

CHAPTER 61

An Act to Amend the Greater Vancouver
Water District Act

[Assented to 26th March, 1965.]

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 *Greater Vancouver Water District Act Amendment Act, 1965*.

Re-enacts s. 5 2. Section 5 of the *Greater Vancouver Water District Act*, being chapter 22 of the Statutes of 1924, is repealed and the following substituted:—

“5. (1) The Corporation has all the rights and is subject to all the liabilities of a corporation; and

“(a) may acquire, hold, manage, buy, sell, lease, let, mortgage, and deal in real and personal estate and property for all its purposes;

“(b) may acquire, design, construct, build, purchase, equip, improve, hold, own, lease, manage, maintain, and conduct waterworks and general waterworks systems throughout the district;

“(c) may acquire, maintain, manage, and conduct all lands, water, buildings, matters, plant, mains, pipes, distributing systems, machinery, or appliances connected therewith or necessary or incidental thereto, and all plant and equipment deemed necessary for furnishing power for the operation of the waterworks;

“(d) may alienate any of its assets that in the opinion of the Corporation are no longer necessary or advantageous to its purposes; but before alienating for reasons aforesaid any asset comprising land, the Corporation shall first obtain the approval of the Minister of Municipal Affairs; and

“(e) may exercise and carry out all the powers, rights, and duties conferred and imposed by this Act expressly or by implication.

“(2) Section 72 does not apply with respect to assets alienated under clause (d) of subsection (1).”

Amends s. 10. 3. Section 10, as re-enacted by chapter 102 of the Statutes of 1959, is amended by striking out the word “than” from the twenty-seventh line of subsection (1) and substituting the word “that”, so that the subsection shall read as follows:—

"10. (1) The powers and functions of the Corporation shall be exercised and discharged by an Administration Board consisting of representatives appointed annually, on or before the first day of February, by resolutions of the respective Councils of the municipalities from time to time included in the district. Each municipality, other than the City of Vancouver, shall have one vote for its first fifty thousand population or portion thereof, and in addition shall have one vote for each additional fifty thousand of its population or portion thereof. The population of a municipality in any year for this purpose shall be deemed to be its population as established by the latest official census published by the Federal Bureau of Statistics, Census Department, extant on the second day of January of such year. A municipality's vote or votes shall be cast and exercised only by its representative or representatives on the Board, and accordingly each municipality, other than the City of Vancouver, shall appoint one representative regardless of its population. When a municipality, other than the City of Vancouver, is entitled to more than one vote, it shall appoint an additional representative for each additional two votes to which it is entitled. The City of Vancouver shall appoint four representatives, and shall be entitled to a total number of votes equal to the total number of votes to which all other municipalities from time to time included in the district are entitled. The number of votes a municipality is entitled to shall be distributed equally, if possible, between its representatives; provided, however, that if the number of votes a municipality is entitled to cannot be distributed equally amongst its representatives, the vote or votes which cannot be so distributed equally shall be allotted to one or more of its representatives to be named by a resolution of its Council; provided further that in the result no one representative of a municipality shall have more than one more vote than any other representative of such municipality."

Amends s. 23. 4. Section 23, as re-enacted by chapter 16 of the Statutes of 1952, is amended

- (a) by striking out the words "or banks" from the second line;
- (b) by inserting after the word "Commissioners" in the fourth line the words "or, during the absence or disability of all the Commissioners, by some other servant of the Corporation appointed by the Board for that purpose"; and
- (c) by striking out the word "his" from the ninth line and substituting the word "their",

so that the section shall read as follows:—

"23. All funds belonging to or received by the Corporation shall be deposited to its credit in a chartered bank of Canada, and may be drawn upon by cheque of the Corporation signed by one of the Commissioners or, during the absence or disability of all the Commissioners, by some other servant of the Corporation appointed by the Board for that purpose

and the Treasurer, Assistant Treasurer, or Acting Treasurer. For the purpose of such deposit, bills and cheques payable to the Corporation may be endorsed by the Treasurer, Assistant Treasurer, or Acting Treasurer. The Treasurer, Assistant Treasurer, and Acting Treasurer shall give such security as the Board shall define for the due accounting of all moneys and for faithful performance of their duties."

Amends s. 27.

5. Section 27. as amended by chapter 18 of the Statutes of 1932, is amended

- (a) by inserting at the beginning of the section the words "Except as otherwise herein provided,";
- (b) by inserting after the word "and" in the second line the words "after the approval of the Board has been obtained shall be";
- (c) by inserting after the word "Board" in the third line the words "or a Commissioner"; and
- (d) by inserting after the word "Treasurer" in the third line the words ", Secretary, or Assistant Treasurer";

so that the section shall read as follows:—

"27. Except as otherwise herein provided, all contracts of the Corporation requiring formal execution shall be under the seal of the Corporation and after the approval of the Board has been obtained shall be signed by the Chairman of the Board or a Commissioner and the Treasurer, Secretary, or Assistant Treasurer of the Corporation."

Re-enacts s. 61.

6. Section 61. as amended by chapter 109 of the Statutes of 1951 and chapter 16 of the Statutes of 1952, is repealed and the following substituted:—

"61. All debentures and other securities duly authorized to be issued by the Corporation shall, unless otherwise specially authorized or provided, be sealed with the seal of the Corporation and signed by the Chairman of the Board or a Commissioner. The signature of the Chairman or Commissioner may be engraved, lithographed, or otherwise mechanically reproduced on all the debentures and other securities, and the engraved, lithographed, or otherwise mechanically reproduced signature shall be deemed for all purposes the signature of the Chairman or Commissioner, as the case may be, and is binding upon the Corporation. Each debenture and other security shall be signed also by the Treasurer, Assistant Treasurer, Acting Treasurer, or some other person authorized by by-law to sign the same. Each coupon attached to a debenture or other security shall bear the signatures of the Chairman or a Commissioner and the Treasurer, Assistant Treasurer, Acting Treasurer, or some other person authorized by by-law to sign the same, and the signature of any such officer or other person, whether or not he has signed the debenture or other security to which the coupon is attached, may be engraved, lithographed, or otherwise mechanically reproduced on the coupons, and the engraved, lithographed, or otherwise mechanically re-

produced signature shall be deemed for all purposes to be the signature of the officer or other person and is binding upon the Corporation."

Enacts s. 76A

7. The Act is further amended by inserting the following as section 76A:—

"76A. Unless the context otherwise requires, words directing or empowering any officer or functionary of the Corporation to do any act or thing or otherwise applying to him by his name of office include his successors in such office."

Enacts s. 99.

8. The Act is further amended by adding the following as section 99:—

"99. When the Corporation acquires any estate or interest in land less than the fee-simple, including rights-of-way, that were or are granted or created by Her Majesty the Queen in right of the Province or of Canada, or by any public officer or public corporate body or department of government of the Province or Canada under any Statute or regulation, the documents effecting the acquisition shall be transmitted to the proper Land Registry Office; and when the documents are received, the Registrar of Titles

"(a) shall enter Her Majesty the Queen in right of the Province or in right of Canada, as the case may be, in the register as the owner of the land described in the documents; and,

"(b) upon application being made by the Corporation for the registration of the Corporation's title to the estate or interest in land, and upon compliance with the *Land Registry Act* and this section, shall register the title by endorsing a memorandum thereof on the register."

Retroactive effect

9. Section 2 is retroactive to the extent necessary to give full force and effect to the provisions of section 5 of the *Greater Vancouver Water District Act*, as re-enacted by this Act, with respect to alienation of assets before the coming into force of this Act.