

C H A P. 112

An Act respecting professional syndicates

[Assented to, the 15th of March, 1924]

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

I

Constitution and Powers

- 1.** 1. Twenty persons or more engaged in the same profession, the same employment or in similar trades, or doing correlated work having for object the establishing of a determined product, may make and sign a declaration setting forth their intention of forming an association or professional syndicate.
- Declaration of persons desiring to form a syndicate.
- 2.** Such declaration shall indicate:
- Contents of such declaration.
- a.* The name of the association;
- b.* Its object;
- c.* The names, surnames and addresses of the first directors, to the number of three at least and not more than nine, and the names, surnames and addresses of the persons to be the first president and the first secretary;
- d.* The site of its principal place of business.
- 3.** The Lieutenant-Governor in Council may, upon a petition accompanied by the declaration and the by-laws of the association, approve such by-laws and authorize the incorporation of the signers of the declaration and of those who may join or succeed to them, as an association or professional syndicate.
- Petition to Lt.-Gov. in Council and incorporation of the syndicate.
- 4.** Notice that the authorization has been granted must be published by the Provincial Secretary in the *Quebec Official Gazette*, in the form "A" of the annex to this act, and deposited by the petitioners, after such publication, in the office of the Superior Court of the district where the association's place of business is situated; and, after such publication and deposit, the association shall constitute a corporation, enjoying civil rights;
- Notice and deposit thereof.
- 5.** The publication, deposit and registration of the notice required by this section shall be effected at the cost of the association.
- Effect.
- 6.** Changes in the by-laws must also, before coming into force, be deposited with the Provincial Secretary and approved by the Lieutenant-Governor in Council.
- Costs; by whom paid.
- Changes and required formalities.

7. The by-laws shall not derogate from the law and must not contain anything contrary to public order. Restrictions.

2. Professional syndicates have exclusively for object the study, defence and promotion of the economic, social and moral interests of the profession. Object of syndicates.

3. Minors of sixteen years of age and married women, except when the husbands object, may form part of a professional syndicate. Minors, etc., may form part of syndicate.

4. Only British subjects may compose the directorate of professional syndicates. No syndicate may be constituted unless two-thirds of its members are British subjects. Nationality of members.

The admission of foreigners to a syndicate, in excess of one-third of its members, shall involve the dissolution of such syndicate. Dissolution in certain cases.

5. Professional syndicates may appear before the courts and acquire, by gratuitous or onerous title, moveable and immoveable property suited to their particular objects. Rights of the syndicate.

They shall, subject to existing laws, enjoy all necessary powers for the attainment of their object and may in particular: Its powers.

1. Establish, amongst their members, special mutual benefit and pension funds;

2. Devote a part of their resources to the erection of cheap dwellings and the purchase of grounds for workmens' gardens, and physical and hygienic training;

3. Establish and administer information bureaus for offers of and applications for work;

4. Establish, administer and subsidize professional undertakings, such as professional provident institutions, laboratories, experimental fields, scientific, agricultural and social training undertakings, lectures and publications of interest to the profession;

5. Subsidize and assist coöperative societies for production and consumption;

6. Purchase to re-sell, lease, lend or distribute, amongst their members, all necessaries for the maintenance of a family, for the exercise of their profession, raw materials, tools, instruments, machines, fertilizers, seeds, plants, animals and alimentary substances;

7. Lend their services for the sale of products derived solely from personal labour or from syndical operations; assist such sale by exhibitions, advertising, grouping of orders and of shipment;

8. Deposit their mark or label;

9. Enter into contracts or agreements with all other syndicates, societies, undertakings or persons, respecting the attainment of their objects and particularly such as relate to the collective conditions of labour.

Keeping of accounts.

6. The syndicates, formed under this act, shall keep and divide their accounts so that each kind of service and benefit accorded to the members may be separately administered and the funds or cash therefor be kept distinct.

Separate funds.

Fund for general expenses.

