

1 GEORGE VI, CHAPTER 54, 1937

An Act To Incorporate the Sons of Scotland Benevolent Association

Preamble. WHEREAS the persons hereinafter named be incorporated have by their petition prayed that they may be incorporated as a fraternal benefit society under the name of the Sons of Scotland Benevolent Association, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

Incorporation. 1. John Ferguson, physician; D. Wallace Christie, clergyman; Robert Lewis, secretary; John Tytler, barrister; William A. Murray, accountant; John Clouston, contractor; George Pyper, fitter; Harriet E. Nelson, married woman; all of the city of Toronto, in the province of Ontario; George Anderson, contractor; David Grundie, civil servant; J.M. Ferguson, barrister; David McTurk, carpenter; all of the city of Montreal, in the province of Quebec; John M. Duncan, Superintendent; James MacKay, salesman; Emily Gammie, married woman; all of the city of Winnipeg, in the province of Manitoba; Alexander H. McDonald, salesman; Anne C. McDonald, married woman; William McAndrew, gardener; of the city of Vancouver, in the province of British Columbia; George Robertson, secretary; John Bayne, member of the local government board; of the city of Regina, in the province of Saskatchewan; George S. Fleming, accountant; James McKay, magistrate; Ernest J Leith, probation officer; John Stephen, bank manager; Peter Smith, pharmacist; James A. Thomson, manufacturer; R.G. Harkness, photographer; Robert W. Plenderleith, moulder; Alexander Batchelor, painter; Joseph Gray, merchant, and John Craig, moulder; all of the city of Hamilton, in the province of Ontario, together with such other persons as become members of the society hereby incorporated, are incorporated under the name of the "Sons of Scotland Benevolent Association", in this Act called "the Association".

Head Office 2. The head office of the Association shall be at the city of Toronto, in the province of Ontario.

Fraternal 3. The Association shall be a fraternal benefit society, carrying on
Benefit Society its benefit and insurance work solely for the protection of its members, their families and beneficiaries, and not for profit.

Qualifications 4. Only persons deemed by the Association to be of Scottish origin, or the

For membership wife or husband of a person already a member, shall be admitted as

Members of the Association: Provided that the Association shall, upon the acquisition of the affairs of the provincial association mentioned in the next following section, so admit all persons who are then members in good standing of the provincial association as then constituted.

Powers of Association. 5. (1) The Association shall have power throughout Canada:-

- (a) To organize, establish and carry on local branches of the Association, which branches shall be called Subordinate Camps;
- (b) To propagate and develop among the members of the Association a spirit of mutual co-operation, assistance and friendship;
- (c) To cultivate among the members of the Association fond recollections of Scotland, and to promote their instruction and education in its history, literature, traditions, customs and amusements;
- (d) To establish, maintain and administer an insurance fund for the payment of:
 - (i) A benefit payable at the death of any member, the premiums for which shall be payable during the whole life of the member or during a certain number of years;
 - (ii) An endowment benefit payable to any member after the expiration of a certain number of years or upon the attainment of a certain age or payable upon the death of the member prior to the expiration of the endowment period;
 - (iii) An old age annuity to any member commencing at or after the attainment of the age of sixty years;
- (e) to establish, maintain and administer a fund for the payment of a death, or endowment benefit in respect of any child of any member of the Association or any child under the guardianship of any member, provided that such child is under the age of fifteen years and a juvenile member of the Association;
- (f) To establish, maintain and administer a fund for the payment of a sick benefit, not exceeding fifteen dollars per week, to any member.

Acquisition of provincial Association (2) Subject to the provisions of sections fourteen and fifteen of this Act, the Association may acquire the whole or any part of the rights and property, and may assume the obligations and liabilities, of the Sons of

Scotland Benevolent Association, incorporated under the laws of the province of Ontario on the eighth day of April, 1880, hereinafter called “the provincial association”.

