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c 79 Credit Unions Act

Ontario

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CHAPTER 79

The Credit Unions Act

1. In this Act,

(a) "amendment of by-law" includes a new by-law, and a resolution revoking a by-law;

(b) "by-laws" means by-laws approved under this Act and includes any amendment of a by-law approved under this Act;

(c) "credit union" means a credit union incorporated under this Act;

(d) "department" means the department of the Government presided over by the Minister;

(e) "inspector" means inspector of credit unions appointed under this Act;

(f) "land" includes hereditaments and chattels real, and any interest therein;

(g) "meeting" includes a meeting of delegates appointed by members;

(h) "Minister" means the member of the Executive Council charged with the administration of this Act;

(i) "office" means the registered office of a credit union;

(j) "officer" includes treasurer, secretary, member of the board of directors, manager, or servant, other than a servant appointed by the board of directors, of a credit union;

(k) "persons claiming through a member" includes the heirs, executors, administrators and assigns of a member;

(l) "property" includes all real and personal estate;
2. The Lieutenant-Governor in Council may appoint a registrar of credit unions, an inspector of credit unions, and such other officers, clerks and employees as he deems necessary. 1940, c. 7, s. 2.

3. All applications under this Act shall be subject to the approval of the Minister after consideration of the compliance of the application with this Act and of all circumstances connected therewith, and the Minister or any officer of the department to whom an application is referred may, for the purpose of any inquiry into such circumstances and the sufficiency and regularity of the application, take evidence in writing under oath or affirmation. 1940, c. 7, s. 3.

4. All applications to the Minister for incorporation, or for his approval of any act which requires his approval, shall be by memorandum of association, verified by affidavit or declaration. 1940, c. 7, s. 4.

5. Credit unions may be incorporated having for their object and purpose,

(a) the receiving of moneys on deposit from members and as payment for shares;

(b) the making of loans to members with or without security for provident and productive purposes;

(c) the making of loans to other credit unions;

(d) the depositing of moneys with and making loans to any league incorporated under section 48, provided that no credit union shall deposit with or loan to any such league an amount in excess of 25 per cent of the total assets of the credit union; and

(e) the investing of moneys to an extent not exceeding 25 per cent of its capital, in the paid-up shares of other credit unions or of any league incorporated under section 48. 1942, c. 7, s. 1.

6.—(1) Any number of persons not less than 20, capable of contracting, may be incorporated as a credit union.
(2) Such persons shall sign in duplicate, before two witnesses, a memorandum of association in the prescribed form, and one copy of such memorandum, with a copy of the by-laws, shall be forwarded by registered post or otherwise delivered to the registrar, and the other, with a copy of the by-laws, shall remain on file with the credit union. 1940, c. 7, s. 6.

7. Upon receiving a memorandum of association the Minister may, in his discretion, refuse to issue a certificate of incorporation, or may issue a certificate of incorporation and give notice thereof in The Ontario Gazette and thereupon the credit union shall be a corporation under the name described in the certificate and notice, and all property for the time being vested in any person in trust for the credit union shall be vested in the credit union and the certificate of incorporation and the by-laws of the credit union, together with this Act, shall constitute the charter of the credit union. 1940, c. 7, s. 7.

8. The production of a copy of The Ontario Gazette containing the notice of incorporation of a credit union shall be conclusive evidence that the credit union is duly incorporated. 1940, c. 7, s. 8.

9. The membership of a credit union shall be limited to persons having a common bond of occupation or association or to persons within a well-defined neighbourhood or community. 1940, c. 7, s. 9.

10. Every credit union shall have a registered office to which all communications and notices shall be sent, and the credit union shall send to the registrar written notice of the location of its registered office and of every change of the location. 1940, c. 7, s. 10.

11. A credit union may, by by-law, provide for the holding, purchasing or leasing, in its own name, of land and for the sale, exchange or leasing thereof or the erection of buildings thereon. 1940, c. 7, s. 11.

