

***An Act respecting  
Co-operative Trust  
Company Limited and  
Co-operative Trust  
Company of Canada***

*being a Private Act*

Chapter 97 of the *Statutes of Saskatchewan, 1967*  
(effective April 1, 1967).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

- 1 Application to Parliament of Canada authorized
- 2 Effect of special Act on filing
- 3 Co-operative Trust Company of Canada substituted as trustee
- 4 Properties of Co-operative Trust Company Limited vested in Co-operative Trust Company of Canada
- 5 This Act a valid grant without registration
- 6 Rights of creditors preserved
- 7 Saving

**1967**

**CHAPTER 97**

**An Act respecting Co-operative Trust Company Limited and  
Co-operative Trust Company of Canada**

(Assented to April 1, 1967)

**Preamble**

WHEREAS Co-operative Trust Company Limited, hereinafter called “the company”, by its petition has represented that it was incorporated under the laws of the Province of Saskatchewan by chapter 114 of the *Statutes of Saskatchewan, 1952*, and

Whereas the company desires to be continued under the jurisdiction of the Parliament of Canada under the name of Co-operative Trust Company of Canada; and

Whereas the petitioner has prayed for special legislation for such purposes; and

Whereas it is expedient to grant the prayer of the petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Application to Parliament of Canada authorized**

**1** The company may apply to the Parliament of Canada for a special Act continuing the company in the name of Co-operative Trust Company of Canada as if it had been incorporated under the laws of Canada and providing *inter alia*, that all rights and interests of the shareholders and creditors of the company in, to or against the property, rights and assets of the company and all liens upon the property, rights and assets of the company are unimpaired by such continuation.

1967, c.97, s.1.

**Effect of special Act on filing**

**2** Upon the coming into force of the special Act referred to in section 1, the company shall file with the Provincial Secretary proof of the enactment and coming into force of such special Act, and on and after the date of such notice:

- (a) chapter 114 of the *Statutes of Saskatchewan, 1952*;
- (b) chapter 78 of the *Statutes of Saskatchewan, 1962; (First Session)*; and
- (c) chapter 104 of the *Statutes of Saskatchewan, 1966*;

are repealed.

1967, c.97, s.2.

**Co-operative Trust Company of Canada substituted as trustee**

**3** Upon the coming into force of the special Act referred to in section 1 and the filing of the proof of enactment thereof with the Provincial Secretary, Co-operative Trust Company of Canada shall be substituted as executor, administrator, including administrator for any judicial centre, trustee, committee, assignee, liquidator, receiver, registrar, transfer agent, guardian or curator as the case may be and as the company name in *The Family Farm Credit Act*, in the place and stead of Co-operative Trust Company Limited, in or in respect of every trust, trust deed, deed, mortgage, indenture, conveyance, will, codicil, probate, letters of administration, judgment, order, appointment, statute or other document whatsoever, or trust howsoever created wherein or whereby or of which Co-operative Trust Company Limited is or was named as or became trustee or appointed to any office or trust, and all trusts and trust estates and properties of every kind and description, including incomplete or inchoate trusts, granted to or held by Co-operative Trust Company Limited or in respect of which it may become entitled to act; and all powers, rights, immunities and privileges conferred upon or enjoyed by Co-operative Trust Company Limited under such trust, trust deed, deed, mortgage, indenture, conveyance, will, codicil, probate, letters of administration, judgment, order, appointment, statute, or other document whatsoever, or in respect or by virtue of any trust however created, shall vest in Co-operative Trust Company of Canada upon the same trusts and with the same powers and subject to the same obligations and duties as are therein, thereby or in respect thereof respectively provided or imposed; and all trusts, trust deeds, deeds, mortgages, indentures, conveyances, wills, codicils, probates, letters of administration, judgments, orders, appointments, statutes, or other documents whatsoever, heretofore or hereafter made, naming or appointing Co-operative Trust Company Limited to the office of executor, administrator, trustee, committee, assignee, liquidator, receiver, registrar, transfer agent, guardian or curator, or to any other office or position whatsoever, or wherein any estate, money or other property or any interest, possibility or right is intended to be heretofore or hereafter vested in or administered or managed by or put in charge of Co-operative Trust Company Limited, shall be read, construed and given effect to as if Co-operative Trust Company of Canada had been named therein in the place and stead of Co-operative Trust Company Limited.

