

Bill No. 51 of 1941.

A BILL TO AMEND THE CO-OPERATIVE
ASSOCIATIONS ACT, 1937

NOTE.

This Bill amends *The Co-operative Associations Act, 1937*.

A new subsection (7) is added to section 5 which gives all associations certain ancillary and incidental powers unless they are expressly excluded in its memorandum of association.

The amendment to section 22 enables an association to acquire shares, stock or other securities of other co-operative associations in this Province or in Canada or in the United Kingdom, provided only that the association in which shares are taken has objects which are somewhat similar to those of the co-operative association acquiring such shares.

Section 23 has also been enlarged to enable an association formed under this Act to purchase on credit from any other co-operative having similar objects in Alberta, Canada, or the United Kingdom.

The amendment to section 24 requires that credit transactions be authorized by a resolution passed by a majority of not less than three-fourths of the members of the association as special resolutions according to section 31 have to be passed by such a majority.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 51 of 1941.

An Act to amend The Co-operative Associations Act, 1937.

(Assented to _____, 1941.)

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 Co-operative Associations Act, 1937, Amendment Act, 1941.*"

2. *The Co-operative Associations Act, 1937*, being chapter 66 of the Statutes of Alberta, 1937, is hereby amended as to section 5 thereof by adding thereto the following new subsection:

"(7) Each association shall have as ancillary and incidental to the object or objects set forth in the memorandum of association the following power, unless such power is expressly excluded by the memorandum, namely:

"To take or hold mortgages, hypothecs, liens and charges to secure payment of the price of any part of the property of the association of whatsoever kind sold by the association or any money due to the association from purchasers and others and to assign or otherwise dispose of the said mortgages, hypothecs, liens and charges."

3. The said Act is further amended as to section 22 by striking out subsection (3) of said section and by substituting therefor the following:

"(3) Subject to the written approval of the Supervisor, the Association may take or otherwise acquire and hold shares, stock, debentures or other securities of any other co-operative association in Alberta, or in any province in Canada other than Alberta, or in the United Kingdom of Great Britain and Northern Ireland, or the United States of America, or of any company, association, or society incorporated under any Special Act of the Legislature of Alberta or pursuant to the provisions of *The Companies Act* of the Dominion of Canada, having objects wholly or in part similar to those of co-operative associations."

4. The said Act is further amended as to section 23 by striking out the same and substituting therefor the following:

“**23.** Any association may purchase upon credit from any other co-operative association in Alberta, or in any province in Canada other than Alberta, or in the United Kingdom of Great Britain and Northern Ireland, or in the United States of America, or any company, association, or society incorporated under any Special Act of the Legislature of Alberta or pursuant to the provisions of *The Companies Act* of the Dominion of Canada, having objects wholly or in part similar to those of co-operative associations.”

5. The said Act is further amended as to section 24,—

- (a) by striking out the words “supplementary by-law”, where they appear in subsection (1) of said section, and by substituting therefor the words “special resolution”.
- (b) by striking out the word “by-law”, where the same occurs in subsections (1) and (2) of said section, and by substituting therefor the words “special resolution”.

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

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL
An Act to amend The Co-operative
Associations Act, 1937.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Sholtka, King's Printer
1941