

ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1949

J. E. GIBBEN, K. C.,
COMMISSIONER



Printed and Published for the Government of the Yukon Territory Under
Authority of Chapter 75 of the Consolidated Ordinances of 1914

by
Walter A. Wardrop, King's Printer.

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CHAPTER 1

AN ORDINANCE TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF A TAX ON GASOLINE AND DIESEL OIL

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. This Ordinance may be cited as the "Gasoline and Diesel Oil Tax Ordinance." Short title

2. In this Ordinance:

Interpretation.

"Gasoline" means the liquid derived from petroleum or natural gas lighter than .8236 specific gravity (40.3 A. P. I.) at sixty degrees Fahrenheit commonly known or sold as gasoline.

"Diesel Oil" means the liquid derived from petroleum or natural gas of .8236 specific gravity (40.3 A. P. I.) or heavier at sixty degrees Fahrenheit commonly known or sold as diesel or twenty seven plus oil.

"Importer" means any person who brings gasoline or diesel oil into the Territory whether for his own use or for sale to or for the use of any other person and includes a motor carrier or private motorist bringing into the Territory a greater quantity than fifty gallons of gasoline or diesel oil in any barrels, auxiliary tanks or other receptacles, for his own use in his own motor vehicle.

2 GASOLINE AND DIESEL OIL TAX ORDINANCE

“Purchaser” means any person who within the Territory purchases gasoline or diesel oil when sold after its importation into the Territory.

“Vendor” means any person, including an importer, who within the Territory sells gasoline or diesel oil after its importation into the Territory.

Tax paid by importer

3. Every importer shall pay to the Territory a tax equal to six cents per Imperial gallon of all gasoline and diesel oil used or sold by him, which tax shall be levied and collected in the manner provided by this Ordinance.

Tax remitted monthly

4. Every importer shall on or before the fifteenth day of the month next following that in which the sale or use of any gasoline or diesel oil takes place pay over to the Territorial Treasurer the full amount of the tax thereon.

Importer's return

5. Every importer shall with each monthly payment furnish to the Territorial Treasurer a return showing all imports of gasoline and diesel oil made by him during the preceding month which return shall be in such form as the Territorial Treasurer may from time to time prescribe for such purpose.

Particulars to be shown by vendors

6. Every vendor shall in every account or invoice furnished by him with respect to any sale of gasoline or diesel oil made by him state the date of sale, the number of gallons of gasoline or diesel oil sold, the price per gallon, the rate of tax per gallon and the total tax.

Tax to be paid by users

7. Every person other than an importer who keeps or has in his possession or under his control for use or consumption by himself, his family, agent or employee, or in any business or occupation in which he is interested or employed, any gasoline or diesel oil respecting which no tax has been paid under this Ordinance, or any part thereof, shall pay to the Territory a tax equal to six cents per Imperial gallon of the gasoline or diesel oil.

(2) No person shall use or consume any gasoline or

diesel oil unless a tax has been paid in respect thereof under this Ordinance.

(3) Every person who uses or consumes any gasoline or diesel oil in violation of the provisions of this section shall be guilty of an offence against this Ordinance.

(4) In any prosecution for failure to pay the tax imposed by this section, the burden of proving that a tax has been paid in respect of the gasoline or diesel oil used or consumed shall be upon the defendant.

8. The Territorial Treasurer, every agent authorized by him in writing for that purpose, and every member of the Royal Canadian Mounted Police, may without warrant enter upon any premises on which he has cause to believe that any gasoline or diesel oil is kept or had in possession, and may inspect the premises and all gasoline or diesel oil found thereon, and may interrogate any person who is found on the premises or who owns, occupies or has charge of the premises. Inspection of premises

(2) Every person interrogated under this section who refuses to answer any question put to him respecting the gasoline or diesel oil kept or had on the premises, or who fails to produce for inspection any book, record or document, or any barrel, tank or receptacle in his possession or under his control which he is required to produce for the purpose of inspection, shall be guilty of an offence against this Ordinance.

9. Every importer who in violation of section 4 fails to pay over any tax imposed by this Ordinance, or who in violation of section 5 fails to furnish any return required under that section, and every vendor who violates any provision of section 6, shall be guilty of an offence against this Ordinance. Offence

10. Every person guilty of an offence against this Ordinance shall be liable on summary conviction, to a fine not Penalty

4 GASOLINE AND DIESEL OIL TAX ORDINANCE

exceeding five-hundred dollars, and in default of payment to imprisonment for a term not exceeding three months, and each day's continuance of the act or default out of which the offence arises, shall constitute a separate offence; but nothing contained in this section nor the enforcement of any penalty thereunder shall suspend or affect any remedy for the recovery of any tax or amount payable under this Ordinance.

Refund of
tax in cer-
tain cases

11. Where any gasoline or diesel oil in respect of which a tax imposed by this Ordinance has been paid is used by any person for any of the following purposes:

- (a) For the operation of stationary engines, fixed to a solid, non-movable foundation;
- (b) For the operation of portable engines used exclusively for the operation of dredging, drilling and dragline in mining operations;
- (c) For the operation of any tractor;
- (d) For the operation of railway cars and other motor vehicles running only upon rails;

and when the person by whom the gasoline or diesel oil is so used produces to the Territorial Treasurer within six months after the date on which the gasoline or diesel oil was purchased from the vendor or imported by the user, satisfactory proof, in the manner prescribed by the Territorial Treasurer, of the payment of the tax, and of the use or consumption of the gasoline or diesel oil, the Territorial Treasurer shall refund an amount equal to six cents per Imperial gallon of the quantity of gasoline or diesel oil so used.

Exempt
from tax

12. Gasoline and diesel oil used in:

- (a) Any equipment owned by any Department of the Government of Canada, of the Government of the

Yukon Territory or of the Government of the United States of America;

(b) any aeroplane;

shall not be subject to the tax imposed by this Ordinance.

13. This Ordinance shall come into effect on the first day of May, 1949, and all gasoline and diesel oil imported beginning with that day shall be subject to the tax imposed by this Ordinance. Effective date

14. "The Gasoline Tax Ordinance", being Chapter 6 of the Ordinances of the Yukon Territory, 1940, is hereby repealed; provided, however, that every vendor shall continue to levy and to collect and to transmit the tax imposed under the provisions of that Ordinance and to make the return required by the provisions of that Ordinance in respect of all gasoline sold by him which was imported on or before the thirtieth day of April, 1949. Repeal

CHAPTER 2

AN ORDINANCE TO PROVIDE FOR OLD AGE AND BLIND PENSIONS

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- Short title
1. This Ordinance may be cited as the "Old Age and Blind Pensions Ordinance,"
- Scheme of pensions
2. The Commissioner of the Yukon Territory may:
- (a) enter into an agreement with the Minister of National Health and Welfare as to a general scheme of pensions in the Yukon Territory, pursuant to the provisions of "The Old Age Pensions Act," being Chapter 156 of the Revised Statutes of Canada, 1927, as amended, herein called the Dominion Act, and for the quarterly payment by Canada of the total of the amounts Canada is authorized, under sections 8 and 8A of the Dominion Act, to contribute in respect of pensions paid during the preceding quarter by the Government of the Yukon Territory pursuant to this Ordinance, to the persons and under the conditions specified in the Dominion Act and the regulations thereunder;
- (b) by order, authorize and provide for the payment of pensions under the conditions specified in this Ordinance and the regulations hereunder and in the Dominion Act and the regulations thereunder.
- Old Age Pensions Board
3. This Ordinance shall be administered by a Board to be known as the "Old Age Pensions Board."

(2) The Board shall consist of two members who shall be appointed by the Commissioner in Council, and the Territorial Treasurer.

(3) The Commissioner shall designate the chairman of the Board.

(4) In the absence of the chairman or in the case of his inability to act, any other member may act as chairman.

(5) Where a member appears to have acted for or instead of the chairman, it shall be conclusively presumed that he so acted for one of the reasons mentioned in the preceding subsection.

(6) In the case of illness or absence from the Territory of a member or of his inability to act from any cause, the Commissioner may appoint some person to act pro tempore in his stead and the person so appointed shall have all the powers and perform all the duties of a member. This subsection shall apply in the case of the chairman as well as in the case of any other member.

(7) Two members shall constitute a quorum of the Board.

4. It shall be the duty of the Board:

Duty of Board

- (a) to receive applications for pensions; and
- (b) to determine the eligibility of each applicant for pension and, where the applicant is eligible, to determine the amount thereof and direct payment accordingly.

