

The Municipal Industrial Development Corporations Act

Repealed

by [Chapter 15](#) of the *Statutes of Saskatchewan, 2013*
(effective May 15, 2013).

Formerly

[Chapter M-31](#) of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979) as amended by the *Statutes of
Saskatchewan, 1989-90, c.5*.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER M-31

An Act to further the Economic Development of Cities and Towns by facilitating the Providing of Accommodation and Financial Assistance to Industries

Short title

1 This Act may be cited as *The Municipal Industrial Development Corporations Act*.

INTERPRETATION

Interpretation

2 In this Act:

- (a) “**municipal industrial development corporation**” means a corporation incorporated under this Act;
- (b) “**registrar**” means the Registrar of Companies and includes the Deputy Registrar of Companies.

R.S.S. 1978, c.M-31, s.2.

INCORPORATION

Manner of incorporating company

3 Any five or more persons, including persons representing municipal or other corporations, may, for the sole purpose of fostering the economic development of a city or town in Saskatchewan by making accommodation and financial assistance available to industries, form an incorporated company with limited liability by subscribing their names to a memorandum of association and otherwise complying with the requirements of *The Companies Act* with respect to incorporation of a company under that Act.

R.S.S. 1978, c.M-31, s.3.

Application of *Companies Act*

4 Except as in this Act otherwise provided, *The Companies Act* applies to a municipal industrial development corporation incorporated under this Act.

R.S.S. 1978, c.M-31, s.4.

Resolution approving incorporation required

5 The registrar shall not accept an application for incorporation of a company under this Act unless the application is accompanied by a certified copy of a resolution passed by the council of the city or town in respect of which, or that comprises part of the area in respect of which, the company is to be incorporated, approving the formation of the company.

R.S.S. 1978, c.M-31, s.5.

c. M-31 MUNICIPAL INDUSTRIAL DEVELOPMENT CORPORATIONS

Area of operation to be stated in memorandum of association

6 The memorandum of association of a company applying for incorporation under this Act shall name the city or town or clearly describe the area in respect of which the company is to be incorporated.

R.S.S. 1978, c.M-31, s.6.

Name of company

7 A municipal industrial development corporation shall have the words “Industrial Development Corporation” as the last words of its name, and its name shall also contain the name of the city or town in respect of which it is to be incorporated or the name of the city or town that is part of the area in respect of which it is to be incorporated.

R.S.S. 1978, c.M-31, s.7.

Incorporation of companies in respect of same area prohibited

8 Where a company has been incorporated under this Act in respect of a city, town or area the registrar shall not accept an application for incorporation under this Act of any other company in respect of the same city, town or area or in respect of an area that includes the whole or a part of the same city, town or area.

R.S.S. 1978, c.M-31, s.8.

Limitation on operations

9 A municipal industrial development corporation shall limit its chief operations to the city or town named or the area described in its memorandum of association.

R.S.S. 1978, c.M-31, s.9.

DISTRIBUTION OF PROFITS OR ASSETS

Limitation on distribution of profits or assets

10(1) A municipal industrial development corporation shall not, except with the prior approval of the Lieutenant Governor in Council:

- (a) make any distribution of profits; or
 - (b) make any distribution of capital or assets on a winding up or otherwise.
- (2)** Subsection (1) does not apply to the winding up of an insolvent corporation.

R.S.S. 1978, c.M-31, s.10.

POWERS

Powers

11 In addition to all other powers conferred by *The Companies Act*, a municipal industrial development corporation shall have power:

- (a) to construct buildings for the purpose of selling or leasing them to persons or companies engaged in or about to become engaged in the manufacture or processing of products for sale; provided that before construction commences a binding agreement for sale or lease arrangement has been entered into between the municipal industrial development corporation and the proposed purchaser or tenant;
- (b) to acquire, repair and alter buildings for the purpose of selling or leasing them to persons or companies engaged in or about to become engaged in the manufacture or processing of products for sale; provided that before any building is acquired, repaired or altered under this clause a binding agreement for sale or lease arrangement in respect of the building has been entered into between the municipal industrial development corporation and the proposed purchaser or tenant;
- (c) to acquire such land and provide such facilities as may be deemed necessary for the proper use of buildings constructed under clause (a) or acquired under clause (b);
- (d) to grant loans to persons or companies engaged in or about to become engaged in the manufacture or processing of products for sale, in order to assist them in the acquisition of machinery or equipment to be installed in buildings constructed under clause (a) or acquired under clause (b).

R.S.S. 1978, c.M-31, s.11.

INVESTMENT BY CITIES AND TOWNS

Power to subscribe to capital stock of corporation

12 Notwithstanding any other Act but subject to the approval of the Saskatchewan Municipal Board, the council of a city or town may by bylaw provide that the city or town may subscribe to the capital stock of a municipal industrial development corporation.

R.S.S. 1978, c.M-31, s.12; 1989-90, c.5, s.10.

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DIRECTORS

Composition of board

13(1) Every municipal industrial development corporation shall have a board of directors composed of not less than five nor more than nine persons.

(2) A municipal or other corporation that is a member of a municipal industrial development corporation may nominate a person or persons to act as director or directors in its stead and no such person need be a member of the municipal industrial development corporation.

R.S.S. 1978, c.M-31, s.13.

MISCELLANEOUS

Non-application of Part VI of *Companies Act*

14 Part VI of *The Companies Act* does not apply to municipal industrial development corporations.

R.S.S. 1978, c.M-31, s.14.

Regulations

15(1) For the purpose of carrying out the provisions of this Act according to their intent and of supplying any deficiency therein, the Lieutenant Governor in Council may make regulations not inconsistent with the spirit of this Act which shall have the same force and effect as if enacted herein.

(2) Without limiting the generality of subsection (1), the Lieutenant Governor in Council may make regulations:

- (a) prescribing the fees payable under this Act and any other fees for services in connection with the administration of this Act;
- (b) providing for and governing the audit of the books and records of municipal industrial development corporations;
- (c) requiring that contracts between a municipal industrial development corporation and its members shall be subject to the approval of a person designated in the regulations for the purpose.

(3) Every regulation made under this section shall be published in *The Saskatchewan Gazette* and shall have force and effect on and after the date of such publication or on and after the date specified for the purpose in the regulation or in the order in council making the regulation.

R.S.S. 1978, c.M-31, s.15.