

No. 57

1st Session, 15th Legislature, Alberta
12 Elizabeth II

BILL 57

A Bill to Incorporate St. Josaphat's Institute

MR. TOMYN

BILL

No. 57 of 1964

An Act to Incorporate St. Josaphat's Institute

(Assented to _____, 1964)

Preamble

WHEREAS the Order of St. Basil the Great in Canada Commonly called The Basilian Fathers, one of the Religious Orders of the Greek Catholic Church, was duly incorporated by the Statutes of Canada, and has for its objects the establishment and carrying on of missions or parishes, schools, colleges and seminaries; and

WHEREAS a petition has been presented by Reverend Methodius Hannas, O.S.B.M., Reverend Boniface Sloboda, O.S.B.M., and Reverend Josaphat Skwarok, O.S.B.M., all members of the said Order engaged in the carrying out of some of the said objects in the Province of Alberta, praying for the incorporation of residential and educational facilities to be conducted by some members of the said Order under the name of St. Johaphat's Institute.

AND WHEREAS it is expedient to grant the prayer of the said Petitioner:

THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

Incorporation

1. The Reverend Methodius Hannas, O.S.B.M., the Reverend Boniface Sloboda, O.S.B.M., and the Reverend Josaphat Skwarok, O.S.B.M., and such other members of the Order of St. Basil the Great in Canada as shall hereafter from time to time be associated with them in accordance with the constitution of the Order and such other members of the Order as shall from time to time be substituted for them in accordance with the said constitution are hereby constituted a body corporate and politic under the name of St. Josaphat's Institute, and shall under that name have power to establish and conduct in the City of Edmonton and there and elsewhere in the Province of Alberta residential and educational facilities for students attending any public, vocational, trade school, college, university or other educational institution in the City of Edmonton, under proper moral and religious guidance; and to give moral and religious guidance and instruction in matters of faith, dogma, ritual and teachings of the Ukrainian Greek Catholic Church in Canada, to resident students who are members, or whose parents or guardians are members, or adherents of

the said church, and to such non-resident students desiring to avail themselves of such facilities, and to appoint such lecturers, officers and servants as may be necessary for carrying into effect the objects and purposes of the corporation.

Powers **2.** The corporation shall have power to conduct schools, boarding schools and college institutions.

Perpetual succession and common seal **3.** The corporation shall have perpetual succession and a common seal, and may at all times hereafter contract and be contracted with, sue and be sued, implead and be impleaded in any matter whatsoever in all courts and places whatsoever in the Province of Alberta.

Council of management **4.** The affairs of the corporation shall be managed by a council composed of the Director of St. Josaphat's Institute and his advisors chosen according to the constitution of the Order and the council shall have power to make rules and regulations for the management of the affairs of the corporation and the persons designated by name in the first section of this Act shall be the provisional council thereof.

Acquisition of property **5.** The corporation shall have power from time to time and at all times hereafter to acquire by gift, devise, purchase lease or otherwise for its benefit any real property and to dispose of same by sale, mortgage, lease, exchange or otherwise and with the proceeds thereof acquire other real property or invest the same in any other property or security whatsoever for the use and benefit of the said corporation.

Revenues **6.** The rents, revenues and profits of all property, real or personal, held by the corporation and the assets and property of the corporation shall be appropriated and applied to the maintenance of the members of the corporation and the construction and maintenance of the institutions carried on by the corporation, and the construction and maintenance of buildings and the acquisition of property, real or personal, requisite for the advancement of charity and benevolence and for the furtherance of any or all the objects and works in which the corporation may engage.

Borrowing powers **7.** The corporation in addition to all other powers, shall have power

(a) to borrow or raise or secure the payment of money by negotiable instruments and by the issue of debentures or debenture stock, bonds, mortgages or obligations, charged upon the property of the corporation, and to extend the period for payment of the same, and to purchase, redeem or pay off any such securities in whole or in part,

- (b) to invest its funds, or any portion thereof, either directly in the name of the corporation, or indirectly in the names of the trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities,
- (c) to ensure or give any guarantee for payment of any loan, mortgage, bond or debenture issue, obligations or securities made or issued by the corporation situate within the Province of Alberta,
- (d) to mortgage, or charge all or any part of the property of the corporation either for the payment of security for a debt or otherwise.

Execution of instruments

8. All instruments relating to real property shall be executed under the seal of the corporation attested as provided by the rules and regulations of the corporation.

Vesting of title

9. Upon presentation to the Registrar of the proper land titles office of any transfer or other instrument whereby any land or interest in land situate in Alberta is being transferred from the Order of St. Basil the Great in Canada, being a corporation incorporated by the Statutes of Canada, to the corporation hereby created, the Registrar may without fee or charge therefor do all things necessary to vest such land or interest therein in the name of the corporation, subject to all such encumbrances or charges as may be registered.

Tax exemption

10. All the real and personal property hereinafter described, namely,

Lots Thirty-three (33) to Thirty-six (36) inclusive, in Block One Hundred and Seventy-eight (178) in a Subdivision of the City of Edmonton, in the Province of Alberta, Canada, of record in the Land Titles Office for the Land Registration District as Plan 7239 R.

shall be exempt from assessment and taxation so long as same are used for educational, religious and spiritual purposes, except for local improvement taxes and taxes pertaining to minerals.

Accounting

11. The corporation shall at all times whenever required to do so by the Lieutenant Governor in Council make a report in writing of its affairs and property.

General laws

12. The powers herein granted shall be subject to the general laws of the Province now in force or hereafter enacted.

Short title

13. This Act may be cited as "*The St. Josaphat's Institute Act*".

Commencement of Act

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

No. 57

FIRST SESSION
FIFTEENTH LEGISLATURE
12 ELIZABETH II
1964

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Institute

Received and read the

First time

Second time

Third time

MR. TOMYN
