

Bill No. 43 of 1955

A BILL TO AMEND THE RURAL ELECTRIFICATION
REVOLVING FUND ACT

NOTE

This Bill amends *The Rural Electrification Revolving Fund Act*, being chapter 101 of the Statutes of Alberta, 1953.

Section 3, subsection (2) is amended. By this subsection ten million dollars is the limit placed on the total of the loans that may be outstanding at any one time; this limit is being increased to twenty million dollars.

Section 13, subsection (1) is amended to remove the requirement that a rural electrification association receive at least fifteen per cent of the total construction cost of an electrification project from its members before a loan can be made.

Section 17 is amended to correct an inconsistency between this section and an amendment of 1954. By the amendment loans were permitted for supplying electricity to lands in which a member had only an interest, or to lands other than the lands that were to be the basis of the member's security; but this new circumstance is not reflected in section 17, which as a result is inconsistent with the present position generally and with Form B particularly.

Part II is added to permit additional loans from the fund where an association has borrowed, under Part I, all it can secure by members' notes, and yet requires a further loan to assist in the extension of its service to the area being or to be served by the association.

The loan will be for a period not in excess of five years and will be upon such terms and conditions as will be prescribed by regulations. Each loan will be authorized by order in council upon it being shown that the loan is recommended by the Power Commission and in the public interest.

Form B is revised to permit one notice being given to the land titles office for many liens rather than requiring a separate notice for each lien.

This Bill comes into force upon assent.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 43 of 1955

An Act to amend The Rural Electrification Revolving Fund Act

(Assented to _____, 1955)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Rural Electrification Revolving Fund Act*, being chapter 101 of the Statutes of Alberta, 1953, is hereby amended.

2. The heading "PART I" is added immediately after section 2. New heading

3. Section 3, subsection (2) is amended by striking out the word "ten" and by substituting the word "twenty". Section 3
amended

4. Section 13, subsection (1) is amended by striking out clause (c). Section 13
amended

5. Section 17 is amended Section 17
amended

(a) as to subsection (1) by striking out the words "upon which the member resides in respect of whom" and by substituting the words "for which",

(b) by striking out subsection (2) and by substituting the following:

"(2) A Registrar of Land Titles shall, without fee, endorse a memorandum in Form B in the Schedule upon the title to the land described in the notice of lien.",

(c) as to subsection (3) by striking out the words "standing in the name of the member".

6. The following new Part is added immediately after section 24: New sections
25 to 28
inclusive

"PART II

"25. (1) Notwithstanding Part I, loans may be made to associations from the fund in accordance with the requirements of this Part. Loans

"(2) Loans authorized under this section shall be in addition to and not in substitution for loans under Part I.

"(3) A loan under this Part shall not be for any period in excess of five years. Term of loan

Approval of
loan by
Power
Commission

“**26.** (1) Where an application by an association for a loan under Part I, has been approved, and, in the opinion of the Alberta Power Commission, an additional loan would materially assist the extension of the electrification service that is to be provided by the association, the Alberta Power Commission may recommend that a loan under this Part be made to the association.

“(2) Upon it being shown to the satisfaction of the Lieutenant Governor in Council that an additional loan to the association would be in the public interest and that the association desires the additional loan, the Lieutenant Governor in Council may direct the Provincial Treasurer to advance the sum of the loan from the fund on the terms and conditions prescribed.

Security

“**27.** Where an additional loan is made under this Act to an association, the loan creates a charge upon the works of the association to the extent of the amount of the loan at any time outstanding notwithstanding any other security that may be given to secure the loan.

Rules and
regulations

“**28.** The Lieutenant Governor in Council may make rules and regulations, not inconsistent with this Part,

“(a) prescribing forms for use under this Part,

“(b) setting out the terms and conditions applying to additional loans,

“(c) limiting the amounts or fixing the amounts of loans to associations generally or particularly,

“(d) prescribing the duration of loans,

“(e) prescribing any additional or collateral security deemed advisable, and

“(f) governing such other matters or things as are necessary to carry out the intent of this Part.”.

Section 25
renumbered

7. Section 25 is renumbered as section 29.

Schedule
amended

8. The Schedule is amended by striking out Form B and by substituting the following:

“FORM B

“(Section 17 (2))

“NOTICE OF LIEN

“Take notice that the.....Rural Electrification Association Limited, of.....in the Province of Alberta, under *The Rural Electrification Revolving Fund Act*, holds lien notes executed and made by the parties shown on the attached Schedule, who are members of the said Association, and that pursuant to the provisions of section 9 of the aforesaid Act, the said Association has a lien upon the interest of the said members in the lands described in the aforementioned Schedule attached hereto, to the amount of the note of each member held by the said Association, which charge has the same priority as if a mortgage under *The Land Titles Act* to secure the total amount of the note of each member had been registered in

the proper land titles office, at the time at which this notice was filed in the land titles office, and the said lien is to secure the payment of moneys advanced to the said Association under the said Act in part upon the security of the lien note of the aforesaid members.

Dated at Edmonton, Alberta, this..... day of..... 19.....

.....
Supervisor
Co-operative Activities

"Date.....

"SCHEDULE ATTACHED TO NOTICE OF LIEN

".....Rural Electrification Association Limited

"NAME "LOCATION

- "1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

9. This Act comes into force on the day upon which it is ^{force} assented to. _{Coming into}

THIRD SESSION
TWELFTH LEGISLATURE
4 ELIZABETH II
1955

BILL

An Act to amend The Rural
Electrification Revolving Fund Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. WILLMORE
