.	333
		334 (G)(1)
		334 (G)(5)
		334 (T)
		359 (I)(2)
		365
178 (B)(2)		380 (A)(2)
180 (H)(1)		





Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-29.

An Act to incorporate Allstate Insurance Company of
Canada.

Read a first time, Wednesday, 6th April, 1960.

Honourable Senator BRUNT.

THE SENATE OF CANADA

BILL S-29.

An Act to incorporate Allstate Insurance Company 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: 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 Stewart Donald Tory, one of Her Majesty's Counsel, William James DesLauriers, solicitor, and James Marshall Tory, solicitor, all of the city of Toronto, in the province of Ontario, together with such persons as become 10 shareholders in the company, are incorporated under the name of Allstate Insurance Company of Canada, hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The persons named in section 1 shall be the provisional directors of the Company. 15

Capital stock.

3. The capital stock of the Company shall be one million dollars, which may be increased to three million dollars.

Subscription before general meeting.

4. The amount to be subscribed before the general meeting is called for the election of directors shall be five 20 hundred thousand dollars.

Subscription and payment of capital before commencing business.

5. The Company shall not commence any business of insurance until at least one million dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon. It may then transact business in any one or 25 more of the classes of insurance authorized by section 7 of this Act.

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

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

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-30.

An Act to incorporate Western Surety Company.

Read a first time, Thursday, 5th May, 1960.

Honourable Senator HNATYSHYN.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23028-4

THE SENATE OF CANADA

BILL S-30.

An Act to incorporate Western Surety Company.

- 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.** Frederick Walter Hembling Hill, executive, Lionel Napier Ray, executive, Kevin Patrick Mulvihill, executive, and Robert Wallace Hugg, one of Her Majesty's Counsel, all of the city of Regina, in the province of Saskatchewan, together with such persons as become shareholders in the company, are incorporated under the name of Western Surety Company, hereinafter called "the Company". 10
- Corporate name.
- Provisional directors. **2.** The persons named in section 1 shall be the provisional directors of the Company. 15
- Capital stock. **3.** The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each.
- 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. 20
- Head office. **5.** The head office of the Company shall be in the city of Regina, in the province of Saskatchewan.
- Classes of insurance authorized. **6.** The Company may undertake, transact and make contracts of insurance in any one or more of the following classes of insurance:— 25
- (a) guarantee insurance;
 - (b) accident insurance;
 - (c) aircraft insurance;

(d) automobile insurance;	
(e) boiler insurance;	
(f) credit insurance;	
(g) earthquake insurance;	
(h) explosion insurance;	5
(i) falling aircraft insurance;	
(j) fire insurance;	
(k) forgery insurance;	
(l) hail insurance;	
(m) impact by vehicles insurance;	10
(n) inland transportation insurance;	
(o) live stock insurance;	
(p) machinery insurance;	
(q) marine insurance;	
(r) personal property insurance;	15
(s) plate glass insurance;	
(t) real property insurance;	
(u) sickness insurance;	
(v) sprinkler leakage insurance;	
(w) theft insurance;	20
(x) water damage insurance;	
(y) weather insurance;	
(z) windstorm insurance.	

Subscription and payment of capital before commencing business.

7. (1) The Company shall not commence any business of insurance until at least five hundred thousand dollars 25 of its capital stock has been bona fide subscribed and at least two hundred and forty thousand dollars paid thereon. It may then transact the business of guarantee insurance and theft insurance.

Additional amounts for certain classes of business.

(2) The Company shall not commence business in any 30 of the other classes of insurance authorized by section 6 of this Act until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:— 35 for accident insurance, the said increase shall not be less than eighty thousand dollars; for aircraft insurance, not less than one hundred thousand dollars; for automobile insurance, not less than one hundred thousand dollars; for boiler insurance, not less than forty thousand dollars; 40 for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for explosion insurance, not less than forty thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for fire insurance, not less than one 45 hundred thousand dollars; for forgery insurance, not less than forty thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance,

not less than ten thousand dollars; for inland transportation insurance, not less than twenty thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for personal property insurance, not less than twenty thousand dollars; for plate glass insurance, not less than twenty thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; and for windstorm insurance, not less than fifty thousand dollars.

Periodic increase of paid capital and surplus.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of guarantee insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

When Company may transact any or all classes of insurance business.

(4) Notwithstanding anything to the contrary contained in this section the Company may transact business in any one or more of the classes of insurance authorized by section 6 of this Act when the paid capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least one million dollars.

"Surplus" defined.

(5) In this section the word "surplus" means the excess of assets over liabilities, including in the liabilities the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

Power to acquire rights and property of a certain Saskatchewan insurance company.

S. (1) The Company may acquire by agreement the whole or any part of the rights and property and may assume the obligations and liabilities of Western Surety Company Limited, incorporated on the nineteenth day of December, 1949, under and pursuant to the provisions of chapter 113 of the Revised Statutes of Saskatchewan, 1940, hereinafter called "the Provincial Company"; and in the

event of such acquisition and assumption the Company shall perform and discharge all such obligations and liabilities of the Provincial Company with respect to the rights and property acquired as are not performed and discharged by the Provincial Company.