5. Without the consent of the Commissioner no action shall be brought against the Board or any of its members or officers, clerks or servants for anything done or omitted in the exercise or purported exercise of any duty or power under this Ordinance.

No action vs members

8 OLD AGE AND BLIND PENSIONS ORDINANCE

Pensioner
not disqual-
ified as voter

6. The receipt of a pension under the provisions of this Ordinance shall not by itself disqualify any person from voting at any Territorial or municipal election.

Pension
exempt

7. Every pension granted under the provisions of this Ordinance shall be exempt from Territorial and municipal taxes and shall not be subject to garnishment or attachment or seizure or any legal process and shall not be assignable.

Sum of pen-
sion pay-
ment may
be recovered
from estate

8. The Board is hereby authorized to recover out of the estate of any deceased pensioner, as a debt due by the pensioner, the sum of the pension payments made to such pensioner from time to time.

(2) No claim shall be made by the Board for the recovery of such debt directly or indirectly out of any part of the pensioner's estate that passes by will or on any intestacy to any other pensioner, or to any person who, since the grant of such pension or for the last three years during which such pension has continued to be paid, has contributed regularly to the support of the pensioner by the payment of money or otherwise to an extent which, having regard to the means of the person so having contributed, is considered by the Board to be reasonable.

(3) Notwithstanding any other provisions of this Ordinance, any sum of money improperly paid by way of pension to or on behalf of a pensioner, whether as a result of non-disclosure of fact, innocent misrepresentations, false representations or any other cause, shall be a debt due the Government of the Yukon Territory and may be recovered at any time with interest at the rate of five per centum per annum.

Appropriations

9. In the absence of any special appropriation of the Council of the Yukon Territory available for the purposes of this Ordinance, all moneys necessary to meet the pensions payable under the provisions of this Ordinance and the salaries and expenses necessarily incurred in the administration of this Ordinance shall be paid out of the General Revenue Fund of the Yukon Territory.

10. All accounts incurred in the administration of this Ordinance shall be made up quarterly, and in every case the Board shall prepare a balance sheet and statement of account and submit the same to the Commissioner for his certification. Accounts

(2) Copies of such balance sheets and statements of accounts shall be forthwith laid before the Council of the Yukon Territory if it is then in session, and if not then in session shall be laid before the Council within fifteen days after the opening of the next session.

11. The Board may make such regulations, not inconsistent with the provisions of this Ordinance with regard to the scheme of pensions herein provided for as may be considered necessary for the proper administration of this Ordinance and for regulating expenditures to be made thereunder. Regulations

(2) No regulation by reference to which any agreement under this Ordinance has been made shall be altered, nor shall any change be made in any scheme for the administration of pensions without the consent of the Governor in Council.

12. "The Old Age Pension Ordinance," being Chapter 11 of the Ordinances of the Yukon Territory, 1948, is hereby repealed. Repeal

CHAPTER 3

AN ORDINANCE TO AMEND "AN ORDINANCE
RESPECTING THE COUNCIL OF THE
YUKON TERRITORY"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. "An Ordinance Respecting the Council of the Yukon Territory," being Chapter 23 of the Consolidated Ordinances of the Yukon Territory, 1914, with amendments thereto, is hereby amended by striking out sections 7 and 8 of the said Ordinance and substituting the following therefor:

Members
indemnity

"7 There shall be paid to each member of the Yukon Council

- (a) one thousand dollars in respect of each session of the Council at which that member is in attendance: and
- (b) the actual travelling expenses incurred by that member in travelling from his place of residence to the place where the Council holds its session and returning therefrom, but no such payment shall be made in respect of more than one return trip for each session of the Council; and
- (c) an allowance for living expenses, not exceeding ten dollars for each day in which the Council is in session, but the amount that is paid to any member of the Council pursuant to this paragraph shall not exceed two hundred dollars in respect of any one session.

COUNCIL OF THE YUKON TERRITORY ORDINANCE 11

Provided, however, that a deduction at the rate of ten dollars per day shall be made from such sum so payable to any member for every day of each session of the Council and for every meeting of any committee of such Council of which notice has been given and on which such member does not attend. Proviso

8. Such indemnity may be paid from time to time as any member of the Yukon Council becomes entitled to the same. When paid

2. This Ordinance shall be deemed to have come into force on the first day of April, 1948. Retroactive effect

CHAPTER 4

AN ORDINANCE TO AMEND
"THE GOVERNMENT LIQUOR ORDINANCE"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. "The Government Liquor Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1921, (Second Session), with amendments thereto is hereby amended by striking out Section 7 thereof and substituting the following:

Sale to
purchaser
personally

"7. The vendor may sell to any person such liquor as that person is entitled to purchase under the then existing regulations but delivery of such liquor shall not be made until the purchaser has given to the vendor an order in writing dated and signed by the purchaser stating the nature and quantity of the liquor ordered and has paid for the liquor delivered in cash.

Sale pro-
hibited in
certain
cases

(2) No liquor shall be sold nor shall any liquor be delivered to:

- (a) a person under the age of twenty one years;
- (b) any person under the influence of liquor;
- (c) an Indian;
- (d) any interdicted person.

Sale to
purchaser on
written
order

(3) A vendor may accept from a person who is resident outside the territorial boundaries of Dawson, Whitehorse and Mayo as presently constituted, a written order for the purchase of such liquor as such person is entitled to

purchase under the then existing regulations without requiring the personal appearance of such person; provided that such order is accompanied by evidence establishing the identity of such person to the satisfaction of the vendor and payment in the form of cash, certified cheque, money order or postal note of such amount as will cover the cost of the liquor ordered together with the express or postal delivery charges of the shipment and the vendor may make delivery of such liquor, at the sole risk of the purchaser, to the person presenting the order or in a prepaid package consigned to the purchaser at the address set out in his order to the nearest postal or express office."

2. The said Ordinance is amended further by striking out sections 8A, 8B, 8C, 8D, 8E, 8F and 8G thereof.

3. The said Ordinance is amended further by striking out Sections 19A thereof and substituting the following:

"19A. Notwithstanding anything to the contrary contained in this Ordinance, or the regulations, a vendor upon application therefor by an individual in charge of the organization of a banquet or any recognized society, association, club or other duly constituted organization, whether incorporated or not, may issue a special permit to such individual or organization authorizing the sale of sufficient liquor to satisfy the requirements of the said banquet.

**Proviso
Banquet
permitt**

(2) The issue of the special permit shall be subject to the following requirements and limitations:

- (a) the filing of an application with the vendor in such form as may be prescribed by the Commissioner on or before the date of issue of the said special permit;
- (b) the payment of a fee of two dollars for the special permit;
- (c) No permits to be issued for banquets to be held on

Sundays or days when the liquor stores are required to be closed by law;

- (d) the granting of such permit to be in the discretion of the vendor subject to appeal to the Superintendent of Liquor Control.”

CHAPTER 5

AN ORDINANCE TO AMEND
"THE SALE OF BEER ORDINANCE"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, hereby enacts as follows:

1. Section 22 of "The Sale of Beer Ordinance," being Chapter 2 of the Ordinances of the Yukon Territory, 1925, with amendments thereto, is amended by adding thereto the following:

"(2) No sale or other disposal of beer shall take place in any licensed premises on Good Friday or on Christmas Day." ^{Prohibited days}

CHAPTER 6

AN ORDINANCE TO AMEND
"THE HOSPITALS ORDINANCE"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. "The Hospitals Ordinance," being Chapter 43 of the Consolidated Ordinances of the Yukon Territory, 1914, and amendments thereto is amended by striking out Subsection 1 of Section 2 of the said Ordinance and substituting the following therefor:

"Free patient"

"1. The expression "free patient" means every person admitted to a hospital for actual treatment and stay on the direction of the Territorial Treasurer or a Territorial Agent and the cost of whose treatment and stay is undertaken by the Government of the Yukon Territory."

2. The said Ordinance is further amended by adding at the end of Subsection 2 of Section 4 thereof the following:

Proviso

"Provided, however, that such aid shall not be granted in respect of any partially free patient until there has been filed with the Territorial Treasurer in respect of such patient a certificate of the attending physician that each day of such treatment and stay was necessary and an application on behalf of the hospital for such aid with evidence which satisfies the Territorial Treasurer that the hospital has made every reasonable effort to collect from such patient the full cost in money's worth of his treatment and stay and stating the reasons why such full cost could not be collected and the amount which was so collected."

