

BILL

No. 3 of 1938 (Second Session).

An Act to Provide for the Establishment of Branches of the
Provincial Treasury Department in the
Province of Alberta.

(Assented to _____, 1938.)

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 Treasury Branches Act.*"

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

- (a) "Auditor" shall mean the Provincial Auditor;
- (b) "Depositor" shall mean a person who has entered into a contract with the Provincial Treasurer providing for the making of deposits in the Treasury Branch;
- (c) "Merchant" shall mean and include any person, firm or corporation engaged in the business of the sale of any goods, wares or merchandise to the consumer;
- (d) "Minister" shall mean the Provincial Treasurer.

3. The Minister may from time to time and at any time establish and operate at such points in the Province as he may select branches of the Treasury Department.

4. The Minister with the approval of the Lieutenant Governor in Council may appoint such officers, agents, clerks and employees as may be required for the establishment management and supervision of the Treasury Branches and may fix the remuneration and prescribe the duties of any person so appointed.

5. The Minister may receive from depositors deposits of money, bank cheques, legal tender, currency, coinage or orders upon treasury branches, subject to such terms and conditions as may be prescribed in the contract entered into between the Provincial Treasurer and the depositor pursuant to the provisions of this Act.

6.—(1) Subject to the other provisions of this Act, the Minister is hereby authorized and empowered to authorize

any person or persons on his behalf to enter into such contracts as he considers proper with any persons providing the terms and conditions subject to which any deposit of money, bank cheques and orders drawn upon any other deposit to which this Act relates or any of them shall be dealt with by the Minister and to take deposits on account of the Minister from any person who has entered into any such contract and to carry out the same.

(2) Every such contract shall provide as to the time, manner and other conditions under which any sum deposited in pursuance thereof may be dealt with by the Minister whilst so deposited with him and under which the same is to be repaid, withdrawn, or transferred.

(3) Every such contract shall provide either,—

(a) for the payment of such interest, if any, as may be agreed upon between the Minister and depositor to be paid upon any balance standing at the credit of the depositor in the treasury branch; or

(b) that in lieu of interest there shall be credited to the account of the depositor such amount as may be fixed from time to time by the Lieutenant Governor in Council on such portion or portions of his deposit used in the purchase of specified goods from merchants who have entered into contracts with the Minister pursuant to section 7 of this Act and which goods have been purchased by means of orders drawn by the depositor upon his deposit in favour of the merchant;

(c) that such charges may be made in connection with the operation of the account as may be agreed upon between the Minister and the depositor.

(4) Subject to the terms and provisions of any contract existing at the date of the passing of this Act or to any regulations made pursuant to this Act, the Minister either himself or by his duly authorized agents,—

(a) may invest any deposits received under the provisions of this Act in such securities as he may prescribe and may from time to time vary and transpose any investments so made;

(b) may use any of the moneys deposited in the branches of the treasury to make purchases of goods, wares or merchandise for resale.

7. The Minister may authorize any person or persons on his behalf to enter into a contract or other arrangement with a merchant with the object and for the purpose of implementing the contracts entered into with depositors.

8. The Minister is hereby authorized and empowered to authorize any person or persons on his behalf,—

- (a) to accept orders drawn by depositors in the treasury branches upon their accounts in payment of any taxes, license fees, debts or moneys due to the Province from any person or persons and to issue receipts therefor for the face value of the said orders;
- (b) to make deposits and maintain on deposit in any branch of the treasury in the name of the Provincial Treasurer the orders so received by the Minister;
- (c) to issue orders drawn upon the account of the Provincial Treasurer in any branch of the treasury in payment of any expenditures of the Province.

9. A certain Order in Council, dated the 29th day of August, 1938, and numbered O.C. 1069-38 and a certain Order in Council, dated the 18th day of October, 1938, and numbered O.C. 1296-38, copies of which are set out in the Schedule hereto are hereby confirmed, ratified and validated and the same shall be deemed to have the same force and effect as if they had been enacted as part of this Act and all deposits received and things done in pursuance of the said Orders in Council shall have the same force and effect as if the same had been received and done pursuant to the provisions of this Act.

10. All earnings and profits of the treasury branches arising in connection with the operation thereof shall be paid into and form part of the general revenue of the Province and all expenditures made and liabilities incurred pursuant to this Act shall be paid out of such sums as may be from time to time appropriated for that purpose by vote of the Legislative Assembly.

11. The Lieutenant Governor in Council may from time to time make rules and regulations as may be necessary not inconsistent with this Act, for the purpose of carrying out the provisions of the Act.

12. The Minister may from time to time prescribe such forms, not inconsistent with this Act as may be necessary for the purpose of carrying out the provisions of the Act.

13. The Provincial Auditor shall at least once a year and at such other times as he may deem necessary make an audit of the books, accounts and vouchers of the treasury branches and shall report the result of such audit or audits to the Minister.

14. In case there is any conflict between the provisions of this Act and the provisions of *The Treasury Department Act* or any other Act of the Province, the provisions of this Act shall prevail.

15. Notwithstanding the provisions of any other Act any city, town, village, municipal district, school district, school division, irrigation district, drainage district, hospital district or any Board or Commission created by any Act of the Legislature may receive orders upon a treasury branch in payment of taxes, fees, debts or other liability and may make deposits in any branches of the treasury and may enter into a contract with the Minister as a depositor under the provisions of this Act.

16. This Act shall come into force on the day upon which it is assented to.

THE SCHEDULE

O.C. 1069/38.

Approved and Ordered,

(Signed) J. C. BOWEN,
Lieutenant Governor.