12. No credit union shall be registered under a name identical with that of any other credit union or of any company or organization or under a name so nearly resembling that of any other credit union, company or organization as, in the opinion of the Minister, to be likely to deceive. 1940, c. 7, s. 12.

13. The word "Limited" shall be the last word of the name of every credit union. 1940, c. 7, s. 13.
Use of words "credit union":

14. No person or persons shall trade or carry on business under any name or title of which the words "credit union" form a part unless the person or persons are duly incorporated under this Act. 1940, c. 7, s. 14.

Change of name, by Minister;

15.—(1) The Minister may at any time change the name of any credit union where he deems it to be identical with the name of any other credit union or any company or organization or so nearly to resemble any such name as to be likely to deceive, or, for any other reason to be objectionable. 1940, c. 7, s. 15 (1).

by resolution.

(2) Subject to the approval of the Minister, a credit union may by resolution approved by two-thirds of the members present at a general meeting called for that purpose, change its name. 1944, c. 13, s. 1.

Publication.

(3) Every change of name of a credit union shall be effective from the date of the publication of notice thereof in The Ontario Gazette, but no change of name shall affect any right or obligation of the credit union or of any member thereof, and any pending legal proceedings may be continued by or against the credit union notwithstanding the change. 1940, c. 7, s. 15 (3).

By-laws.

16. By-laws of a credit union may,

(a) prescribe the purposes for which the profits of the credit union may be appropriated;

(b) prescribe the maximum number of shares which may be held by a member of the credit union;

(c) prescribe the maximum amount which may be deposited by or loaned to a member thereof;

(d) provide for the expulsion and withdrawal of members thereof;

(e) prescribe the form of any instrument necessary for carrying the purposes of the credit union into effect; and

(f) provide for such other matters as may be authorized by the regulations. 1940, c. 7, s. 16.

Approval of by-laws.

17.—(1) No by-law or amendment of a by-law shall be valid until it has been approved by the registrar, for which purpose two copies thereof, signed by three members and the
secretary, or by the president and the secretary, shall be sent to the registrar.

(2) The registrar, on being satisfied that a by-law or amendment of a by-law has been duly passed by the credit union, may approve thereof. 1940, c. 7, s. 17; 1947, c. 22, s. 1.

18. The by-laws of the credit union shall bind the credit union and every member thereof and every person claiming through a member to the same extent as if such member had subscribed his name and affixed his seal thereto and as if there were contained in such by-laws a covenant on the part of the member, his heirs, executors, administrators and assigns, to conform thereto subject to this Act. 1940, c. 7, s. 18.

19. A copy of the by-laws of the credit union shall be delivered by the credit union to every member on demand on payment of a sum fixed by the by-laws. 1940, c. 7, s. 19.

20. A credit union may create a capital divided into shares, and the amount thereof, the number of shares, and the payments thereon, shall be determined by its by-laws; provided that the amount of each share shall not exceed $10. 1940, c. 7, s. 20.

21. The capital of the credit union may, subject to the by-laws, be increased by subscriptions for new shares or the admission of new members, and it may be diminished by withdrawals. 1940, c. 7, s. 21.

22. Any corporation may become a member of a credit union, but no loan shall be made to any such corporation unless the loan has been approved by a joint meeting of the board of directors, credit committee and supervisory committee of the credit union. 1947, c. 22, s. 2.

23. No member shall have more than one vote, and voting by proxy shall be allowed only when shares are held by an agricultural association, a municipal body, a school board, or other corporation. 1940, c. 7, s. 23.

24. A person under the age of 21 years may, subject to the limitations of the by-laws, be a member of a credit union, and every such person may enjoy all the rights of a member, except as herein provided, and execute all instruments and give all acquittances necessary to be executed or given under the by-laws, but shall not be a trustee, manager, treasurer or a member of the board of directors, credit committee or supervisory committee of the credit union. 1940, c. 7, s. 24.
25. Every credit union shall keep a register or list of members and shares which shall be *prima facie* evidence of any of the following matters entered therein,

(a) the names and addresses of the members and the number of shares held by each member;

(b) the date at which the name of any person or corporation was entered in the register or list as a member; and

(c) the date at which any person or corporation ceased to be a member. 1940, c. 7, s. 25; 1944, c. 13, s. 2.

