

# *The Co-operative Marketing Associations Act*

*being*

Chapter 144 of the *Statutes of Saskatchewan, 1930*  
(effective February 1, 1931).

FOR HISTORICAL REFERENCE ONLY

## **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.

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## CHAPTER 144

### An Act respecting Co-operative Marketing Associations

#### SHORT TITLE

##### Short title

- 1 This Act may be cited as *The Co-operative Marketing Associations Act*.

1925-26, c.37, s.1; R.R.S. 1930, c.144, s.1.

#### INTERPRETATION

##### Interpretation

- 2 In this Act, unless the context otherwise requires, the expression:

##### “Agricultural products”

1. **“Agricultural products”** includes horticultural, dairy, live stock, poultry, bee and farm products;

##### “Association”

2. **“Association”** means an association incorporated, or company or association registered under the provisions of this Act;

##### “Member”

3. **“Member”** includes the holder of a share or shares in an association with a share capital and the actual members of an association without a share capital;

##### “Registrar”

4. **“Registrar”** means the Registrar of Co-operative Marketing Associations appointed hereunder.

1925-26, c.37, s.2; R.R.S. 1930, c.144, s.2.

#### REGISTRAR

##### Appointment

- 3 The Public Service Commission may appoint a registrar of co-operative marketing associations and may fix his remuneration.

1925-26, c.37, s.3; R.R.S. 1930, c.144, s.3.

## INCORPORATION

**Procedure**

4(1) Any ten or more persons resident in Saskatchewan who desire to associate themselves together as an incorporated association for the general object of marketing agricultural products on the nonprofit co-operative plan, either with or without a capital divided into shares, shall, in the presence of a witness, sign in duplicate and cause to be filed in the office of the registrar a memorandum of association, printed or typewritten (form A), to which shall be attached an affidavit verifying the signatures.

(2) No association shall be registered under a name identical with that by which any other existing association has been registered, or so nearly resembling the same as to be likely to deceive, and the words, "Co-operative," "Marketing," "Association" and "Limited" shall form part of the name of any association registered under this Act.

(3) The registrar may refuse incorporation to any association whose name or part of whose name includes any of the following words: "Imperial," "Crown," "King's," "Queen's," "Royal," "Dominion," "Saskatchewan," or words of similar import.

(4) On the memorandum of association being filed, the registrar shall issue a certificate of incorporation (form B). The subscribers to the memorandum and such other persons as may thereafter become members of the association shall thereupon become and be a body corporate and politic under its registered name, and the certificate shall be conclusive evidence of such incorporation.

(5) The registrar shall cause a notice of such incorporation to be published, at the expense of the association, in one issue of *The Saskatchewan Gazette*; and shall be paid, at the time of filing the memorandum, the charges provided for such publication (form C).

1925-26, c.37, s.4; R.R.S. 1930, c.144, s.4.

**Contents of memorandum of association**

5(1) The memorandum of association shall state the name of the association, its objects, the number of directors, the amount of share capital with which the association proposes to be registered and the division thereof into shares of a fixed amount (if there is any share capital), and also the place in Saskatchewan at which the registered office of the association is to be situated.

(2) Subject to the provisions of subsection (3), where there is no share capital the memorandum of association shall state that the interest of each member of the association is to be the same as that of every other member.

(3) Where there is no share capital the memorandum of association may provide that the membership of the association shall consist of two or more sections, in which case the memorandum shall:

(a) designate each section by a title descriptive of the product or commodity to be delivered by the members thereof;

(b) state the membership fee, or the membership fee for each section if the fee is not uniform;

