

1982 BILL PR 8

Fourth Session, 19th Legislature, 31 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL PR 8

**EDMONTON CONVENTION AND TOURISM AUTHORITY
ACT**

MR. MACK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill PR 8
Mr. Mack

BILL PR 8

1982

EDMONTON CONVENTION AND TOURISM AUTHORITY ACT

(Assented to , 1982)

WHEREAS a petition has been presented, praying for the incorporation of the Edmonton Convention and Tourism Authority, and it is expedient to grant the prayer of the petition;

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

Definitions

1 In this Act,

- (a) "additional member" means a member of the Authority appointed under section 5(j) of this Act;
- (b) "Authority" means the Edmonton Convention and Tourism Authority;
- (c) "Chairman" means the Chairman of the Authority;
- (d) "City" means the City of Edmonton;
- (e) "Council" means the council of the City;
- (f) "elector" means a person who is entitled to vote at the municipal elections of the City and who is not a member of the Council;
- (g) "General Manager" means the person who is from time to time appointed as General Manager of the Authority;
- (h) "Mayor" means the Mayor of the City;

- (i) “parent organization” means:
 - (i) The Edmonton Chamber of Commerce;
 - (ii) The Edmonton Licensed Hotel Association;
 - (iii) The Alberta Restaurant and Food Services Association;
 - (iv) The Edmonton Exhibition Association Limited;
 - (v) The Edmonton Convention Centre Authority;
 - (vi) the Council;
 - (vii) the Committee designated by the Council to deal with special events in the City; or
 - (viii) the Authority;

as the case may be which is, from time to time, responsible for the appointment of members to the Authority pursuant to section 4;

- (j) “Vice-Chairman” means the Vice-Chairman of the Authority.

Incorporation **2(1)** There is hereby created a body corporate with the name of “Edmonton Convention and Tourism Authority” composed of members appointed in accordance with the provisions of this Act.

(2) The members of the Authority have direction and control over the conduct of the business and affairs of the Authority.

Object **3** The Authority shall have as its object the promotion and development of the convention and tourism industry in the City in a manner consistent with a general convention and tourism policy for the City approved by the Council.

Special powers **4** Without limiting the generality of section 3, the Authority shall have the power:

(a) to appoint a General Manager who shall have authority to conduct the daily administration and management of the business and affairs of the Authority and shall be responsible to and serve as secretary to the Authority;

(b) to acquire and hold any real or personal property or any estate or interest in real or personal property or any rights or privileges of any kind or nature and to alienate, sell, lease or dispose of any property, right or privilege;

(c) to engage the services of any bank or treasury branch and to enter into agreements with any bank or treasury branch;

- (d) to draw, make, accept, endorse, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- (e) to delegate in writing any power contained in clauses (c) and (d);
- (f) to acquire, hold or alienate shares in the capital stock of any corporation that is involved in the convention or tourism industry in the City;
- (g) with the prior approval of the Council, to borrow money upon the credit of the Authority and guaranteed by the City, and execute evidence of indebtedness for that purpose;
- (h) to make by-laws to cover its own internal procedures and the government and proper administration of its property, affairs and interests;
- (i) to enter into, with any government, authority or person, any agreement that the Authority deems necessary or useful to fulfill its object or special powers;
- (j) to receive gifts, donations and grants of money and other property from any source for the purpose of enabling the Authority to carry out its object or special powers; and
- (k) generally to do or cause to be done within or without the City, all things that are within the power of the City, necessary for or incidental to the achievement of its object defined in section 3.

Members

- 5** The Authority shall be composed of:
- (a) 2 electors appointed by the Council, 1 of whom may be a member of the Council;
 - (b) 1 elector appointed by The Edmonton Chamber of Commerce;
 - (c) 1 elector appointed by The Edmonton Licensed Hotel Association;
 - (d) 1 elector appointed by The Alberta Restaurant and Food Services Association;
 - (e) 1 elector appointed by The Edmonton Exhibition Association Limited;
 - (f) 1 elector appointed by The Edmonton Convention Centre Authority;
 - (g) 1 elector appointed by the Committee designated by the Council to deal with special events in the City;

(h) 1 elector to be selected by the members of the Authority described in clauses (a) through (g) who shall represent the City's heritage, cultural and special attraction groups;

(i) 1 elector to be selected by the members of the Authority described in clauses (a) through (g) who shall be experienced in the convention and tourism industry.

(j) up to 5 electors appointed by the Authority who shall meet the qualifications of either clause (h) or (i); and

(k) the Mayor.

Appointment and
term of members

6(1) As soon as practically possible after this Act comes into force the first members of the Authority shall be appointed.