Submission
to Treasury
Board.

(2) No agreement between the Company and the Provincial Company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

5

Coming into
force.

9. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. 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 Provincial 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 and that the Provincial Company has ceased to transact the business of insurance or will cease to transact such business forthwith upon a certificate of registry being issued to the Company.

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

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-31.

An Act to incorporate Northern Pipe Line Company.

Read a first time, Tuesday, 10th May, 1960.

Honourable Senator HNATYSHYN.

THE SENATE OF CANADA

BILL S-31.

An Act to incorporate Northern Pipe Line 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:— 5

Incorporation.

1. Joseph Gerard McIntyre, barrister, William McBurney Elliott, barrister, Thomas Clarkson Wakeling, barrister, Stephen Andrew Arsenych, barrister, and William Roy Matheson, barrister, all of the city of Regina, in the province of Saskatchewan, together with such persons as become shareholders in the company, are incorporated under the name of Northern Pipe Line Company, hereinafter called "the Company". 10

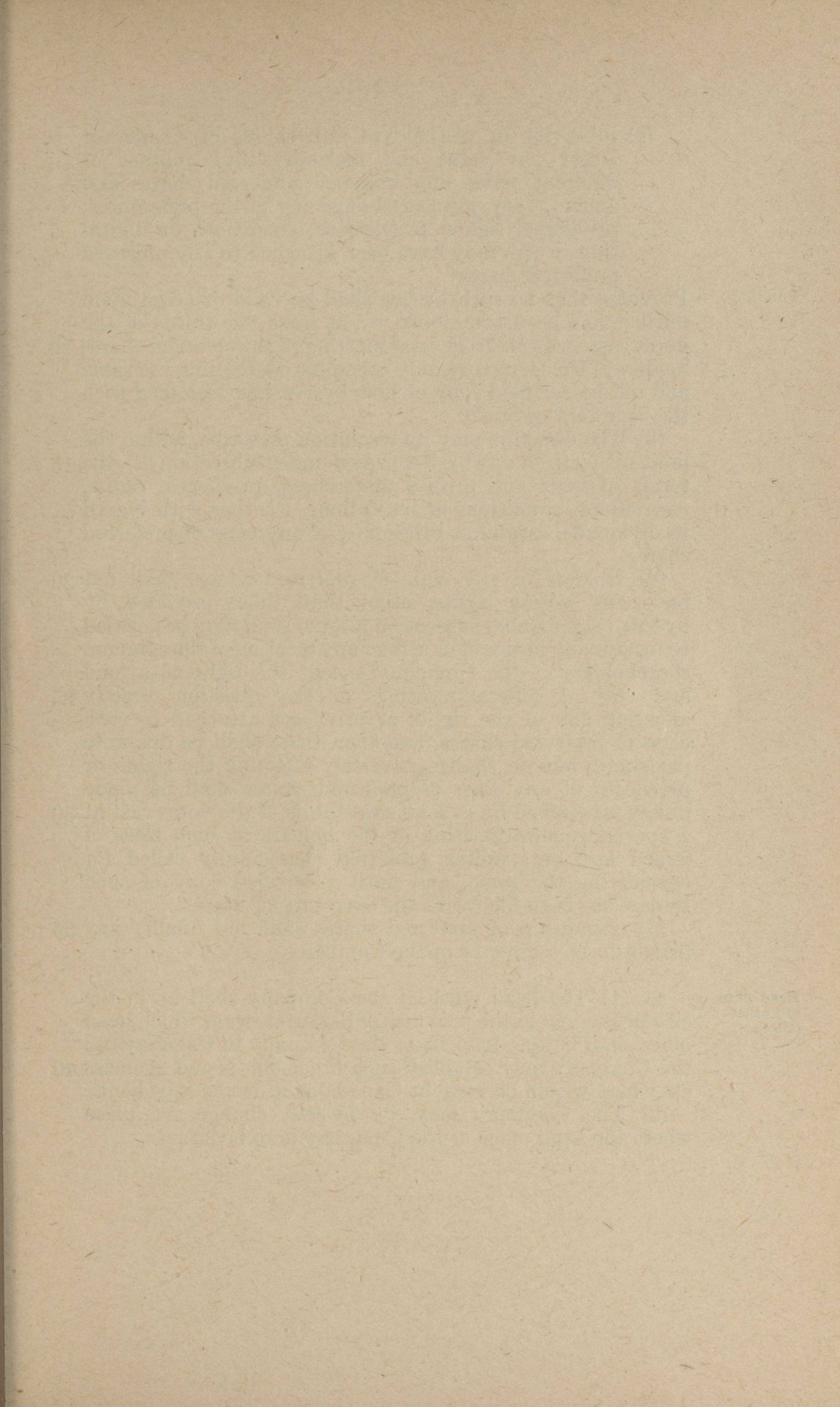
Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the first directors of the Company. 15

Capital stock.

