



CHAPTER 74

An Act respecting the Montreal Catholic School Commission

[Assented to, the 17th of May, 1941]

WHEREAS it is urgent to make certain amendments Preamble.
to the laws governing the Montreal Catholic
School Commission;

Therefore, His Majesty, with the advice and consent
of the Legislative Council and of the Legislative
Assembly of Quebec, enacts as follows:

1. Section 1 of the act 1 George VI, chapter 65, as 1 Geo. VI,
amended by the act 4 George VI, chapter 79, section 1, c. 65, s. 1, am.
is again amended by replacing the last two paragraphs
thereof by the following:

"The said Commission is composed of nine members, Composition
appointed as follows: of Com-

a. Three by the Lieutenant-Governor in Council, one
of whom must be English-speaking;

b. Three by the Archbishop of Montreal, one of
whom must be English-speaking, and

c. Three by the executive committee of the city of
Montreal, one of whom must be English-speaking.

The quorum of the Commission is five members. Quorum.

A special committee is instituted, to which the Com- Special
mission may refer, for examination and report, any committee.
question specially relating to the schools in which the
instruction is given in English. Such committee
is composed of the general-chairman and of the three
English-speaking members of the Commission.

The quorum of such committee is three members." Quorum.

2. Section 3 of the said act is replaced by the follow- 1 Geo. VI,
ing: c. 65, s. 3,
replaced.

Pedagogic
Council.

"3. A Pedagogic Council is instituted, formed of nine members, two of whom to be English-speaking and all to be Roman Catholics, appointed by the Montreal Catholic School Commission on the recommendation of the Archbishop of Montreal. The general-chairman of the Commission shall be a member thereof, *ex officio*.

Powers.

The Pedagogic Council shall have the powers conferred upon it by the Commission, and shall exercise its functions under the joint supervision of the latter and of the Archbishop of Montreal. The quorum thereof shall be that determined by the Commission.

Quorum.

Employees
excluded.

No employee of the Commission may be a member of such Council."

1 Geo. VI,
c. 65, s. 4, am.

3. Section 4 of the said act, as replaced by the act 2 George VI, chapter 66, section 6, is amended by replacing the first four paragraphs thereof by the following:

General-
chairman.

"The Montreal Catholic School Commission shall choose from amongst its members a person to act as general-chairman.

Salary.

The general-chairman shall receive a salary to be fixed by the Lieutenant-Governor in Council.

Duties.

The duty of the general-chairman shall be to preside over the meetings of the Commission and, besides his vote as a member of the Commission, he shall have a casting-vote in case of equality of votes. He shall be the directing head of the chiefs of services and of all the staff of the Commission's offices.

Secretary and
treasurer.

Notwithstanding section 315 of the Education Act, the Commission shall appoint a secretary and a treasurer, and shall determine, by by-law, what provisions of the said act respecting the duties and functions of secretary-treasurers of school commissions shall apply to each of them."

1 Geo. VI,
c. 65, s. 5, am.

4. Section 3 of the act 4 George VI, chapter 79, is repealed and, accordingly, the text which was thus amended is reinstated as it read previously.

54 Vict.,
c. 53, s. 1, am.

5. Section 1 of the act 54 Victoria, chapter 53, as amended by the acts 63 Victoria, chapter 99, section 1; 5 Edward VII, chapter 90, section 1; 6 Edward VII, chapter 84, section 1; 9 Edward VII, chapter 39, section 1; 1 George V (1st Session), chapter 22, section 1; 2 George V, chapter 27, section 1; 3 George V, chapter 30, section 1; 6 George V, chapter 63, section 1; 8 George V,

chapter 37, section 1; 10 George V, chapter 39, section 3; 11 George V, chapter 49, section 1; 12 George V, chapter 48, section 1; 14 George V, chapter 35, section 1; 15 George V, chapter 43, section 1; 16 George V, chapter 46, section 1; 17 George V, chapter 41, section 1; 18 George V, chapter 49, section 1; 19 George V, chapter 46, section 1; 20 George V, chapter 58, section 1; 21 George V, chapter 62, section 1; 22 George V, chapter 60, section 1; 24 George V, chapter 42, section 1; 25-26 George V, chapter 55, section 1; 1 George VI, chapter 66, section 1; 2 George VI, chapter 66, section 1; 3 George VI, chapter 72, section 1, and 4 George VI, chapter 80, section 2, is again amended by adding thereto, after subsection *mm* thereof, the following subsection:

"*nn*. The Montreal Catholic School Commission is authorized to borrow, over and above the loans already authorized, an additional sum not exceeding one hundred and sixty thousand two hundred and fifty dollars for the payment and reimbursement of the debentures to become due during the school year 1941-1942 and, thereupon, to issue bonds or debentures for such amount. Refunding loan authorized.