26.-(1) All moneys payable by a member to a credit union shall be a debt due from the member to the credit union and shall be recoverable as such in any court of competent jurisdiction.

(2) A credit union shall have a lien on the shares of any member for any debt due to it by him, and may set off any sum standing to the credit of such member on the books of the credit union, in or towards the payment of such debt. 1940, c. 7, s. 26.

27.-(1) Every credit union shall set aside at least 20 per cent of its yearly net profits as a guarantee fund to meet losses, and the fund shall be held as a reserve against uncollectable loans and losses, provided that where at the close of any fiscal year the amount set aside for the guarantee fund equals at least 10 per cent of the total amount received from members on deposit and as payment for shares, the directors may, subject to the approval of two-thirds of the members present at the annual meeting, direct that no moneys be set aside for the guarantee fund for the then current year. 1940, c. 7, s. 27 (1); 1944, c. 13, s. 3.

(2) A credit union may by by-law provide that, after making provision for the guarantee fund and before declaring a dividend, an amount not exceeding five per cent of the net earnings shall be set aside in a special fund which shall be used for such educational purposes as may be determined by the by-law. 1940, c. 7, s. 27 (2).

28.-(1) No credit union shall advance money by discount, loan or otherwise to, nor accept deposits from, any person other than members thereof.

(2) Interest together with all charges and penalties shall not exceed one per cent per month on the unpaid balance of any loan. 1940, c. 7, s. 28 (1, 2).
(3) No officer or member of a committee or of the board of directors of a credit union shall borrow or have on loan an amount in excess of the aggregate of his fully paid-up shares and deposits unless such loan is approved by a two-thirds majority at a joint meeting of the board of directors, credit committee and supervisory committee. 1940, c. 7, s. 28 (3); 1942, c. 7, s. 2.

29.—(1) Every credit union shall at its first general meeting elect from its members a board of directors of at least five members who shall hold office for such term as the by-laws may prescribe and until their successors are elected.

(2) The board of directors shall perform such duties as may be prescribed by this Act, the regulations, and the by-laws of the credit union. 1940, c. 7, s. 29.

30.—(1) Every credit union shall at its first general meeting elect from its members a credit committee of at least three members, who shall not be members of the board of directors or the supervisory committee or officers of the credit union and who shall hold office for such term as the by-laws may prescribe and until their successors are elected, provided that if the by-laws so provide the president shall be ex officio a member of the credit committee.

(2) It shall be the duty of the credit committee to consider all applications for loans and to approve all loans of the credit union. 1940, c. 7, s. 30 (1, 2).

(3) The credit committee may upon such terms as it may determine authorize the treasurer or manager to make loans in amounts not exceeding $25 for periods of not exceeding one month without obtaining its approval. 1944, c. 13, s. 4.

(4) The credit committee shall not approve any loan that is greater in amount than the maximum amount that may be loaned to a member as set out in the by-laws of the credit union. 1949, c. 20, s. 2.

31.—(1) Every credit union shall at each annual meeting elect from its members a supervisory committee of three members, who shall not be members of the board of directors or credit committee or officers of the credit union.

(2) The members of the supervisory committee shall hold office for such term as the by-laws may prescribe and until their successors are elected.
Duties.

(3) The supervisory committee shall, from time to time, examine and audit the books of the credit union and deposit books of the members and shall check the cash investments and securities of the credit union. 1940, c. 7, s. 31 (1-3).

Misappropriation of funds.