- 3.** (1) The capital stock of the Company shall consist of
- (a) two million common shares without nominal or par value, and
 - (b) two hundred thousand preferred shares of the par value of one hundred dollars per share. 20
- (2) The Company may by by-law
- (a) provide for the issue of the preferred shares in one or more series with such preferences, privileges, or other special rights, restrictions, conditions or limitations attaching to each series whether with regard to dividends, capital or otherwise as in the by-law may be declared, and 25



(b) subdivide or consolidate into shares of smaller or larger par value and reclassify into another or different series any unissued preferred shares and amend, vary, alter or change any of the preferences, privileges, rights, restrictions, conditions or limitations which may have been attached to any unissued preferred shares: 5

Proviso.

Provided that no such by-law shall be valid or acted upon until it has been sanctioned by at least two-thirds of the votes cast at a special general meeting of the common shareholders of the Company duly called for considering the same and until a certified copy of such by-law has been filed with the Secretary of State. 10

(3) The directors may by resolution prescribe, within the limit set forth in any by-law passed under subsection (2), the terms of issue and precise preferences, privileges, rights, restrictions, conditions or limitations, whether with regard to dividends, capital or otherwise, of any class of preferred shares. 15

(4) Holders of any class of preferred shares shall not have any voting rights, other than those provided by by-law passed under subsection (2), nor shall they be entitled to receive any notice of or attend any meeting of the common shareholders of the Company except the right to attend and vote at general meetings on any question directly affecting any of the rights or privileges attached to such class of preferred shares, and then there shall be one vote per share, but no change adversely affecting the rights or privileges of any class of preferred shares shall be made unless sanctioned by at least two-thirds of the votes cast at a special general meeting of the holders of such class of issued and outstanding preferred shares duly called for considering the same, and until a certified copy of such by-law has been filed with the Secretary of State. 25 30

(5) Ownership of preferred shares shall not qualify any person to be a director of the Company. 35

Head office
and other
offices.

4. (1) The head office of the Company shall be in the city of Regina, in the province of Saskatchewan, which head office shall be the domicile of the Company in Canada; and the Company may establish such other offices and agencies elsewhere within or without Canada as it deems expedient. 40

(2) The Company may, by by-law, change the place where the head office of the Company is to be situate.

(3) No by-law for the said purpose shall be valid or acted upon until it is sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders duly called for considering the by-law and a copy of the by-law certified under the seal of the Company has been filed with the Secretary of State and published in the *Canada Gazette*. 5

Pipe lines
legislation
to apply.
1959, c. 46.

5. The Company shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of, the *National Energy Board Act* and any other general legislation relating to pipe lines enacted by Parliament with respect to the transportation of oil and gas and other liquid or gaseous hydrocarbons. 10

Power to
construct and
operate pipe
lines.

6. The Company, subject to the provisions of any general legislation relating to pipe lines for the transmission and transportation of gas and oil and other liquid and gaseous hydrocarbons which is enacted by Parliament, may 15

(a) within or outside Canada construct, purchase, lease or otherwise acquire and hold, develop, operate, maintain, control, lease, mortgage, hypothecate, create liens or other security upon, sell, convey, or otherwise dispose of and turn to account any and all interprovincial, extra-provincial and/or international pipe lines and all appurtenances relative thereto for the gathering, transmitting, transporting, storing and delivering of any natural or artificial gas and oil or any products or by-products thereof or any of them, including pumping stations, terminals, storage tanks or reservoirs and all works relative thereto for use in connection with the said pipe lines; and buy or otherwise acquire, transmit, transport and sell, or otherwise dispose of and distribute natural and artificial gas and oil and any products or byproducts thereof; and own, lease, sell, operate and maintain aircraft and aerodromes for the purpose of its undertaking, together with the facilities required for the operation of such aircraft and aerodromes; and own, lease, operate and maintain interstation telephone, teletype, telegraph and microwave or television communication systems, and, subject to the *Radio Act*, and any other statute relating to radio, microwave or television, own, lease, operate and maintain interstation radio, microwave or television communication facilities; 20 25 30 35 40

R.S., c. 233.

Power to
hold land.

(b) purchase, hold, lease, sell, improve, exchange or otherwise deal in any property, real or personal, movable or immovable, or any interest and rights therein, legal or equitable or otherwise howsoever, and deal with any portion of the lands and property so acquired, 45

and may subdivide the same into building lots and generally lay the same out into lots, streets and building sites for residential purposes or otherwise, and may construct streets thereon and necessary sewerage and drainage systems and build upon the same for residential purposes or otherwise, and supply any buildings so erected, or other buildings erected upon such lands, with electric light, heat, gas, water or other requisites, and lease or sell the same, upon such terms and subject to such conditions as appear requisite, either to its employees or to others; and

Ancillary powers.]

(c) exercise, as ancillary and incidental to the purposes or objects set forth in this Act, the powers following, unless such powers or any of them are expressly excluded by this Act, namely, the powers set forth in paragraphs (a) to (bb) inclusive of subsection (1) of section 14 of the *Companies Act*.

