

BILL

No. 11 of 1936 (Second Session).

An Act to provide the People of Alberta with Additional Credit.

(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 Alberta Credit House Act.*"

2. In this Act, unless the context otherwise requires—

- (a) "Alberta Credit" means the facilities provided by the Credit House for facilitating the exchange of goods and services within the Province;
- (b) "Board" means the Board of Management of the Credit House;
- (c) "Credit House" means the Alberta Credit House established pursuant to this Act;
- (d) "Currency" means current money of Canada;
- (e) "Person entitled to Alberta credit" means every person of the full age of twenty-one years who is for the time being resident and domiciled in the Province who is either—
 - (i) a British subject who has been continuously resident and domiciled in the Province since the first day of January, 1935, and continues to be so resident and domiciled and who registers under the provisions of this Act;
 - (ii) a British subject who becomes resident and domiciled in the Province at any time after the first day of January, 1935, and supports himself thereafter for three successive years and who registers under the provisions of this Act;
 - (iii) a person not being a British subject who is resident and domiciled in the Province and who has been so resident and domiciled for five years and who has applied for naturalization as a British subject and who has become registered under the regulations pursuant to this Act; or
 - (iv) any person who may become registered as a person entitled to Alberta credit pursuant to the regulations made pursuant to this Act;
- (f) "Superintendent" means the Superintendent of the Credit House appointed pursuant to this Act.

3. The administration of this Act and the Superintendent, Board and all other persons engaged therein shall be subject to the direction of such member of the Executive Council as may be designated by the Lieutenant Governor in Council as the Minister charged with the administration of this Act.

PART I.

PRELIMINARY.

4. Applications for registration under this Act shall be made to any registrar appointed pursuant to this Act in the case of persons who are producers, manufacturers or dealers in commodities at any time and in the case of all other persons in the months of August and September in the year 1936 and in the month of June of every subsequent year.

5.—(1) Every person entitled to Alberta credit may become registered under this Act by appearing before any registrar appointed pursuant to this Act and delivering to the registrar his application for registration in the prescribed form setting forth therein truthfully all the information required thereby and executing the agreement in the prescribed form applicable to such person.

(2) The said forms shall be such as may be from time to time prescribed by the Lieutenant Governor in Council.

6. Any person who at any period appointed for registration by section 4 is then under the age of twenty-one years and who will become of the age of twenty-one years subsequently thereto and before the commencement of the next ensuing period may become registered during the first mentioned period as if he were then a person entitled to Alberta credit: but any such registration shall have force and effect only on, from and after the first day of the month next following the month in which such person becomes of the age of twenty-one years.

7.—(1) A certain Order in Council dated the twenty-ninth day of July, 1936, and numbered O.C. 1092-36, and made pursuant to *The Social Credit Measures Act*, is hereby confirmed, ratified and validated, and every person who applied for registration under the provisions of the said Order in Council and signed the appropriate agreement thereby prescribed, and became registered under the provisions of the said Order in Council, shall be deemed to have become registered under the provisions of this Act unless such person, not later than the thirtieth day of September, 1936, sends by mail in a prepaid cover addressed to the Superintendent of the Credit House, Edmonton, Alberta, a notice in writing to the effect that he desires such registration to be cancelled.

(2) Every agreement made upon registration as aforesaid shall be construed as a declaration by the registrant of the manner in which he is willing to co-operate upon the

receipt by him of Alberta credit and as a condition thereof, and as a declaration in general terms on the part of the Government of the various measures for the benefit of the registrant which the Government intends to bring into effect as soon as may be convenient or practicable in the circumstances; no action or proceeding of any kind shall be maintainable in any court of the Province in respect of any matter or thing contained in any such agreement.

8. The Superintendent may by writing under his hand cancel the registration under this Act of any person upon being satisfied of the existence of any of the following circumstances—

- (a) that in his application for registration the applicant has made any serious, wilful and material misstatements;
- (b) that such person has ceased to be *bona fide* resident and domiciled in the Province for a period of more than one month without the approval in writing of the Superintendent;
- (c) that such person has made default in the performance or observance of any of the provisions contained in any agreement signed by him upon his becoming so registered.

9.—(1) Whenever the registration of any person is so cancelled the Superintendent shall cause to be sent by mail to the person whose registration is cancelled addressed to his post office address a notice of such cancellation and thereupon the registration of such person as well as the agreement entered into by such person on registration shall become null and void and of no effect and all rights and duties thereby created shall utterly cease and determine and no action or other proceeding of any kind shall be maintainable by either party to the said agreement or by any other person in respect of anything therein contained.