(4) In the event of any of the funds, securities or other property of the credit union being misappropriated or otherwise misdirected from their proper use, or in the event of any of the by-laws of the credit union being contravened by the board of directors or credit committee, or any member thereof, or by any officer or employee engaged by the board of directors, the supervisory committee shall forthwith call a general meeting of the credit union, and pending the holding of the meeting the committee may suspend any member of the board of directors or credit committee or any officer or employee engaged by the board of directors, and may appoint a member of the credit union to perform the duties of any person so suspended, until the meeting of the credit union. 1940, c. 7, s. 31 (4); 1949, c. 20, s. 3 (1).

Idem.

(5) The supervisory committee shall report to the meeting all circumstances relating to any misappropriation of funds, securities or other property or any improper diversion thereof and the reasons for any suspension, and the members of the credit union may by a vote of two-thirds of the members present at the meeting or at any adjournment thereof, dismiss from office any person so suspended and when the members of the credit union do not so vote to dismiss from office any person so suspended, the person shall be reinstated forthwith. 1949, c. 20, s. 3 (2).

Annual report.

(6) The supervisory committee shall submit a written report to each annual general meeting. 1940, c. 7, s. 31 (6).

Payments to officers.

32. All payments to officers of the credit union for services rendered shall be approved by the board of directors. 1940, c. 7, s. 32.

Bond of officer.

33. Every officer or employee engaged by the board of directors of a credit union who receives or has charge of money shall before assuming the duties of his office furnish a bond for the due accounting of moneys received by him and the faithful performance of his duties, with such sureties and in such form and amount as the board of directors may determine. 1940, c. 7, s. 33; 1949, c. 20, s. 4.

Investment of funds.

34.—(1) The funds of a credit union that are not required for the purposes of section 5 or for the guarantee fund shall be invested,
(a) in any investment that is authorized by The Companies Act for the investment of the funds of a joint stock insurance company; or

(b) in any investment other than those set out in section 5 where such investment is approved by a resolution passed by a two-thirds majority of those present at a meeting of the members called for the purpose, but in no case shall a resolution under this clause affect more than 10 per cent of the share capital and deposits of the credit union and in no case shall the aggregate of all investments of the credit union under this clause exceed 25 per cent of its share capital and deposits.

(2) Any investment made by a credit union before the 7th day of June, 1949, that does not comply with this section may be retained by the credit union but shall be disposed of at the first opportunity and in no event shall be renewed. 1949, c. 20, s. 5.

(3) A credit union which has invested any part of its funds in the shares or on the security of any other corporation may appoint as proxy any one of the members of such credit union.

(4) The proxy shall, during the continuance of his appointment, be deemed to be the holder of any such shares for all purposes except the transfer of such shares, or the giving of receipts for any dividend thereon. 1940, c. 7, s. 34 (2, 3).

35. The board of directors of a credit union may pass resolutions for borrowing money, provided that nothing in this section or sections 36 to 38 shall apply to loans made upon the security of promissory notes, bills of exchange, or other securities of a commercial nature issued in the ordinary course of business. 1944, c. 13, s. 5.

36. A credit union shall not borrow an amount in excess of 50 per cent of the capital, deposits and surplus of the credit union. 1940, c. 7, s. 36.

37. No resolution referred to in section 35 shall take effect until it has been confirmed by a vote of not less than two-thirds of the members present or represented by proxy at a general meeting of the credit union, duly called for considering the resolution, by notice specifying the terms of the resolution to be confirmed, or until unanimously sanctioned in writing by the members of the credit union; provided that no confirmation of any such resolution shall be required when the total
38.—(1) The board of directors may charge, hypothecate, mortgage or pledge the real or personal property, rights and powers, undertaking, franchises, including book debts, to secure any liability of the credit union authorized by resolution and confirmed as herein provided.

(2) No assignee, mortgagee, pledgee, chargee or hypothec holder shall be bound to inquire as to the authority for any such assignment, mortgage, pledge, charge or hypothec by a credit union, and the receipt of the credit union shall be a discharge for all moneys arising from or in connection with such assignment, mortgage, pledge, charge, hypothec or other security. 1940, c. 7, s. 38.