1967, c.97, s.3.

**Properties of Co-operative Trust Company Limited vested in  
Co-operative Trust Company of Canada**

**4** Upon the filing with the Provincial Secretary proof of the enactment of and coming into force of the special Act, all the lands, estates, leases, charges, mortgages, encumbrances, securities, assets, properties, real, personal or mixed, effects, rights, credits, choses-in-action and causes of action of every description belonging to or standing in the name of or existing in Co-operative Trust Company Limited shall vest in Co-operative Trust Company of Canada without further act, conveyance or other deed, to and for the use and benefit absolutely of Co-operative Trust Company of Canada, its successors and assigns, for all the estate, right, title, interest, claim and demand which Co-operative Trust Company Limited has or becomes or may become entitled to; and Co-operative Trust Company of Canada may exercise all the powers, rights and privileges over or in respect of same, or any of them, that Co-operative Trust Company Limited has or had or could or might have exercised, and may sell, release, discharge, assign, transfer, convey, dispose of or otherwise deal with all or any of the said lands, estates, leases, charges,

mortgages, encumbrances, securities, assets, properties, real, personal or mixed, effects, rights, credits, choses-in-action and causes of action aforesaid and execute all requisite or proper assignments, transfers, discharges, releases, deeds, grants or other conveyances or other documents whatsoever, as occasion therefore shall arise, and exercise all powers in connection therewith or with respect thereto in the name of Co-operative Trust Company of Canada in the same manner as if they stood in the name of or had been made to or in favour of Co-operative Trust Company of Canada; and no suit, action, appeal, application or other proceeding being carried on or power or remedy being exercised shall be discontinued or abated on account of this Act, but the same may be continued in the name of Co-operative Trust Company of Canada; and Co-operative Trust Company of Canada shall have the same rights and shall be subject to the same liabilities and shall pay or receive the like costs as if such suits, actions, appeals, applications or other proceedings had been commenced or defended in the name of Co-operative Trust Company of Canada; and Co-operative Trust Company of Canada may bring, maintain and exercise in its own name any suit, action, appeal, application or other proceeding or exercise any power, right or remedy or right of distress which Co-operative Trust Company Limited could have been or become entitled to bring, maintain or exercise.

1967, c.97, s.4.

**This Act a valid grant without registration**

**5** Upon the filing with the Provincial Secretary proof of enactment and coming into force of the special Act this Act shall be and shall in all respects be treated, for the purposes of every land titles office, registry office and other public office whatsoever in the Province of Saskatchewan, and of any and all transactions therein and of the officers administering the same, as a legal and valid grant, conveyance, transfer and assignment to Co-operative Trust Company of Canada of any and all lands or interest in lands and any and all mortgages, charges, encumbrances or other documents whatsoever and of any and all other property of every description, real, personal or mixed, and whether under *The Land Titles Act*, *The Companies Act* or *The Bills of Sale Act*, or any other Act, or under any other system or form of registration, now or hereafter standing in the name of or vested in Co-operative Trust Company Limited, whether as owner, trustee, liquidator or otherwise, and it shall not be necessary to register or file or issue this Act or any further or other instrument, document or certificate or to make any entry showing the transmission or assignment of title from Co-operative Trust Company Limited to Co-operative Trust Company of Canada of any such property, to recite or set out such transmission or assignment of title or to pay any fees in connection with the grant or assignment hereby made of any of such property.

1967, c.97, s.5.

**Rights of creditors preserved**

**6** Nothing in this Act affects the rights of any creditor of, or any person having a claim against, either of the said companies, or impair, modify or affect the liability of Co-operative Trust Company of Canada, but all such rights may be asserted against Co-operative Trust Company of Canada which shall be responsible for all debts, liabilities and obligations of Co-operative Trust Company Limited.

1967, c.97, s.6.

CO-OPERATIVE TRUST COMPANY LIMITED AND  
CO-OPERATIVE TRUST COMPANY OF CANADA

**Saving**

**7** This Act applies only as far as the Legislature has jurisdiction to enact; and it is declared that the purpose and intent of the Legislature is to confine the provisions of this Act within the competence of the Legislature and every provision thereof shall be construed so as to give effect to that purpose and intent.

1967, c.97, s.7.