- (c) state that the interest of each member of the association is to be the same as that of every other member, or state the basis upon which the interest of each section of members shall be computed and that the interest of each member of any section is to be the same as that of every other member of the section; and
  - (d) specify the representation of each section on the board of directors.
- (4) Where there is no share capital the memorandum of association shall make provision for the admission of new members.
- (5) There shall be inserted in the memorandum of association a statement of objects or powers suitable for attaining the general purposes of the association, and, in particular, there may be inserted therein any or all the following:
- (a) to undertake and carry on all kinds of business or operations connected with the marketing, selling, preserving, harvesting, drying, processing, manufacturing, canning, packing, grading, storing, handling or utilisation of any agricultural product, produced or delivered to it by its members, or the manufacturing or marketing of the by-products thereof;
  - (b) to borrow or raise or secure the payment of money in such manner as the association thinks fit, and in particular by the issue of bonds, debentures, debenture stock (perpetual or otherwise) charged upon any or all of the association's property, both present and future including its uncalled capital, and to purchase, redeem or pay off any such securities;
  - (c) to mortgage, pledge, hypothecate, borrow money upon, and otherwise deal with agricultural products and all documents of or evidencing title thereto, either as principal, agent, broker or attorney-in-fact;
  - (d) to advance money to its members on such terms as may seem expedient;
  - (e) to unite with any other association in employing and using the same personnel, methods, means and agencies for carrying on and conducting their respective businesses, or to use the personnel, methods, means and agencies of another association by separate employment;
  - (f) to enter into any arrangements with any governments or other authorities, municipal, local or otherwise that may seem conducive to the association's objects, or any of them, and to obtain from any such government or authority, any rights, privileges and concessions which the association may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
  - (g) to take from the government of any country, province or state the power to carry on therein any business which the association is authorised to carry on;
  - (h) generally to purchase, take on lease or in exchange, hire or otherwise acquire, any real or personal property, and any rights or privileges which the association may think necessary or convenient for the purposes of its business and in particular any land, buildings, easements, machinery, plant and stock in trade;
  - (i) to invest and deal with the moneys of the association not immediately required, in such manner as may from time to time be determined;

- (j) to draw, make, accept, indorse, execute and issue promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable or transferable instruments;
- (k) to sell, improve, manage, develop, exchange, lease, mortgage, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the association;
- (l) to do all or any of the above things as principals, agents, contractors, trustees or otherwise, and by or through trustees, agents or otherwise, and either alone or in connection with others;
- (m) to do all such other things as are incidental or conducive to the attainment of the above objects or any of them.

1925-26, c.37, s.5; 1930, c.50, s.2; R.R.S. 1930, c.144, s.5.

## ORGANISATION BYLAWS

### Registration

- 6(1)** There shall be registered with the memorandum of association, subject to approval by the registrar, printed or typewritten organisation bylaws, in duplicate, not inconsistent with the provisions of this Act, divided into consecutively numbered paragraphs and signed by each subscriber to the memorandum of association in the presence of a witness who shall attest the signature.
- (2)** One copy of such bylaws, with the registrar's approval stamped thereon, shall be returned to the association.

1925-26, c.37, s.6; R.R.S. 1930, c.144, s.6.

### Contents

- 7** Subject to the other provisions of this Act the organisation bylaws may provide for any or all of the following matters:

- (a) the time, place and manner of calling and conducting meetings of the association;
- (b) the number of members or delegates to constitute a quorum;
- (c) the right of members to vote by ballot or mail or both, and the conditions, manner, form and effect of such votes;
- (d) the number of directors to constitute a quorum;
- (e) the qualifications, compensation, duties, term of office and method of removal of directors and officers;
- (f) the time of their election and the mode and manner of giving notice thereof;
- (g) the amount of entrance and membership fees, if any;
- (h) the manner and method of collection of the same, and the purposes for which they may be used;
- (i) the number of shares, if there are shares, that any one member may hold, and the method of payment for same;

- (j) the amount which any member shall be required to pay annually, or from time to time, if at all, to carry on the business of the association;
- (k) the charge, if any, to be paid by each member for services rendered by the association to him, the time of payment and manner of collection of the same;
- (l) the terms of the contract between the association and its members, which every member may be required to sign;
- (m) a referendum on any problem of general concern to the members of the association;
- (n) the number and qualifications of members of the association and the conditions precedent to membership or ownership of shares; the method, time and manner of permitting members to withdraw or transfer their shares; the manner of assignment and transfer of the interest of members and of shares; the conditions upon which and the time when membership of any member shall cease; the automatic suspension of the rights of a member when he ceases to be eligible to membership in the association; the manner of determining the value of a member's interest and provision for its purchase by the association upon the death or withdrawal of a member;
- (o) the division of the territory in which the association has members into districts, and the election of directors from such districts either directly or by district delegates; the number of directors to be elected from each such district, and the method of forming new districts, either as additions to or substitutions for the old districts, and re-determining the number of directors;
- (p) the election of district delegates and the number thereof and the delegation to such district delegates of all or any of the powers which could be exercised by the members assembled at general meeting, the method of calling such meetings and the ascertainment of the persons who may call such meetings;
- (q) the formation of an executive committee and the allotment to such committee of the functions and powers of the board of directors, subject to the general direction and control of that board.