CHAPTER 7

AN ORDINANCE TO AMEND
"AN ORDINANCE RESPECTING THE OFFICE
OF PUBLIC ADMINISTRATOR"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. Sections 3 and 4 of "An Ordinance respecting the Office of Public Administrator," being Chapter 74 of the Consolidated Ordinances of the Yukon Territory, 1914, are hereby repealed and the sections following substituted therefor:

"3. When any person dies leaving property within the Yukon Territory, whether testate or intestate, and his lands, personal estate and effects within the Yukon Territory, have not been taken possession of by his executors or next of kin, the Public Administrator is hereby empowered, and it shall be his duty when the facts are brought to his notice, forthwith to take possession of the said lands, personal estate and effects and the same to safely keep, preserve and protect and pending the granting of letters probate to an executor or the issue of letters of administration by the proper court in that behalf, the Public Administrator shall be the administrator or the administrator with the will annexed, as the case may require, of the estate and shall have without grant of letters of administration in respect to such estate all the rights, powers, privileges and authority and shall perform all the duties incumbent upon and shall be subject to all the liabilities of an administrator or executor acting under the authority of letters of administration or letters probate.

Public Administrator to administer until some other person appointed

Public Ad-
 ministrator
 and R. C. M.
 P. to be
 notified of
 death

"4. Any person or persons in whose charge or care or upon whose premises any person dies shall forthwith communicate to the Public Administrator or the officer or constable commanding the post of the Royal Canadian Mounted Police nearest the place where such death occurred, all of the facts within his or their knowledge, information or belief pertaining to:

- a) the death
- b) the name and age and nationality of the deceased
- c) the place of residence and the domicile of the deceased
- d) whether or not the deceased left a will and, if so, where the same may be found
- e) the names and addresses of the executors, if any, and of the next of kin of the deceased
- f) what person or persons are in charge of the lands, personal estate and effects of the deceased.

Custody of
 effects

(2) If there be no executor or next of kin competent and willing to take charge of the lands, personal estate and effects of the deceased, the person or persons having custody of the moneys, goods, chattels, books, documents, papers and effects belonging to the estate of the deceased forthwith shall deliver the same to the Public Administrator or such officer or constable and shall also advise the Public Administrator or such officer or constable of all facts within his or their knowledge, information or belief touching the property both real and personal and the liabilities of the deceased.

Penalty

(3) Any person neglecting to comply with the provisions of this section shall be liable upon summary conviction before a justice of the peace to a fine not exceeding five hundred dollars and not less than fifty dollars with costs."

2. The said Ordinance is further amended by inserting the section following immediately after Section 5 thereof:

“5A. In the absence of any application for probate of a will or for letters of administration within thirty days after the death of any person leaving property within the Yukon Territory, the Public Administrator is hereby empowered and it shall be his duty, when the facts are brought to his notice, to enter upon the administration of the estate of the said deceased, whether or not he has been requested to do so by some person interested in the estate.”

After 30
days Public
Administra-
tor must
act

CHAPTER 8

AN ORDINANCE TO AMEND
"THE MOTOR CARRIER ORDINANCE"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. "The Motor Carrier Ordinance," being Chapter 8, of the Ordinances of the Yukon Territory, 1947, is amended by adding to Subsection 2 of Section 33 thereof, the following:

"(j) The Commission as constituted by the foregoing provisions of this section from time to time may appoint in writing such further and other persons to be members of the Commission as it may deem to be necessary to carry out the provisions of this Ordinance."

2. The said Ordinance is further amended by striking out the word "Every" where the same occurs in the first line of Section 52 thereof and substituting therefor the words "Subject to the provisions of Subsection 2 hereof, every," and by adding to the said section the following:

"(2) The Commission in its discretion may dispense with the publication in the Gazette of any regulations of general application and by order may provide at what date any regulations, not so published shall come into operation.

CHAPTER 9

AN ORDINANCE TO AMEND
"THE MOTOR VEHICLE ORDINANCE"

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. "The Motor Vehicle Ordinance," being Chapter 2 of the Ordinances of the Yukon Territory, 1947, is amended by adding to Section 2 thereof the following:

"(g) "Commission" means the Highway Commission constituted under the provisions of "The Motor Carrier Ordinance," being Chapter 8 of the Ordinances of the Yukon Territory, 1947."

2. The said Ordinance is further amended by striking out the words "or village" wherever the same occur in Subsection 2 of Section 34 and substituting therefor the words "village or area designated by the Commission as a speed limit zone."

3. The said Ordinance is further amended by adding to section 34 thereof the following:

"(4) The authority having jurisdiction over an area designated as a speed limit zone under subsection 2 hereof shall erect and maintain signs at such places as are necessary to indicate to drivers of motor vehicles the area or areas which come within the said subsection 2, and it shall be sufficient compliance with this subsection if there are erected:

Signs at
speed limit
zone

(a) at a distance of five hundred feet before the beginning of the area a sign bearing the words "Designated Area Ahead - Speed Limit 25 Miles per Hour", and

- b) at the beginning of the area a sign bearing the words "Designated Area - Speed Limit 25 Miles per Hour", and
- (c) at the end of the area a sign bearing the words "End of Designated Area."

Speed limit
in school
vicinity

(5) Notwithstanding anything contained in the preceding subsections hereof any person driving a motor vehicle upon a highway at a greater rate of speed than fifteen miles per hour when passing an institution for the care or maintenance of children or other institution used for a similar purpose or the grounds thereof indicated by road signs, or when passing a school building, or the grounds thereof indicated by road signs, contiguous to the highway during recess or while children are going to or leaving the school during the opening or closing hours, or while the playgrounds of the school are in use by school children, shall be deemed to be driving the motor vehicle at an unreasonable rate of speed."

CHAPTER 10

AN ORDINANCE TO AMEND THE YUKON
GAME ORDINANCE*(Assented to April 8, 1949.)*

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The Yukon Game Ordinance, being Chapter 3 of the Ordinances of the Yukon Territory, 1947, is amended by adding thereto the following section: Section 81:

Section 81: (1) No person residing in, travelling through or within any Territorial Game Sanctuary, except a salaried or appointed Game Guardian or others for which provision is hereinafter made, shall have in his possession or carry any rifle, shotgun, airgun or other gun, firearm or any device for trapping, capturing or destroying game, unless the same shall have been sealed by a Game Guardian or other officer authorized to do so by the Commissioner and such seal shall not be broken within a Territorial Game Sanctuary except under extreme necessity for the protection of life and property. It shall be the responsibility of any person unsealing a firearm within a Territorial Game Sanctuary to report such action as soon as possible to the nearest Game Guardian giving a full statement of why such action was necessary and, in cases where in the opinion of the Game Guardian any doubt exists, proof of such necessary action may be required.

Carrying
firearms in
game sanc-
tuary
prohibited

(2) Every Chief Guide or Guide employed by any party travelling through or within any Territorial Game Sanctuary shall be held responsible for seeing that all firearms in the party are sealed and that such seals are kept unbroken within the limits of such Sanctuary.

Guide
responsible

Seizure of
firearms

(3) Any unsealed rifle, shotgun, airgun, or other gun or firearm, found within any Territorial Game Sanctuary, except as herein provided, may be seized by a Game Guardian or other officer appointed by the Commissioner, for delivery to a Justice of the Peace, who may order such firearms to be held pending the payment of any penalty for the offence committed.

Permits to
scientists

(4) The Commissioner may issue permits for the carrying of unsealed firearms within a Territorial Game Sanctuary to qualified persons requiring specimens for scientific purposes.

Penalty

(5) Any person violating the provisions of this Section shall upon summary conviction be liable to a penalty as set forth under Section 70, sub-section (2) paragraph (b).

2. The said Ordinance is further amended by striking out the definition of "Resident" in section 2 thereof and substituting therefor the following:

"Resident"

"Resident" means any Canadian citizen who has resided continuously in the Yukon Territory for not less than one year immediately prior to the date of his application for a license under this Ordinance, or any member of His Majesty's Armed Forces or any member of the Royal Canadian Mounted Police who has resided continuously in the Yukon Territory for not less than thirty days immediately prior to the date of his application for a license under this Ordinance."

3. The said Ordinance is further amended by striking out the words "for at least three years, or to any person who has acted as a licensed Assistant Guide over a period of" where the same occur in paragraph (a) of subsection

(2) of section 10 and substituting therefor the words "or to any person who has acted as a licensed Assistant Guide for a period of at least".

