

1980 BILL 1

Second Session, 19th Legislature, 29 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 1

THE UNIVERSITY HOSPITAL FOUNDATION
AMENDMENT ACT, 1980

THE PREMIER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 1

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1980

THE UNIVERSITY HOSPITAL FOUNDATION AMENDMENT ACT, 1980

(Assented to , 1980)

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

- 1 The University Hospital Foundation Act is amended by this Act.*
- 2 The title is repealed and the following is substituted:*

THE UNIVERSITY HOSPITALS FOUNDATION ACT

- 3 Section 1 is repealed.*
- 4 Section 2 is amended*
 - (a) in clauses (a) and (b) by striking out "Hospital" wherever it occurs and substituting "Hospitals", and*
 - (b) by adding the following after clause (b):*
 - (b.1) "hospitals" means The University of Alberta Hospital, the Walter C. MacKenzie Health Sciences Centre and all other institutions or facilities owned or operated by the Board;
 - (b.2) "Minister" means the Minister of Hospitals and Medical Care;
- 5 Section 3 is amended*
 - (a) by striking out "There is hereby established a corporation under the name of the "University Hospital Foundation" which", and substituting "The University Hospital Foundation is continued under the name "University Hospitals Foundation" and", and*

Explanatory Notes

1 This Bill will amend chapter 96 of the Statutes of Alberta, 1962.

2 The title presently reads:

An Act to Incorporate the University Hospital Foundation

3 Repeals unnecessary section. Section 1 presently reads:

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

4 Section 2 presently reads in part:

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;

5 Section 3 presently reads in part:

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

(c) the executive director of the University of Alberta Hospital, and

(b) in clause (c) by striking out “University of Alberta Hospital” and substituting “hospitals”.

6 Section 4(b) is amended by striking out “the University of Alberta Hospital as a progressive treatment, teaching and research institution for the general benefit of the peoples of Alberta” and substituting “the hospitals for the general benefit of Albertans”.

7 The following is added after section 12:

12.1(1) The Auditor General is the auditor of the Foundation.

(2) The fiscal year of the Foundation is the period from the first day of April to the next succeeding 31st day of March.

(3) At the end of each fiscal year the Foundation shall prepare and submit to the Minister an annual report which shall include the audited financial statements and any other statements and reports that the Minister may require.

12.2(1) Any earnings derived from the investment under section 5 of the funds of the Foundation shall be used in furthering its objects.

(2) The payment of any dividend or other remuneration out of the funds of the Foundation to the trustees is prohibited.

(3) Notwithstanding subsection (2), trustees may be reimbursed out of the funds of the Foundation for reasonable travelling and living expenses necessarily incurred by them in the performance of their duties under this Act.

12.3(1) In the event of the winding-up of the Foundation, the assets of the Foundation shall be used

(a) firstly, in the payment of any costs incurred in the winding-up of the Foundation, and

(b) secondly, in the discharge of all debts and liabilities of the Foundation

and the balance, if any, shall be transferred and assigned to the Crown in right of Alberta or to any charitable organization designated by the Lieutenant Governor in Council.

6 Section 4(b) presently reads:

4 The objects of the Foundation are

(b) subject to any prior trust conditions imposed upon the use of such property, to hold, use and administer it for the purpose of maintaining 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.

7 Proposed section 12.1 deals with the audit, fiscal year and annual report of the Foundation. Proposed section 12.2 deals with earnings and payment of expenses. Proposed section 12.3 deals with winding-up. These provisions will allow the Foundation to be registered as a charity under the Income Tax Act (Canada).

(2) An order under subsection (1) shall not be inconsistent with any trust or condition under which the asset is held.

8 A reference to The University Hospital Foundation Act or the University Hospital Foundation in any statutory provision not amended by this Act or in any order, regulation, rule, by-law, certificate of title, agreement or other instrument shall be deemed to be a reference to The University Hospitals Foundation Act or the University of Alberta Hospitals Foundation, as the case may be.

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

8 Transitional.