39.—(1) A member of a credit union having on deposit and as payment for shares an amount not exceeding $500 may, by a writing signed by him and deposited with the credit union, nominate any person to receive the money at his death.

(2) Upon receiving an affidavit of the death of a member the directors of the credit union may substitute on the books of the credit union the name of the nominee in place of the deceased member or may immediately pay to the nominee the amount due to the deceased member. 1944, c. 13, s. 6, part.

40.—(1) If a member of a credit union having on deposit and as payment for shares an amount not exceeding $500 dies intestate without making a nomination as provided in section 39, the amount may, without letters of administration being taken out, be paid to the person who appears to the directors to be entitled thereto under The Devolution of Estates Act upon receiving an affidavit of the death and intestacy and that the person claiming is so entitled.

(2) When the directors, after the death of a member, have paid such amount to the person who at the time appeared to be entitled thereto under the belief that the member died intestate without having appointed any nominee, the payment shall be valid and effectual with respect to any demands from any other person as next of kin or as the lawful representative of the deceased against the credit union, but the next of kin or representative shall be entitled to recover the amount of such payment from the person who received it. 1944, c. 13, s. 6, part.

41.—(1) The annual meeting of the credit union shall be held at such time and place as the by-laws of the credit union
provide, and in default of provisions in that behalf the annual meeting shall be held at the registered office of the credit union on the fourth Wednesday in January.

(2) At such meeting the board of directors shall place before the credit union,

(a) a balance sheet made up to date not more than three months before such annual meeting;

(b) a statement of income and expenditure for the financial period ending upon the date of such balance sheet;

(c) the report of the supervisory committee; and

(d) such further information respecting the credit union's financial position as the by-laws require. 1940, c. 7, s. 41 (1, 2).

(3) Every balance sheet shall be drawn up so as to distinguish at least the following classes of assets and liabilities, namely,

(a) cash;

(b) debts owing to the credit union from members;

(c) land and buildings;

(d) debts owing by the credit union secured by mortgage or other lien upon the property of the credit union;

(e) debts owing by the credit union but not secured;

(f) amount received on shares;

(g) amount held on deposit. 1940, c. 7, s. 41 (3); 1944, c. 13, s. 7.

42. Every credit union shall without charge supply to every member or other person interested in the funds of the credit union, upon application therefor, or as provided by the by-laws of the credit union, a copy of the last annual balance sheet and return of the credit union. 1940, c. 7, s. 42.

43.—(1) Save as provided in this Act, no member or other person shall have any right to inspect the books of the credit union.
(2) Any member or other person having an interest in the funds of the credit union may inspect his own account and the books containing the names of the members at all reasonable hours at the registered office of the credit union, or at such other place where they are kept, subject to such conditions as to time and manner of such inspection as may be prescribed by the by-laws.

(3) The credit union may, by by-law, authorize the inspection of any of its books therein mentioned, in addition to the books containing the names of members, under such conditions as are thereby prescribed, and no person, unless he is an officer of the credit union or is specifically authorized by a resolution thereof, shall have the right to inspect the loan or deposit account of any other member without his written consent. 1940, c. 7, s. 43.

44. Every dispute not of a pecuniary character, and every dispute of a pecuniary character in which the amount involved or in dispute does not exceed $100, between a member of a credit union or any person aggrieved who has for not more than six months ceased to be a member of the credit union, or any person claiming through any such member or person, or claiming under the by-laws of the credit union, and the credit union or any officer thereof, shall be decided in the manner prescribed by the by-laws of the credit union where the by-laws provide therefor. 1940, c. 7, s. 44.

45.—(1) Upon the application of one-tenth of the members of a credit union, or of 100 members in the case of a credit union having more than 1,000 members, the Minister may,

(a) direct the inspector to examine into and report upon the affairs of the credit union;

(b) call a special meeting of the credit union.

