

BILL

No. 102 of 1936.

An Act respecting the Refunding of the Bonded Indebtedness of the Province.

(Assented to _____, 1936.)

HIS 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 Provincial Loans Refunding Act.*"

2. In this Act the expression "securities" includes all bonds, debentures, treasury bills or notes, savings certificates and other securities issued by the Province under the provisions of any Act of the Province.

3. The Lieutenant Governor in Council is hereby authorized to enter into agreements with the Government of Canada,—

- (a) providing for the guarantee by Canada of the payment of principal and/or interest and/or sinking fund of securities heretofore issued or hereafter to be issued by the Province for the purpose of refunding all or any part or parts of the indebtedness of the Province for the time being secured by any securities of the Province;
- (b) providing for the guarantee by Canada of the payment of principal and/or interest and/or sinking fund of any securities to be issued hereafter by the Province in respect of any borrowings by the Province; and
- (c) as to any conditions or terms subject to which any such guarantee by Canada is given.

4.—(1) For all or any of the purposes set out in this section the Lieutenant Governor in Council is empowered to create and issue, from time to time, a perpetual Provincial stock which shall be known as "The Alberta Government Perpetual Stock," and may from time to time create and issue different classes of such stock, for such amount or amounts as may be prescribed from time to time by the Lieutenant Governor in Council, and such stock and any class of such stock shall yield interest payable half-yearly at such rate, not less than two and one-half per centum per annum, as may be prescribed by the Lieutenant Governor in Council as the interest in respect of such stock or any class thereof.

(2) Any stock so created shall not be redeemable until the expiration of thirty-five years from the date of its issue but on and after that day shall be redeemable on such

notice, at such time or times, and either in one sum or in such sums or portions and in such order and manner as the Lieutenant Governor in Council may direct at the rate of one hundred dollars of lawful money of Canada for every one hundred dollars of the capital sums represented by the stock together with interest thereon to the date of payment.

(3) The said stock and the interest thereon shall be charged upon and paid out of the General Revenue Fund and in particular, unless the payment of the interest is guaranteed by Canada, the interest shall be a first charge upon all sums payable annually by Canada to the Province for the local purposes of the Province or for the support of the Government and Legislature thereof or on account of interest in respect of the public debt thereof or in lieu of public lands.

(4) The purposes for which any such stock may be created and issued shall be for the purpose of retiring and refunding any securities of the Province, and for the purpose of raising any sums required for paying off the holder of the securities of the Province, and for the purpose of substituting any such stock for any treasury bills issued by the Province, or for money borrowed by the Province, or for any other indebtedness of the Province, or for some or any of such purposes.

(5) The stock shall be subject to such regulations as to the inscription, registration, transfer, management and redemption thereof as the Lieutenant Governor in Council may make.

5.—(1) Notwithstanding any provision of any statute or any rule of law or any covenant, condition, stipulation, agreement or provision, whether express or implied, in any security heretofore issued by the Province for the securing of any indebtedness of the Province, or affecting or relating to any such security, the Lieutenant Governor in Council is hereby authorized and empowered for the purpose of retiring and refunding all securities or any specified securities of the Province now outstanding, all or any of the following acts and things, namely,—

- (a) to appoint as the date upon which any security heretofore issued by the Province, except only Alberta Government Stock, shall be retireable an earlier date in lieu of and in substitution for the date upon which such security is retireable according to the terms thereof;
- (b) to declare that the holder of any security heretofore issued by the Province, except only Alberta Government Stock, shall, upon any date fixed pursuant to this section for the retirement thereof, or if no such date is fixed, upon the date upon which the same is retireable, accept in lieu of and in full satisfaction for the principal sum payable under such security Alberta Government Perpetual Stock or any other bonds or debentures issued pursuant to *The Provincial Loans Act* for a principal sum of a like amount; and

(c) to declare that in the event of the date of retirement of any security being fixed pursuant to this section the holder thereof shall, upon the date so fixed, accept in full satisfaction of all his rights and claims under such security the principal sum payable in respect thereof in lawful money of Canada together with interest at the rate payable in respect thereof up to the said date at such place or places as may be appointed for the purpose.

(2) Every order made pursuant to this section shall be published in *The Alberta Gazette* and upon such publication shall have the same force and effect as if the same had been enacted as a part of this Act.

6. Upon the publication in *The Alberta Gazette* of any order in council made pursuant to section 5 of this Act, the rights of the holder of any security to which the order in council relates shall be such as are set out in that order and thereafter no action shall be brought or maintained in any court of the Province in respect of any such security or for the purpose of enforcing any foreign judgment founded on any such security.

7. This Act shall come into force upon a date to be fixed by Proclamation of the Lieutenant Governor in Council.

No. 102.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act respecting the Refunding of
the Bonded Indebtedness of
the Province.

Received and read the

First time

Second time

Third time

HON. MR. COCKROFT.

EDMONTON:
A. Shnitka, King's Printer
1936