

Bill No. 36 of 1944.

A BILL TO AMEND THE ALBERTA CO-OPERATIVE
RURAL CREDIT ACT.

NOTE.

This Bill amends *The Alberta Co-operative Rural Credit Act*, chapter 248, R.S.A., 1942.

Section 80 is amended by striking out subsection (2) and substituting a new subsection. The present subsection appears to require at least six and one-half per cent interest to be payable on loans, a portion of which goes to the Minister to be held by him as part of the sinking fund of the society. Loans are now being made at lower rates of interest than formerly, and the new subsection provides that the portion of interest payable to the Minister for the sinking fund shall be limited to one-half of one per cent, and the minimum rate of interest is no longer applicable.

Section 2 of the Bill enacts a new section 81, the principal effect of which is that when a lien is filed in the Registration Office and the Land Titles Office it continues as a security in favour of the society not only for the original loan but for any subsequent loans, without it being necessary to file a new lien when any loan is paid off and a new loan made. The experience of the beet sugar societies is that in most cases loans are paid off in the same year in which they are incurred so that under the section as it now stands it is necessary to file new liens each year. The amendment will result in a great saving of time and work not only to the beet sugar societies but also to the Registrar of Land Titles and the Clerk of the Registration District.

Section 3 of the Bill provides for the amendment of the Schedule made necessary by the amendment to section 81.

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. 36 of 1944.

An Act to amend The Alberta Co-operative Rural Credit Act.

(Assented to _____, 1944.)

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

1. *The Alberta Co-operative Rural Credit Act*, being chapter 248 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 80 by striking out subsection (2) thereof and by substituting therefor the following:

“(2) The difference between the interest which may be retained by the lender and the interest payable by the borrower shall be dealt with by the lender as follows; one-half of one per cent shall be paid to the Minister to be held by him as part of the sinking fund of the guaranteeing society, and the balance, if any, shall be paid to the society for its own use and benefit.”

2. The said Act is further amended as to section 81 by striking out the same and by substituting therefor the following:

“**81.**—(1) Upon any loan being made to a member of a sugar-beet co-operative credit society, the secretary-treasurer shall within twenty days after the making of the loan or within such further time as a judge of the District Court having jurisdiction in the judicial district in which the member resides may allow, cause a notice thereof in Form EE of the Schedule to be filed in the office of the Registration Clerk of the judicial district or sub-judicial district, and in the office of the Registrar of Land Titles for the Land Registration District in which is situated the land or some part of the land on which the borrower conducts his farming operations, and thereupon for the purpose of securing the repayment of the loan and of any subsequent loan or loans, the society shall have the security mentioned in paragraphs (a), (b) and (c) of section 64.

“(2) In case the requirements of subsection (1) have been complied with, it shall not be necessary to file any further notice as aforesaid in the case of any subsequent advances to the borrower, notwithstanding that the borrower may from time to time cease to be indebted to the society.”

3. The said Act is further amended as to the Schedule,—

- (a) by striking out the words and figures “(Sections 63, 64 and 81.)”, where the same occur in Form E, and by substituting therefor the words and figures “Sections 63 and 64)”;
- (b) by adding immediately after Form E the following new Form:

“FORM EE

“(Section 81)

“NOTICE OF LIEN.

“Take notice that..... of
..... in the Province of Alberta,
Farmer, who is presently carrying on or about to carry on
farming operations on the following lands, namely:

“Part Section Township Range West of 4th M.

.....
.....
.....
has become a member of the undersigned society and has
obtained a loan from the society, and that pursuant to the
provisions of *The Alberta Co-operative Rural Credit Act*,
the said society has the security provided by paragraphs
(a), (b) and (c) of section 64 of the said Act for repayment
of all sums now owing or hereafter to become owing by him
to the said society on said loan or any subsequent loan,
together with any expenses whatsoever incurred by the
society in any proceedings for enforcing payment thereof.

“DATED at . in the Province of
Alberta this day of A.D., 194

“.....
Name of Society.

“.....
Name of the Secretary-Treasurer.”

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

No. 36.

FOURTH SESSION
NINTH LEGISLATURE
8 GEORGE VI
1944

BILL

An Act to amend The Alberta Co-
operative Rural Credit Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LOW.

EDMONTON:
A Shnitka, King's Printer
1944