



CHAPTER 47

An Act to amend the act 15 George V, chapter 45, respecting Protestant schools in and around the city of Montreal

[Assented to, the 24th of March, 1926]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 16 of the act 15 George V, chapter 45, is ^{15 Geo. V, c. 45, s. 16,} amended: ^{am.}

a. By replacing the words: "as by law provided", in the eighth line of subsection 2 thereof, by the words: "proportionately to the number of children from five to sixteen years of age of each religious denomination, respectively, residing in the municipality, as appears by the school census of the previous school year, with the exception of the city of Montreal.";

b. By adding to the said subsection 2 thereof the following paragraph:

"Nevertheless, after such apportionment, in any municipality other than the city of Montreal, before any part of the proceeds of the neutral panel tax may be paid over to any Roman Catholic School Board for the purposes of Roman Catholic education, such School Board must first satisfy the proper municipal authorities that all the immoveable property belonging to Roman Catholic property-owners in the territory subject to the jurisdiction of the School Board in question has been taxed for school purposes, for the same school year, at a rate not less than the rate in force for such purposes on the 30th of June, 1925. Upon such proof being made, it shall be the duty of the municipal authorities to pay over, out of the proceeds of the neutral panel tax, to the Roman Catholic School Board concerned, an amount which shall not exceed such amount

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^{School}
^{Boards.}

^{Amount.}

as would have been available out of such neutral panel tax for Roman Catholic education, if the rate in force for the neutral panel had been the same rate that was in force for such panel on the 30th of June, 1925, provided, however, that no such last mentioned rate may be reckoned at more than twelve mills on the dollar. The surplus, if any, shall be forthwith returned to the ratepayers on the neutral panel in the same proportion in which it was paid in by them. This paragraph shall apply as and from the first of July, 1925."

Proviso.

Return of surplus.

c. By replacing all the words after the word: "authorities", in the ninth line of subsection 5 thereof, to the end of the said subsection 5, by the words: "independently of the collection thereof, in four payments, the first of which shall be forty per cent, payable within one month of the date fixed by the said municipality as the due date of the tax on immoveables, both for municipal and for school purposes; the second of which shall be twenty per cent, payable two months after the due date of the tax on immoveables; the third of which shall be twenty per cent, payable four months after the due date of the tax on immoveables; and the fourth of which shall be the balance of the amount of the tax above mentioned and shall be payable seven months after the due date of the tax on immoveables, but in any event not later than the 30th of June in each year; provided that, in the case of the city of Montreal, at the time of payment of each instalment of the said sum there shall be deducted from it the amount previously paid or then payable for interest and sinking-fund on the bonds of the Protestant Board of School Commissioners of the City of Montreal; and every said sum shall be recoverable by the said Central Board before any court of competent civil jurisdiction, with interest and costs. As to the school taxes for the school year ending on the 30th of June, 1926, the full amount thereof, whether collected or not by the proper municipal authorities, shall be paid over by the latter to the Central Board not later than the said 30th of June, 1926."

Paying over of taxes.

Proviso.

Recovery.

Taxes for 1926.

15 Geo. V, c. 45, ss. 21*a* to 21*d*, added. **2.** The act 15 George V, chapter 45, is amended by inserting therein, after section 21 thereof, the following sections:

Loan provisions.

"21*a*. Notwithstanding anything contained in section 20 or in section 21, the formalities required by section 243 of the Education Act (Revised Statutes, 1925, chapter 133) shall not be necessary in the case of a loan authorized by a local board and approved or guaranteed by the Central Board, or in the case of a loan made by the Central Board

for the benefit of one or more local boards and approved by the latter; and in no case shall sections 264 and 265 of the said Education Act apply in the case of the Central Board or any local board under its jurisdiction.

Nevertheless no loan authorized by a local board shall ^{Notice.} be approved or guaranteed by the Central Board, nor shall any loan be made by the Central Board for the benefit of one or more local boards, until fifteen days after written notice of such loan, indicating the proposed amount and principal terms thereof, shall have been sent by registered letter by the Central Board to the secretary or secretary-treasurer of each local board affected by this act.

"21b. No issue of bonds may be made, nor loan con- ^{Sinking-}tracted, unless, by the resolution authorizing the same, ^{funds, etc.} provision be made for the extinction of the debt, out of the revenue at the disposal of the Central Board, either by annual payments in the case of bonds payable serially, or by the establishment of a sinking-fund in all other cases.

The Central Board may, in its discretion, take over, ad- ^{Administra-}minister and reestablish where necessary, all or any existing ^{tion, etc., of} sinking-funds for the repayment of loans already contracted ^{sinking-}by any of the local boards, with the exception of those of ^{funds.} the Protestant Board of School Commissioners of the City of Montreal, and may in future administer all or any sinking-funds for the payment of any loans that may be contracted or guaranteed by the Central Board either on its own behalf or on behalf of any local board, or by any local board with the approval or guarantee of the Central Board.

"21c. Every loan by a local board, contracted or re- ^{Limit of}newed under the provisions of section 20, and every loan ^{borrowing}effected by the Central Board under the provisions of sec- ^{power not to}tion 21 of this act, shall be valid notwithstanding the fact ^{affect loans.} that it may have exceeded the limit fixed by any special or general act for the borrowing power of the local board in question.

"21d. The last paragraph of section 236, and sections ^{Provisions} 237, 238 and 244 of the said Education Act shall not apply ^{not ap-}to the Central Board nor to any local board under its ^{plicable.} jurisdiction."

3. The act 15 George V, chapter 45, is amended by ^{15 Geo. V, c.} adding thereto, after section 23 thereof, the following sec- ^{45, s. 23a,}tion: ^{added.}

"23a. The Central Board may, by resolution, provide ^{Honora-}for the payment to its chairman of an honorarium of not ^{rium for}more than fourteen hundred dollars per annum." ^{chairman of} ^{Board.}

15 Geo. V, c. 45, s. 24, am. **4.** Section 24 of the act 15 George V, chapter 45, is amended by striking out the second and third paragraphs thereof.

Coming into force. **5.** This act shall come into force on the day of its sanction.
