

SCHOOL DIVISION BORROWING BY-LAW

(Current Expenses)

MANITOBA

SCHOOL DIVISION BORROWING BY-LAW

By-Law 96-3

A By-Law of the Trustees of "The Turtle Mountain School Division No. 44" in Manitoba, providing for the borrowing of moneys upon the credit of the said School Division to meet current expenses.

WHEREAS the estimate of the said School Division, as prepared by the Trustees thereof, of the amount required to meet the expenditures for such School Division for the current year (1996-97) is the sum of two million five hundred thousand dollars (\$2,500,000).

OR

WHEREAS the estimate of the said School Division for the current year has not been made but the estimate of such Division for last year (19____) was the sum of _____ dollars (\$_____).

AND WHEREAS the Trustees of the said School Division have not yet received any moneys on account of the School Taxes for the current year from any Municipality or any Local Government District nor any moneys from the Provincial Government by way of grant for the current year save the sum of _____ dollars (\$_____) from the Rural Municipality of _____ No. _____; the sum of _____ dollars (\$_____) from the Rural Municipality of _____ No. _____; and from Local Government District of _____ No. _____ the sum of _____ dollars (\$_____) and the sum of _____ dollars (\$_____) from the Provincial Government.

AND WHEREAS no moneys have been previously borrowed to meet the expenditures of the current year save as set out in the following schedule, that is to say:

AMOUNTS	DATES	OF		DATE OF
PREVIOUSLY	NOTES GIVEN	WHEN	SUM PAID	SUCH
<u>BORROWED</u>	<u>THEREFORE</u>	<u>PAYABLE</u>	<u>THEREON</u>	<u>PAYMENTS</u>
2,500,000	Nov. 28, 95	Demand		

AND WHEREAS the amount (if any) heretofore borrowed and the amount hereby authorized to be borrowed do not exceed the amount of the said estimate after deducting therefrom such sums (if any) as have been paid over by a Municipality or by a Local Government District or by the Provincial Government on Account of the amount required for the current year's expenses of the School Division.

NOW THEREFORE the Trustees of "The Turtle Mountain School Division No. 44" in session assembled enact as follows:

- (1) (a) THAT the Trustees of the said School Division do borrow the sum of two million five hundred thousand (dollars) (\$2,500,000) from credit of the said School Division, and do pay or agree to pay at such times as may be required by the Canadian Imperial Bank of Commerce, hereinafter called the CIBC, interest thereon both before and after maturity at a rate:
 - i) $1/2$ of one percentage point(s) per annum below the "CIBC Prime Rate" as established from time to time by the CIBC in effect from time to time calculated daily on the line of credit.
 - ii) "Banker's Acceptance Rate plus stamping fee" as established from time to time by the CIBC for Banker's Acceptances which are subject to availability for terms of 30 days to 180 days.
 - (b) THAT the School Division do enter into an agreement with the CIBC for a Line of Credit and Banker's Acceptances in the form required by the CIBC and the Corporate Seal of the said School Division be affixed to the said Agreement attested by the signatures of the Chairman and Secretary-Treasurer of the said School Division.
 - (c) THAT the School Division do give to the CIBC the demand promissory note or notes of the School Division for the sums borrowed together with interest thereon if and as may be required by the said CIBC and the Corporate Seal of the said School Division be affixed to the said note or notes attested by the signatures of the Chairman and Secretary-Treasurer of the said School Division.
- (2) THAT the amount so borrowed shall be a first charge upon any money to be received by the Trustees on account of the current year's estimate for the purposes of the said School Division whether from the Municipalities and Local Government Districts or from the Provincial Government or from any other source and as the same are received the said School Division shall deposit them with the said CIBC in a special account as collateral security for payment of the amount so borrowed with interest thereon but the said CIBC shall not be restricted thereto for the payment of the sum or sums so borrowed nor shall it be bound to wait for repayment of the moneys so borrowed until the Municipalities and Local


Government or the Provincial Government have discharged their obligation to the School Division nor be obliged to see that moneys paid to the School Division and deposited or applied as aforesaid.

- (3) THAT nothing herein contained shall waive, prejudicially affect or exclude any right, power, benefit or security by statute, common law or otherwise given to or implied in favour of the said CIBC.

DONE AND PASSED at a duly assembled and constituted meeting of the said Trustees held this 16th day of JULY A.D. 1996.



CHAIRMAN



SECRETARY

I, Gary Maxwell, Secretary of the above mentioned School Division, hereby certify the above to be a true and correct copy of By-Law No. 96-3 of the Trustees of the said School Division and that the same was duly enacted and passed by the Trustees of the said School Division at a duly assembled and constituted meeting thereof held on the 16th day of JULY A.D. 1996.



SECRETARY-TREASURER