1925-26, c.37, s.7; R.R.S. 1930, c.144, s.7.

## AMENDMENT OF MEMORANDUM AND ORGANISATION BYLAWS

### Procedure

8 The memorandum of association or the bylaws may be amended by bylaw of the directors to be approved, in the case of the memorandum by two-thirds, in the case of the bylaws by a majority, of the votes of the members entitled to vote cast at any annual meeting or any other general meeting duly called to consider the same, but all such alterations shall be subject to the approval of the registrar and shall comply with the provisions of this Act as to registration and otherwise.

1925-26, c.37, s.8; R.R.S. 1930, c.144, s.8.

**Effect**

**9** The memorandum of association and the organisation bylaws and amendments to the same shall, when registered, bind the association and the members thereof to the same extent as if they had respectively been signed and sealed by each member, and contained covenants on the part of each member, his heirs, executors and administrators, to observe all the provisions thereof, subject to the provisions of this Act.

1925-26, c.37, s.9; R.R.S. 1930, c.144, s.9.

## MARKETING CONTRACTS

**Contents**

**10(1)** An association and its members may make and execute marketing contracts, requiring the members to sell or deliver for sale for any period of time, not exceeding seven years, all or any part of their agricultural products or commodities specified in such contracts, exclusively to or through the association or any agencies created by the association.

(2) The contract may provide that the association may sell or re-sell the products delivered by its members, with or without taking title thereto, and pay over to its members the re-sale price, after deducting all necessary selling, overhead and other costs and expenses, including reserves for retiring the shares, if any, and other proper reserves, such as those required for acquiring real or personal property, for the erection of warehouses or other buildings or the acquisition of any mechanical or other facilities connected with the handling, processing, manufacturing and marketing of the products, and interest not exceeding 8 per cent per annum upon shares.

(3) The marketing contract may provide for payment by the members to the association for all agricultural products or commodities sold, consigned or marketed by or for them, or withheld, otherwise than in accordance with its terms, of specified sums as liquidated damages for breach of contract; and any such provision shall be valid and enforceable in the courts of Saskatchewan.

1925-26, c.37, s.10; R.R.S. 1930, c.144, s.10.

**Penalty for inducing breach of contract**

**11(1)** Every person who, having knowledge of the existence of a marketing contract between a member and an association, wilfully either induces, aids or abets anyone to deliver or sell, or accepts, or receives for sale or for auction or for display for sale, any agricultural product which is the subject matter of such contract, otherwise than in accordance with the terms of the contract, shall be guilty of an offence and liable on summary conviction to a penalty of not less than \$50 nor more than \$200. The burden of proof shall be upon the accused.

(2) Notwithstanding anything contained in this Act, subsection (1) shall apply to all co-operative marketing associations incorporated by or under the authority of any Act of Saskatchewan.

1930, c.50, s.3; R.R.S. 1930, c.144, s.11.



## MEMBERSHIP

### Persons admissible as members

**12** Only persons who are engaged in the production of agricultural products to be handled by or through the association, including tenants of land used for the production of such products, and all landlords who receive as rent all or part of the crop upon premises leased by them, shall be admitted as members of an association.

1925-26, c.37, s.11; R.R.S. 1930, c.144, s.12.

### Certificate of membership

**13(1)** Where there is no share capital every member who has paid his membership fee in full shall receive a certificate of membership.

(2) Where there is a share capital no share certificate shall be issued to a member until it has been fully paid for, but the promissory note of a member may be accepted as full or partial payment, and in that case the association shall hold the share certificate as security for payment of the note, but retention of the certificate shall not affect the member's right to vote.