R.S., c. 53.

Sections of the *Companies Act* to apply. R.S., c. 53. Proviso.]

7. The provisions of subsections (7), (8), (9) and (10) of section 12, and sections 39, 40, 59, 62, 63, 64, 65, 84, 91 and 94 of Part I of the *Companies Act* apply to the Company: Provided that wherever in the said subsection (10) of section 12 and in the said section 59 the words "letters patent" or "supplementary letters patent" appear, the words "Special Act" shall be substituted therefor.

Sections of the *Companies Act* not to apply. R.S., c. 53.

8. Sections 153, 162, 167, 172, 184, 190, 193 and 194 of Part III of the *Companies Act* shall not be incorporated with this Act.

Company not to make a loan to shareholders or directors.

9. (1) The Company shall not make any loan to any of its shareholders or directors or give, whether directly or indirectly, and whether by means of a loan, guarantee, provision of security or otherwise, any financial assistance for the purpose of, or in connection with, a purchase made or to be made by any person of any shares in the capital stock of the Company: Provided that nothing in this section shall be taken to prohibit

Proviso.

(a) the making by the Company of loans to persons other than directors, bona fide in the employment of the Company, with a view to enabling or assisting those persons to purchase or erect dwelling houses for their own occupation; and the Company may take, from such employees, mortgages or other securities for the repayment of such loans;

- (b) the provision by the Company, in accordance with any scheme for the time being in force, of money for the purchase by trustees of fully paid shares in the capital stock of the Company, to be held by, or for the benefit of, employees of the Company, including any director holding a salaried employment or office in the Company; or 5
- (c) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling those persons to purchase fully paid shares in the capital stock of the Company, to be held by themselves by way of beneficial ownership. 10

(2) The powers under paragraphs (b) and (c) of subsection (1) of this section shall be exercised by by-law only. 15

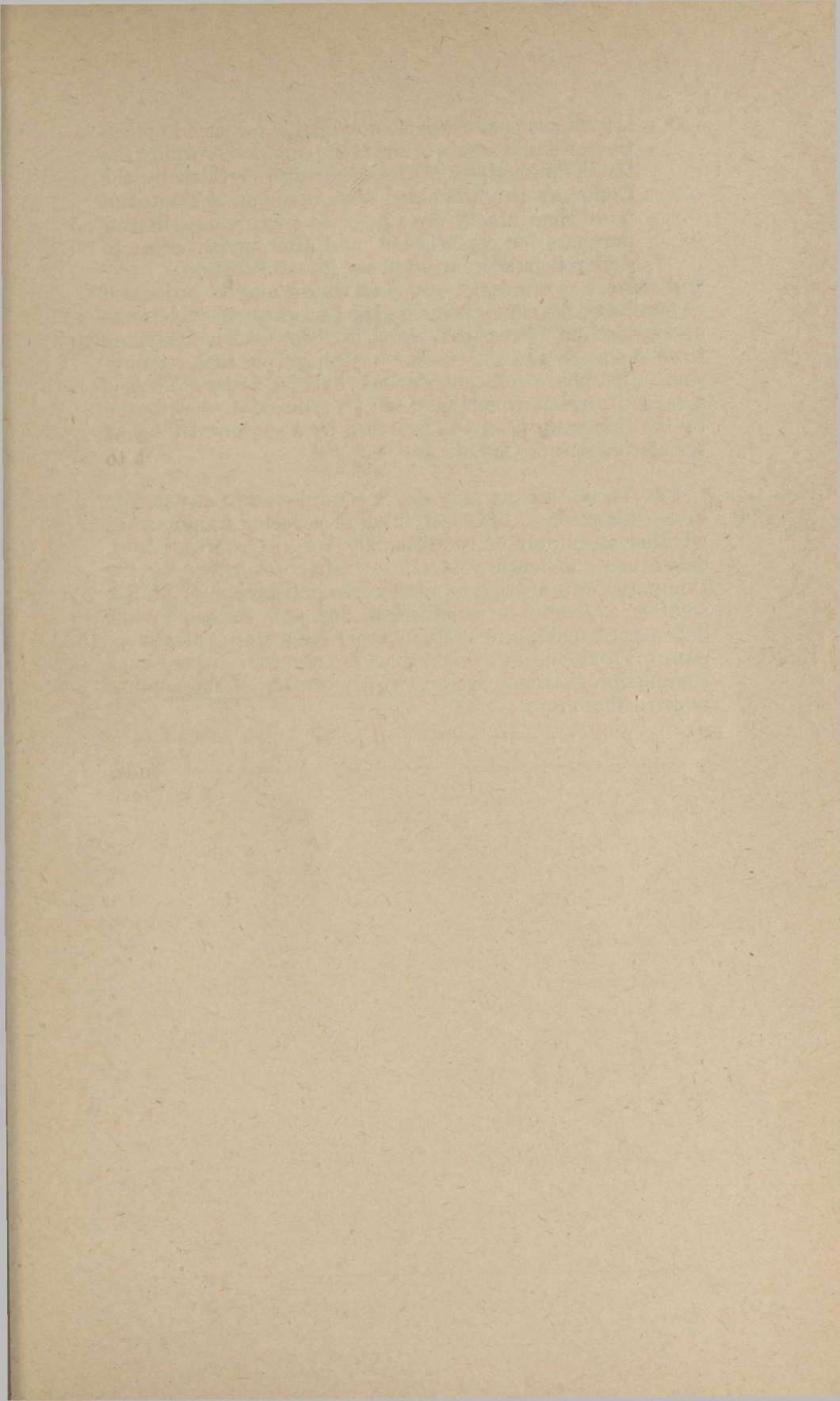
(3) If any loan is made by the Company in violation of the foregoing provisions, all directors and officers of the Company making the same or assenting thereto, shall, until repayment of said loan, be jointly and severally liable to the Company and to its creditors for the debts of the Company then existing or thereafter contracted: Provided that such liability shall be limited to the amount of said loan with interest. 20