7. In addition to the special funds, a fund must be established for the general expenses of the syndicate.

Special fund liquidated.

8. When a special fund ceases to be self supporting, it may be voluntarily or judicially liquidated without affecting the civil existence of the syndicate.

Special funds turned into general fund.

9. As between members, special funds shall only be liable for their own debts, except in a general liquidation when all the funds, after their particular debts have been paid, shall be turned into the general fund of the syndicate.

Funds of certain special accounts unseizable.

10. The funds of the special mutual benefit and pension accounts shall be unseizable, save for the payment of the annuities and benefits to which a member of the syndicate may be entitled.

Union of syndicates.

11. Three or more professional syndicates may concert in the study and defence of their economic, social and moral welfare, and for such purpose form a union or federation upon complying with the provisions of section 1 of this act.

Representation in administrative council, etc.

The by-laws of the union or federation shall determine the rules by which the syndicates forming part thereof shall be represented in the administrative council or at the general meetings.

Rights and powers of unions.

12. Unions and federations of professional syndicates shall enjoy, in their own sphere, all the rights and powers conferred by this act upon professional syndicates.

Idem.

They may, in addition, institute councils of conciliation and arbitration between the syndicates which shall, at the request of the interested parties, render decisions upon the disputes submitted to them. Such decisions shall be submitted to the Superior Court for homologation, and, after the judgment confirming them, shall have the force of a final judgment and be executory in the manner provided for the execution of judgments of the said Court.

Decisions submitted to Superior Ct. Effect, after confirmation.

13. The members of a professional syndicate may resign voluntarily, without prejudice to the syndicate's right to claim the assessment for the three months following such resignation.

II

Liquidation

14. In the case of a voluntary or judicial dissolution, the property of a syndicate, except that derived from gifts or legacies, shall, after payment of the debts and costs of distribution, be divided among the members according to the rules fixed by the general meeting which is considered to continue to exist for the purposes of the liquidation.

The property derived from gifts or legacies shall be returned in accordance with the provisions of the act creating the gift or legacy. Failing such provisions, they shall be handed over to one or more similar or correlated undertakings determined either by the by-laws or by the ruling of the general meeting.

III

Collective Labour Agreement

15. The collective labour agreement is a contract respecting labour conditions made between the representatives of a professional syndicate, or of a union, or of a federation of syndicates, on the one hand, and one or more employers, or representatives of a syndicate, union or federation of syndicates of employers, on the other hand.

All agreements respecting the conditions of labour not prohibited by law may form the object of a collective labour agreement.

16. The following shall be bound by the collective labour agreement.

1. The employees and employers who signed it either personally or by authorized attorney;

2. Those who, at the time the agreement was made, are members of a group, a party to the agreement, if, within eight clear days from the deposit hereinafter provided for in section 17 of this act, they have not resigned from such group and have not deposited a written notice in the office of the secretary of the group and with the Minister of Public Works and Labour of the Province of Quebec;

3. Those who are members of a group which later joins in such agreement, if, from the date of the notification of

such adhesion, they have not withdrawn from the group in the manner and within the delay prescribed in the above paragraph 2;

4. Those who, after the deposit of the agreement, join a group which was party to such agreement.

Agreement in writing. **17.** The collective labour agreement shall be in writing, under pain of nullity.

Effect only from date of deposit with Minister. It shall take effect only after an authentic copy, or, in the case of a private writing, after a duplicate of the writing setting forth the terms of the agreement, has been deposited, by one of the parties, with the Minister of Public Works and Labour.

Legaleffects. **18.** The collective labour agreement shall give rise to all the rights and recourses established by law for the sanction of obligations.

Coming into force. **19.** This act shall come into force on the day of its sanction.

ANNEX

FORM A

NOTICE

(Act respecting professional syndicates)

The formation of an association under the name of _____
 for _____
 has been authorized by Order-in-Council dated _____ 19____.
 The principal place of business of the association is at _____.

Provincial Secretary.