(2) Every such application shall be supported by such evidence as the Minister may require, and the Minister may require that notice in such form and manner as he may prescribe shall be given to the credit union or the members thereof.

(3) The Minister may require the applicant to furnish security for the costs of the inspection or meeting.

(4) All expenses of and incidental to the inspection or meeting shall be defrayed by the persons applying therefor.
or out of the funds of the credit union, or by the members or officers or former members or officers of the credit union, as the Minister may direct.

(5) The Minister may direct the time and place at which the special meeting shall be held and may prescribe the matters which shall be discussed and determined at the meeting, and all the provisions of the by-laws of the credit union relating to general meetings shall apply to the special meeting. 1940, c. 7, s. 45.

46. A credit union shall on or before the 1st day of March in each year deliver to the inspector, in duplicate, in the form prescribed by the inspector, an audited statement of its receipts and expenditures, assets and liabilities, and such statement shall also contain such other information as the inspector may require. 1949, c. 20, s. 6.

47.—(1) Every credit union shall furnish the inspector with such statements with respect to its business, finances and other affairs and such other information as he may require.

(2) The statement and any other information shall be certified by the supervisory committee and shall be verified by the affidavit of the president, and the treasurer or manager.

(3) The inspector or any person authorized by the Minister may inspect and examine into the conditions and affairs of any credit union and shall have access to all books, records and other documents and may make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its liabilities as they become due, and whether or not it has complied with this Act, and the officers and employees shall facilitate such inspection and examination.

(4) The inspector or any person authorized by the Minister may examine under oath officers, employees, members and members of any board, of any credit union in order to obtain any information which he deems necessary for the purpose of any inspection or examination, and upon such inspection or examination the inspector or any person so authorized shall have all the powers that may be conferred upon a commissioner under The Public Inquiries Act.

(5) The inspector may, and at the request of the Minister shall, prepare from statements filed by the credit unions and from inspections and examinations, a report showing particulars of the business of each credit union and every such report may be printed and if printed shall be published forthwith. 1940, c. 7, s. 47.
48.—(1) Ten or more credit unions may be incorporated as a league for the object and purpose of,

(a) protecting and advancing the credit unions which are members thereof;

(b) encouraging and assisting educational and advisory work relating to credit unions;

(c) arranging for group bonding of credit union employees and ensuring repayment of loans made by credit unions to their members;

(d) receiving moneys from its members either as payment on shares or as deposits; and

(e) making loans to credit unions which are members of the league.

(2) The president and the treasurer or manager of each of such credit unions shall sign in duplicate, before two witnesses, a memorandum of association prescribed by the registrar, and the memorandum accompanied by the proposed by-laws shall be forwarded to the registrar.

(3) Upon receiving the memorandum of association the Minister may, in his discretion, refuse to issue a certificate of incorporation or may issue a certificate of incorporation and give notice thereof in *The Ontario Gazette* and thereupon the league shall be a corporation under the name described in the certificate and notice, and all property, for the time being vested in any person in trust for the league, shall be vested in the league, and the certificate of incorporation and the by-laws of the league, together with this Act, shall constitute the charter of the league.

(4) The production of a copy of *The Ontario Gazette* containing the notice of incorporation of the league shall be conclusive evidence that the league is duly incorporated. 1942, c. 7, s. 3, part.

(5) Any league incorporated under this section may pass such by-laws as it deems advisable, but no by-law shall become operative until approved by the registrar. 1949, c. 20, s. 7.

(6) A credit union that is a member of a league may by by-law provide for a yearly assessment of each member of the credit union of an amount not to exceed 50 cents, which amounts shall be forwarded to the league to assist in its financing. 1947, c. 22, s. 3.
49.—(1) A credit union may be dissolved by consent of three-fourths of its members, shown by their signatures to an instrument of dissolution.