Such bonds or debentures shall be issued in conformity with the act 54 Victoria, chapter 53, section 3, and with any other act governing the loans of the Montreal Catholic School Commission. They shall be in denominations of one hundred dollars, five hundred dollars or one thousand dollars each, at the option of the Commission. Each issue shall be made for an amount of not less than twenty-five thousand dollars and shall be redeemable within a period of not less than five years nor more than forty years, and the bonds or debentures shall bear interest at a rate not exceeding five per cent per annum, payable annually or semi-annually. Issuing formalities.

Every issue made for a period of less than forty years shall be redeemable at its maturity, with the proceeds of the sale of new bonds or debentures; and such new bonds or debentures may be issued for successive terms so that the total duration of the loan shall not exceed forty years. Redemption of certain issues.

The director of finance of the corporation of the city of Montreal shall be obliged to provide, out of the revenues of the Montreal Catholic School Commission derived from the city of Montreal's school taxes, for the amortization of the original loans on a basis of forty Redemption of original loans.

years from the date of their issue. The sums accumulated in the sinking-funds of the said loans, at the time of their renewal, shall remain in the hands of the director of finance of the city of Montreal who shall continue to provide for the amortization of the renewed loans until the final term of forty years.

Subrogation
in certain
event.

In the event of the Montreal Catholic School Commission failing to provide, by a new issue, for the redemption of the said debentures at their maturity, the city of Montreal shall be subrogated in the rights of the Montreal Catholic School Commission and shall have the power to make such issue."

54 Vict.,
c. 53, s. 1,
subs. "kk",
am.

6. Subsection "kk" of section 1 of the act 54 Victoria, chapter 53, as enacted by the act 2 George VI, chapter 66, section 1, and amended by the act 4 George VI, chapter 80, section 5, is again amended by adding thereto the following paragraph:

Issuing of
bonds
authorized.

"It shall be lawful for the Commission to issue bonds or debentures which shall be redeemable over a period of not less than five years and of not more than forty years, for the amount which it is authorized to borrow for the payment of hypothecs and debentures become due during the scholastic years 1937-1938 and 1938-1939 and, in such case, the director of finance of the corporation of the city of Montreal shall be obliged to provide for the amortization of the original loans upon a basis of forty years counting from the date of their issue. The sums accumulated in the sinking-funds of the loans thus made, at the time of their renewal, shall remain in the hands of the director of finance and the latter shall continue to provide for the amortization of the renewed loans up to the final term of forty years."

Temporary
borrowing
authorized.

7. The Montreal Catholic School Commission is authorized to borrow temporarily by means of treasury bonds, promissory notes and other negotiable instruments, an amount not exceeding eight hundred and fifty thousand dollars to cover the deficit in the budget for the year 1940-1941. The treasury bonds, promissory notes and other negotiable instruments, the issuance whereof is authorized by this act, shall bear interest at a rate not exceeding five per cent per annum, payable annually or semi-annually, and shall be issued for a period not exceeding ten years. They shall not be subject to the provisions and formalities for long-term loans and, particularly, to the provisions of the act

54 Victoria, chapter 53, and of the act 1 George V ^{Repayment.}
(2nd Session), chapter 60, section 30.

The Montreal Catholic School Commission must repay such temporary loan over a period of ten years out of the revenues of the years 1941-1942 to 1950-1951, inclusive, by equal annual instalments.

8. The members of the Montreal Catholic School ^{Members} Commission and of the Pedagogic Council, now in ^{continued} office, shall remain in office until the first of July, 1941, and shall be governed until then by the provisions now in force.

9. This act shall come into force on the day of its ^{Coming} sanction. ^{into force.}