Edmonton, Monday, August 29th, 1938.

The Executive Council has had under consideration the report of the Honourable the Provincial Treasurer, dated August 29th, 1938, stating that:

Whereas it is deemed to be essential and in the interest of the people of the Province that provision be made for the establishment of branches of the Provincial Treasury at various points in the Province to receive deposits of money repayable to the depositor in accordance with contracts to be entered into between the Treasury and the depositor;

Therefore, upon the recommendation of the Honourable the Provincial Treasurer, the Executive Council advises that the Provincial Treasurer be and he is hereby authorized and empowered,—

1. To establish and operate at such points in the Province as he may select, branches of the Treasury Department and to employ such persons as may be required to carry on the business of such branches.
2. To receive from the public deposits of money, bank cheques, legal tender, currency or coinage, subject to terms of repayment as hereinafter provided.
3. To receive deposits of orders drawn by depositors upon their said accounts.
4. To enter into contracts with such depositors governing the manner of repayment of the said deposits and in particular to enter into contracts with the said depositors providing,—

- (a) that such interest, if any, as may be agreed between the Provincial Treasurer and the depositor shall be paid upon any balance standing at the credit of the depositor; or
 - (b) that in lieu of interest there shall be credited to the account of the depositor an amount not exceeding three per centum (3%) upon such portion or portions of his deposit used in the purchase of goods from merchants who have entered into contracts with the Treasury Department, and which goods have been purchased by means of orders drawn by the depositor in favour of the merchant upon his said deposit;
 - (c) that such charges may be made in connection with the operation of the account as may be agreed upon between the Provincial Treasurer and the depositor to be necessary.
5. To enter into contracts or other arrangements with merchants with the object and for the purpose of implementing the contracts entered into with depositors.

The Executive Council further advises, upon the recommendation of the Honourable the Provincial Treasurer, that for the purposes of this Order, "merchant" shall mean and include any person, firm or corporation engaged in the business of the sale of any goods, wares or merchandise to the consumer.

The Executive Council further advises, upon the recommendation of the Honourable the Provincial Treasurer, that the authorization and powers given to the Provincial Treasurer as hereinbefore set out shall be subject to the condition that the liability of or financial commitment by the Province in any way arising out of the exercise by the Provincial Treasurer of the foregoing powers, and including the cost of administration, between the date hereof and the date of the commencement of the next session of the Legislature, be not in excess of the sum of Two Hundred Thousand Dollars (\$200,000.00).

(Signed) WILLIAM ABERHART,
Chairman.

O.C. 1296/38.

Approved and Ordered,

(Signed) J. C. BOWEN,
Lieutenant Governor.

Edmonton, Tuesday, October 18th, 1938.

The Executive Council has had under consideration the report of the Honourable the Acting Provincial Treasurer, dated October 14th, 1938, stating that:

Whereas by Order in Council dated the 29th of August, 1938, and numbered 1069/38 the Provincial Treasurer was authorized and empowered to establish and operate branches of the Treasury Department to receive deposits from the public and to enter into contracts with the depositors governing the manner of repayment of the said deposits as is more particularly set out in the said Order in Council numbered 1069/38; and

Whereas by section 19, subsection (1) of *The Treasury Department Act*, being chapter 12 of the Revised Statutes of Alberta, 1922, and amendments thereto, it is provided that,—

“Every revenue officer on receiving public money shall forthwith deposit the same in his name of office in such chartered bank or other institution in the Province as the Lieutenant Governor in Council may appoint”

and

Whereas by section 30 of the said *The Treasury Department Act*, as amended by chapter 4 of the Statutes of Alberta, 1937, it is provided:

“In the case of public moneys deposited in a chartered bank, all disbursements thereof shall be made by official cheque signed by or on behalf of the Provincial Treasurer and countersigned by or on behalf of the Auditor as hereinafter provided; and in the case of all public moneys deposited in any other institution, all disbursements thereof shall be made by such official instrument as may be prescribed by the Lieutenant Governor in Council, which instrument shall be signed by or on behalf of the Provincial Treasurer and countersigned by or on behalf of the Auditor, as is hereinafter provided in the case of a cheque on a chartered bank.”

and

Whereas it is deemed desirable and expedient that the Provincial Treasurer be authorized to accept transfer vouchers issued pursuant to the said Order in Council numbered 1069/38 for moneys owing to the Government, and to deposit the same in the said Branches of the Treasury Department;

Therefore, upon the recommendation of the Honourable the Acting Provincial Treasurer, the Executive Council advises that the Provincial Treasurer be and he is hereby authorized and empowered,—

1. To accept transfer vouchers issued under the provisions of Order in Council No. 1069/38 and the contracts entered into pursuant thereto in payment of taxes, license fees, debts, or any moneys due to the Province from any person or persons and to issue receipts therefor for the face value of the said transfer vouchers;

2. To open deposits and to maintain on deposit with any Branch of the Treasury the transfer vouchers so received by the Provincial Treasurer;
3. To issue transfer vouchers, orders, or withdrawals in the forms prescribed by the Provincial Treasurer under the said Order in Council No. 1069/38, the said forms to be signed by or on behalf of the Provincial Treasurer and countersigned by or on behalf of the Provincial Auditor.

(Signed) WILLIAM ABERHART,
Chairman.

SEVENTH SESSION
EIGHTH LEGISLATURE
2 GEORGE VI
1938
(SECOND SESSION)

BILL

An Act to Provide for the Establishment of Branches of the Provincial Treasury Department in the Province of Alberta.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LOW.

EDMONTON:
A. Shnitka, King's Printer
1938