1925-26, c.37, s.12; R.R.S. 1930, c.144, s.13.

### Limitation upon holding shares

**14** Shares of the association shall not be issued to or held by persons who are not engaged in the production of agricultural products handled by the association, and such information shall be printed on every share certificate.

1925-26, c.37, s.13; R.R.S. 1930, c.144, s.14.

### Purchase of shares by association

**15** The association may, at such times as may be specified in its bylaws, purchase any of its own shares which may be offered for sale and pay for them in cash within one year thereafter; provided, however, that this power shall not be exercised when the liabilities of the association exceed 50 per cent of its assets.

1925-26, c.37, s.14; R.R.S. 1930, c.144, s.15.

### Liability of members

**16** No member shall be liable for the debts of the association to an amount exceeding, the sum remaining unpaid on his membership fee, or his subscription for shares, as the case may be, including any unpaid balance on any promissory note given in payment thereof.

1925-26, c.37, s.15; R.R.S. 1930, c.144, s.16.

### Delegation of members powers to delegates

**17** Whenever under an organisation bylaw any power of the members of the association has been delegated to delegates, the members shall not thereafter, while the bylaw is in force, exercise any such power, and all references in this Act to members shall with respect to the exercise of such power be deemed to be references to delegates.

1925-26, c.37, s.16; R.R.S. 1930, c.144, s.17.

**Voting**

**18** No member shall be entitled to more than one vote, and there shall be no voting by proxy.

1925-26, c.37, s.17; R.R.S. 1930, c.144, s.18.

**DIRECTORS AND OFFICERS****Powers**

**19** The directors may by bylaw exercise all the powers of the association set out in the memorandum of association, or granted to the association hereunder.

1925-26, c.37, s.18; R.R.S. 1930, c.144, s.19.

**Bylaws to be approved**

**20** Every bylaw of the directors, except in the exercise of some power expressly delegated to them by the bylaws of the association, shall be submitted to and subject to the review of the members or delegates, as the case may be, at the next annual meeting, and any such bylaw if disapproved at such meeting shall cease to have any validity, but otherwise shall continue in force.

1925-26, c.37, s.19; R.R.S. 1930, c.144, s.20.

**Election of officers**

**21** The directors shall elect from their number a president and one or more vice presidents, and shall also appoint a secretary and a treasurer, or a secretary treasurer, who need not be a member of the association.

1925-26, c.37, s.20; R.R.S. 1930, c.144, s.21.

**Vacancies**

**22** When a vacancy on the board of directors occurs otherwise than by expiration of the term of office of a director, the remaining members of the board may fill the vacancy, unless the bylaws provide for an election of directors by districts, in which event the board of directors shall immediately call a special meeting of the members of that district to fill the vacancy.

1925-26, c.37, s.21; R.R.S. 1930, c.144, s.22.

**Directors' contracts**

**23** No director during his term of office shall be a party to any contract for profit with the association which confers upon him any rights other than such as are accorded to members generally.

1925-26, c.37, s.22; R.R.S. 1930, c.144, s.23.

**Remuneration**

**24** The association may provide a fair remuneration for the time actually spent by its officers and directors in its service, and for the services of the members of the executive committee, if any.

1925-26, c.37, s.23; R.R.S. 1930, c.144, s.24.

## MEETINGS

### Regular meetings

**25** Every association shall by bylaw provide for one or more general meetings annually. Any matter affecting the association or its affairs may be dealt with at a general meeting.

1925-26, c.37, s.24; R.R.S. 1930, c.144, s.25.

### Special meetings

**26(1)** The directors may call a special meeting of the members or delegates, as the case may be, at any time, and 10 per cent of the members or 25 per cent of the district delegates may request the directors to call a special meeting for the purpose of disposing of specific business, and the directors shall thereupon call such meeting.

(2) Notice of all special meetings, together with a statement of the purpose thereof, shall be mailed to each member or delegate, at least ten days prior to the date of the meeting, at the address given in the register of members.

(3) No business other than that specified in the notice shall be transacted at a special meeting.

