

1975 Bill 19

Fourth Session, 17th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 19

THE CO-OPERATIVE ASSOCIATIONS AMENDMENT ACT, 1975

MR. COOKSON

First Reading

Second Reading

Third Reading

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THE CO-OPERATIVE ASSOCIATIONS AMENDMENT ACT, 1975

(Assented to _____, 1975)

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

1. *The Co-operative Associations Act is hereby amended.*

2. *Section 12, subsection (1) is amended by striking out the word "and" at the end of clause (v) and by adding the following clause after clause (v):*

(v1) the power to pass a special resolution authorizing the association to enter into an amalgamation agreement with one or more associations for the purpose of amalgamation and continuation as an association to which the *Canada Cooperative Associations Act* applies, and

3. *The following sections are added after section 41:*

41.1 (1) Where an electrical line constructed by or on behalf of a rural electrification association is no longer used for the supply of electricity, the association or an agent or employee thereof may after giving notice enter at any reasonable time upon the lands on which the line is located and remove therefrom any fitting, apparatus, wire, conductor, transformer, pole or other thing constructed or placed on the lands by or on behalf of the association.

(2) A notice under subsection (1) shall be given at least ten days before the intended removal and shall be served personally or by registered mail on the occupant of the lands, if any, and on the owner of the lands as shown in the records of the Land Titles Office.

(3) Notwithstanding subsection (1), there shall be no removal where the owner of the lands agrees to pay for the cost of maintaining the line and any fitting, apparatus, wire, conductor, transformer, pole or other thing constructed or placed on the lands by or on behalf of the association.

(4) A removal under this section does not affect any indebtedness under a lien note created pursuant to *The Rural Electrification Long Term Financing Act* or *The Rural Electrification Revolving Fund Act*.

Explanatory Notes

1. This Bill will amend chapter 67 of the Revised Statutes of Alberta 1970.

2. This amendment will permit an Alberta co-operative to amalgamate with a federal co-operative and operate under the Canada Cooperative Associations Act.

3. 41.1 Rural Electrification Associations are empowered to remove electrical lines and facilities which are no longer needed.

41.2 (1) Where the physical assets of a rural electrification association have been acquired by a utility company, the association or the Director may by written notice direct that company to discontinue supplying electricity to any person who defaults in payment due to the association pursuant to a lien note under *The Rural Electrification Long Term Financing Act* or *The Rural Electrification Revolving Fund Act*.

(2) Where a notice is given to a utility company under subsection (1)

- (a) the association shall, within five days of giving it to the company, serve a copy of that notice on the person in default either personally or by registered mail addressed to the address of that person according to the records of the association, and
- (b) the utility company shall not discontinue supplying electricity to that person until the expiry of the period of 30 days after the date on which the company received the notice from the association.

(3) A utility company shall not resume supplying electricity to a person in respect of whom a direction is given under subsection (1) until the Director otherwise orders or the association advises that the default has been remedied.

4. Section 57 is amended by adding after the words "means an association" the words "registered or"

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

41.2 To enable rural electrification associations which now supply electricity through agents to enforce payment on lien notes.

4. This amendment will include extra-provincial associations.
Section 57 reads as follows:

57. In this Part "association" means an association incorporated under this Act, or under The Co-operative Associations Act, being chapter 6 of the Statutes of Alberta, 1946, and having as its principal objects the marketing of agricultural products or fish on a non-profit basis and other objects necessarily incidental thereto and any association incorporated under The Co-operative Marketing Associations Act, being chapter 5 of the Statutes of Alberta, 1924, or under The Co-operative Marketing Associations Act, being chapter 251 of the Revised Statutes of Alberta, 1942.