

No. 24

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4th Session, 14th Legislature, Alberta  
10 Elizabeth II

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## **BILL 24**

A Bill to amend The Alberta Gas Trunk Line Company Act

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HON. MR. MANNING

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Edmonton, Alberta, 1962

## Explanatory Note

### 2. Section 2, clauses (e) and (f) presently read:

"(e) "gas processor" means a company, firm, association, group or individual owning and operating a gas processing plant within the Province;

"(f) "gas producer" means a company, firm, association, group or individual having a property interest in a properly completed well capable of producing gas or oil within the Province and having the right to dispose of the production of the well;"

Under The Interpretation Act, 1958, the word "person" includes corporations and can also mean more than one person.

### 3. Section 8 presently reads:

"8. Subject to section 9, the Class "B" common shares of the company are non-transferable except where otherwise provided by a by-law of the company made pursuant to subsection (2) of section 27."

### 4. Section 9, subsection (2), clause (a) reads:

"(2) Except where otherwise provided by a by-law of the company made pursuant to subsection (2) of section 27, when the right to vote a Class "B" common share is lost

(a) the ownership of the share and all rights thereunder shall revert to the company, and"

### 5. Section 10 presently reads:

"10. Nothing in this Act shall be construed so as to permit any company, firm, association, group or individual to hold or control Class "B" common shares of more than one Group."

### 6. Section 11, subsections (3) and (4) presently read:

"(3) In determining the number of Class "B" common shares of Groups I, II or III which may be allotted to an applicant, the Board shall have regard, inter alia, to the following considerations

(a) if the applicant is a utility company the Board shall have regard to

(i) the amount of capital vested in the utility company,

(ii) the extent of the gas pipe line system operated by the utility company in the Province,

(iii) the size and number of the communities in the Province served with gas by the utility company, and

# BILL

No. 24 of 1962

An Act to amend The Alberta Gas Trunk Line Company Act

(Assented to \_\_\_\_\_, 1962)

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

**1.** *The Alberta Gas Trunk Line Company Act*, being chapter 37 of the Statutes of Alberta, 1954, is hereby amended.

**2.** Section 2 is amended

- (a) as to clause (e) by striking out the words "company, firm, association, group or individual" and by substituting the word "person",
- (b) as to clause (f) by striking out the words "company, firm, association, group or individual" and by substituting the word "person".

**3.** Section 8 is amended by striking out the words "a by-law of the company made" and by substituting the words "the Board".

**4.** Section 9, subsection (2) is amended by striking out the words "a by-law of the company made" and by substituting the words "the Board".

**5.** Section 10 is struck out and the following section is substituted:

**10.** No person may hold or control and nothing in this Act shall be construed so as to permit any person to hold or control Class "B" common shares of more than one Group.

**6.** Section 11 is amended

- (a) by striking out subsection (3) and by substituting the following:

(3) In determining the number of Class "B" common shares of Groups I, II or III which may be allotted to an applicant, the Board shall have regard, *inter alia*, to the following considerations:

- (iv) the quantity of gas annually sold in the Province by the utility company,
- (v) the use to be made of the company's facilities by the utility company,
- (b) if the applicant is a gas export company, the Board shall have regard to
  - (i) the amount of capital invested in the gas export company,
  - (ii) the extent of the gas pipe line system operated by the gas export company,
  - (iii) the quantity of gas to be taken from the Province by the gas export company, and
  - (iv) the use to be made of the company's facilities by the gas export company,
- and
- (c) if the applicant is a gas producer or a gas processor, the Board shall have regard to
  - (i) the amount of capital invested in the business of producing or processing gas within the Province by the gas producer or processor,
  - (ii) the quantity of Alberta gas that the producer or processor is capable of producing or processing annually,
  - (iii) the gas reserves of a producer within the Province,
  - (iv) the total acreage within the Province held by the producer in known gas fields, and
  - (v) the amount of development work done or undertaken by the producer within the Province.
- (4) As a condition of allotment of Class "B" common shares, the Board may require that the applicant purchase
  - (a) such number of Class "A" common shares of the company, and
  - (b) at such price, not being more than the market value at the time of the subscription or less than the par value,
 as the Board by by-law may determine."

