
REPORT

Of the Minister of Justice upon the Statutes of the Legislative Assembly of the Province of British Columbia passed during the Session of 1938.

By Command.

G. M. WEIR,

Provincial Secretary.

Provincial Secretary's Office.

OFFICE OF THE LIEUTENANT-GOVERNOR'S SECRETARY,

VICTORIA, B.C., 15th January, 1940.

SIR,—I have the honour to enclose herewith, for your consideration, a certified copy of Order in Council P.C. 19, dated the 4th January, 1940, approving the Statutes of this Province passed in the year 1938, subject to the comments set forth in the report of the Right Honourable the Minister of Justice referred to in the Order in Council attached thereto.

I have the honour to be,

Sir,

Your obedient servant,

A. M. D. FAIRBAIRN,

Private Secretary.

*The Deputy Provincial Secretary,
Parliament Buildings,
Victoria, B.C.*

P.C. 19.

Certified to be a True Copy of a Minute of a Meeting of the Committee of the Privy Council, approved by The Deputy of His Excellency the Governor-General on the 4th January, 1940.

The Committee of the Privy Council have had before them a report, dated 28th December, 1939, from the Minister of Justice, stating that he has examined the Statutes of the Province of British Columbia, passed in the year 1938, and received by the Secretary of State of Canada on the 5th day of January, 1939, and that he is of opinion (subject to the comments set forth in the said report) that these Statutes may be left to such operation as they may have.

The Committee concur in the views of the Minister of Justice as set out in the said report, and advise that a copy hereof and of the attached report, if approved, be transmitted to the Lieutenant-Governor of British Columbia for the information of his Government.

All of which is respectfully submitted for approval.

H. W. LOTHROP,

Acting Clerk of the Privy Council.

The Honourable the Lieutenant-Governor of British Columbia.

P.C. 19.

DEPARTMENT OF JUSTICE, CANADA.

OTTAWA, 28th December, 1939.

To His Excellency the Governor-General in Council:

The undersigned has the honour to report that he has examined the Statutes of the Province of British Columbia, passed in the year 1938 and received by the Secretary of State of Canada on the 5th day of January, 1939, and is of opinion (subject to the comments hereinafter set forth) that these Statutes may be left to such operation as they may have.

Subsection (5) of section 18 of Bill 67—"An Act respecting Credit Unions"—reading as follows:—

"(5.) The rate of interest on a loan shall not exceed one per centum for each month, inclusive of all charges for making the loan, and shall be payable only on the unpaid balance"—

appears to be of doubtful validity as relating to interest, which is not a Provincial object within the meaning of section 92, paragraph (11) of the "British North America Act"—"The Incorporation of Companies with Provincial Objects." This is a matter, however, which may be determined by the Courts.

The undersigned recommends that a copy of this report, if approved, be transmitted to the Lieutenant-Governor of British Columbia for the information of his Government.

Humbly submitted.

(Sgd.) ERNEST LAPOINTE,
Minister of Justice.