1925-26, c.37, s.25; R.R.S. 1930, c.144, s.26.

## RECORDS

### Register, etc., to be kept

**27(1)** A register, or list of members, shall be kept by every association, and such register shall show and shall be *prima facie* evidence of:

- (a) the name, addresses and occupations of the members and, where there is share capital, the number of shares held by each of them, the numbers of such shares and the amount paid or considered as paid thereon; or, where there is no share capital, the amount paid or owing as fees by each member;
- (b) the date on which each member was registered;
- (c) the date on which any member ceased to be such.

(2) A proper set of commercial books shall be kept, and such books shall show clearly all transactions of the association.

1925-26, c.37, s.26; R.R.S. 1930, c.144, s.27.

### Records open to inspection

**28** Such records shall be open for inspection to any member or delegate, at the head office of the association, subject to such regulations respecting the time and manner of inspection as may be made from time to time by general meeting of the association, except that no person, unless he is an officer of the association or is specially authorised by a resolution thereof, shall have the right to inspect the account of any other member without the written consent of such member.

1925-26, c.37, s.27; R.R.S. 1930, c.144, s.28.

## ACCOUNTS AND RETURNS

**Annual audit**

**29** Every association shall at the close of its financial year as provided in the organisation bylaws, submit its accounts for audit to a chartered accountant, who shall have access to all books and accounts of the association, shall examine the general statement of its revenue and expenditure, assets and liabilities, verify the same with the accounts and vouchers relating thereto, and either sign the same, as found by him to be correct, duly vouched, and in accordance with law, or specially report to the association in what respect he found any entry or account incorrect, unvouched, or not in accordance with the law.

1925-26, c.37, s.28; R.R.S. 1930, c.144, s.29.

**Annual return**

**30(1)** Every association shall within two months after the end of the financial year send to the registrar a general statement of the revenue and expenditure, assets and liabilities of the association for the financial year just closed, together with a statement of:

- (a) the total quantity of each kind of agricultural products purchased from the members or delivered for sale to the association or any agency of the association by its members, and the amount thereof remaining unsold;
- (b) the gross receipts of the association from the sale of all agricultural products;
- (c) the gross receipts of the association from other sources;
- (d) the total amount paid to members;
- (e) the total amount deducted from the gross receipts for salaries of officers and other employees;
- (f) the total amount deducted for all other expenses directly connected with the sale and marketing of products;
- (g) the total amount deducted for the purchase or other acquisition of real or personal property, the erection of buildings, the acquisition of mechanical or other facilities connected with the handling, processing, manufacturing and marketing of products; and
- (h) the total deductions to provide for reserves;

accompanied by a copy of the annual report; and such statement and report shall be called the annual return.

(2) The association shall furnish to the registrar such additional information as he may from time to time require.

(3) Every association shall also, within two months after the end of the financial year, send to every member of the association a copy of the last annual return of the association.

(4) Every return and other document required for the purposes of this Act shall be made in such form and shall contain such further particulars as the registrar may prescribe.

1925-26, c.37, s.29; R.R.S. 1930, c.144, s.30.

## OFFENCES AND PENALTIES

### Offences and penalties

**31(1)** It shall be an offence against this Act if any association:

- (a) fails to give any notice, make any return or do or allow to be done any act or thing which the association is by this Act required to give, make, do or allow to be done;
  - (b) wilfully neglects or refuses to do any act, or make any record or return, or furnish any information required for the purposes of this Act by the registrar or other person authorised under this Act, or does any act or thing forbidden by this Act;
  - (c) makes a record or return, or wilfully furnishes information, in any respect false or insufficient.
- (2) Every offence against this Act by an association shall be deemed to have been also committed by every officer of the association who does the act constituting the offence or whose duty it is to do the thing the omission whereof constitutes such offence or, if there is no such officer, then by each of the directors, unless such officer or director is proved to have been ignorant of, or to have attempted to prevent, the commission of such offence.
- (3) Anyone guilty of an offence against this Act shall be liable on summary conviction to a penalty not exceeding one hundred dollars and costs.
- (4) If any association fails or refuses to forward any report or document its name may be removed from the register, at the discretion of the registrar.