Proviso.

When redemption or purchase not a reduction of paid-up capital.

10. The redemption or purchase for cancellation of any fully paid preferred shares created by by-law pursuant to the provisions of this Act, in accordance with any right of redemption or purchase for cancellation reserved in favour of the Company in the provisions attaching to such preferred shares, or the redemption or purchase for cancellation of any fully paid shares of any class, not being common or ordinary shares, and in respect of which the by-laws provide for such right of redemption or purchase, in accordance with the provisions of such by-laws, shall not be deemed to be a reduction of the paid-up capital of the Company, if such redemption or purchase for cancellation is made out of the proceeds of an issue of shares made for the purpose of such redemption or purchase for cancellation, or if, 25 30 35

- (a) no cumulative dividends, on the preferred shares or shares of the class in respect of which such right of redemption or purchase exists and which are so redeemed or purchased for cancellation, are in arrears; and 40
- (b) if such redemption or purchase for cancellation of such fully paid shares is made without impairment of the Company's capital by payments out of the ascertained net profits of the Company which have been set aside by the directors for the purposes of such redemption or of such purchase for cancellation, and 45



if such net profits are then available for such application as liquid assets of the Company, as shown by the last balance sheet of the Company, certified by the Company's auditors, and being made up to a date not more than ninety days prior to such redemption or purchase for cancellation, and after giving effect to such redemption or purchase for cancellation; 5

and subject as aforesaid, any such shares may be redeemed or purchased for cancellation by the Company on such terms and in such manner as are set forth in the provisions attaching to such shares, and the surplus resulting from such redemption or purchase for cancellation shall be designated as a capital surplus, which shall not be reduced or distributed by the Company except as provided by a subsequent Act of the Parliament of Canada. 15

Commission
on subscrip-
tion.

11. The Company may pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares, bonds, debentures, debenture stock or other securities of the Company, or procuring or agreeing to procure subscriptions, 20 whether absolute or conditional, for any shares, bonds, debentures, debenture stock or other securities of the Company: Provided, however, that as regards shares, such commission shall not exceed ten per centum of the amount realized therefrom. 25

Proviso.

Third Session, Twenty-Fourth Parliament, 9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-32.

An Act to authorize the Construction and Maintenance
of a Bridge across the St. Lawrence River at or near
the Town of LaSalle, in the Province of Quebec.

Read a first time, Thursday, 12th May, 1960.

Honourable Senator ASELTINE.

THE SENATE OF CANADA

BILL S-32.

An Act to authorize the Construction and Maintenance of a Bridge across the St. Lawrence River at or near the Town of LaSalle, in the Province of Quebec.

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 *LaSalle-Caughnawaga Bridge Act*. 5

Construction of bridge authorized.

2. Subject to this Act, the Province of Quebec (hereinafter referred to as "the Province") is hereby authorized to construct and maintain a bridge and its approaches, for the use and passage of persons, vehicles and goods, across the St. Lawrence River from a point at or near the Town of LaSalle, Quebec, to a point at or near the Village of Caughnawaga, Quebec. 10

Plans and drawings to be submitted.

3. (1) The bridge described in section 2 shall be constructed and maintained in accordance with and subject to such regulations for the safeguarding of navigation of the St. Lawrence River as the Governor in Council may prescribe, and, for that purpose, the Province shall, prior to the commencement of construction of the bridge, submit to the Governor in Council for examination and approval plans and drawings of the bridge and a map of its proposed location, indicating accurately all relevant soundings and showing the bed of the stream and the location of all other bridges in the area, and furnish to the Governor in Council such other information as is required for a full and satisfactory understanding of the project. 15 20 25

EXPLANATORY NOTE.

The purpose of this Bill is to authorize the Province of Quebec to construct and maintain a bridge across the St. Lawrence River from a point at or near the Town of LaSalle, Quebec, to a point at or near the Village of Caughnawaga, Quebec. The proposed bridge will be a one-way vehicular bridge and will be parallel to the existing Mercier Bridge.

Approval of
plans and
drawings
prior to
commence-
ment.