(2) The fact that the previous registration of a person entitled to Alberta credit has been cancelled shall be no disqualification to his becoming subsequently registered with the consent of the Board.

10. The right to receive any benefit under this Act of any person who produces, manufactures or deals in any commodity or renders any service shall be subject to the condition that any Alberta credit received by him for any commodities or services may, upon being transferred in the Credit House, be subject to a levy at such rate as may from time to time be prescribed by the Lieutenant Governor in Council as representing the unearned increment in the price paid for any such commodities or services for the purpose of preventing redundant credit and maintaining the proper equation between consumption and production.

PART II.

CONSTITUTION OF THE ALBERTA CREDIT HOUSE.

11. There is hereby constituted and established a Credit House to be called "The Alberta Credit House" and the same is hereby declared to be a body corporate.

12.—(1) The head office of the Credit House shall be in the City of Edmonton.

(2) The Credit House may establish branches and appoint agents at such places in the Province as may be approved by the Lieutenant Governor in Council, and shall establish branches at such places in the Province as may be designated by the Lieutenant Governor in Council as places at which branches are to be established.

13.—(1) The Credit House shall be under the management of a Board which shall consist of such persons, not more than five in number, who shall be appointed by the Lieutenant Governor in Council and one of such persons shall be designated as the Superintendent of the Alberta Credit House, and all such persons shall hold office during pleasure and shall receive such remuneration as may be prescribed from time to time by Order in Council and each such person shall devote so much of his time to the discharge of his duties as may be from time to time prescribed by Order in Council.

(2) The nature of the duties of the Board and the manner in which the same shall be discharged shall be such as may be prescribed from time to time by the Lieutenant Governor in Council.

14.—(1) The Superintendent shall be the chief executive officer of the Credit House and shall, on behalf of the Board, have the direction and control of the business of the Credit House with authority to act in connection with the conduct of the business of the Credit House in all matters which are not by this Act or by any regulations made pursuant hereto specifically reserved to be done by the Board.

(2) The Lieutenant Governor in Council may designate any member of the Board as the Deputy Superintendent and in the event of the absence or incapacity of the Superintendent from whatever cause arising, the Deputy Superintendent shall have and may exercise all the powers and functions of the Superintendent.

15.—(1) With the approval of the Lieutenant Governor in Council, the Board may employ such registrars, officers, clerks and employees as may be necessary and prescribe the remuneration, duties and conditions of employment of any persons so employed.

(2) The Superintendent, members of the Board and employees of the Credit House, other than temporary employees, shall be deemed to be employees within the mean-

ing of *The Superannuation Act* and shall be subject to and entitled to the benefit of all the provisions of that Act.

16. Neither the Superintendent nor any member of the Board nor any employee of the Credit House shall communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Credit House nor allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Credit House and relating to the business thereof.

17. The Credit House shall commence its operations only with the approval of the Lieutenant Governor in Council.

PART III.

PROVISION OF CREDIT.

18. The principal function of the Credit House is to furnish to persons entitled to Alberta credit facilities for the exchange of goods and services in the Province in order to effect equation between the purchasing power of such persons within the Province and production within the Province, and for the purpose of discharging that function the Credit House is empowered, subject to the other provisions of this Act and any regulations made pursuant thereto—

- (a) to provide every person entitled to Alberta credit with the amount of any Alberta credit to which he may become entitled in such manner as may be prescribed by the Lieutenant Governor in Council;
- (b) to receive deposits of Alberta credit vouchers and of transfers of Alberta credit made in conformity with this Act from any depositor thereof and to keep an account of all such Alberta credit so received and to keep an account of any transfers of Alberta credit made by the depositor; and
- (c) to receive currency and all kinds of negotiable instruments from any person and to convert the same into Alberta credit for an amount expressed in terms of currency equal to the currency and negotiable instruments so received and to make available to such person Alberta credit for the amount thereof.

19. The person to whom Alberta credit is made available shall be entitled to transfer the same by means of instruments of such nature and description as may be prescribed by the Lieutenant Governor in Council.

20. Every transfer of credit made in conformity to this Part shall become effective upon the presentation or delivery thereof to the Credit House or to any branch thereof.

