

1976 Bill 56

Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 56

THE RECREATION, PARKS AND WILDLIFE FOUNDATION ACT

THE MINISTER OF RECREATION, PARKS AND WILDLIFE

First Reading

Second Reading

Third Reading

BILL 56

1976

THE RECREATION, PARKS AND WILDLIFE FOUNDATION ACT

(Assented to _____, 1976)

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

1. In this Act,

- (a) "Foundation" means The Recreation, Parks and Wildlife Foundation created pursuant to section 2;
- (b) "Minister" means the Minister of Recreation, Parks and Wildlife.

2. (1) There is hereby created a corporation with the name "The Recreation, Parks and Wildlife Foundation" consisting of not more than twelve members appointed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council may prescribe the term of office of any member appointed pursuant to subsection (1).

(3) The Lieutenant Governor in Council shall designate one of the members of the Foundation as chairman.

(4) The Minister may appoint a person to be the secretary of the Foundation, who may be a member of the Foundation, an employee of the Government under the Minister's administration or any other person.

(5) A majority of the members constitute a quorum at a meeting of the Foundation.

(6) The Minister may prescribe the rate of remuneration and the subsistence and travelling expenses to be paid to the members of the Foundation and the secretary.

(7) Any payment made pursuant to subsection (6) shall be made from moneys appropriated by the Legislature for that purpose.

3. The object of the Foundation is to provide to persons and organizations the opportunity to donate real or personal property to the Foundation to be used for

Explanatory Notes

1. Definitions.

2. Foundation established.

3. Objects.

- (a) the development or maintenance of recreational programs, facilities and services;
- (b) the development or maintenance of parks;
- (c) the management, conservation or preservation of fish and wildlife.

4. (1) The Foundation may, with the approval of the Minister, make by-laws

- (a) governing the administration of the Foundation and its funds;
- (b) establishing such honorary offices as are considered desirable and governing the appointment of persons thereto;
- (c) governing the management of the real and personal property of the Foundation;
- (d) governing the making of grants;
- (e) relating to any other matter necessary for carrying out the objects of the Foundation.

(2) A by-law does not become effective

- (a) unless it is passed by a majority of the members of the Foundation, and
- (b) until it is approved by the Minister.

(3) A by-law signed by a majority of the members of the Foundation is as valid and effective as if passed at a meeting of the Foundation.

(4) *The Regulations Act* does not apply to the by-laws of the Foundation.

5. (1) In addition to the powers it has under section 14 of *The Interpretation Act*, the Foundation may, subject to the regulations,

- (a) acquire real or personal property, whether by purchase, donation, lease, grant, devise, bequest or otherwise;
- (b) hold, preserve, maintain, renovate, restore and manage the real and personal property of the Foundation;
- (c) enter into an agreement with any person respecting any matter pertaining to the object of the Foundation;
- (d) engage the services of such persons as are considered necessary for the operation of the Foundation; fix their fees and terms and conditions of service;
- (e) make grants to any person or organization with the objects of the Foundation;

4. Power to make by-laws.

5. Powers of the Foundation.

- (f) dispose of any real or personal property by sale, lease or any other manner and to execute such deeds or other instruments as may be required to effect the disposal;
- (g) establish and maintain such banking arrangements as are necessary;
- (h) publish, produce, and distribute books, pamphlets, films or any other productions which relate to the objects of the Foundation;
- (i) conduct membership and fund raising campaigns or either of them to carry out the objects of the Foundation.

(2) Any real or personal property acquired by the Foundation by gift, bequest, devise or loan is subject to any terms and conditions stipulated by the person giving, bequeathing, devising or loaning the property.

(3) The Provincial Treasurer may, at the request of and on behalf of the Foundation,

- (a) invest any funds under the control of the Foundation in any securities authorized by *The Financial Administration Act*, and
- (b) sell and dispose of securities and reinvest the proceeds of sale in securities authorized under clause (a).

6. (1) The Minister may give directions to the Foundation for the purpose of

- (a) providing priorities and guidelines for it to follow in the exercise of its powers under this section, and
- (b) co-ordinating the work of the Foundation with the programs, policies and the work of the Government and public and private institutions, in order to avoid duplication of effort and expense.

(2) The Minister may make regulations restricting and regulating the exercise of the Foundation's powers specified in section 5.

7. The Minister may provide to the Foundation the services of employees of the Government under his administration, to carry out secretarial, clerical and accounting duties and other work required by the Foundation, at no cost to the Foundation.

6. Minister's control.

7. Staff to be provided.

8. (1) The Foundation shall maintain at least one fund consisting of moneys received by it from any source.

(2) The Foundation may disburse, expend or otherwise deal with any portion of its funds for the purposes of the object of the Foundation and to defray any expenses in connection therewith.

9. The Foundation is an agent of the Crown in right of Alberta.

10. The real and personal property, business and income of the Foundation are exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature and such exemption extends to any person registered as a charitable organization under the *Income Tax Act* (Canada) who leases any property of the Foundation.

11. The accounts and financial transactions of the Foundation shall be audited annually by the Provincial Auditor.

12. (1) The fiscal year of the Foundation is the period from April 1 to the next succeeding March 31.

(2) After the end of each fiscal year, the Foundation shall prepare and submit to the Minister a report consisting of

- (a) a general summary of its transactions and affairs during that year, its revenues and the application of its expenditures during that year,
- (b) an audited balance sheet of its accounts and financial transactions during that year, and
- (c) such other information as the Minister may require.

(3) Upon receiving a report under subsection (2), the Minister shall lay a copy of it before the Legislative Assembly if it is then in session, and if not, within 15 days after the commencement of the next ensuing session.

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

8. Fund to be established.

9. Crown Agent.

10. Tax exemption.

11. Audit.

12. Fiscal year and report.