Payment of Benefits	6. Any benefit payable by the Association shall, at the option of the member, be payable in one sum, or in whole or in part as an annuity certain for a term of years, or in whole or in part as a life annuity guaranteed for a certain number of years, or as may be approved by the Superintendent of Insurance.
Grand Camp	7. The Grand Camp, which shall be constituted as provided in the constitution and by-laws of the Association, shall be the final legislative and governing body of the Association.
Executive Board	8. The Executive Board, which shall be constituted as provided in the constitution and by-laws of the Association, shall, in the interval between the meetings of Grand Camp, manage and direct the affairs of the Association.
Temporary Officers and Members	9. The present officers and members of the Executive Board of the provincial association shall be the officers and members of the Executive Board of the Association until their successors are elected Pursuant to the provisions of this Act and the constitution and by-laws of the Association.
Temporary Constitution and by-laws	10. (1) The existing constitution and by-laws of the provincial association, so far as they are applicable and subject to the provisions hereof, shall govern the affairs of the Association and the members thereof from the date of its incorporation until and including the date of the first convention of the Grand Camp of the Association.
Constitution and by-laws	(2) The Association shall have power, from time to time to make, amend and repeal its constitution and by-laws.
General fund	11. The Association may maintain a general fund, to which shall be credited all dues and the other sums intended, according to the constitution and by-laws, to be used for the payment of expenses of administration, and all expenses of the Association, including the expenses arising from the exercise of the powers conferred by paragraphs (a), (b) and (c) of subsection one of section five this Act, shall be payable out of such fund.

Disposition Of surplus of Benefit fund	12. The Association may make provision in its constitution and by-laws whereby such portion of the surplus above all liabilities in any benefit fund as shall be approved by the Actuary of the Association may be applied to grant new or additional benefits to the members of the Association, or to the remission of premiums, or portions thereof, or to the allotment of bonuses.
Ownership And control Of property.	13. (1) All property purchased with the funds of the Association shall be that of and shall be vested in the Association and shall be administered, Managed and controlled by the Executive Board.
Property of Defunct Subordinate Camps.	(2) Whenever, under the provisions of the constitution and by-laws of the Association, any Subordinate Camp authorized under the said constitution and by-laws becomes defunct the property of such Subordinate Camp shall become vested in the Association and the proceeds of all such property shall be applied first in liquidation of the debts and liabilities of such Subordinate Camp and the surplus, if any, shall form part of the Association.
Property of Provincial Association.	14. (1) The Association may acquire the whole or any part of the rights and property of any kind whatsoever now belonging to the provincial Association, and, in the event of such acquisition, the Association shall assume, perform and discharge all unperformed obligations and undischarged liabilities of the provincial association in respect to the rights and property acquired and may give any receipt or discharge in connection with any right, obligation or liability thereof.
Approval of Treasury Board.	(2) No agreement between the Association and the provincial association in connection with the acquisition of the rights and property of the Provincial association, and with the assumption of its obligations and liabilities, shall become effective until such agreement has been submitted to and approved by the "Treasury Board of Canada, and such Board shall not approve the agreement if it appears to it that more than one-third of the members of the Grand Camp of the provincial association, present and voting at a meeting called for the purpose of considering such agreement, are opposed to it.
Bringing this Act into force	15. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice published in the "Canada Gazette", and such notice shall not be given until this Act has been approved by a resolution adopted by at least two thirds of the votes of the members of the Grand Camp of the provincial association present at a

meeting duly called for the purpose, not until the Superintendent of Insurance has been satisfied, by such evidence as he may require, that such approval has been given and that the provincial association has ceased to do business, or will cease to do business forthwith upon a certificate of registry being issued to the Association, except such business as is necessary for the fulfilment of the terms of any agreement made under the provisions of section fourteen of this Act.

C.46 of 1932

16. The Canadian and British Insurance Companies Act, 1932, so far

To apply.

As applicable, shall apply to the Association.