21. No person whatsoever shall be entitled to demand from the Credit House any payment in currency or other-

wise in respect of any Alberta credit provided pursuant to this Act to which he may be entitled, regardless of the nature of his title.

22. Subject to any regulations, the Credit House is empowered to accept deposits of currency and securities from any person and to deal with the same in such manner as may be agreed upon between the Credit House and the depositor.

23.—(1) Subject to any regulations made pursuant to this Act, the Credit House is empowered to provide an advance of Alberta credit to any person engaged in agriculture or manufacture or industry in the Province, and to any person entitled to Alberta credit to defray any of the cost of the building of a home or the establishment of such person in any business, vocation or calling.

(2) The amount of Alberta credit which may be advanced shall be subject to the direction of the Board and shall be repayable within such period as may be agreed upon.

(3) Before provision is made of any Alberta credit by way of loan pursuant to this section, the recipient shall give to the Credit House such security for the due restoration of the Alberta credit to be provided, as the Board may direct for an amount in terms of currency equal to the amount of the Alberta credit which is to be provided and without in any way restricting the nature of the securities which may be taken, the Credit House may take securities by way of a mortgage upon any growing crop notwithstanding anything contained in *The Bills of Sale Act* or any other Act to the contrary.

(4) No interest is to be payable in respect of any credit so provided.

(5) Notwithstanding the provisions of any other Act of the Province, every person who has received an advance of Alberta credit under this section shall, upon the day fixed for that purpose, restore to the Credit House the difference between the amount of Alberta credit advanced and the amount of Alberta credit which he then has as shown by his account in the Credit House, either by delivering to the Credit House transfers of Alberta credit to the amount of such difference or by the payment to the Credit House of currency equal in amount to the amount of such difference expressed in terms of currency.

(6) Upon the making of any advance of Alberta credit the Credit House shall make a charge not in excess of two per centum per annum on the amount expressed in terms of currency of the advance, and such charge shall be payable upon the making of the advance either by a transfer to the Credit House of an equivalent amount of Alberta credit or in currency at the option of the recipient of the advance, and such charge shall be in addition to any disbursements for the registration or filing of any security taken for the advance.

(7) In case default is made in the restoration of any advance of Alberta credit upon the day fixed for that purpose and no arrangement is then made for the restoration thereof, the Credit House may at any time after the occurrence of any default enforce, sell, realize and dispose of any securities held by it to the extent that may be necessary to realize the amount then due in terms of currency to the Credit House in respect of the advance of Alberta credit to which the securities relate.

24. The Credit House is empowered to make such charges in respect of any service for which no charge is expressly provided by this Act in relation to any deposit of any kind made with the Credit House or any other service or facility provided by the Credit House pursuant to this Act as may be from time to time prescribed by the Board and approved by the Lieutenant Governor in Council.

25.—(1) Notwithstanding any provision of any Act to the contrary, no person shall be subject to any disqualification as a candidate for election as a member of the Legislative Assembly or as a member of the Legislative Assembly by reason of his receipt or acceptance of any Alberta credit provided for him under any provision of this Act by way of any dividend or by reason of his right to receive or accept any such Alberta credit.

(2) No Alberta credit dividend shall be deemed to form any part of the income of the person for whom the same is provided nor shall it be subject to taxation as income nor shall it be regarded or taken into account in making any computation of the amount payable on account of the remuneration payable to any person by the Province or the amount payable to any person in pursuance of any Act of the Province in the nature of pensions, allowances or relief.

26. The Credit House shall pay into a special fund all money received by it in return for or on account of any Alberta credit and all other money received for the purposes of the Credit House, and such funds shall be kept in a chartered bank or other place of safe-keeping approved by the Lieutenant Governor in Council and shall be used for the following purposes and not otherwise, namely—

- (a) for the defrayal of the expense of operation of the Credit House;
- (b) for the conversion into currency of any Alberta credit which any person has with the Credit House for the purpose of paying to such person currency equal to the amount of Alberta credit expressed in terms of currency to the extent to which such conversion and payment is for the time being authorized by the regulations; and
- (c) to acquire any security issued by the Province under the provisions of any Act, or any security issued or guaranteed by the Dominion of Canada.

27.—(1) The Credit House shall, whenever directed so to do by order of the Lieutenant Governor in Council, place at the disposal of the Provincial Treasurer Alberta credit to such amount, expressed in terms of currency, as may be specified in the order.