4. The said Ordinance is further amended by striking out the words "or Police Officer" where the same occur in the eighth and ninth lines of subsection (2) of section 13 and substituting therefor the words "Police Officer or game guardian."

CHAPTER 11

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY.

(Assented to April 8, 1949.)

WHEREAS it appears by message from John Edward Gibben, Esquire, Commissioner of the Yukon Territory, and in the Supplementary Estimates accompanying same, that the sums hereinafter mentioned in Schedule "A" are required to defray certain further expenses of the Public Service of the Yukon Territory and for the purposes relating thereto, for the year ending March 31, 1949:

THE COMMISSIONER of the Yukon Territory by and with the advice and consent of the Council of said Territory, therefore enacts as follows:

1. FROM and out of the sums at the disposal of the Yukon Council there shall be paid and applied a further sum not exceeding in the whole—NINE HUNDRED AND THIRTY NINE THOUSAND, ONE HUNDRED SIXTY-EIGHT DOLLARS AND EIGHTY CENTS for defraying the several charges and expenses of the Public Service of the Yukon Territory for the year ending March 31, 1949, as set forth in Schedule "A" of this Ordinance.

2. THE DUE APPLICATION of all monies expended shall be duly accounted for.

SCHEDULE "A"

Further Sums granted to the Commissioner by this Ordinance for the twelve months ending 31st. March, 1949, and the purposes for which they are granted:

Territorial Offices:

Travelling expenses	500.00	
Assayer's Office	200.00	700.00

Schools:			
Whitehorse	2,400.00		
Mayo	700.00		
School Furniture	1,572.14		4,672 14
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Hospitals, Charities and Public Works:			
St. Mary's Hospital	11,500.00		
Whitehorse General Hospital	12,000.00		
Maintenance of white & half-breed children in St. Paul's Hostel	2,800.00		26,300.00
<hr/>			
Town of Whitehorse			4,000.00
Town of Mayo			600.00
Appraisal and Valuation of Territorial Property			715.96
Roads, Bridges and Public Works:			
New equipment	3,454.72		
Maintenance of Equipment	45,000.00		
Gasoline & Oil	2,000.00		
Maintenance of Roads	24,631.28		
Dawson	16,500.00		
Carmacks	3,600.00		
Meals (to be distributed)	4,531.28		
Dawson Garage	2,864.70		77,960.70
Purchase of Lowman Property			3,220.00
Government Liquor Ordinance			
Purchase of Stock			
Merchandise	420,000.00		
Fr'ht. & Marine Insur'ce	145,000.00		
Customs, Excise Duty	160,000.00	725,000.00	
Selling Expense	64,000.00		
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Building Account	32,000.00	96,000.00	821,000.00
<hr/>			
			\$939,168.80
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CHAPTER 12

AN ORDINANCE TO AMEND "THE YUKON TERRITORIAL PUBLIC SERVICE ORDINANCE."

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. "The Yukon Territorial Public Service Ordinance", being Chapter 76 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding the following section immediately after section 44 thereof:

Employee
may not
acquire
interest in
Dominion
Lands

45. (1) No officer, clerk or servant appointed under the provisions of this Ordinance shall directly or indirectly, in his own name or in that of any other person, purchase or acquire any Dominion lands or any interest therein; provided that he may be interested as a shareholder in any corporation or company purchasing or acquiring such lands or any interest therein but he may not serve or act as a director, manager, adviser or other officer of such company.

Employee
may not
have inter-
est in
contact
with
Territorial
Government

(2) No officer, clerk or servant appointed under the provisions of this Ordinance, or any person on his behalf, or any person in partnership with him, shall enter into or obtain any interest directly or indirectly in any contract entered into by or with the Government of the Yukon Territory; provided that he may be interested as a shareholder in any corporation or company entering into any such contract but he may not serve or act as a director, manager, advisor or other officer of such company.

Order for
dismissal

(3) Any such officer, clerk or servant violating the provisions of this section shall be liable to summary dis-

THE YUKON TERRITORIAL PUBLIC SERVICE ORDINANCE 29

missal on the order of the Commissioner, but his dismissal shall not effect the right which any person may have to bring against him any civil or criminal action.

Holiday
leave

2. The said Ordinance is further amended by inserting immediately after section 38 thereof the following:

38A. (1) The Commissioner shall grant to each employee a leave of absence for recreation with full salary for a period not to exceed one and one half days for each month of continuous service by such employee; provided, however, that such leave shall be granted only after the employee has completed twelve continuous months of service and at such times as the Commissioner determines.

(2) Such days of leave of absence for recreation shall be exclusive of Sundays and holidays.

(3) Such days of leave of absence for recreation may be accumulated but in no case shall the period of such leave exceed fifty-four days.

38B. (1) In case of illness or pressing necessity, the Commissioner may grant to any employee who has been in the public service of the Yukon Territory for a continuous period of twelve or more months a period or periods of special leave with full salary which shall not exceed thirty days for every period of twelve months, exclusive of the first twelve months, of continuous service by such employee.

Sick leave

(2) Such days of special leave may be accumulated but in no case shall such accumulation of days of special leave exceed twelve months.

CHAPTER 13

AN ORDINANCE TO FACILITATE THE INCORPORATION OF SOCIETIES FOR PROVIDENT AND OTHER USEFUL PURPOSES, AND TO PROVIDE FOR THEIR REGULATION

(Assented to April 8, 1949.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, hereby enacts as follows:

SHORT TITLE

Short title

1. This Ordinance may be cited as the "Societies Ordinance."

INTERPRETATION

Interpretation

2. In this Ordinance, unless the context otherwise requires:—

"By-laws" means the by-laws prescribing regulations for a society:

"Commissioner" means the Commissioner of the Yukon Territory.

"Constitution" means the constitution established for a society under the provisions of this Ordinance; and in applying the word to a society subject to the Ordinance repealed by this Ordinance it means the declaration for incorporation of that society, or other similar document:

"Declaration" means the declaration for incorporation of a society incorporated under the Ordinance repealed by this Ordinance, and includes the declaration for incorporation and any other similar document of a society or association to which section 57 applies:

“Director” includes trustee, officer, member of an executive committee, and any person occupying such position by whatever name called:

“Document” includes notice, order, summons, and other legal process and registers:

“Extraordinary resolution” means a resolution passed by a majority of such members entitled to vote as are present in person or by proxy (where proxies are allowed) at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given, such majority being either three-fourths or two-thirds, according as the by-laws provide, and in the absence of such provision a majority of three-fourths:

“Registrar” means the Registrar of Joint Stock Companies or other duly authorized person performing his duties:

“Society” means a society incorporated under this Ordinance, and includes a society to which section 57 applies:

“Subscription” includes fee, due, assessment, or other like sum payable by a member under the by-laws of a society.

INCORPORATION

3. A society may be incorporated under this Ordinance to promote any object of a national, patriotic, religious, philanthropic, charitable, provident, scientific, artistic, educational, social, professional, agricultural or athletic character or any useful object, but not for the purpose of carrying on any trade, industry or business.

Objects of society

4. No society shall have power to grant or confer any degree or diploma of literary, technical, or scientific standing.

No power to grant degrees

No personal liability

5. No member of a society shall, in his individual capacity, be liable for any debt or liability of the society.

No share capital or dividends

6. No society shall have a capital divided into shares or declare any dividend or distribute its property among the members during the existence of the society, and the interest of a member in a society shall not be transferable.

Application for certificate

7. (1) Any five or more persons proposing to incorporate a society shall make and subscribe, in duplicate, according to the form in Schedule A, the constitution and by-laws of the society, and shall transmit the same with the proper fees to the Registrar, together with a list of the persons appointed by the subscribers to act as the first directors of the society, stating their full names, addresses, and occupations and the period for which they will so act; a notice setting forth the address of the society; and, if the Registrar requires it, the consent of an existing society to the incorporation.

Registrar to issue certificate of incorporation

(2) If the objects of the society do not appear to the Registrar to be within the scope of this Ordinance or to be sufficiently set forth, he may require that the objects be altered accordingly, but if the constitution and by-laws appear to the Registrar to comply with this Ordinance, he shall issue under his seal of office a certificate showing that the society is incorporated and stating the locality in which its operations will be chiefly carried on: Provided that incorporation may after investigation be refused by the Registrar, but an appeal may be taken from his refusal to the Commissioner in Council; and that, in the case of a society whose objects include that of operating a social club, the Registrar shall not issue a certificate unless the written consent of the Commissioner to incorporation is filed with the Registrar.

