

1988 BILL Pr 1

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Third Session, 21st Legislature, 37 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL Pr 1

ROYAL CANADIAN LEGION ALBERTA PROPERTY ACT

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MR. GOGO

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill Pr 1*  
*Mr. Gogo*

## BILL Pr 1

1988

### ROYAL CANADIAN LEGION ALBERTA PROPERTY ACT

(Assented to , 1988)

Preamble

WHEREAS The Royal Canadian Legion was incorporated by an Act of the Parliament of Canada, being chapter 84 of the Statutes of Canada, 1984 and amendments thereto; and

WHEREAS the property rights in Alberta of the Legion are governed by "*An Act Respecting the Property of the Royal Canadian Legion in Alberta*", being chapter 105 of the Statutes of Alberta, 1957 as amended by chapter 118 of the Statutes of Alberta, 1964 and chapter 102 of the Statutes of Alberta, 1977; and

WHEREAS the Alberta Northwest Territories Command of The Royal Canadian Legion has by its petition prayed that it be enacted as herein provided and it is expedient to grant the prayer of the petition;

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

Holding of  
property

1(1) The Alberta and Northwest Territories Command of The Royal Canadian Legion, hereinafter called "the Command", and every branch of the Legion within Alberta may hold, possess or acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise any real or personal property necessary or useful for the carrying out of its purposes and objections, and subject to subsection (2), may hypothecate, mortgage, pledge, sell, convey or otherwise dispose of property in any manner.

(2) No branch may, without the consent in writing of the Command, hypothecate, mortgage, pledge, lease, sell, convey or otherwise dispose of any of its real or personal property, except in the ordinary and usual course of its activities.

(3) Debt obligations created by the Command or any branch thereof, are exempted from the registration requirements of the *Business Corporations Act*.

Name of title

**2** The real property of the Command or of any branch of the Legion in Alberta may be registered in the proper land titles office in the name of the Command or branch.

Name of Command

**3** The name of the Command shall be as set out in section 1 and the name of each regularly constituted branch shall be: "Branch of The Royal Canadian Legion".

Seal

**4** The Command and every branch shall have an official seal of such design as may be determined by the Dominion Command of the Legion.

Execution of deeds

**5** All deeds, bonds, mortgages, transfers, assurances, conveyances, contracts, and other instruments with respect to real property owned by the Command or a branch shall be executed under the seal of the Command or branch attested by the signatures of the president of the Command or branch and its secretary for the time being.

Property in trust

**6** Where the title to any real property belonging to the Command or a branch stands in the name of any individual or individuals as trustees, whether such persons are deceased or not, a certificate by the secretary of the command that such real property belongs to or is held in trust for the use of the members of the Command or branch together with an affidavit by the president of the Command or branch, as the case may be, deposing to the fact that such property belongs to or is held in trust for the use of the members of the Command or branch shall be accepted by the registrar of the proper land titles office as conclusive evidence of the facts certified and deposed to and upon presentation to the registrar of such documents together with an application duly attested the registrar may cancel the existing certificate of title and issue a new certificate of title to the property in the name of the Command or branch.

Suspension of  
branch powers

**7** Where, pursuant to the Act of incorporation of the Legion, the charter or powers of any branch are suspended the registrar of the land registration district on which any real property of the branch is situated shall, upon application by the Command, describing the property, and upon the filing of an affidavit by the secretary of the Command deposing to the fact that the charter or powers of the branch have been so suspended, cancel the existing certificate of title and issue a new certificate of title to the said real property in the name of the Command.

Pre-eminence of  
Legion by-laws

**8** Nothing herein contained shall be held to confer or impose upon the Command or any branch any right, power, obligation or duty inconsistent with the Act of incorporation of the Legion and the by-laws and rules passed pursuant thereto.

Tax exemption

**9** The land on which is located the headquarters of the Command at Calgary, Alberta, namely:

Lots 21 to 24 inclusive in Block 4 as shown on Plan Calgary 2864 A.F. Excepting thereout all mines and minerals

together with the buildings located thereon shall be exempt from assessment and taxation, other than taxes relating to local improvements, so long as the same are used as headquarters for the Command.

Repeal c. 105,  
SA 1957

**10** *An Act Respecting the Property of the Royal Canadian Legion in Alberta is repealed.*