

PROVINCE OF NEW BRUNSWICK,

COUNTY OF GLOUCESTER, S.S.

I, George Gilbert, a Notary Public in and for the Province of New Brunswick, by Royal authority duly admitted and County of Gloucester and Province of New Brunswick, do hereby certify that on this ninth day of April, A. D. 1920, at the Town of Bathurst aforesaid, personally came and appeared before me, the said Notary Public, Horation N. Milton, and made and signed the above written certificate of partnership, and acknowledged the same to be his act and certificate.

In testimony whereof I have hereunto set my hand and affixed my notarial seal at the Town of Bathurst aforesaid, the day and year first above written.

(seal)

(Sgd.) GEORGE GILBERT,

Notary Public, New Brunswick.

THE CORPORATIONS TAX ACT, 1920**CAP. V.****An Act Respecting the Imposition of Certain Taxes on Certain Incorporated Companies and Associations.**

(Passed 24th April, 1920.)

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

1. This Act may be cited as "The Corporations Tax Act, 1920."

2. In this part, unless the context otherwise requires:

(a) The expression "Extra Provincial Corporation" means a corporation created otherwise than by or under the authority of an Act of the Legislature of New Brunswick.

(b) The expression "Company" when used with reference to insurance, includes any company, corporation, association, underwriters' agency, firm, partnership or individual underwriter, or any association of underwriters formed upon the plan known as Lloyd's.

(c) The expression "Insurance Company" shall include life, industrial, fire, inland transit, accident, automobile, bond, burglary, guarantee, explosion, plate glass, sickness, steam boiler, tornado and sprinkler leakage companies which transact business or accept risks within the Province wherever the head office may be situated.

(d) The expression "Policy" includes any policy or interim receipt, or any receipt or paper in renewal thereof, issued against loss or damage by fire on property in this Province, and includes a certificate of membership relating in any way to life insurance and any other written contract contained in one or more documents providing for insurance on life or property.

(e) The expression "Bank" shall mean a corporation or joint stock company wherever incorporated for the purpose of doing a banking business or the business of a savings bank which transacts such business in New Brunswick, whether the head office is situated in New Brunswick or elsewhere.

(f) The expression "Premium" means any sum payable as a consideration for 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.

3. In order to provide for the exigencies of the public service, there shall be and are hereby imposed upon the companies and associations hereinafter mentioned, the taxes hereinafter specifically named, which taxes, each of such incorporated companies and associations respectively shall annually pay to the Provincial Secretary-Treasurer for the use of the Province.

INSURANCE COMPANIES.

4. (1) Upon all companies accepting risks for carrying on the business of insurance and which hold a license under the Insurance Act of the Dominion of Canada to do business through out the Dominion, taxes are hereby imposed as follows:

(a) Upon all companies accepting risks for carrying on the business of insurance against fire, two per centum of the net premiums received by each of the said companies aforesaid; provided, however, that in no case shall the annual tax be less than one hundred dollars on any one company.

(b) Upon all insurance companies or associations of any kind having agencies or accepting risks upon the lives of persons within the Province and transacting the business of life endowment or industrial insurance, an annual tax of one hundred dollars, and in addition thereto one and one-half per centum of the net premiums received by each of the companies aforesaid.

(c) Upon all companies accepting risks or carrying on insurance other than life or fire, two per centum of the net premiums received by each of the said companies aforesaid; provided, however, that in no case shall the annual tax be less than twenty-five dollars upon any company.

(2) Upon any company incorporated under the laws of any Province in Canada for the purpose of carrying on the business of insurance hereinafter referred to as a Provincial Company, which does not hold a license under the Insurance Act of the Dominion of Canada and which receives a permit

from the Provincial Secretary-Treasurer to carry on business within the Province, a tax of two per centum of the net premiums received by the company aforesaid, provided in no case shall the tax be less than Twenty-five dollars.

(3) Upon any person, partnership, firm, association or corporation within the province accepting insurance in any company not taxed by the foregoing sub-sections of this section, there is hereby imposed a tax of two per centum of the net premiums paid by any such insured in respect to any insurance policy issued by such company within the Province, provided that this tax shall not be imposed with respect to renewal premiums upon all life policies issued prior to the passing of this Act.

(4) In the construction of Section 4 of this Act the words "net premiums" are hereby declared to mean the gross premiums received by each of said companies upon its business within the Province for the year preceding the first day of May of the year in which the tax is paid, less any amount paid for re-insurance within the Province, or upon the cancellation of any of its policies, provided, however, that in the case of a mutual company "net premiums" shall mean the gross premium deposited less the unabsorbed portion of the premium actually returned or credited to the policy holder, but shall include interest at a legal rate upon such unabsorbed premium during the time it is deposited.

5. (1) Any bank doing business in the Province shall be rated and assessed in the manner hereinafter set forth on the average monthly volume of business done in the Province of New Brunswick for the year immediately preceding such assessment, that is to say, on the average of all loans and investments including overdrawn accounts, notes and bills discounted, current accounts, call loans, loan accounts, past due bills, foreign exchange and any other advances of any kind or description (except in the case of mortgage corporation advances secured by mortgage) and on the average of all deposits, including current accounts and savings banks balances, special deposits and any other balances or amounts due to or by such bank, always excepting in the case of a branch bank balances shown as due to or by the head office. And the Provincial Manager or Chief Accountant within the Province, or the President, General Manager or Chief Accountant of the head office of the bank shall, during the month of January in each year, file with the Provincial Secretary-Treasurer, a true statement in writing under oath showing the average monthly amount of such loans and investments, deposits and advances as aforesaid for the preceding calendar year, and the said bank shall be assessed for an amount of taxes as hereinafter set forth.

(2) The said average monthly volume of business mentioned in sub-section (1) of this section shall be ascertained in the manner following, that is to say, the amount of such loans, investments, deposits and advances respectively standing on the books of the said bank, on the last day of each month for the next preceding year shall be set out in such statement and shall be added together and the result divided by twelve.

(3) The said average monthly amount of loans, investments, deposits and advances shall be taxed at the rate of one-thirtieth of one per centum, and said rate shall be paid by the said bank.

(4) Notwithstanding anything in any Act of the Legislative Assembly of New Brunswick, it is hereby provided that no bank shall include in its returns to any city, town or municipality for taxation the amount of Provincial Government of New Brunswick business.

TRUST, LOAN OR BUILDING COMPANIES.

6. Upon all loan companies doing business of trust or loan or building companies or associations within the Province, an annual tax not exceeding two hundred and fifty dollars each, in the discretion of the Lieutenant-Governor-in-Council.

TELEGRAPH COMPANIES.

7. Upon every telegraph or other company working a telegraph line for the use of the public within the Province a tax of one per centum upon entire gross receipts within the Province arising from business transacted within the Province, and the Provincial Secretary-Treasurer may take such steps as he may deem necessary to ascertain what proportion of the said gross receipts does arise from business transactions within the Province.

EXPRESS COMPANIES.

8. Every express company doing an express business within the Province shall pay the following taxes:

(a) The sum of one hundred dollars for each city in which the company transacts business;

(b) The sum of fifty dollars for each town, whether incorporated or not, having a population of three thousand or more people in which the company transacts business;

(c) The sum of twenty-five dollars for each town or village with a population of at least two thousand in which the company transacts business;