

NATIONAL ASSEMBLY

FIRST SESSION

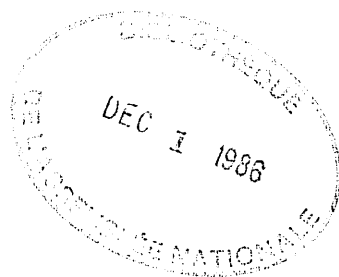
THIRTY-THIRD LEGISLATURE

Bill 246
(Private)

An Act respecting the dissolution of the Yellow Sample Employees' Association

Introduction

Introduced by
Mr Jacques Chagnon
Member for Saint-Louis



**Québec Official Publisher
1986**

Bill 246

(Private)

An Act respecting the dissolution of the Yellow Sample Employees' Association

WHEREAS Yellow Sample Employees' Association, also referred to as the "Association des employés de Yellow Sample", was constituted on 15 June 1949 under the provisions of the Act respecting Cooperative Syndicates (Revised Statutes, 1941, chapter 290), as appears from a publication to that effect in the *Gazette officielle du Québec* on 13 August 1949;

Whereas article III of the by-laws of Yellow Sample Employees' Association states that a membership fee of fifty cents has been collected from every member upon admission to the Yellow Sample Employee's Association and a contribution corresponding to 1% of the salary of every active member has also been collected by the Association, and whereas the company called "Yellow Shoes Limited" contributed, from year to year, to the fund of the association for an amount corresponding to 90% of the contributions paid by all the members in any given year;

Whereas, from 13 August 1949 to 31 December 1978, membership in and payment of a contribution to the Yellow Sample Employees' Association were mandatory for every employee of Yellow Shoes Limited;

Whereas, pursuant to a by-law passed on 1 September 1960 by the Yellow Sample Employees' Association, the association undertook to reimburse to every member who withdraws from or ceases to be qualified for membership in the association 40% of the contributions paid by such a member;

Whereas section 46 of the Cooperative Syndicates Act provides that the sums paid on shares by associates who have withdrawn or been dismissed shall be paid to them from time to time as the funds realized by the association, not absorbed by the association's debts then exigible, are paid in;

Whereas the general meeting held on 9 April 1986 has decided upon the dissolution of the cooperative syndicate;

Whereas the association has been unable to locate all the members who have withdrawn or been dismissed before 1 January 1979;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Notwithstanding section 46 of the Cooperative Syndicates Act (R.S.Q., chapter S-38), the by-law passed on 21 September 1960 by the members of the Yellow Sample Employees' Association and providing for the reimbursement of 40% of the sums paid on shares by associates who have withdrawn or been dismissed is declared to be within the powers of the Association.

2. No member who withdrew or was dismissed before 1 January 1979 may claim any amount whatever upon the winding-up of the Yellow Sample Employees' Association in respect of the capital or income of the Yellow Sample Employees' Association.

3. Article 2242 of the Civil Code does not apply to proceedings instituted by a member who has withdrawn or been dismissed from the Yellow Sample Employees' Association.

4. This Act comes into force on (*insert here the date of assent to this Act*).