1925-26, c.37, s.30; R.R.S. 1930, c.144, s.31.

## DISSOLUTION

### By consent of members

- 32(1)** An association may be dissolved by consent of one half of the members present at a duly called special or regular meeting called to consider dissolution, testified by their signatures to an instrument of dissolution.
- (2) The instrument of dissolution shall set forth in detail the liabilities and assets of the association, the number of members, and the nature of their respective interests in the association, the claims of creditors (if any) and the provision to be made for their payment, and the intended appropriation or division of the funds or property of the association unless the same is stated in the instrument of dissolution to be left to the award of the registrar.
- (3) A statutory declaration shall be made by the president and secretary of the association that the provisions of this Act have been complied with and shall be sent to the registrar with the instrument of dissolution.
- (4) The registrar shall cause a notice of the dissolution to be advertised, at the expense of the association, in *The Saskatchewan Gazette* and in some newspaper circulating in the district in which the head office of the association is situated.

1925-26, c.37, s.31; R.R.S. 1930, c.144, s.32.

**By registrar**

**33(1)** When the registrar has reasonable cause to believe that an association is not carrying on business or is not in operation, he shall send to the secretary of the association, by post, a letter inquiring whether the association is carrying on business or is in operation.

(2) If the registrar does not within one month of sending the letter receive an answer thereto, he shall within fourteen days after the expiration of the month send to the secretary of the association, by post, a registered letter, referring to the first letter and stating that no answer thereto has been received by him, and that if an answer is not received to the second letter within one month from the date thereof a notice will be published in *The Saskatchewan Gazette* with a view to striking the name of the association off the register.

(3) If the registrar receives an answer from the association to the effect that it is not carrying on business or in operation, or does not within one month after sending the second letter receive an answer thereto, the registrar may publish in the said Gazette and send to the association a notice that at the expiration of one month from the date of that notice the name of the association mentioned therein will, unless cause is shown to the contrary, be struck off the register and the association dissolved.

(4) At the expiration of the time mentioned in the notice the registrar may, unless cause to the contrary is previously shown by the association, strike the name of the association off the register, and in such case he shall publish notice thereof in *The Saskatchewan Gazette*, whereupon the association shall be dissolved.

1925-26, c.37, s.32; R.R.S. 1930, c.144, s.33.

**Settlements in event of dissolution**

**34** In case of a dissolution of an association under this Act the association shall nevertheless be considered as subsisting and be in all respects subject to the provisions of this Act, so long and so far as any matter relating to the same remains unsettled, to the intent that the association may do all things necessary to the winding up of the concerns thereof and may sue and be sued under the provisions of this Act in respect to all such unsettled matters.

1925-26, c.37, s.33; R.R.S. 1930, c.144, s.34.

**Liquidators' returns**

**35(1)** In the event of an association being wound up under *The Companies Winding Up Act*, the liquidators shall, when the affairs of the company have been fully wound up and a general meeting has been called for the purpose of having the liquidators' accounts laid before it, forward to the Registrar of Co-operative Marketing Associations a duplicate of the return required to be made to the Registrar of Joint Stock Companies, and the registrar shall file such return in his office.

(2) In case the liquidators make default in transmitting the return mentioned in the preceding subsection, they shall be severally liable to a penalty of five dollars for every day during which the default continues.

1925-26, c.37, s.34; R.R.S. 1930, c.144, s.35.

## GENERAL

**Fees**

**36** The fees payable to the registrar for services under this Act shall be those set forth in form C.

1925-26, c.37, s.35; R.R.S. 1930, c.144, s.36.

**Disposal of fees**

**37** All fees received by the registrar under or by virtue of this Act shall be paid by him into and form part of the consolidated fund.

1925-26, c.37, s.36; R.R.S. 1930, c.144, s.37.

**Application of *Companies Act***

**38** Every association with share capital shall be deemed to be a company within the meaning of section 161 of *The Companies Act* to the extent that the provisions of the said Act are not inconsistent with the terms of this Act.

1925-26, c.37, s.37; R.R.S. 1930, c.144, s.38.