(2) Construction of the bridge shall not be commenced until such time as the plans and drawings referred to in subsection (1) and the location of the bridge have been approved by the Governor in Council, and no material change in such plans or drawings, or in the location of the bridge, shall be made after the commencement of construction of the bridge except with the prior approval of the Governor in Council. 5

Regulations.

4. (1) The Governor in Council may, in addition to any regulations authorized by section 3, make such regulations in relation to the bridge described in section 2 as he deems necessary for navigation purposes. 10

Compliance.

(2) All persons affected by any regulations made under the authority of this Act shall comply therewith.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-33.

An Act to incorporate The Wawanesa Mutual Life
Insurance Company.

Read a first time, Tuesday, 24th May, 1960.

Honourable Senator IRVINE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

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THE SENATE OF CANADA

BILL S-33.

An Act to incorporate The Wawanesa Mutual Life Insurance 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:— 5

Incorporation.

1. John Noel Thompson Bulman, lithographer, of the city of Winnipeg, Gilbert Harrison Grant, retired pharmacist, of the town of Souris, Wilfred Forrest McGregor, farmer, of the city of Brandon, Charles Clinton Gorrie, retired pharmacist, of the village of Wawanesa, Harold Frederick Stevenson, secretary, of the village of Wawanesa, and Milton Carman Holden, manager, of the city of Winnipeg, all in the province of Manitoba, together with such persons as become members of the company, are incorporated as a mutual life insurance company under the name of The Wawanesa Mutual Life Insurance Company, and, in French, La Compagnie Mutuelle d'Assurance-vie Wawanesa, hereinafter called "the Company"; and either the English or the French name of the Company may be used in carrying on the business or operations of the Company. 15

Corporate name.

Provisional directors.

2. The persons named in section 1 shall be the provisional directors of the Company, and shall remain in office until replaced by directors duly elected in their stead at the first annual meeting following the commencement of business. 25

Head office.

3. The head office of the Company shall be at the village of Wawanesa, in the province of Manitoba.

No share capital.

4. The Company shall be a corporation without share capital.

Classes of insurance authorized.

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

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

5

Commencement of business.

6. The Company shall not commence any business of insurance until contributions amounting to at least one million dollars have been received from The Wawanesa Mutual Insurance Company in accordance with section 11. 10

Initial membership fee.

7. The board of directors may by by-law establish an initial membership fee: Provided that any such by-law shall have no force or effect until it is confirmed at a special general meeting of the Company duly called for that purpose. 15

Proviso.

Qualification for membership.

8. Every person who has contracted with the Company for a policy of insurance or a policy providing for an annuity and who holds such a policy upon which no premiums are overdue shall be a member of the Company and entitled to attend and vote at all general meetings of the Company, 20 and each member shall have one vote.

Qualification of directors.

9. Every member of the Company shall be eligible to be elected as a director, but he shall cease to be a director if he ceases to be a member of the Company.

Election of directors.

10. (1) There shall be elected, at the first and second 25 annual meetings following the commencement of business, a board of not less than five nor more than nine directors who shall hold office for one year, but shall be eligible for re-election.

(2) The Company shall, by by-law passed not less than 30 three months prior to the holding of its third annual meeting following the commencement of business, determine the number of directors to be elected at that and at subsequent annual meetings until otherwise changed by by-law, but the number so determined shall not be less than nine nor more 35 than twenty-one.

(3) At any annual meeting thereafter the 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 of directors shall at all times consist of not less than 40 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 members of the Company, to hold office until the next annual meeting.

Contributions.

1929, c. 85;
1934, c. 73;
1941, c. 35.

11. (1) The Company may from time to time, by an agreement or agreements, accept contributions from The Wawanesa Mutual Insurance Company and such contributions may be used for the purposes of the Company in such manner as the directors may from time to time determine. 5

(2) The contributions so received may be refunded in whole or in part at such times and in such instalments as the directors may from time to time determine, but no such refund shall be made unless approved by the Superintendent of Insurance nor unless The Wawanesa Mutual Insurance Company agrees to accept the refund. 10

(3) The Company may pay interest on the amount of any such contributions that have not been refunded at such rate as the directors may from time to time determine but not exceeding six per cent per annum. 15

Guarantee Fund.

(4) The amount of any such contributions that have not been refunded shall be designated as the Guarantee Fund in the Company's accounts and shall be shown in all its published financial statements and in the annual statement deposited under the provisions of the *Canadian and British Insurance Companies Act* in the same manner as if the said amount represented paid-up capital of the Company. 20 25

Representative of contributor.

12. If an agreement, or agreements, be entered into pursuant to section 11, The Wawanesa Mutual Insurance Company shall be entitled to have a representative attend and vote at all general meetings of the Company and such representative shall have one vote for every one thousand dollars, or fraction thereof, of contributions made under such agreement, or agreements, and not refunded. 30

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

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-34.

An Act respecting The Wawanesa Mutual Insurance
Company.

Read a first time, Tuesday, 24th May, 1960.

Honourable Senator IRVINE.

THE SENATE OF CANADA

BILL S-34.

