

# BILL

No. 88 of 1921.

An Act to amend The Alberta Co-operative Credit Act.

(Assented to , 1921.)

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

1. Section 2 of *The Alberta Co-operative Credit Act*, being chapter 11 of the Statutes of Alberta, 1917, is amended—

- (a) As to paragraph 1 thereof by striking out the words “or improvement district”;
- (b) By striking out paragraph 3 thereof, and inserting in lieu thereof the following:  
“3. ‘Extra municipal area’ shall mean all that part of the province which is not included in a municipality.”

2. Section 4 of the said Act is amended by adding as subsections 2, 3 and 4 thereof the following:

“(2) Twenty per cent. of the par value of the stock subscribed for by any subscriber shall be paid in cash prior to the first day of January next but one following the date of the incorporation of the society and a further sum of twenty per cent. of the value of the said stock shall be paid prior to the first day of January next following such last mentioned first day of January and so in each successive year until the full value of the said stock has been paid to the society.

“(3) Where any additional subscribers subscribe for shares in the stock of a society any such subscriber shall pay twenty per cent. of the par value of the stock subscribed for by him at the date of the supplementary petition provided for in this Act and a further sum of twenty per cent. of the value of the said stock shall be paid in cash prior to the first day of January next but one following the date of the supplementary petition and a further sum of twenty per cent. of the value of the said stock shall be paid prior to the first day of January next following the last mentioned first day of January, and so in each successive year until the full value of the said stock has been paid to the society.

“(4) Notwithstanding any other provisions of this Act, any resident of the extra municipal area becoming a member of a society shall subscribe for stock to the amount of one hundred and fifty dollars.”

**3.** Section 10 of the said Act is amended—

(a) By striking out all words after the word “Act,” and substituting therefor the words “given or undertaken after the first day of May, 1921, or any renewal of such security, obligation or financial undertaking given or undertaken prior to but renewed after that date”;

(b) By adding as subsections 2 and 3 thereof the following:

“(2) The Provincial Treasurer may at any time, if any society is remiss in collecting the amounts due in respect of subscribed stock, give notice to the directors of the society to proceed actively in such collection, and if such society neglects the notice, the Provincial Treasurer may himself collect all such amounts and for that purpose shall be subrogated to all the rights of the society and of the directors thereon in connection therewith.

“(3) When the Lieutenant Governor is called upon to pay any sum of money, the payment of which has been guaranteed by a municipality, and does so pay, the Lieutenant Governor in Council shall be subrogated to all the rights and remedies of the person or corporation to whom such money has been paid as against such municipality.”

**4.** Section 15 of the said Act is hereby struck out, and the following section substituted therefor:

“**15.** The management of the business of the society shall be vested in a board of directors elected in the following manner: four electors shall be elected at the first meeting and annually thereafter by the subscribers only; three directors shall be named by the Provincial Treasurer and one director shall be named by each municipality giving a guarantee to the society, All directors shall hold office until their successors are elected or named.”

**5.** Section 16 of the said Act is amended by striking out the words “Lieutenant Governor in Council” where they occur therein, and substituting therefor the words “Provincial Treasurer.”

6. Section 32b of the said Act is amended—

- (a) By inserting after the words “personal property” where they occur therein towards the end of the first paragraph thereof the words “(including growing or future crops)”;
- (b) By adding at the end thereof the following:  
 “The lien and charge conferred by this section shall also be upon the personal property described in the certified statement of assets and liabilities of the borrower hereinbefore referred to, or such of them as may be owned by him at the time of filing the certificate herein referred to, if such filing seems desirable to the society.”

7. Section 32ee is added to the said Act as follows:

“32ee. Any certificate so filed shall, notwithstanding any statutory provision to the contrary, have the same effect as a chattel mortgage taken from the borrower upon all crops growing or to be grown in every or any year upon the lands owned or occupied by such borrower, and upon the filing of the said certificate it shall form a valid security upon the growing crops therein mentioned, notwithstanding any provision to the contrary of *The Bills of Sale Ordinance*, or of any other Act, and shall, save as is otherwise herein provided, have the same effect and priority and be treated as a mortgage upon growing or future crops permitted by the said Ordinance.

“(2) No such certificate shall have any priority over provincial or municipal seed grain liens, notwithstanding anything in this section contained.”

8. Sections 32n, 32o, 32p and 32q are added to the said Act as follows:

“32n. When any certificate is filed under the provisions of this Act, notification of such filing shall be sent by the secretary of the society to the borrower in respect of whom or whose property such filing is made.

“32o. Wherever it is necessary and lawful for the society to seize any property of a borrower then the directors of the society may appoint the secretary treasurer thereof or some other suitable person as their bailiffs and he, notwithstanding any statutory provision to the contrary, may seize any property liable to seizure under the terms of this Act without any further or other authority than is provided by such direction of the directors of the society.

“(2) The secretary-treasurer or bailiff hereinbefore referred to may effect a seizure on any

property under the terms of this section by notice sent by registered mail to the borrower and from and after the time at which such registered notice should reach the said borrower in the usual course of the mail, all the property in such notice referred to shall be considered to be lawfully seized.

"32p. When any society realizes or attempts to realize the amount of any loan or part thereof made to a member, then such member and his family shall not be entitled to any of the benefits conferred upon him or them by *The Exemptions Ordinance*."

"32q. No chattel mortgage taken at any time under the provisions of this Act shall require an affidavit of *bona fides*."

9. Section 40 of the said Act is amended by striking out the same, and substituting therefor the following:

"40. The paid-up capital of any society shall be invested only in securities issued by the Government of Alberta or approved by the Provincial Treasurer, and all income derived therefrom shall be paid to the society."

10. Section 48 of the said Act is amended by striking out the words "one or more territorial units," and substituting therefor the words "the extra municipal area."

11. Sections 49a and 49b are added to the said Act as follows:

"49a. No application for a loan shall be approved by any society until the same shall have been submitted to an inspector appointed under this Act and he shall have confirmed the same.

"49b. Any inspector appointed under this Act shall have power to search the books or records of any office in which such registration is demanded or permitted under the provisions of this Act, and no charge shall be made in respect of any such search."

12. Form H in the schedule to the said Act is amended by adding after the place left for the description of personal property contained therein, the following words: "and also upon all property named in the statement of assets and liabilities in the said Act provided for, which at the date hereof remains the property of the person herein named and also upon the following growing or future crops: (*here describe crops*)."

13. Form K in the schedule to the said Act is amended by adding after the word "discharged" the words "Dated on the ..... day of ....., 19... "; and by adding the following symbol thereto, opposite the signature of the secretary-treasurer of the Co-operative Credit Society.

[ Seal of  
Society. ]

No. 88.

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FOURTH SESSION  
FOURTH LEGISLATURE  
11 GEORGE V  
1921

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**BILL**

An Act to amend The Alberta Co-  
operative Credit Act.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. MITCHELL.

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EDMONTON:  
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A.D. 1921