



## 63 VICTORIA

### CHAP. 13

An Act to amend the law respecting taxes upon commercial corporations and companies

[Assented to 23rd March, 1900]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Article 1144 of the Revised Statutes, as enacted by R. S., 1144 the act 59 Victoria, chapter 15, section 1, is amended by re-amended. placing the fourth clause by the following:

“‘Insurance company’ comprises life, fire, ocean marine, Interpretation of Insurance company; inland transit, accident, sickness, health, live-stock, plate-glass, steam-boiler, burglary, registry and identification, guarantee and employers’ liability, and any other kind of insurance companies or associations issuing policies in their own name or through an agent or broker, whether under the assessment system or otherwise, but does not include mutual insurance companies recognized by or established under the seventeenth and eighteenth sections of chapter third of title eleventh of the Revised Statutes.

‘Premium’ means any sum payable as consideration for Premium. insurance, and includes the first premium payable upon a policy of insurance and the annual or other premiums thereafter payable thereon, whether for renewals or otherwise and ‘gross premiums’ mean such premiums after deduction of return premiums and cancellations.” Gross premium.

**2.** Article 1145 of the Revised Statutes, as enacted by Id. 1145, the act 59 Victoria, chapter 15, section 1, is amended by amended.

replacing the third division thereof, respecting insurance companies, by the following :

“ III.—INSURANCE COMPANIES

Tax on certain insurance companies.

“ With the exception of the mutual insurance companies exempted under article 1144 and of marine insurance companies, on every life insurance company, which transacts business in this Province, a tax of one per cent., and on every other insurance company of two-thirds of one per cent., calculated, in both instances, upon the gross amount of premiums whether received or become due for insurance effected or renewed by such company, in the Province, during the preceding calendar year, provided that in no case shall the said tax be less than two hundred and fifty dollars ; but, in the case of mutual fire insurance companies, which receive premiums in cash, the tax shall be calculated upon the gross premiums received in cash in respect of insurance transacted on the cash plan in the Province by the company during the preceding calendar year, whether on new policies issued or on renewals.

How paid.

Insurance companies so receiving premiums on policies issued in favor of any person domiciled in this Province or respecting any property in this Province, shall pay the said tax upon the full amount of such premiums, whether for original insurance or for re-insurance. In the case of re-insurance, however, the principal company shall be exempt from the tax imposed by this act on the portion of the premium paid to the re-insuring company, if the latter does business in this Province, and, if such re-insuring company does not do business therein, the principal company shall be liable for the tax on the full amount of the premium

If through broker.

Where insurance is effected through an agent or broker, with any company not subject to taxation under this act, such agent or broker shall be obliged to pay the same tax and shall incur the same penalties as if the insurance effected through him were effected by a company doing business in the Province.

Marine insurance.

In the case of marine insurance, on every person, firm or company engaged in carrying on the business of marine insurance as principal, agent or broker, a tax of two hundred and fifty dollars on such business.

Insurance with companies outside province.

A tax of three per cent. on the gross premium on fire insurance effected on property in the Province of Quebec with companies not having representatives or agents therein, and not paying any tax under the other provisions of this

To form part of Consolidated Revenue Fund.

act. The money collected under this article shall form part of the Consolidated Revenue Fund of the Province.

**3.** Article 1148 of the Revised Statutes, as enacted by Id. 1148, re- the act 59 Victoria, chapter 15, section 1, and amended by placed.  
the act 61 Victoria, chapter 15, section 1, is replaced by the following :

**" 1148.** On or before the first day of May in each year, Commercial every commercial corporation or company doing business corporation or company in the Province, in its own name or through an agent, shall, to send cer- without awaiting any notice or demand to that effect from tain state- the Government, forward, in duplicate, to the Provincial ment to Pro- Treasurer, a detailed statement, in which shall be set forth, vincial Treas- urer annual- in so far as required, in view of the collection of such taxes, ly. by that part of article 1145 referring to each class of com- commercial corporations and companies, the name of the cor- poration or company, its nature, the amount of its capital paid-up, the number and situation of each and all of its offices, places of business, agencies, stations, factories and workshops, and, in the case of railway and tramway com- panies, the number of miles in operation in the Province, and, in the case of companies doing business in the Pro- vince by either leasing or hiring sleeping, dining, parlor or buffet cars to any railway company, or when sleeping, dining, parlor or buffet cars run upon the track or line of, or are used by any railway company in this Province, such vouchers respecting the number of such cars and the amount of the capital invested therein by any such company as may be required by the Provincial Treasurer.

Such detailed statement shall be attested under oath by How and by the president or vice-president, and by the manager having whom attest- personal knowledge of the affairs of the company, and, in ed. the case of companies incorporated outside the Province, by the manager or chief agent of the company in the Province, and by the accountant or secretary thereof or by such other persons connected with the company as the Provincial Treas- urer may require ; and such statement shall be drawn up according to such form as may be determined by the Pro- vincial Treasurer.

Every insurance company shall keep a separate book or Book to be register, in such form as may be determined by the Provin- kept by in- cial Treasurer, in which shall be correctly entered the surance com- premiums earned by the company in respect of or ac- panies. cruing from business done by the company wholly or in part in the Province, and, in default thereof, and also in default of compliance with article 1145, the company Penalty for shall pay the tax upon the total gross income of the company, default. as established by the report of the Superintendent of Insur- ance of the Dominion of Canada or by the provincial insur- ance inspector, as the case may be.

Book open to inspection.

The said register shall at all times be open to the examination of the comptroller of provincial revenue.

Statement, report and books kept by brokers acting for certain insurance companies.

Any person acting as a broker for one or more insurance companies, which do not carry on the business of insurance in this Province and have no office or place of business therein, shall furnish the same statements and information, keep the same kind of registers and make similar entries therein as if he were acting for companies doing business in this Province.

Notice by persons carrying on business in corporate name without being incorporated.

Every year also, on or before the first day of May, every person or firm carrying on business under a corporate name, without being incorporated, shall notify the Provincial Treasurer thereof, without awaiting a notice or demand from the Government, and so as to satisfy the Government that such person or firm is not liable to the payment of taxes imposed by this section.

Treasurer may require additional information.

If the Provincial Treasurer, in order to enable him to determine whether a statement furnished is correct, desires to obtain further information, he may, by registered letter addressed to the president, manager, secretary or agent of the company, require a further statement attested under oath to be furnished within thirty days under a penalty of five hundred dollars."

Id., 1149, amended.

4. Article 1149 of the Revised Statutes, as enacted by the said act 59 Victoria, chapter 15, section 1, is amended by replacing the words: "marine insurance companies, described in the preceding article" in the fourth and fifth lines, by the words: "insurance companies which do not carry on the business of insurance in this Province."

Coming into force.

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

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