

No. 69

4th Session, 14th Legislature, Alberta
10 Elizabeth II

BILL 69

A Bill to Incorporate the University Hospital Foundation

HON. DR. ROSS

Explanatory Note

1. This Bill will establish a Foundation to hold and administer property to be used for purposes beneficial to the University of Alberta Hospital.

2. Definitions.

3. Establishment of the University Hospital Foundation.

4. Objects of the Foundation.

BILL

No. 69 of 1962

An Act to Incorporate the University Hospital Foundation

(Assented to _____, 1962)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The University Hospital Foundation Act*".

2. In this Act,

- (a) "Board" means the University Hospital Board under *The University of Alberta Hospital Act*;
- (b) "Foundation" means the University Hospital Foundation;
- (c) "property" means real and personal property, including money;
- (d) "trustees" means the members of the Foundation.

3. There is hereby established a corporation under the name of the "University Hospital Foundation" which shall consist of

- (a) the chairman of the Board,
- (b) the Dean of the Faculty of Medicine, University of Alberta,
- (c) the executive director of the University of Alberta Hospital, and
- (d) the persons appointed or elected pursuant to section 7.

4. The objects of the Foundation are

- (a) to seek and receive by gift, bequest, devise, transfer or otherwise, property of every nature and description, and
- (b) subject to any prior trust conditions imposed upon the use of such property, to hold, use and administer it for the purpose of maintainnig and advancing the position of the University of Alberta Hospital as a progressive treatment, teaching and research institution for the general benefit of the peoples of Alberta.

5. Duties of the Foundation.

6. Power to hold money and pay an annuity therefrom.

7. Appointment and election of trustees.

5. The Foundation:

- (a) shall apply its property or expend the income therefrom for such particular purposes, including trust conditions imposed, as could not otherwise be readily met out of public funds;
- (b) shall invest its funds in securities authorized by law for investment of trust funds or as may be directed by the donor;
- (c) may transfer any of its property to the Board upon such terms not inconsistent with any prior trust condition attaching thereto as it may deem expedient;
- (d) may enter into such contracts and do all such other things as may be necessary, desirable or expedient to effect its purposes.

6. (1) The Foundation may receive moneys by gift, bequest, transfer or otherwise for the payment of an annuity, equal to four per cent of the amount of the moneys so received, or the rate of interest earned by the Foundation on its investments, whichever is the lesser of the two, to a person designated by the donor, testator or transferor,

- (a) if the aggregate sum of all such moneys held by the Foundation does not exceed one million dollars,
- (b) if the annuity for which the moneys are held is for the period of one life only,
- (c) if the property in the moneys is vested in the Foundation free of any other charge whatsoever, and
- (d) if the person designated as the recipient of an annuity has attained the age of fifty-five years,
 - (i) at the date of the gift or transfer of such moneys to the Foundation, or
 - (ii) at the date of the death of the testator in the case of a bequest of such moneys to the Foundation.

(2) The Foundation may enter into any agreement necessary to the exercise of the powers given to the Foundation under subsection (1).

7. (1) The chairman of the Board shall be the first chairman of the trustees and shall call a meeting of the *ex officio* trustees within three months after the commencement of this Act.

(2) At such meeting the *ex officio* trustees shall appoint not less than three nor more than seven additional trustees.

(3) Should the *ex officio* trustees at the meeting appoint less than seven additional trustees, then the trustees for the time being shall appoint from time to time additional trustees until seven such trustees have been appointed.

8. Meetings of trustees.

9. Management of Foundation.

10. Delegation of powers to committees.

11. Location of principal office.

(4) All trustees so appointed shall hold office for a term of three years or until their successors are elected and are eligible for re-election, subject to the conditions hereinafter contained.

(5) Thereafter all trustees, other than *ex officio* trustees, shall be elected for a term of three years by a majority vote of those present at a duly called meeting of the trustees.

(6) Vacancies caused by death, resignation or otherwise among the trustees, other than the *ex officio* trustees, shall be filled by election in similar manner for the unexpired terms of office of the persons dying, resigning or otherwise ceasing to be trustees.

(7) A majority of the trustees, other than the *ex officio* trustees, shall be residents of Alberta.

(8) No person who is a member of the attending medical staff or an employee of the Board is eligible for election as a trustee.

(9) In this section "*ex officio* trustee" means the persons named in clauses (a), (b) and (c) of section 3.

8. (1) A majority of the trustees for the time being constitute the quorum required for the meeting of the trustees.

(2) The trustees shall meet at least once a year on a date to be fixed by the chairman of the trustees.

9. The trustees may make by-laws, rules or regulations respecting:

- (a) the adoption of a common seal;
- (b) the appointment, functions, duties and removal of all agents, officers and servants of the Foundation and their remuneration;
- (c) the time and place for the meetings of the trustees and the procedure to be followed at such meetings;
- (d) the general conduct in every particular of the affairs of the Foundation.

10. (1) The trustees may at any time delegate any of their powers to committees consisting of such of the trustees and of such other persons as the trustees deem advisable.

(2) Any committee so formed shall, in the exercise of the powers so delegated, conform and be subject to such directions, restrictions and regulations, if any, as are imposed upon it by the trustees.

11. The principal office of the Foundation shall be located at the city of Edmonton.

12. Actions against trustees.

13. Commencement of Act.

12. No action shall be brought against the trustees, or any of them, on account of any thing done or omitted in the execution of their office nor against the Foundation without the consent of the Attorney General first having been obtained.

13. This Act comes into force on the day upon which it is assented to.

No. 69

FOURTH SESSION

FOURTEENTH LEGISLATURE

10 ELIZABETH II

1962

BILL

An Act to Incorporate the University
Hospital Foundation

Received and read the

First time

Second time

Third time

HON DR. ROSS