May be refused

Appeal from refusal

Social club

Copy of constitution and by-laws registered

(3) Upon incorporation the Registrar shall retain and register one copy of the constitution and by-laws and return the other copy to the applicants, certified as having been registered by him, and shall forthwith at the cost of the

applicants publish the certificate with a statement of the objects of the society in one issue of the Yukon Gazette. Certificate published

(4) A certificate of incorporation given by the Registrar in respect of a society shall be conclusive evidence that the requirements of this Ordinance in respect of incorporation have been complied with, and that the society is duly incorporated according to the provisions of this Ordinance. Certificate conclusive evidence that Ordinance complied with

8. From the date of the certificate of incorporation the subscribers to the constitution and by-laws, and such other persons as may from time to time become members of the society, shall be a body politic, and corporate by the name therein described, having perpetual succession and the right to a common seal, and with such powers as its constitution entitles it to, subject to the provisions of this Ordinance. A body politic and corporate

POWERS

9. (1) A society may sue and be sued, contract and be contracted with, in its corporate name. To contract

(2) A society may adopt a common seal and alter or change the same at its pleasure, but shall in all cases have its name engraved in legible characters on its common seal. Common seal

10. A society may acquire and take by purchase, donation, devise, or otherwise land and personal property, and may sell, exchange, mortgage, lease, let, improve, and develop the same, and may erect and maintain any necessary buildings. Re real property

11. The funds and property of the society shall be used and dealt with for its legitimate objects only and in accordance with its by-laws, and a society shall invest its funds only in securities in which trustees are for the time being authorized by law to invest. Funds

Borrowing powers

12. For the purpose of carrying out its objects, a society may borrow or raise or secure the payment of money in such manner as it thinks fit, and in particular by the issue of debentures, but none of these powers shall be exercised except in accordance with the provisions of the by-laws of the society, and debentures shall not be issued without the sanction of an extraordinary resolution of the society.

Bills of exchange

13. For the purpose of carrying out its objects, a society may, subject to its by-laws, draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange, and other negotiable or transferable instruments.

Association with other societies

14. A society may, if authorized so to do by an extraordinary resolution, subscribe to, become a member of, and co-operate with any other society or association, whether incorporated or not, whose objects are in whole or part similar to its own objects.

Alteration of objects, name or locality

15. (1) A society, by extraordinary resolution, may change its name or its objects so as to include some object or objects that may conveniently or advantageously be combined with the existing objects of the society, or so as to restrict or abandon any object specified in the constitution or the locality in which its operations are chiefly carried on.

Registrar's approval necessary

(2) No resolution pursuant to subsection (1) shall take effect unless it is approved by the Registrar, and the Registrar shall not give his approval unless:—

(a) In the case of a resolution for a change of the locality in which its operations will be chiefly carried on by a society whose objects include, or that by virtue of the resolution will include, that of operating a social club, the resolution has been consented to in writing by the Commissioner.

Certificate of approval

(3) When the Registrar has given his approval to the resolution he shall issue a certificate under his seal of office setting forth particulars of the change.

(4) A notice of any alteration under this section shall, if the Registrar thinks it advisable, be published in the Gazette by the Registrar at the cost of the society.

Publication

(5) Where a society is in default in respect of any requirement of this Ordinance the Registrar may refuse to issue any certificate under this section.

Certificate may be refused

(6) Any certificate issued by the Registrar pursuant to this section shall be conclusive evidence that the requirements of this section have been complied with.

Certificate evidence that this section complied with

16. A change of name shall not affect any rights or obligations of the society, or render defective any legal proceedings by or against the society, and any legal proceedings that might have been continued or commenced against it by its former name may be continued or commenced against it by its new name.

Change in name not to affect obligations of society

17. Where the constitution of a society contains any provision other than the statement of its name, objects, and locality of operations, that provision shall be unalterable and the constitution shall so state.

Unalterable provisions of constitution

18. A society to which section 59 applies shall have power in addition to the powers conferred by section 15, to alter or rescind, by extraordinary resolution, any provision of its declaration.

Power of existing society to alter any provision of its declaration

19. (1) A society may, if authorized by its by-laws, establish and maintain one or more branch societies which shall have such powers, not exceeding the powers of the society, as the society may from time to time confer.

Branch societies

(2) Where a society establishes a branch society, it shall forthwith send to the Registrar a notice setting forth the date on which the branch society was authorized, its title, locality and powers, and such other information as the Registrar may require, and shall likewise notify the Registrar when any branch ceases to exist.

Notice to Registrar

Society
operating
club may not
establish
branch
society

(3) Subsection (1) shall not apply to a society whose objects include that of operating a social club.

Incorporation of a branch of a society

20. (1) Where a branch of an incorporated or unincorporated society desires to be incorporated under this Ordinance, it shall, in addition to any other requirement of this Ordinance, file with the Registrar a certificate under the seal (if any) of that society consenting to such incorporation, and shall comply with any term or condition mentioned in the certificate.

(2) No branch society so incorporated may exercise any power conferred on a society under this Ordinance, if the exercise of such power is prohibited by or in conflict with the constitution or by-laws of the society to which it belongs or any term or condition of the certificate filed under the preceding subsection, without first obtaining the written consent of that society.

(3) If the certificate filed under subsection (1) so provides, the constitution and by-laws of the branch society shall be deemed to include the constitution and by-laws of the society giving the certificate, or the portion thereof mentioned in the certificate, but in no case shall the powers of a branch society exceed the powers permitted to a society by this Ordinance.

Contracts of a society

21. (1) Contracts on behalf of a society may be made as follows:—

- (a) Any contract that, if made between private persons, would be by law required to be in writing and under seal may be made on behalf of the society in writing under the common seal of the society, and may in the same manner be varied or discharged:
- (b) Any contract that, if made between private persons, would be by law required to be in writing, signed by the persons to be charged therewith, may be made on behalf of the society in writing signed by any per-

son acting under its authority, express or implied, and may in the same manner be varied or discharged:

- (c) Any contract that, if made between private persons, would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the society by any person acting under its authority, express or implied, and may in the same manner be varied or discharged.

(2) All contracts made, varied, or discharged according to this section shall so far as concerns the form thereof be effectual in law and binding on the society and all other parties thereto.

(3) A bill of exchange or promissory note shall be deemed to have been made, accepted, or endorsed on behalf of a society, if made, accepted, or endorsed in the name of, or by or on behalf of, or on account of the society by any person acting under its authority, express or implied.

ADMINISTRATION

22. (1) The members of a society shall be the subscribers of the constitution and by-laws and those persons admitted to membership therein according to the by-laws. Members

(2) Subject to the provisions of the by-laws:—

(a) A person under the age of twenty-one years may be admitted as a member of a society or appointed to any office therein, and shall be liable for the payment of a subscription as if he were of full age:

(b) A corporation admitted to membership in a society may be represented by some person authorized on behalf of the corporation:

(c) Every member of a society shall have a vote.

(3) No member shall be entitled to vote on an extra-

ordinary resolution unless he is in good standing in accordance with the by-laws.

Permanent proxies invalid (4) Permanent proxies or proxies entitling any person or member to vote at other than one meeting or any adjournment shall be invalid.

Matters to be contained in by-laws 23. (1) The by-laws of a society incorporated under this Ordinance shall contain provisions in respect of the several matters mentioned in Schedule B.

Alteration of by-law (2) The by-laws of a society shall not be altered or added to except by an extraordinary resolution of the society.

Filed with Registrar (3) Every such resolution shall be filed in duplicate with the Registrar, who shall register one copy and return the other copy, certified as having been registered by him.

By-laws not to conflict with constitution (4) Nothing that is in conflict with the constitution of a society shall be included in the by-laws, and the by-laws shall not contain anything contrary to law.

Directors 24. (1) Subject to the by-laws, the members of a society may nominate, elect, or appoint any of its members as directors for conducting the business, discipline, and management of the society and its affairs.

(2) Subject to the provisions of this Ordinance and to the by-laws, the directors may exercise all the powers of a society.

Director may be required to give security 25. A society may require any director or officer to give such security as may from time to time be deemed sufficient for the faithful discharge of his duties.

