

1967 Bill Pr. 8

---

---

Fifth Session, 15th Legislature, 15 Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL Pr. 8**

**An Act to Incorporate The Tempo School**

---

---

MR. GERHART

---

---

First time .....

Second time .....

Third time .....

# BILL Pr. 8

1967

An Act to Incorporate The Tempo School

(Assented to \_\_\_\_\_, 1967)

Preamble

WHEREAS the Petitioners have organized a project for the advancement of education in the City of Edmonton, in the Province of Alberta, by the establishment of a school to be known as The Tempo School;

AND WHEREAS the Petitioners have by their Petition set forth that the incorporation of The Tempo School would enable them to attain more effectively this object;

AND WHEREAS it is expedient to grant the prayer of the said Petition;

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

Short title

1. This Act may be cited as *The Tempo School Act*.

Interpretation

2. In this Act,

- (a) "Board" means the governing Board as constituted and established pursuant to section 6;
- (b) "Corporation" means the body corporate created by this Act under the name of Tempo School;
- (c) "Tempo School" means the institution, appurtenances and facilities of the corporation described in section 4.

Corporate body

3. (1) George N. Cormack, Physician, Reverend Canon Thomas L. Leadbeater, Rector, Holy Trinity Church, and Charles A. Allard, Surgeon, all of the City of Edmonton, in the Province of Alberta, and such other persons as are from time to time appointed or be members of the Board, as hereinafter provided, are hereby constituted and established a body corporate under the name of Tempo School.

(2) The Corporation

- (a) has perpetual succession,
- (b) shall have a common seal, with power to change, alter, break and renew the same when and so often as it shall think proper,

- (c) may contract and be contracted with, sue and be sued, implead and be impleaded with, answer and defend in all courts and places whatsoever,
- (d) may acquire by gift, purchase, devise, bequest, transfer or otherwise, real or personal property of every nature in the Province of Alberta and have, hold, possess, enjoy, take and receive the same for the general uses and purposes of the Corporation,
- (e) may from time to time, give, sell, exchange, convey, transfer, assign, mortgage, encumber, demise or otherwise dispose of all or any of the property, real or personal of the Corporation or any interest therein,
- (f) may borrow, raise or secure the payment of, money for any of the purposes of the Corporation in such manner as it deems expedient and, in particular, by negotiable instruments and by the issue of debentures, bonds, mortgages or obligations, charged upon all or any of the property of the Corporation and may purchase, redeem or pay off any such securities in whole or in part,
- (g) may invest all moneys of, or in possession of, the Corporation arising from or connected with its objects or operations, or any of them, in such securities, real or personal, as by any law or statute in force in the Province, trustees may lawfully make investments,
- (h) may acquire, take possession of and hold as the Corporation may deem proper all such property (real, personal or mixed) as may at any time be mortgaged, hypothecated or pledged to the Corporation by way of security or conveyed to it in satisfaction of obligations or debts due or owing to it from any person, firm or corporation, and
- (i) has all the powers and privileges conferred upon it by this Act, and all the other powers and privileges and immunities vested by law in a corporation necessary or proper for the carrying out of its objects.

**Objects**

**4. (1) The objects of the Corporation are:**

- (a) generally, the advancement of education;
- (b) the organization, construction, extension, equipment, operation, management and maintenance in the City of Edmonton or elsewhere in the Province of Alberta, of a school or schools.

(2) All of the resources of the Corporation shall be devoted to charitable activities carried on by the Corporation itself and no part of the income of the Corporation shall be payable to, or otherwise be made available for the

personal benefit of any proprietor, member or shareholder thereof.

*The Companies Act*

**5.** The Corporation is exempt from each of sections 7, 81, 82, 87, 120, 130 and 266 of *The Companies Act*.

Constitution of Board

**6.** (1) The Corporation shall, subject to the provisions of this Act, be managed and administered by a governing Board of three persons, the first members of which shall be the persons specifically named in section 3, and thereafter such person or persons resident in the Province of Alberta, to be named or designated in writing by a majority vote of the members of the Board.

(2) The Board may, by by-law, increase the size of the Board from three persons to five persons, who shall be appointed in the manner set forth in subsection (1) of this section.

Term of office

**7.** A member of the Board shall continue to be a member of the Board until he resigns or until his death.

Continuity of Board

**8.** Notwithstanding the term of office for members of the Board hereinbefore stated, the respective members of the Board may hold office until their respective successors are from time to time appointed in the manner herein provided.

Quorum

**9.** Two members of the Board shall constitute a quorum thereof and each member shall have one vote.

Powers of Board

**10.** (1) The powers of the Corporation are vested in and shall be exercised by the Board and, without restricting the generality of the foregoing, the Board may:

- (a) elect its own Chairman and Vice-Chairman and appoint a Treasurer and Secretary and such other officers of the Corporation as it deems expedient and may prescribe their respective duties, powers and authority and determine the tenure of each such office;
- (b) fix and determine the remuneration of the officers of the Corporation;
- (c) plan, organize, supervise, control, direct and carry out or cause to be carried out the financing, construction, extension, equipment, operation and maintenance of the Tempo School;
- (d) control, manage, govern and direct the Tempo School and appoint such staff, employees, servants and agents, or contract for the performance of services, as it may from time to time require or deem necessary and fix, pay and provide for the salaries, emoluments of, and benefits for, such persons;

- (e) act by such committees of, or appointed by, the Board as it deems proper to constitute or appoint;
- (f) control and regulate the use of the Tempo School;
- (g) make rules, not inconsistent with any of the provisions of this Act, governing and prescribing the operations of the Tempo School, the admission of students, the curriculum and any other matter whatsoever in connection with the operation of the Tempo School;
- (h) make by-laws, resolutions, rules, orders, and regulations not inconsistent with any of the provisions of this Act, touching or respecting any and all of the aforesaid powers and matters and also in respect of all matters pertaining to the business, meetings and proceedings of the Board.

(2) If a vacancy in any office other than membership of the Board occurs at any time, the Board shall, at its next ensuing meeting, elect or appoint a new occupant of such office, or defer the matter until such time as the Board deems it expedient to fill the vacancy.

(3) Officers of the Corporation, other than the Chairman or Vice-Chairman of the Board, need not be members of the Board.

Use of  
corporate  
seal

**11.** Any deed, transfer, mortgage, charge or other instrument relating to or dealing with real estate or any interest therein in the said Corporation, shall be deemed to be and shall be duly executed and shall be sufficient for the purposes for which same is intended, if there are affixed thereto the seal of the Corporation and the signature of two members of the Board.

Accounting

**12.** The Corporation shall at all times when called upon so to do, render an account in writing of its property and affairs to the Lieutenant Governor in Council.

Commencement of Act

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