

Bill No. 24 of 1943.

A BILL TO AMEND THE ALBERTA HAIL
INSURANCE ACT.

NOTE.

Section 1 of the Bill incorporates provisions authorizing the Hail Insurance Board to establish a superannuation fund by setting up a plan to be approved by the Lieutenant Governor in Council. Subsection (5) authorizes the Board to set aside, before the inception of the plan, a sum not in excess of eight per cent of the aggregate of salaries of officers and employees as the nucleus of the superannuation fund and also authorizes the Board to make an agreement with any officer as to a pension or retiring allowance.

Section 2 of the Bill enacts a new section 19*a* which provides for a new kind of policy to be issued under which the policyholders are limited to sharing in the premiums received on that particular class of policy less expenses, and authorizes the setting up of a special account into which shall be paid a sum to be fixed by the Board and all sums received as premiums on such class of policy.

By section 3 of the Bill, subsections (1) and (2) of section 20 of the Act are repealed and replaced by new subsections. The new subsections provide for partial or full payment of claims earlier than November first, the date formerly fixed. It is further provided that if the payments provided by subsection (1) are not made by November first, the Board shall on that date make a payment not exceeding fifty per cent on all claims and the balance *pro rata* if necessary on March first.

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. 24 of 1943.

An Act to amend The Alberta Hail Insurance Act.

(Assented to _____, 1943.)

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

1. *The Alberta Hail Insurance Act*, being chapter 203 of the Revised Statutes of Alberta, 1942, is hereby amended by inserting immediately after section 5 thereof the following new section:

“5a.—(1) The Board is hereby empowered to provide for annuities or other payments to officers and employees or dependants of officers and employees of the Board by way of pension, superannuation, retiring allowances, allowances on account of illness, death benefits or any other similar benefit, and in the event of so doing shall embody the provision so made in a Plan which, upon being approved by the Lieutenant Governor in Council, shall be operative according to its tenor.

“(2) The funds necessary to operate the Plan may be provided out of the moneys of the Board or in part out of the moneys of the Board and in part by contributions from officers and employees.

“(3) The Plan may be amended from time to time with the approval of the Lieutenant Governor in Council.

“(4) The interest of any officer or employee in any fund which may be created or set aside and in any annuity or other payment under the provisions of this section shall not be subject to garnishment or attachment or seizure or any legal process except in respect of failure to account for and pay moneys due to the Board and shall not be assignable.

“(5) Prior to the inception of any Plan hereunder the Board may, with the approval of the Minister,—

“(a) Set aside out of its funds in each or any fiscal year a sum not in excess of eight per cent of the aggregate of salaries paid to officers and employees during the fiscal year as a Superannuation Reserve Fund to be used for the purposes of any plan that may subsequently be established provided always that no officer or employee or dependant of any officer or employee shall have any claim on the said Reserve Fund prior to the approval and inception of a Plan as authorized by this section and provided further that if no Plan shall have been ap-

proved and become operative within ten years of the date of the coming into force of this amendment, all moneys then standing to the credit of the said Reserve Fund shall be credited to the General Reserve Account of the Board and be available for the ordinary purposes of the Board;

“(b) Pay or enter into an agreement to pay to any officer or employee who may retire or to the dependant of any officer or employee who may die while in the employment of the Board or after retirement such non-contributory pension or allowance as the Board in its discretion may deem proper.”

2. The said Act is further amended by inserting immediately after section 19 thereof the following new section:

“**19a.**—(1) Notwithstanding any other provisions of this Act the Board may and it is hereby empowered,—

“(a) to issue a kind of policy containing a clause or clauses,—

“(i) limiting the amount available for the payment of claims for damage to crops insured by such policies in any year to the amount standing to the credit of the Special Account hereinafter authorized after providing for such portion of the cost of operations of the Board for the year as the Board in its discretion may fix but not in any case to exceed twenty-five per cent of the premiums charged on such policies issued in the year;

“(ii) providing for distribution of such amount as may be available in the year on a *pro rata* basis in the event that such amount be insufficient to pay all claims for damage to crops insured by such policies in the year and that the amount paid on such distribution shall constitute and be final settlement of all such claims;

“(b) to fix the rates to be paid to the Board in respect of such kind of policy which rates may vary as the Board in its discretion may decide having regard to the prevailing risk of hail damage;

“(c) to insure crops in any year in terms of such kind of policy to the maximum amount per acre as fixed by the Board for the year notwithstanding that such crops may have been insured under another kind of policy issued by the Board and without prejudice to the right of any person having an insurable interest in the said crops to insure under another kind of policy issued by the Board under the provisions of this Act;

“(d) to set up a Special Account, the funds in which shall be used for the payments provided for in paragraph (a) of this subsection and into which shall be paid,—

“(i) such sum out of the General Reserve Account of the Board as the Board in its discretion may determine, which sum shall be paid within sixty days of the day upon which this amendment comes into force and not thereafter;

“(ii) all sums received in respect of the kind of policies authorized by this section.

“(2) All collections made after the twenty-eighth day of February in any year with respect to policies authorized by this section issued in prior years shall be credited to the Special Account but shall not be available for distribution on account of claims for losses in any prior year.

“(3) In the event that the Board shall decide to discontinue the issue of the kind of policy herein provided for, any amount at the time standing to the credit of the Special Account shall be credited to the General Reserve Account of the Board.”

3. The said Act is further amended as to section 20 by striking out subsections (1) and (2) thereof and substituting therefor the following:

“**20.**—(1) The Board may with respect to claims not exceeding thirty per cent make payment in full and with respect to claims in excess of thirty per cent of their respective risks make payment of fifty per cent of each claim before the first day of November and shall make payment of the remaining fifty per cent of each claim on the first day of March next following.

“(2) If payment of claims in any area is not made in accordance with subsection (1) the Board shall on the first day of November make a payment not exceeding fifty per cent of each claim in such area and shall on the first day of March next following make payment of the balance of each claim on a *pro rata* basis if necessary, having regard to the balance of the share of the Special Trust Account available for that area.”

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

No. 24.

THIRD SESSION
NINTH LEGISLATURE
7 GEORGE VI
1943

BILL

An Act to amend The Alberta Hail
Insurance Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LOW.

EDMONTON:
A. Shnitka, King's Printer
1943