

CHAPTER 75

Delta Trotting & Pacing Association Ltd.
Incorporation Act

[Assented to 29th March, 1962.]

Preamble

WHEREAS a petition has been presented for incorporation of the Delta Trotting & Pacing Association Ltd. as therein mentioned, and it is expedient to grant the prayer of the said petition

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title

1. This Act may be cited as the *Delta Trotting & Pacing Association Ltd. Incorporation Act, 1962.*

Interpretation

2. In this Act, unless the context otherwise requires,
 “Association” means the Delta Trotting & Pacing Association Ltd. incorporated by this Act;
 “Executive” means the Executive of the Association

Creation of Association.

3. Albert James Huff, Phillip Anthony Guichon, Edward Towers, Ernest Burnett, and Herbert Alexander Ivens, of Ladner, Province of British Columbia, all being directors of the Delta Agricultural Society, together with such persons as may hereafter become members of the Association, are hereby constituted a body politic and corporate, with share capital as hereinafter mentioned, under the name of “Delta Trotting & Pacing Association Ltd.,” capable forthwith of exercising all the functions of a corporation, and having perpetual succession and a common seal, with the corporate powers mentioned in this Act.

Head office

4. The head office of the Association shall be at such place in the Municipality of Delta, Province of British Columbia, as the Executive may from time to time determine.

Objects

Objects

5. The objects of the Association are to encourage, assist, and promote the welfare of the agricultural and other industries of the country and other matters and things having a national, civic, agricultural, educational, artistic, social, recreational, or sporting character, and in particular anything calculated to promote and improve the racing and breeding of trotting and pacing horses.

Powers

Powers.

6. (1) The Association shall have power
 (a) to hold and conduct agricultural fairs, exhibitions, displays, and presentations showing and displaying generally all forms

of animal and vegetable life, mineral and manufactured goods of all kinds, all forms of works of art and workmanship, and all showings and spectacles of every nature and kind conducive to the attainment of the objects of the Association;

- (b) to promote and assist in the promotion of
 - (i) the Municipality of Delta and surrounding areas as a centre for the raising of Standard bred horses and the improvement of the breeding of Standard bred horses in the Province;
 - (ii) agricultural and other fairs and exhibitions and public presentations of all kinds;
 - (iii) the development of all forms of industry;
 - (iv) the holding of race-meetings involving the racing of harness or trotting or pacing horses, either in conjunction with or apart from pari mutuel or other betting as authorized by any other Act for the time being in force, and for promoting athletic matches and competitions, and for all said purposes to offer and grant or contribute toward the provision of prizes, awards, and distinctions;
- (c) to provide all forms of entertainment, recreation, and assistance for persons engaged in or visiting exhibitions and other spectacles conducted or staged by the Association, including the provision of concerts, performances, sporting events, carnivals, concessions, and other attractions and to supply food, refreshments, and services to such persons, whether on its premises or elsewhere;
- (d) for the purpose of carrying out the objects of the Association, to acquire, hold, and own, by purchase, lease, gift, or otherwise, real and personal property of every kind and description, and to repair and alter the same, and to improve the same by the construction of such buildings, structures, works, and improvements as are necessary or expedient, and to sell, mortgage, lease, or otherwise employ or dispose of the same or any of them;
- (e) to charge such entry, entrance, or admission fees as the Executive may deem proper and either in respect of the exhibitors, contestants, and participants in any exhibition, contest, or display authorized by this Act or as a charge to members of the public for viewing the same, or both;
- (f) to let or lease stalls, stands, rooms, concession space and places in any of its buildings or structures or upon its grounds or property, and to grant licences for the use of the whole or any part of its buildings or structures or its grounds or property upon such terms and for such purposes as the Executive may deem proper, but subject to the terms upon which such

buildings, structure, grounds, or property are held by the Association.

(2) The Association shall have as ancillary and incidental to the powers in subsection (1) of this section the powers, mutatis mutandis, set forth in section 22 of the *Companies Act*, except in so far as any such power may be varied by or inconsistent with or repugnant to the objects and purposes of the Association or the powers set forth in subsection (1) of this section, in which case the provisions of this Act shall prevail.

Capital

Capital.

7. (a) The authorized capital of the Association shall be one hundred thousand dollars (\$100,000) divided into ten thousand (10,000) shares with a nominal or par value of ten dollars (\$10) each.

(b) No person shall be registered as owner of more than one hundred (100) shares of the Association nor shall any person at any meeting of the Association exercise more than one hundred (100) votes by proxy.

(c) At least eighty (80) per centum of the shareholders of the Association shall be permanent residents of the Province.

Liability of shareholders.

8. The holders of shares in the Association shall not be personally liable for the debts of the Association or liable to the Association in any sum except such portion of the amount they may have agreed to pay for their shares as may remain at any time unpaid.

Regulations

Regulations.

9. The regulations contained in Table A in the First Schedule of the *Companies Act*, save and except Regulations 55 and 62 thereof, shall apply to the Association.

Directors

Qualification.

10. The qualifications of a director shall be the holding of at least one share in the Association and a fully paid-up membership in the Delta Agricultural Society.

Disqualification.

11. The office of director shall be vacated if the director

- (a) by notice in writing to the Association resigns his office; or
- (b) ceases to be a director by virtue of section 108 of the *Companies Act*; or
- (c) becomes bankrupt; or
- (d) is found lunatic or becomes of unsound mind; and a director shall not vacate his office by reason of being concerned or participating in the profits of any contract with the Association or of his being a member of any company or association which has entered into contracts with or done any work for the Association of which he is a director.

Application of Certain Acts

*Companies
Clauses Act*
not to apply.

12. The provisions of the *Companies Clauses Act* shall not apply to the Association.

*Companies
Act.*

13. Sections 7 to 18, 22, 24, 26, 27, 29, 48, 51 to 66, 78 to 102, 105, 106, 108, 109, 111 to 115, 117 to 119, 123 to 127, 137 to 185, 212, 219 to 271 of the *Companies Act* shall apply, mutatis mutandis, to the Association except in so far as any of them are varied by or inconsistent with or repugnant to the provisions of this Act, in which case the provisions of this Act shall prevail to the extent of such variation, inconsistency, or repugnancy.

Miscellaneous

Executive.

14. The following persons shall comprise the Executive, shall hold the elective offices in the Association preceding their names respectively, and, except as in this Act otherwise provided, shall serve in such offices until the first annual general meeting of the Association following the coming into force of this Act:—

- (a) President—Edward Towers:
- (b) Vice-President—Phillip Anthony Guichon:
- (c) Secretary—Herbert Alexander Ivens:
- (d) Treasurer—Ernest Burnett:
- (e) Director—Albert James Huff.

Accounting.

15. The Association shall at all times, when called upon to do so by the Lieutenant-Governor in Council, render an account in writing of its property and affairs.

General
laws.

16. The powers herein granted shall be subject to the general laws of the Province now in force or hereafter enacted.

Coming into
force.

17. This Act comes into force on the day upon which it is assented to.