

1971 Bill 140

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Fourth Session, 16th Legislature, 20 Elizabeth II

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THE LEGISLATIVE ASSEMBLY ~~OF~~ ALBERTA

**BILL 140**

**The Alberta Art Council Act**

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MR. RUSSELL

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 140

1971

## THE ALBERTA ART COUNCIL ACT

*(Assented to , 1971)*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

**1.** The functions of the Council are dependent upon such appropriations of funds by the Legislature as are necessary to carry on the objects and powers of the Council.

**2.** In this Act

- (a) "Council" means the Alberta Art Council;
- (b) "Minister" means a member of the Executive Council charged with the administration of this Act;
- (c) "resident of Alberta" means
  - (i) any person who is a bona fide resident within the Province of Alberta and who has resided in the Province of Alberta for a period of ten years immediately preceding the time at which determination of residency shall be required for this Act, or
  - (ii) in the case of an artist if deceased means any person who was a bona fide resident in Alberta for ten years of his lifetime at any time prior to his decease.

**3.** (1) There is hereby created a corporation styled the "Alberta Art Council".

(2) The Council shall consist of

- (a) the Chairman,
- (b) the Secretary, and
- (c) six other members.

(3) The Lieutenant Governor in Council may make regulations prescribing the terms of office and conditions of service of members of the Council.

4. (1) The Council shall meet

- (a) at least three times each year in such places as may be fixed by the Chairman, and
- (b) at such other times and places as the Council considers necessary.

(2) The Council may make by-laws regulating its proceedings and generally for the conduct and management of its activities, including the appointment of honorary officers and of advisory committees.

5. The Chairman and the Secretary and members of the Council shall be paid daily indemnities plus travelling and living expenses incurred by them while in the course of their duties.

6. The Council may appoint and pay the remuneration and expenses of a permanent Director who shall fulfil the qualifications of technical or professional advisor necessary for the proper conduct of the activities of the Board.

7. The objects of the Council are to foster and promote the enjoyment of works of art of the residents of the Province of Alberta and to display such works of Art in public buildings within the Province of Alberta, which public buildings shall be limited to Provincial works save and except that the Council after fully providing for requisitions as hereinafter referred to in subparagraph (c) shall be at liberty to display works of Art acquired pursuant to the terms and provisions of this Act in any public building including schools and municipal buildings within the Province of Alberta. And without limiting the generality of the foregoing the Council may, in furtherance of its objects,

- (a) acquire and purchase works of Art of Alberta residents;
- (b) assist, cooperate with and enlist the aid of any organization or private company or person with reference to the object of the Council, and in particular with respect to financial contributions to the Council to enlarge the endowment fund hereinafter established;
- (c) display such works of Art in public buildings within the Province of Alberta and to receive requisition for such works of Art from any Department of the

Government of the Province of Alberta or other emanation of the Lieutenant Governor in Council or such other institution as may be deemed by the Lieutenant Governor in Council to be an emanation of the Lieutenant Governor in Council within the meaning of this Act;

- (d) establish a selection criteria Committee for the purpose of advising on works of Art to be acquired and in this regard to establish the said Committee from members of any body representing artists throughout the Province of Alberta and recognized as such;
- (e) arrange for and sponsor exhibitions, performances and publications of works of art;
- (f) recommend, once every three years, one artist resident of Alberta to the Lieutenant Governor in Council for recognition by the Government for outstanding contribution to the development of Art in Alberta.

**8.** The Council is not an agent of Her Majesty and except as provided to the contrary the members and employees, Chairman and Secretary of the Council are not part of the public service.

**9.** The Provincial Treasurer may out of the monies appropriated by the Legislature for the purposes of the Council, pay to the Council a sum which shall constitute an Endowment Fund for the purposes of this Act.

**10.** Any expenditure made for any of the purposes of this Act, except as herein provided to the contrary, may be paid out of

- (a) the return on investments made out of the Endowment Fund;
- (b) the amount advanced to the Council under section 9;
- (c) money, securities or other property received by the Council by gift, bequest or otherwise if available for such purpose.

**11.** The Council may make investments authorized by The Trustee Act of the Province of Alberta of any sums held by it from time to time under and by virtue of section 10 or by donation, bequest or otherwise.

**12.** The Provincial Auditor, or his nominee, shall from time to time, and at least once a year audit the accounts and financial transactions of the Council.

**13. (1)** At the beginning of each year the Council shall make a report of its activities during the preceding year to the Lieutenant Governor in Council.

(2) A copy of the Annual Report of the Council shall be laid before the Legislative Assembly within fifteen days after the commencement of the next ensuing Session.

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