(2) The instrument of dissolution shall set forth the liabilities and assets of the credit union, the number of members and the nature of their respective interests in the credit union, 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 credit union unless the appropriation or division is by 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 that this Act has 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 published, at the expense of the credit union, in *The Ontario Gazette* and in a newspaper having a general circulation in the district in which the registered office of the credit union is situated. 1940, c. 7, s. 49.

50.—(1) Subject to the approval of the Lieutenant-Governor in Council, the Minister may by order dissolve a credit union if he is satisfied that,

(a) the incorporation of the credit union was obtained by fraud or mistake;

(b) the credit union exists for an illegal purpose;

(c) the number of members has been reduced to less than 20;

(d) the credit union is not carrying on business or is not in operation; or

(e) the credit union has, after notice by the registrar, violated any of the provisions of this Act.

(2) The registrar shall give the credit union not less than two months notice of proposed dissolution, specifying the reason therefor and stating that, unless cause is shown to the contrary within such period, the name of the credit union will be struck off the register and the credit union dissolved.

(3) At the expiration of the time mentioned in the notice when the Minister may, unless cause to the contrary is previously effective.
shown by the credit union, strike the name of the credit union off the register, and in such case he shall publish notice thereof in The Ontario Gazette, whereupon the credit union shall be dissolved.  1940, c. 7, s. 50.

51. In case of a dissolution of a credit union, the credit union shall nevertheless be deemed to be subsisting and to be in all respects subject to this Act so long and so far as any matter relating thereto remains unsettled, to the intent that the credit union may do all things necessary for the winding up of its affairs, and may sue and be sued.  1940, c. 7, s. 51.

52. Where proceedings are taken under The Winding-up Act (Canada) in respect of any credit union, the secretary shall send notice thereof to the registrar by prepaid registered post.  1940, c. 7, s. 52.

53.—(1) Every credit union which fails to comply with any of the provisions of this Act or the regulations or which makes any return or furnishes any information, required to be made or furnished under this Act or the regulations, containing any false statement, shall be guilty of an offence.

(2) Every offence by a credit union under this Act shall be deemed to have been also committed by every officer of the credit union who is bound by the by-laws thereof to fulfil the duty whereof such offence is a breach, or, if there be no such officer, then by every member of the board of directors unless such member is found to have been ignorant of, or to have attempted to prevent the commission of such offence, and every act or default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which it continues.

(3) Any credit union or other person guilty of an offence under this Act shall be liable on summary conviction to a penalty of not less than $20 and not more than $200 for every such offence and, in the case of a person other than a credit union, in default of payment such person shall be liable to imprisonment for a term of not more than three months.  1940, c. 7, s. 54.

54. The Lieutenant-Governor in Council may make regulations,

(a) prescribing the procedure and forms to be used under this Act;

(b) prescribing the fees payable for incorporation, inspection and supervision of credit unions and for the
filing of any memorandum of association, return or other document required or permitted to be filed under this Act;

(c) controlling and regulating leagues of credit unions;

(d) governing the management and control of credit unions;

(e) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1940, c. 7, s. 55; 1949, c. 20, s. 8; 1950, c. 79, s. 7 (1).

55.—(1) This Act, except in so far as it is otherwise expressly declared, shall apply to,

(a) co-operative credit societies incorporated under The Co-operative Credit Societies Act, being chapter 64 of the Statutes of Ontario, 1922;

(b) co-operative credit societies and credit unions incorporated under The Co-operative Credit Societies Act, being chapter 258 of the Revised Statutes of Ontario, 1937, or The Credit Unions Act, being chapter 258 of the Revised Statutes of Ontario, 1937, as amended by chapter 12 of the Statutes of Ontario, 1939; and

(c) credit unions incorporated under this Act.

(2) Every co-operative credit society incorporated under The Co-operative Credit Societies Act, being chapter 64 of the Statutes of Ontario, 1922, or The Co-operative Credit Societies Act, being chapter 258 of the Revised Statutes of Ontario, 1937, shall for the purposes of this Act be deemed a credit union. 1940, c. 7, s. 56.