**Security Frauds Prevention Act**

**39** *The Security Frauds Prevention Act* shall not apply to shares of an association incorporated under this Act.

1925-26, c.37, s.38; R.R.S. 1930, c.144, s.39.

**Deductions from proceeds of sales**

**40** No association incorporated or registered under this Act shall make any deductions from the gross amount received by it from the sale of the agricultural products delivered to it by its members, except such as are provided by subsection (2) of section 10.

1925-26, c.37, s.39; R.R.S. 1930, c.144, s.40.

**Extension of operation of Act**

**41(1)** Every company or association incorporated under the authority of any Act of the Legislature of Saskatchewan, which has as part of its corporate name the word "co-operative", and which has as its general object the marketing of agricultural products on the nonprofit, co-operative plan, may avail itself of the provisions of this Act to the extent that such provisions are not inconsistent with the Act under which it was incorporated, if it files with the registrar such evidence of its incorporation as he may require.

(2) On such evidence being filed, the registrar shall register the company or association under this Act, shall issue a certificate thereof (form D) to the company or association, and shall publish a notice thereof in one issue of *The Saskatchewan Gazette*. Thereupon, all the provisions of this Act, not inconsistent with the Act under which the company or association was incorporated, shall apply to the company or association, and the certificate (form D) shall be conclusive evidence of registration.

1925-26, c.37, s.40; 1930, c.50, s.4; R.R.S. 1930, c.144, s.41.

## SCHEDULE

## FORM A

[Section 4(1)]

*The Co-operative Marketing Associations Act*

## MEMORANDUM OF ASSOCIATION

1. We (*insert name, address and occupation of at least ten subscribers*) desire to form an association under *The Co-operative Marketing Associations Act*.
2. The corporate name of the association is to be (*insert name proposed*) Co-operative Marketing Association, Limited.
3. The head office of the association is to be at \_\_\_\_\_ in the Province of Saskatchewan.
4. The objects for which the association is to be formed are:  
(*Insert objects – See subsection (5) of section 5 of The Co-operative Marketing Associations Act*).
5. The capital stock of the association is to consist of (*insert number*) shares of (*insert a par value*) each.
6. The liability of the members is limited.

or

6. The association is to be organised without share capital and the interest of each member of the association is to be the same as that of every other member. (*Number*) persons are now willing to become members and have paid their fee. New members shall be admitted on payment of a fee of (*insert amount*) and upon being otherwise qualified as set out in the organisation bylaws filed herewith.
7. The board of directors is to consist of (*insert number*) who shall be members of the association and otherwise qualified as set out in the organisation bylaws filed herewith.

Dated at \_\_\_\_\_ in the Province of Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Witness:

_____	_____
	_____
	_____
	_____
	_____
	_____
	_____
	_____
	_____
	_____



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FORM B  
[Section 4(4)]*The Co-operative Marketing Associations Act*

## CERTIFICATE OF INCORPORATION

The \_\_\_\_\_ Co-operative \_\_\_\_\_ Marketing Association, Limited, having filed a duly executed memorandum of association and organisation bylaws, is incorporated under *The Co-operative Marketing Associations Act*, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
*Registrar of Co-operative Marketing  
Associations for Saskatchewan.*

FORM C  
[Section 4(5) and 36]

## TABLE OF FEES PAYABLE TO REGISTRAR

Filing memorandum of association and organisation bylaws or registration of a company or association already incorporated .....	\$10.00
Filing amendments to memorandum or bylaws .....	2.50
Advertising notice of incorporation or registration in <i>The Saskatchewan Gazette</i> .....	2.50
Filing annual return .....	1.00
Search of records .....	.25
Advertising dissolution in <i>The Saskatchewan Gazette</i> and in newspaper .....	actual cost

FORM D  
[Section 41]*The Co-operative Marketing Associations Act*

## CERTIFICATE OF REGISTRATION

The \_\_\_\_\_ Association, Limited, duly incorporated under the provisions of \_\_\_\_\_, having filed the required documentary evidence, is registered under *The Cooperative Marketing Associations Act*, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
*Registrar of Co-operative Marketing  
Associations for Saskatchewan.*