An Act respecting The Wawanesa Mutual Insurance Company.

Preamble.
1929, c. 85;
1934, c. 73;
1941, c. 35.

WHEREAS The Wawanesa Mutual 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:—

Amendment.

1. Chapter 85 of the statutes of 1929, as amended by chapter 73 of the statutes of 1934 and by chapter 35 of the statutes of 1941, is hereby amended by adding thereto, immediately after section 9 thereof, the following section:—

Contributions to Wawanesa Mutual Life Insurance Company.

"9A. (1) The Company may from time to time make contributions to The Wawanesa Mutual Life Insurance Company in accordance with section 11 of the Act to incorporate that Company, but the maximum amount that may be so contributed at any particular time is the amount by which five per cent of the assets of the Company or twenty-five per cent of the surplus of the Company, whichever is the lesser, as determined from the last preceding annual statement of the Company deposited in the Department of Insurance as required by the *Canadian and British Insurance Companies Act*, exceeds the total amount so contributed prior to that time.

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

Contributions in accounts.

(2) For annual statement purposes and all other purposes under the provisions of the *Canadian and British Insurance Companies Act*, the amount of any such contributions that have not been refunded shall be included in the assets of the Company in the same manner as if the said amount of contributions represented an investment in the fully-paid shares of a company transacting the business of insurance made under the provisions of section 64 of the said Act."

EXPLANATORY NOTE.

The sole purpose of this Bill is to authorize the Company to make contributions to the Guarantee Fund of The Wawanesa Mutual Life Insurance Company in accordance with clause 11 of the proposed Bill to incorporate that Company, with a proviso as to the maximum amount that may be so contributed.

Coming
into
force.

2. 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. 5

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-35.

An Act respecting the International Boundary Commission.

Read a first time, Tuesday, 14th June, 1960.

The Honourable Senator ASELTINE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23332-0

THE SENATE OF CANADA

BILL S-35.

An Act respecting the International Boundary Commission.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *International Boundary Commission Act*.

5

INTERPRETATION.

Definitions.

2. In this Act,

"Boundary."

(a) "boundary" means the international boundary between Canada and the United States of America as determined and marked by the Commission;

"Boundary monument."

(b) "boundary monument" means a buoy, post, tablet, 10
cairn or other object or structure placed, erected or
maintained by the Commission to mark the boundary
and includes a reference monument, triangulation
station or other marker or structure placed, erected
or maintained by the Commission to assist in deter- 15
mining the boundary;

"Commis-
sion."

(c) "Commission" means the International Boundary
Commission established pursuant to the treaty of
1908;

"Treaty of
1908."

(d) "treaty of 1908" means the treaty between His Late 20
Majesty King Edward VII and the United States of
America respecting the demarcation of the interna-
tional boundary between the United States of America
and Canada signed at Washington on the 11th day
of April, 1908; and

25

EXPLANATORY NOTE.

The International Boundary Commission was established by treaty in 1908 to define and mark certain portions of the international boundary between Canada and the United States of America. The Commission was by treaty in 1925 required to define and mark other portions of the international boundary and was further charged with the maintenance of the boundary line between Canada and the United States of America and Canada and Alaska by the placing and maintaining of monuments and buoys and the maintaining of a boundary vista.

The treaty of 1925 was approved in that year by resolution of Parliament but no legislation was passed with respect thereto. The purpose of this Bill is to enable the Commission to carry out more effectively in Canada its functions under the treaty of 1925.

"Work."

- (e) "work" means any ditch, earthwork, building or structure of any description or any lines of telephone, telegraph or power, including posts, piers or abutments for sustaining or protecting the wires or cables of those lines.

5

POWERS OF COMMISSION.

Commission's powers.

3. For the purpose of maintaining an effective boundary line between Canada and the United States of America, the Commission, its officers, employees and agents may at any time

- (a) enter upon and pass over the land of any person in order to gain access to the boundary or to survey the boundary;
- (b) erect and maintain boundary monuments upon the land of any person; and
- (c) clear from the land of any person such trees and underbrush as the Commission deems necessary to maintain a vista ten feet in width from the boundary.

Removal of unauthorized works.

4. (1) Any work or any addition to a work that is, after the coming into force of this Act, constructed or placed within ten feet of the boundary without the permission of the Commission may be removed and destroyed by the Commission, its officers, employees or agents, and the materials contained in the work or the addition to a work may be sold, given away or otherwise disposed of, and the costs of and incidental to the removal, destruction or disposition of the work or the addition to a work, deducting therefrom any sum that may be realized by sale or otherwise, are recoverable with costs by Her Majesty from the owner as a debt to the Crown.

"Owner."

(2) In this section "owner" includes the person authorizing or otherwise responsible for the construction or placement of any work or any addition to a work referred to in subsection (1), and the actual or reputed owner or person in possession or claiming ownership thereof for the time being, and all or any of such persons jointly and severally.

PROHIBITION AND PENALTIES.

Permission required to construct or enlarge work near boundary.