(2) The initial term of members appointed under section 5(a), (c), (e), (h) and (i) shall be 2 years from the date of their appointment.

(3) The initial term of members appointed under section 5(b), (d) and (g) shall be 1 year from the date of their appointment.

(4) The Authority shall specify an initial term not to exceed 2 years for every member appointed under section 5(j).

(5) The Mayor shall be a member throughout his term of office.

(6) Except as otherwise provided in this section, the term of office of a member shall be 2 years.

(7) Notwithstanding the period for which he was appointed as a member of the Authority, a member of the Council may hold office as a member of the Authority only so long as he remains a member of the Council.

(8) Notwithstanding the period for which he was appointed as a member of the Authority, a member of the Authority shall remain in office until his successor has been appointed, unless disqualified pursuant to section 8.

(9) A former member of the Authority is eligible for reappointment as a member of the Authority.

Vacancies

7 Where a vacancy occurs in membership in the Authority by any cause other than the expiration of the term for which the member was appointed, the parent organization shall appoint a successor to fill the vacancy for the remainder of the term.

Qualifications

8(1) The provisions of sections 29, 30 and 31 of the *Municipal Government Act* applying to members of the council of a municipality shall apply mutatis mutandis to the members of the Authority.

(2) Notwithstanding subsection (1), the provisions of section

29(1)(b) of the *Municipal Government Act* do not apply to the Mayor in his capacity as a member of the Authority.

Chairman and
Vice-Chairman

9(1) At the first meeting of the Authority the members shall elect 1 of the members to act as Chairman and 1 of the members to act as Vice-Chairman.

(2) The Chairman shall preside at meetings of the Authority and in his absence, the Vice-Chairman shall preside.

(3) In the absence of both the Chairman and the Vice-Chairman, the Authority may elect a member to preside over the meeting.

(4) The Chairman and Vice-Chairman shall hold office for a term of 2 years or until the expiration of the term of office as member whichever is the lesser period.

Quorum

10 A majority of the members appointed at the time shall form a quorum of the Authority for the transaction of business.

Seal

11 The Authority shall have a common seal.

Head office

12 The head office of the Authority shall be in the City.

Guarantees

13 The City shall, by by-law, guarantee the payment of capital and interest on money borrowed by the Authority.

Financing

14 The City shall provide to the Authority whatever money is, in the opinion of the Council, necessary for the operation of the Authority.

Non-profit
operation

15(1) The Authority shall not be carried on for the purpose of gain for its members.

(2) Any profits or other accretions to the Authority shall be used in the promotion of its object and no part of the income of the Authority shall be payable to or otherwise available for the personal benefit of any member of the Authority except for the reimbursement of reasonable expenses incurred by a member in connection with attending the meetings or carrying on the functions of the Authority.

City may manage

16 If, in the opinion of the Council, the Authority fails to carry out its object in a satisfactory manner, the Council may direct the Authority to turn over the management and operation of the assets of the Authority to the City or its nominees and the Authority shall comply with the direction.

City may take
property

17 If, in the opinion of the Council, the Authority fails to carry out its object in a satisfactory manner, the Council may direct the Authority to transfer to the City or its nominees all or any of that portion of the assets and undertaking of the Authority which has been provided by the City, without payment or consideration and the Authority shall comply with the direction.

Annual audit

18(1) The Authority shall cause an annual audit of its accounts to be made at least once in every fiscal year by an independent auditor who shall be a chartered accountant and who shall be appointed at the annual meeting of the members of the Authority.

(2) The fiscal year of the Authority shall coincide with the fiscal year of the City and the Authority shall submit its annual audited statement to the Council.

(3) The Authority shall give the auditor such information and permit such inspections as are necessary to enable the audit to be carried out, and shall cause a certified statement of each audit, showing the receipts and expenditures of the Authority for the preceding fiscal year and investments, if any, held by the Authority for the preceding fiscal year and investments, if any, held by the Authority at the time of the audit for that year, to be laid before the first meeting of the members of the Authority held after the completion of the audit and to be presented to the Council.

Annual estimates

19(1) The Authority shall, in each year, prepare a detailed budget in a form prescribed by the City of the probable capital and current expenditures and revenues of the Authority for the year next following the year in which the budget is made.

(2) The Authority shall submit the budget to the City annually for approval in such manner and at such time as the Council may from time to time advise.

(3) Upon receipt of the budget, the Council shall debate it as soon as possible and approve it, or amend it and approve it as amended.

*In accordance with section 4(1) of the Interpretation Act,
this Bill comes into force on the date it receives Royal
Assent.*