**7. Section 12b reads in part:**

"12b. The Board by by-law may authorize the payment of a commission to any person in consideration of his.....".

**8. Section 24, subsection (3) presently reads:**

"(3) The Board may elect one or more vice-presidents from the members of the Board.".

**9. Section 25, subsection (2) presently reads:**

"(2) Special elections shall be held in such manner and at such time and place as may be provided by a by-law of the company.".

- (a) if the applicant is a utility company the Board shall have regard to
  - (i) the amount of capital invested in the utility company,
  - (ii) the extent of the gas pipe line system operated by the utility company in the Province,
  - (iii) the size and number of the communities in the Province served with gas by the utility company,
  - (iv) the quantity of gas annually sold in the Province by the utility company, and
  - (v) the extent of the use of the company's facilities then being made or contracted for by the utility company,
- (b) if the applicant is a gas export company, the Board shall have regard to
  - (i) the quantity of gas then authorized to be taken from the Province by the gas export company, and
  - (ii) the extent of the use of the company's facilities then being made or contracted for by the gas export company,

and
- (c) if the applicant is a gas producer or a gas processor, the Board shall have regard to
  - (i) the amount of capital invested in the business of producing or processing gas within the Province by the gas producer or processor,
  - (ii) the quantity of Alberta gas that the producer or processor is capable of producing or processing annually,
  - (iii) the gas reserves of a producer within the Province, and
  - (iv) the total acreage within the Province held by the producer in known gas fields.
- (b) as to subsection (4) by striking out the words "by by-law".

**7.** Section 12*b* is amended by striking out the words "by by-law".

**8.** Section 24, subsection (3) is amended by striking out the words "from the" and by substituting the words "who need not be".

**9.** Section 25, subsection (2) is amended by striking out the words "a by-law of the company" and by substituting the words "the Board".

**10. Section 27, subsection (1), clauses (h) and (i) read:**

"27. (1) The Board may make by-laws relating to such matters or things as are requisite or proper or as appear to the Board to be requisite or proper for the conduct or regulation of any of the business or affairs of the company and, without limiting the generality of the foregoing may make by-laws relating to

.....

- (h) the investments of the company, and
- (i) the remuneration to be paid the directors and provisional directors of the company."

**11. Minutes of proceedings to be kept.**

**12. Commencement of Act.**

**10.** Section 27 is amended

(a) as to subsection (1)

- (i) by striking out all the words preceding clause (a) and by substituting the following:

**27.** (1) The Board may do all things requisite or proper or that appear to the Board to be requisite or proper for the conduct or regulation of the business or affairs of the company, and without limiting the generality of the foregoing, the Board may provide for

- (ii) by striking out the word "and" at the end of clause (h) and by adding immediately after clause (i) the following new clauses:

(j) the circumstances or conditions under which the office of a director, other than a director appointed by the Lieutenant Governor in Council, shall be vacated, and

(k) general by-laws for the conduct of the affairs of the company.

- (b) as to subsection (2) by striking out the words "by by-law".

**11.** The following new section is added immediately after section 31:

**31a.** (1) The company shall cause minutes of all proceedings of general meetings and directors' meetings to be entered in books kept for that purpose.

(2) Any such minutes, if purporting to be signed by the chairman of the meeting at which the proceedings were had, or by the chairman of a subsequent meeting which approved such minutes, are admissible in evidence as proof of the proceedings.

(3) Until the contrary is proved, every general meeting of the company or meeting of directors in respect of the proceedings of which minutes have been so made, shall be deemed to have been duly held and convened, and all proceedings had thereat to have been duly had, and all appointments of directors or officers made thereat shall be deemed to be valid.

**12.** This Act comes into force on the day upon which it is assented to.

No. 24

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FOURTH SESSION  
FOURTEENTH LEGISLATURE  
10 ELIZABETH II  
1962

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**BILL**

An Act to amend The Alberta Gas  
Trunk Line Company Act

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. MANNING

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