5. Except with the permission of the Commission, no person shall

- (a) construct or place within ten feet of the boundary any work or any addition to a work, or
- (b) enlarge any work that is, at the time of the coming into force of this Act, within ten feet of the boundary.

Obstruction
of Com-
mission.

6. No person shall obstruct or hinder a member of the Commission or an officer, employee or agent of the Commission in the carrying out of his duties or functions under this Act.

Permission
required to
remove or
possess
boundary
monument.

7. Except with the permission of the Commission, no person shall 5

- (a) pull down, deface, alter or remove a boundary monument erected or maintained by the Commission; or
- (b) have a boundary monument or any portion thereof in his possession or custody. 10

Offence.

8. Every person who, or whose employee or agent, has violated any provision of this Act is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment. 15

GENERAL.

Claims in
tort against
Canadian
Commis-
sioner.

9. For the purposes of subsection (1) of section 3 of the *Crown Liability Act*, a tort committed by the person appointed by the Governor General in Council to be the Canadian member of the Commission while acting in the scope of his duties or employment shall be deemed to have been committed by a servant of the Crown while acting within the scope of his duties or employment. 20

Her Majesty
bound.

10. Her Majesty is bound by this Act.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE SENATE OF CANADA

BILL S-36.

An Act to amend the Criminal Code.

Read a first time, Thursday, 30th June, 1960.

The Honourable Senator ASELTINE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23434-4

THE SENATE OF CANADA

BILL S-36.

An Act to amend the Criminal Code.

1953-54, c.51;
1955, cc.2,45;
1956, c.48;
1957-58, c.28;
1958, c. 18;
1959, c.41.

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

1. Subsection (1) of section 85 of the *Criminal Code* is repealed and the following substituted therefor: 5

“85. (1) Every one who carries or has in his custody or possession

Short-barrel
shot-gun or
rifle.

(a) a sawed-off shot-gun or sawed-off rifle, with a barrel less than twenty inches in length, or

(b) a rifle having a barrel less than twenty inches in length and a butt or stock that can be folded, telescoped or shortened, 10

is guilty of an indictable offence and is liable to imprisonment for five years.”

2. (1) Paragraph (b) of subsection (1) of section 453 of the said Act is repealed and the following substituted therefor: 15

Taking of
evidence.

“(b) cause a record of the evidence of each witness to be taken

(i) by a stenographer appointed by him, or in legible writing, in the form of a deposition, in Form 27, or 20

(ii) in a province where a sound recording apparatus is authorized by or under provincial legislation for use in civil cases, by the type of apparatus so authorized and in accordance with the requirements of the provincial legislation.” 25

(2) Section 453 of the said Act is further amended by adding thereto the following subsection:

EXPLANATORY NOTES.

1. Subsection (1) of section 85 presently reads as follows:

"85. (1) Every one who carries or has in his custody or possession a sawed-off shot-gun or sawed-off rifle, with a barrel less than twenty inches in length, is guilty of an indictable offence and is liable to imprisonment for five years."

The proposed amendment would prohibit a person from having possession of a Hornet Survival Rifle on the same basis as the prohibition against the possession of a sawed-off shotgun or rifle.

2. (1) Paragraph (b) of subsection (1) of section 453 presently reads as follows:

"453. (1) When the accused is before a justice holding a preliminary inquiry, the justice shall

(b) cause a record of the evidence of each witness to be taken by a stenographer appointed by him, or in legible writing, in the form of a deposition, in Form 27."

The proposed amendment would permit the evidence of each witness at a preliminary inquiry to be taken by means of a sound recording apparatus where such is authorized by provincial legislation for use in civil cases.

(2) New. The proposed amendment would provide for the transcription of any record in proceedings under this Act, taken by a sound recording apparatus.

Transcription
of record
taken by
sound record-
ing apparatus.

“(6) Where, in accordance with this Act, a record is taken in any proceedings under this Act by a sound recording apparatus, the record so taken shall be dealt with and transcribed and the transcription certified and used in accordance with the provincial legislation *mutatis mutandis* 5 mentioned in subsection (1).”

3. Section 555 of the said Act is repealed and the following substituted therefor:

Taking
evidence.

“**555.** On the trial of an accused for an indictable offence the evidence of the witnesses for the prosecutor and the 10 accused and the addresses of the prosecutor and the accused or counsel for the accused by way of summing up shall be taken in accordance with the provisions of Part XV relating to the taking of evidence at preliminary inquiries.”

3. Section 555 presently reads as follows:

"555. On the trial of an accused for an indictable offence the evidence of the witnesses for the prosecutor and the accused and the addresses of the prosecutor and the accused or counsel for the accused by way of summing up shall be taken

- (a) *by a stenographer* in accordance with the provisions of Part XV relating to the taking of evidence *by stenographers* at preliminary inquiries, or
- (b) *in a province where a sound recording apparatus is authorized by or under provincial legislation for use in civil cases, by the type of apparatus so authorized and in accordance with the requirements of the provincial legislation."*

The proposed amendment is consequential upon the proposed amendment to section 453 as set out in subclause (1) of clause 2.