By-laws may provide for arbitration of disputes 26. The by-laws of a society may provide that any dispute arising out of the affairs of the society, between any members thereof or between a member, or any person aggrieved who has for not more than six months ceased to be

a member, or any person claiming through such member or person aggrieved, or claiming under the by-laws, and the society or a director or officer thereof, shall be decided by arbitration, which shall be under the "Arbitration Ordinance" unless the by-laws prescribe some other method.

27. (1) A society may by its by-laws impose a fine not exceeding five dollars on any member who has contravened any by-law of the society.

Fines for
contraven-
tion of
by-laws

(2) Any fine may be recovered as a debt due from the member to the society, and all fines so recovered shall belong to the society.

DUTIES AND OBLIGATIONS

28. Every society shall have an address in the Territory to which all communications and notices may be sent and at which all process may be served, and shall file with the Registrar notice of every change therein within fourteen days after the change is made.

Address
for service

29. Every general meeting of a society shall be held in the Territory.

General
meetings
in Y. T.

30. Every society shall hold an annual general meeting, and shall on or before the 28th day of February in each year file with the Registrar a statement in the form of a balance-sheet containing general particulars of its liabilities and assets, and a statement of its income and expenditures audited and signed by the auditor of the society, or, if there is no auditor, by two directors.

Annual
general
meeting

Annual
statement
filed with
Registrar

31. Every society shall file with the Registrar with its annual statements a list of its directors, with their addresses and occupations, and also, upon request of the Registrar, at any time, furnish him with particulars of its directors. The list of directors shall state the date of the appointment or election of each director.

Annual list
of directors
filed with
Registrar

32. (1) Every society shall keep in one or more books a register of its members, and shall enter therein the names

Register of
members

of the subscribers of the constitution and by-laws and the name of every other person who is admitted as a member of the society, together with the following particulars:—

- (a) The full name, address, and occupation of every such subscriber and person:
- (b) The date on which each person is admitted as a member:
- (c) The date on which any person ceases to be a member.

(2) Every society that fails to comply with this section shall be guilty of an offence against this Ordinance.

Copy of every extraordinary resolution filed with Registrar

33. Every society shall file with the Registrar, in duplicate, every extraordinary resolution, and he shall register one copy and return the other, certified as having been registered by him.

Authentication

34. Every notice, return, or resolution required to be filed with the Registrar shall be authenticated by a director, secretary or other authorized officer of the society.

Copy of constitution to be furnished to member on request

35. Every society shall furnish to a member at his request, and on payment of a sum not exceeding fifty cents, a copy of its constitution and by-laws.

DISSOLUTION

Revocation and cancellation of incorporation

36. On sufficient cause being shown and upon such conditions and subject to such provisions as may be deemed proper, the Commissioner in Council may revoke and cancel the incorporation of a society and declare the society to be dissolved. Without limiting the generality of the foregoing a conviction obtained against a society for a violation of the provisions of this Ordinance or the regulations made thereunder shall constitute sufficient cause within the meaning of this section.

37. A society may, by extraordinary resolution, surrender its certificate of incorporation, and the Registrar may, after being satisfied that sufficient notice of the society's intention has been given and that no debts, liabilities, or obligations of the society are outstanding, accept the surrender of the certificate and cancel it, and fix a date from which the society shall be dissolved.

Voluntary
surrender of
certificate of
incorporation

38. (1) If and when a society has failed for any period of two years to make or send or file any return, notice or document required to be made or sent to or filed with the Registrar pursuant to this Ordinance or when the Registrar has reasonable cause to believe that a society is not operating, he shall send to the society by post a registered letter enquiring whether such society is in operation and notifying it of its default if any.

Registrar to
notify
society after
two year
period of
default in
filing

(2) If within two months no reply to such letter is received by the Registrar or such society fails to fulfil the lawful requirements of the Registrar or notifies the Registrar that it is not in operation, he may at the expiration of fourteen days send to such society a notice that at the expiration of two months from the date of that notice the name of such society mentioned therein will, unless cause be shown to the contrary, be struck off the Register and the society will be dissolved.

Notice of
intention to
strike off
register

(3) At the expiration of the time mentioned in the notice, the Registrar shall, unless cause to the contrary is previously shown by such society, strike the name of such society off the Register and shall publish notice thereof in one issue of the Yukon Gazette and upon such publication the society shall be dissolved or if an extra-territorial society shall be deemed to have ceased to operate in the Territory, provided that the liability (if any) of every director, officer, member or employee of such society shall continue and may be enforced as if the name of such society had not been struck off the Register.

Striking off
register

Publication

Proviso

(4) Where a society or any member or creditor thereof or any person to whom the society is under any legal obligation is aggrieved by the society having been struck

Application
for restora-
tion to
register

off the register, the Registrar may restore the society to the register on application to him in such form as he prescribes by the society, member, or creditor, but the Registrar shall not restore the society to the register unless he is satisfied that the society was at the time of the striking-off in operation or that it is just that the society be restored to the register, and in the case of a society carried on chiefly as a social club unless it has obtained the written consent of the Commissioner. Such returns and other information as the Registrar requires shall be filed with him.

Restoration

(5) On compliance with such requirements the Registrar may restore the society to the register, and thereupon the society shall be deemed to have continued in existence, as if it had not been struck off, without prejudice to the rights of parties acquired prior to the date on which the society is restored.

Name of society on restoration

(6) If the application is not made within one year from the date on which the society was struck off, and another society has been incorporated under the same or a similar name, the Registrar shall require the society to take a new name before it is restored.

Restoration for limited time

(7) A society may be restored for a limited period or for the purpose of carrying out a particular purpose, and after the expiration of that period or the execution of that purpose the society shall again be struck off the register by the Registrar.

Winding-up

39. The provisions of the "Companies Ordinance" relating to the winding-up of companies shall apply, mutatis mutandis, to a society under this ordinance, but wherever those provisions prescribe a special resolution, an extraordinary resolution shall be sufficient under this Ordinance.

Amalgamation of two or more societies

40. (1) Any two or more societies may amalgamate and form a new society by passing extraordinary resolutions which shall authorize their respective directors to make and subscribe jointly a constitution and by-laws ac-

ording to the form in Schedule A, and to comply in other respects with section 7.

(2) After the issue of a certificate of incorporation to the new society the former societies shall stand dissolved, and all property and rights of such societies shall pass to and be vested in the new society without any further act or deed, but no amalgamation under this section shall affect the rights of any creditor, and the new society shall be liable for all debts and obligations of the former societies.

Assets and liabilities to new society

(3) The estate and interest of the former societies in any land as registered under the "Land Titles Act", Chapter 118 of the Revised Statutes of Canada, 1927, shall be registered in the name of the new society.

Land to be registered in name of new society

EXTRA-TERRITORIAL SOCIETIES

41. For the purposes of sections 42 to 50, "extra-territorial society" means a society or association formed outside the territory, and includes a branch of any such society or association, but does not include a society or association that is formed for the acquisition of gain or that has a capital divided into shares.

"Extra-territorial society" defined

42. (1) The Registrar may require any extra-territorial society that carries on any operations in the Territory to apply for registration under this Ordinance, and any society so required to apply shall, unless registration is granted, cease to operate in the Territory, and the Registrar shall fix the date after which it shall cease to operate.

Registration of an extra-territorial society

(2) Any extra-territorial society may apply for registration under this Ordinance.

(3) An extra-territorial society whose objects include that of carrying on a social club shall not be registered without the written consent of the Commissioner, and every branch of such a society shall, if the Registrar so requires, apply for separate registration and consent.

Granting of
certificate of
registration
to an extra-
territorial
society

43. (1) Application for registration shall be made to the Registrar according to a form prescribed by him and shall be accompanied by such documents as he requires.

(2) If the Registrar determines that the requirements of this Ordinance have been complied with and that the society should be registered, he shall issue under his seal of office a certificate showing that the society is registered under this Ordinance as an extra-territorial society, and stating the place of formation or incorporation and the locality in which its operations will be chiefly carried on, and, if he thinks it advisable, shall at the cost of the society publish in one issue of the Yukon Gazette a copy of the certificate with a statement of the operations to be carried on in the Territory.

(3) The Registrar may attach to a certificate of registration such conditions and limitations as seem to him advisable; and the extra-territorial society shall comply with and observe these conditions and limitations.

(4) The Registrar may after investigation refuse registration, but an appeal may be taken from his refusal to the Commissioner in Council.

Operation of
an extra-
territorial
society

44. Subject to this Ordinance and the laws of the Territory, an extra-territorial society registered under this Ordinance may within the Territory carry on its operations in accordance with its certificate of registration.

