



CHAPTER 106.

**An Act to incorporate the Union of British Columbia
Municipalities.**

[Assented to 20th March, 1959.]

Preamble.

WHEREAS the Union of British Columbia Municipalities is a body formed for the purpose of representing in one organization the various municipalities of the Province and has hitherto existed as an unincorporated association:

Therefore, 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 *Union of British Columbia Municipalities Incorporation Act*.

Constitution of
body politic.

2. The members of the Union of British Columbia Municipalities are hereby constituted a body politic and corporate without share capital under the name "Union of British Columbia Municipalities," capable forthwith of exercising all the functions of a corporation, and having perpetual succession and a common seal, with the powers mentioned in this Act.

Interpretation.

3. In this Act, unless the context otherwise requires, "Union" means the Union of British Columbia Municipalities.

Objects.

4. The objects of the Union are

- (a) to secure united action among members in dealing with all matters of common municipal interest, and, when deemed expedient, to represent members in matters affecting them or the welfare or interests of their citizens;
- (b) to co-operate with other organizations in dealing with matters under the legislative jurisdiction of Canada;

- (c) to discuss and to deal with all problems of municipal government and municipal taxation;
- (d) to co-operate with the Department of Municipal Affairs in the continued development of sound municipal government in the Province, and to recommend amendments to the *Municipal Act*, and any other Statutes which may affect the affairs of municipalities, and to co-operate with any other bodies having similar aims;
- (e) to represent and assist members in maintaining and furthering municipal autonomy to a degree beneficial to the public interest at the municipal level;
- (f) to acquire, assimilate, and distribute amongst the members statistics, enactments, results of judicial findings, and other general information that may be deemed of value to the members;
- (g) to hold meetings in accordance with the by-laws of the Union for promoting the above objects and for creating and fostering a fraternal spirit among those engaged in municipal work;
- (h) to encourage and promote the organization and development of district and local municipal associations, and, for the purposes of the *Municipal Act* and any other Statutes, to certify all such associations which are bona fide district or local municipal associations;
- (i) without restricting the generality of the foregoing, to carry on all of the activities hitherto conducted by the Union of British Columbia Municipalities as it existed prior to the passing of this Act.

Property rights.

5. The Union may hold, possess, develop, or acquire by purchase, lease, exchange, donation, devise, bequest, endowment, or otherwise any real and personal property necessarily useful for the carrying-out of its purposes and objects, and may sell, lease, mortgage, pledge, hypothecate, or alienate such property in any manner.

Assets and liabilities to vest.

6. All the property, real and personal, and whether in possession or in action, including the benefits under any contract, lease, or agreement whatsoever, of the Union of British Columbia Municipalities as it existed prior to the passing of this Act is transferred to and vested in the Union, and all the debts, liabilities, obligations, and covenants of the Union of British Columbia Municipalities as it existed prior to the passing of this Act shall be assumed, paid, discharged, and performed by the Union.

Companies Clauses Act not to apply.

7. The provisions of the *Companies Clauses Act* do not apply to this Act.

Companies Act.

8. (1) The following sections of the *Companies Act* apply mutatis mutandis to the Union, 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 prevail to the extent of such variation, inconsistency, or repugnancy: Sections 11, 12, 15, 97, 98, 99, 106 to 111 (1), 150 to 154, 159, 161, 164, 165, and 256.

(2) The following sections of the *Companies Act* mentioned in section 5 (2) thereof do not apply to the Union, and the Union is expressly exempted from the provisions thereof: Sections 7 to 10, 13, 14, 16, 17, 24, 26, 27, 58 to 64, 73 to 75, 77 to 95, 100 to 105, 111 (2), 112, 114, 115, 122 to 126, 128 to 146, 149, 155 to 158, 162, 163, 166 to 170, 214 to 255, and 257 to 266.

Societies Act.

9. The following sections of the *Societies Act* apply mutatis mutandis to the Union, 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 prevail to the extent of such variation, inconsistency, or repugnancy: Sections 5, 6, 9 (1), 33, 35, 36, 40, 41, and 54.

Power to borrow,
raise, or secure pay-
ment of money.

10. The Union may borrow or raise or secure the payment of money in such manner as it thinks fit, subject to the provisions of its by-laws, and may draw, make, accept, endorse, execute, and issue promissory notes, bills of exchange, and other negotiable instruments.

Union may become
member or co-operate
with other society
or association.

11. The Union may, if authorized so to do by simple resolution of the membership, become a member of or co-operate with any other society or association, whether incorporated or not, whose objects are in whole or in part similar to its own objects.

Power to establish
and amend by-laws.

12. The Union may establish and amend in general meetings by-laws governing its operations and procedure, and, without restricting the generality of the foregoing, may include all or any of the matters dealt with by by-laws under the *Societies Act*.

Constitution, officers,
and executive
to continue.

13. All matters provided for in the constitution of the Union of British Columbia Municipalities as it existed immediately prior to the passing of this Act, except in so far as any of them are varied or inconsistent with or repugnant to the provisions of this Act, apply mutatis mutandis to the Union until by-laws of the Union are adopted, and the officers and members of the executive of the Union of British Columbia Municipalities as it existed immediately prior to the passing of this Act shall continue in office as officers and members of the executive of the Union until replaced by officers and members of the executive elected by the Union in general meeting.