(2) With the approval of the Lieutenant Governor in Council the Provincial Treasurer is hereby authorized to transfer any Alberta credit so placed at his disposal to persons who are willing to accept the same in full or partial satisfaction, as the case may be, of any claim against the Province for the payment of money if such claim is one which is payable out of a vote of the Legislative Assembly.

28. Notwithstanding the provisions of any Act, the Provincial Treasurer, with the approval of the Lieutenant Governor in Council, is hereby empowered—

- (a) to accept transfers of Alberta credit in satisfaction or partial satisfaction of any claim which the Province has against any person for taxes; and
- (b) to use any Alberta credit so accepted by making transfers thereof to persons who are willing to accept Alberta credit in satisfaction or partial satisfaction of any claims against the Province.

29. Notwithstanding the provisions of any Act, every corporate body which is a city, town, village, municipal district or school district is hereby empowered—

- (a) to accept transfers of Alberta credit in satisfaction or partial satisfaction of any claim which the corporate body has against any person for rates, taxes, services or otherwise; and
- (b) to use any Alberta credit so accepted by making transfers thereof to persons who are willing to accept Alberta credit in satisfaction or partial satisfaction of claims against the corporate body in respect of its ordinary services or in payment of relief or the carrying out of any public work.

30. The Lieutenant Governor in Council may from time to time make regulations—

- (a) prescribing in terms of currency the amount of Alberta credit which shall be provided by the Credit House from time to time for persons entitled to Alberta credit upon registration;
- (b) establishing classifications of persons entitled to Alberta credit who have been registered having regard to any circumstances relating to purchasing power and/or production and/or economic conditions;
- (c) prescribing from time to time the amount, expressed in terms of currency, of Alberta credit which shall be provided by the Credit House for each person entitled to Alberta credit who is registered or for each person included in any classification established pursuant to this section and may prescribe different amounts in respect of different classifications;

- (d) prescribing the amount of Alberta credit which shall be provided by the Credit House and issued to any classification of persons in respect of specified products or commodities by way of a bonus upon the conversion into Alberta credit of the proceeds of sale of any such product or commodity, and generally as to the conditions under which any such Alberta credit shall be so issued;
- (e) prescribing the amount of Alberta credit which shall be provided by the Credit House and issued to any classification of retailers in respect of any specified commodities by way of a compensating discount in respect of commodities sold at a price authorized by the Board which is less than the ordinary price thereof, and generally as to the conditions under which any such Alberta credit shall be so issued;
- (f) to regulate the amount of Alberta credit for the time being issued and uncanceled having regard to the amount of the production and consumption respectively of commodities;
- (g) to prescribe the rate by which any Alberta credit transferred in the Credit House by a person who produces, manufactures or deals in any commodities or renders any services may, upon being so transferred, be subject to a levy representing the unearned increment included in the price of commodities and services; and
- (h) prescribing as to the manner in which any function, proceeding or transaction authorized by this Act shall be carried out and the forms to be used in relation thereto.

31.—(1) For the purpose of giving effect to the intent and purpose of this Act, the Lieutenant Governor in Council is empowered by order to vary, add to or supplement with new provisions any of the provisions of this Act for the purpose of providing for matters arising out of the operation of this Act for which no express provision is made.

(2) Every Order in Council made pursuant to this and the last preceding section shall be published in *The Alberta Gazette* and upon publication shall have the same force and effect as if it had been enacted as a part of this Act and shall take effect upon publication or upon such later date as may be specified for that purpose.

32. The Board shall cause a true and correct record to be kept of all its business affairs and transactions and such record shall be kept in such form and manner as may be from time to time approved by the Provincial Auditor.

33. The Provincial Auditor shall at least once during each fiscal year and whenever required to do by the Lieutenant Governor in Council or by the Board, make an audit of the business affairs and transactions of the Credit House

and shall make a report thereon to the Lieutenant Governor in Council; and a copy of every such report shall be submitted to the Legislative Assembly at the Session commencing next after the making of any such report along with and as an appendix to the statement of the public accounts made pursuant to *The Treasury Department Act*.

34. The Provincial Treasurer is hereby authorized, with the approval of the Lieutenant Governor in Council, to pay to the Board out of the General Revenue Fund such sums as may be required by the Board for the defrayal of any expenditures incurred by the Board with the approval of the Lieutenant Governor in Council in connection with the operations of the Board.

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

No. 11.

SECOND SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to provide the People of
Alberta with Additional
Credit.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Shnitka, King's Printer
1936