Attorney of
an extra-
territorial
society

45. The Registrar may require an extra-territorial society within a time specified by the Registrar to appoint some person resident in the city or place in the Territory where the society will chiefly carry on its operations its attorney, with authority on its behalf to accept service of process in all suits and proceedings by or against the society within the Territory and to receive all lawful notices to the society. The society shall within one week after the appointment file a copy of the appointment with the Registrar, and the appointment shall contain the name, occupa-

tion, and address of the attorney. If the person appointed ceases to act the society shall, within three weeks after he ceases to act, appoint a new attorney; and shall, within one week after the appointment, file a copy of the appointment, and the appointment shall contain the name, occupation, and address of the attorney.

46. An extra-territorial society registered under this Ordinance shall file with the Registrar:

Statements to be filed by an extra-territorial society

- (a) A verified copy of any amendment to its constitution and by-laws or corresponding instrument within one month after the amendment takes effect:
- (b) The notice as prescribed by section 28:
- (c) The statements and list as prescribed by sections 30 and 31.

47. The Commissioner may for good cause suspend or revoke the registration of an extra-territorial society under this Ordinance, and may remove or cancel a suspension or revocation, subject to any condition thought advisable.

Suspension and revocation of registration of an extra-territorial society

48. No person shall, directly or indirectly, represent or act as agent of an extra-territorial society required by the Registrar to apply for registration under this Ordinance, unless the society holds a subsisting certificate of registration.

Prohibition

49. An extra-territorial society not registered as required by this Ordinance shall not be capable of maintaining any action, suit, or other proceeding in any Court in the Territory in respect of any contract made in whole or part in the Territory in the course of or in connection with its operations.

Non-registered extra-territorial society may not maintain action

50. Sections 51 to 56 and 58 shall also apply to an extra-territorial society.

Miscellaneous provisions to apply to extra-territorial society

MISCELLANEOUS

Investigation
of affairs
and conduct
of a society

51. (1) Where it appears to the Registrar that a society exists for an illegal purpose, or that a society carried on chiefly as a social club is not conducted in a proper manner or as a bona fide club, the Registrar shall report the facts to the Commissioner, and thereupon the Commissioner may appoint by writing under his hand some person to investigate the affairs and conduct of the society and to make a written report to him of his findings.

Powers of
Investigator

(2) The person so appointed may examine on oath any director, manager, officer, agent or employee of the society or other person in relation to the affairs of the society and may administer an oath accordingly and may require the production of all books and papers of the society, and of all relevant books and papers.

Offence

(3) Every director, manager, officer, agent or employee of the society or other person who on examination under this section refuses to answer any question relating to affairs of the society or to produce any book or paper in his custody shall be guilty of an offence against this Ordinance.

Order made
on report

(4) The Commissioner may upon a report from the Registrar or after an investigation order, subject to such terms and conditions as he thinks advisable, that the society discontinue any illegal action, or, if a social club, conduct itself in a proper manner, as the case may be, and may, subject to such terms and conditions as he thinks advisable, suspend any of the powers of the society.

Documents
filed with
registrar
open for
inspection

52. (1) Any person may inspect the documents filed in the office of the Registrar relating to a society on payment of a fee of twenty-five cents for each inspection, and may require a copy or extract of any document or part thereof on payment for the copy or extract of fifteen cents for each folio, and of a further fee not exceeding one dollar if such copy or extract is required to be certified as a true copy.

Fee

(2) A copy of or extract from any document filed in the office of the Registrar, certified to be a true copy under the hand and seal of the Registrar, shall in all legal proceedings be admissible in evidence as of equal validity with the original document, and it shall not be necessary to prove the handwriting, seal of office, or official position of the person certifying the same.

Certified
copy shall
be evidence

53. A document may be served on a society by leaving it at or mailing it by registered post to the address of the society as registered under this Ordinance, or by serving a director or officer of the society.

Service on
a society

54. Every society that fails, refuses or neglects to observe or perform any duty or obligation or which violates any restriction or prohibition created or imposed by this Ordinance and the regulations made thereunder shall be guilty of an offence against this Ordinance.

Offence

55. Every society guilty of an offence against this Ordinance or the Regulations made thereunder shall be liable on summary conviction to a penalty not exceeding five hundred dollars.

Penalty

56. (1) Whenever a society is convicted of any offence against this Ordinance or the regulations made thereunder and the conviction adjudges a pecuniary penalty to be paid by the society, the Justice by the conviction after adjudging payment of such penalty with costs may order and adjudge that in default of payment of such penalty forthwith or within a stipulated time such penalty shall be levied by distress and sale of the goods and chattels of the society.

Distress for
penalty

(2) In any such case and in addition to the other remedies hereby provided, a copy of the conviction or order certified to by any Justice or by the officer in whose custody the same is by law required to be kept may be filed in the office of the Clerk of the Territorial Court and the conviction or order shall thereupon become a judgment of that

Court and all proceedings may therefrom may be taken and had as on any other judgment of that Court. Nothing herein contained shall be construed as in any way affecting, limiting or restricting any proceedings which otherwise may be taken for the recovery of fines and penalties.

Responsibility of officer agent and employee of society

57. Where an offence against this Ordinance or the regulations made thereunder is committed by a society, the officer, agent or employee of the society in charge of the premises in which the offence is committed shall prima facie be deemed to be a party to the offence so committed and shall be personally liable to the penalties prescribed for the offence as a principal offender but nothing in this section shall relieve the society or the person who actually committed the offence from liability therefor.

Fees

58. There shall be paid to the Registrar in respect of the several matters mentioned in Schedule C the several fees therein specified, and such fees shall be by him paid into the Consolidated Revenue Fund of the Territory .

Ordinance applies to existing societies

59. The provisions of this Ordinance, mutatis mutandis, shall apply to an existing society subject to the Ordinance repealed by this Ordinance in the same manner as if the society had been incorporated under this Ordinance.

Regulations

60. (1) For the purpose of carrying into effect the provisions of this Ordinance according to their true intent, the Commissioner may make such regulations as he considers necessary or advisable.

(2) Without thereby limiting the generality of the provisions contained in subsection (1), the power of the Commissioner to make regulations under this section shall be extended to :—

- (a) Prescribing the terms and conditions of contracts between societies and their employees:
- (b) Prescribing the method of inspection of societies books of accounts and records:

- (c) Prescribing the qualifications to be held by any servant or employee of any society:
- (d) Prescribing the minimum membership fees and dues payable to any society by its members:
- (e) In the case of a society whose objects include that of operating a social club, prescribing or limiting the form of social or recreational activity which may be made available to its members.

61. "An Ordinance respecting Benevolent and other Societies", being Chapter 84 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby repealed. ^{Repeal}

SCHEDULES

SCHEDULE A

(Sections 7, 17, 40)

"Societies Ordinance"

Constitution

- (1) The name of the Society is
- (2) The object of the Society is (state particulars)
- (3) The operations of the society are to be chiefly carried on in (state exact locality)

(If any other provisions are added there shall be included a statement that such provisions are unalterable.)

BY-LAWS

(Here set forth in numbered clauses the by-laws providing for the matters referred to in Schedule B and any other by-laws)

Dated the _____ day of _____, 19____
(Full names, addresses and occupations of subscribers)

Witness:

(Full name, address, and occupation)

SCHEDULE B

(Section 23)

(1) Terms of admission of members and their rights and obligations.

(2) Conditions under which membership ceases and manner (if any) in which a member may be expelled.

(3) Month for holding annual general meeting and mode and notice required for calling general and special meetings of the society and number constituting a quorum at any such meeting, and rights of voting. (See subsections (2) and (3) of section 30 of this Ordinance)

(4) Appointment and removal of directors and other officers and their duties, powers and remuneration.

(5) Exercise of borrowing-powers.

(6) Audit of accounts.

(7) Custody and use of the seal of the society.

(8) Alteration of by-laws by extra-ordinary resolution, stating requisite majority.

(9) Preparation and custody of minutes of proceedings of meetings of the society and of the directors, and other books and records of the society.

(10) Time and place (if any) at which the books and records of the society may be inspected by members.

SCHEDULE C

(Section 58)

TABLE OF FEES

(1) For filing or registering—	
The constitution and by-laws	\$10.00
Any resolution, notice, list, return or other document required by this Ordinance50
(2) For every certificate, other than the certifi- cate of incorporation50
(3) For each search25
(4) For publication in the Yukon Gazette, ac- cording to the scale of charges in force	
(5) For restoration under section 38	2.50
(6) For registration of an extra-territorial so- ciety	10.00

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY AND THE CITY OF DAWSON.

