

1969 Bill 59

Second Session, 16th Legislature, 1969 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 59

**An Act respecting Guarantees for Indians and
Metis Co-operative Associations**

THE MINISTER OF INDUSTRY AND TOURISM

First Reading

Second Reading

Third Reading

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1969

An Act respecting Guarantees for Indians and Metis
Co-operative Associations

(Assented to _____, 1969)

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

1. This Act may be cited as *The Native Co-operative Guarantee Act*.

2. In this Act,

- (a) "association" means a co-operative association incorporated under *The Co-operative Associations Act*, a majority of the members of which are
 - (i) Indians, or
 - (ii) Metis, or
 - (iii) Indians and Metis;
- (b) "Indian" means an Indian as defined in the *Indian Act (Canada)*;
- (c) "Metis" means a person having not less than one-quarter Indian blood;
- (d) "Minister" means the member of the Executive Council charged with the administration of *The Co-operative Associations Act*.

3. Where

- (a) an association borrows money for a period not exceeding 20 years, and
- (b) the association proves to the satisfaction of the Minister that the money is required for a productive purpose,

the Lieutenant Governor in Council may authorize the Provincial Treasurer to

- (c) guarantee on behalf of the Province the repayment of the whole or part of money borrowed by the association and interest, and

Explanatory Notes

1. General. This Bill is intended to provide assistance to cooperative associations that are composed of a majority of Indians or Metis or a combination of Indians and Metis.

2. Definitions.

3. Provincial Treasurer may guarantee the repayment of money borrowed for a productive purpose.

(d) take as security any real or personal property.

4. The total liability of the Province shall not exceed \$5,000,000 at any given time.

5. During the period of the guarantee, an association

(a) shall not make any distribution of its earnings or profits amongst its members without the consent of the Provincial Treasurer, and

(b) at the request of the Minister, shall submit to a full audit (at the association's expense) by auditors appointed for the purpose by the Minister.

6. If the Province pays money under a guarantee given by it, then the Province is subrogated to the right of recovery of the lender.

7. The Lieutenant Governor in Council may make regulations

(a) defining "productive purpose",

(b) specifying conditions to be met prior to a guarantee,

(c) specifying the conditions and restrictions upon which a guarantee is made,

(d) specifying the duties of the Director of Co-operative Associations with regard to this Act, including the evaluation, investigation and supervision of applications by associations,

(e) concerning forms to be used and the general administrative procedure, and

(f) concerning the limit of guarantees to be granted to individual associations.

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

4. Self-explanatory.

5. Restriction on an association dealing with its earnings or profit.

6. Recovery by Province of moneys paid under a guarantee.

7. Regulations.