(Assented to April 8, 1949.)

WHEREAS it appears by Message from John Edward Gibben, Esquire, Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" to this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory, and for the purposes relating thereto, for the twelve months ending March 31, 1950, and

WHEREAS it appears by Message from John Edward Gibben, Esquire, Commissioner of the Yukon Territory, and in Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "B" to this Ordinance are required to defray certain expenses of the Public Service of the City of Dawson and for the Purposes relating thereto, for the twelve months ending March 31, 1950.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, therefor enacts as follows:

1. From and out of the sums at the disposal of the Yukon Council there shall be paid and applied a further sum not exceeding in the whole, One Million, Eight Hundred and Fifty Three Thousand, Six Hundred and Fifteen Dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st, 1950 as set forth in Schedule "A" of this Ordinance.

2. From and out of the Funds at the disposal of the Yukon Council there shall be paid and applied a sum not exceeding Fifty Four Thousand, Nine Hundred and Sev-

enty Five Dollars for defraying the several charges and expenses of the Public Service of the City of Dawson for the twelve months ending March 31, 1950, as set forth in Schedule "B" of this Ordinance.

3. The due application of all monies expended shall be duly accounted for.

SCHEDULE A

Sums granted to the Commissioner by this Ordinance for the twelve months ending 31st March, 1950, and the purpose for which they are granted:

1948-49 Vote		Vote No.	
	Yukon Council	1	
3,000.00	A. Sessional Indemnities	3,000.00	
1,000.00	B. Travelling & Living Expenses	1,300.00	
	C. Legislative Printing	1,100.00	
	D. Election of New Council	1,750.00	7,150.00
<hr/>		<hr/>	
4,000.00			
	Territorial Offices	2	
31,700.00	A. Salaries	31,650.00	
9,380.00	B. Supplies, Expenses, Equipment & Renewals	6,750.00	
1,800.00	C. Assayer's Office	1,800.00	40,200.00
<hr/>		<hr/>	
42,880.00			
	Department of Education	3	
	A. Salaries		
5,100.00	Administration	1,500.00	
16,200.00	Dawson District	23,900.00	
32,100.00	Whitehorse District	35,740.00	
7,500.00	Mayo District	7,500.00	
16,200.00	Other Districts	17,760.00	
	Assistance to Blind Children for Education	500.00	86,900.00
<hr/>		<hr/>	
77,100.00			

SUPPLY

28,530.00	B. Supplies, Expenses, Equipment & Renewals	22,875.00	
17,728.00	C. Grants to separate schools	17,500.00	
<hr/>			
123,358.00		40,375.00	127,275.00
	Department of Public Works and Buildings	4	
	A. Salaries	1,500.00	
	B. Supplies, Expenses, Equip- ment & Renewals	4,000.00	5,500.00
	<hr/>		
	Department of Health and Public Welfare	4	
	Health Division		
4,000.00	A. Salaries	6,100.00	
2,000.00	B. Supplies, Expenses, Equipment & Renewals	2,200.00	
1,700.00	C. Communicable Disease Cont'l	2,500.00	
4,300.00	D. Medical care of Indigents	3,300.00	
114,057.31	E. Hospital Grants	114,050.00	
	F. Hospital Care T. B. Patients	6,000.00	
<hr/>			
126,057.31		134,150.00	
1948-49 Vote		Vote No.	
	Public Welfare Division		
7,900.00	G. Child Welfare	14,000.00	
60,000.00	H. Social Assistance - Indigents	15,500.00	
	I. Grants to Public Organiz'ons	10,000.00	
	<hr/>		
		39,500.00	
1,500.00	Physical fitness pro- gram	1,700.00	
300.00	Yukon Law Library	300.00	
900.00	Library Reading Rm. Dawson	900.00	
450.00	Library Reading Rm. Mayo	450.00	
900.00	Library Reading Rm. Whitehorse	900.00	

SUPPLY

55

4,000.00	Library Building - Whitehorse	4,000.00	
750.00	B. C. Yukon Cham- ber of Mines	750.00	
500.00	Fish & Game Asso- ciation	500.00	
200.00	Community Hall Carmacks		
500.00	Whitehorse Board of Trade	500.00	
<hr/>			
77,900.00			
J. Old Age Pensions			
	1. Administration	1,000.00	
	2. Pensions & Supplementary Allowances	32,500.00	
<hr/>			
203,957.31		33,500.00	207,150.00
Local Administration			
		6	
30,000.00	A. City of Dawson	30,000.00	
35,590.00	B. City of Whitehorse	34,340.00	
3,000.00	C. Town of Mayo	3,500.00	67,840.00
<hr/>			
68,590.00			
Game and Publicity Department 7			
	A. Salaries	7,000.00	
1,000.00	B. Supplies, Expenses, Equip- ment & Renewals	3,000.00	
12,500.00	C. Wolf Bounties and Coyote Bounties	10,000.00	
3,000.00	D. Game Preservation	2,000.00	22,000.00
<hr/>			
16,500.00			
Non-Departmental			
		8	
16,200.00	A. General and Unforeseen	10,000.00	
25,000.00	B. Retirement Fund	10,000.00	

SUPPLY

5,000.00	C. Unemployment Insurance	1,200.00	21,200.00
<hr/>		<hr/>	
46,200.00			
<hr/>			
505,485.31	Total Administration		498,115.00
1948-49 Vote		Vote No.	
	Roads, Bridges & Public Works 9		
	A. Salaries	21,500.00	
51,000.00	B. Supplies, Expenses, Renewals, etc.	69,500.00	
78,700.00	C. Maintenance of Roads	130,000.00	
9,500.00	D. Maintenance of airfields	10,000.00	
6,000.00	E. Maintenance of Ferry Service	6,000.00	
		<hr/>	
		237,000.00	
	Less Recoverable from Garage Services	55,000.00	182,000.00
<hr/>		<hr/>	
145,200.00			
	Capital Expenditures		
63,000.00	C1. Road Equipment	2,000.00	
	C2. Public Works and Buildings	396,000.00	398,000.00
<hr/>		<hr/>	
63,000.00			
	Open Ledger Advances		
	0-1 Wood Account	5,000.00	
	2. Educational Books for resale	2,000.00	7,000.00
<hr/>		<hr/>	
713,685.31			1,085,115.00
	Government Liquor Ordinance		768,500.00
			<hr/>
			1,853,615.00

Any surplus of monies standing to the credit of any Vote within a Department may, if in excess of the actual amount required for such designated service on recommendation to the Commissioner by the head of the Department and with the approval of the Commissioner, be credited to a service within the said

Department, where there is urgent need for such funds and is in the interests of the public good.

SCHEDULE

Sums granted to the Commissioner by this Ordinance for the twelve months ending March 31st, 1950.

Government Liquor Ordinance

Purchases of Stock		
Merchandise	415,000.00	
Freight & Marine Insurance	140,000.00	
Customs, Excise Duty	155,900.00	710,000.00
	<hr/>	
Selling Expense		58,500.00
		<hr/>
		768,500.00
		<hr/>

SCHEDULE B

Sums of money granted to the Commissioner by this Ordinance for the twelve months ending March 31st, 1950, and the purposes for which they are granted:

Vote 1948-49	CITY OF DAWSON		
	Fire Department:		
12,750.00	Salaries	13,950.00	
1,600.00	Supplies, Expenses, Renewals	1,000.00	
	Fuel, Light & water	3,930.00	
2,000.00	General Unforeseen	2,000.00	20,880.00
		<hr/>	
20,640.00			
	Administration:		
	Indemnities	400.00	
400.00	Supplies, Expenses, Renewals, etc.	400.00	
18,444.00	Hydrant Service	15,900.00	
2,975.00	Street Lighting	2,675.00	
220.00	Sanitary Inspector & Dog Pound Keeper	220.00	
700.00	General Unforeseen	500.00	20,095.00
		<hr/>	
22,739.00			

SUPPLY

Streets and Sidewalks:			
7,425.00	Salaries & Wages	7,500.00	
6,500.00	Materials, Supplies, Expenses, etc.	6,500.00	14,000.00
<hr/>		<hr/>	
13,925.00			
<hr/>			<hr/>
57,304.00			54,975.00
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