

1984 BILL 17

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 17

CANCER PROGRAMS AMENDMENT ACT, 1984

MR. WOO

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 17
Mr. Woo

BILL 17

1984

CANCER PROGRAMS AMENDMENT ACT, 1984

(Assented to _____, 1984)

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

- 1 *The Cancer Programs Act is amended by this Act.*
- 2 *The following is added after section 1:*

PART 1

GENERAL

3 *Section 9.1 is amended by striking out "Board" wherever it occurs and substituting "board".*

4 *The following are amended by striking out "this Act" and substituting "this Part":*

section 13;
section 17;
section 18(1);
section 20.

5 *The following is added after section 20:*

PART 2

ALBERTA CANCER FOUNDATION

21 In this Part,

(a) "Foundation" means the Alberta Cancer Foundation established by section 22;

(b) "trustees" means the trustees of the Foundation.

22(1) There is hereby created a corporation named the "Alberta Cancer Foundation".

(2) The Foundation consists of the following, who are the trustees of the Foundation:

(a) the chairman of the board,

Explanatory Notes

- 1** This Bill will amend chapter C-1 of the Revised Statutes of Alberta 1980.
- 2** Making most of the present Act Part 1 thereof.

- 3** Correcting a minor error.
- 4** Consequential to section 2.

- 5** Hospital Foundation for provincial cancer hospitals.

(b) 2 other persons who are members of and are appointed trustees by the board, and

(c) at least 2 but not more than 7 persons who

(i) are residents of Alberta,

(ii) are not members of the board, and

(iii) are appointed trustees by the board.

23 The trustees shall appoint a chairman of the Foundation from among themselves.

24(1) The trustees may make by-laws governing the procedure and business of the Foundation, including the expenses referred to in section 27(2).

(2) Notwithstanding subsection (1), the trustees shall meet at least once a year on a date which, unless fixed by the by-laws, shall be fixed by the chairman of the trustees.

25 The objects of the Foundation are

(a) to solicit and receive by gift, bequest, devise, transfer or otherwise, property of every nature and description, and

(b) subject to any prior trust conditions imposed on the use of the property, to hold, use and administer the property for advancing the objects of the board, and generally for advancing

(i) the prevention, detection and diagnosis of cancer,

(ii) the treatment and care of cancer patients, and

(iii) cancer research.

26 The Foundation may, subject to any prior trust conditions, transfer any of its property to the board on any terms that it considers expedient.

27(1) The payment of any dividend or remuneration out of the funds of the Foundation to any of the trustees is prohibited.

(2) A trustee may be reimbursed out of the funds of the Foundation for the travelling and living expenses provided for in the by-laws that are necessarily incurred by him in the performance of his duties.

28(1) The Auditor General is the auditor of the Foundation.

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

(3) At the end of the 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.

29 Notwithstanding anything in the *Trust Companies Act*, the Foundation shall not be considered to be a trust company for the purposes of that Act.

30(1) In the event of the winding-up of the Foundation, the property of the Foundation shall be used

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

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

(c) thirdly, to give effect, as far as possible, to any outstanding applicable trust conditions,

and the balance, if any, shall be transferred, in accordance with an order of the Lieutenant Governor in Council, to

(d) the board, for the benefit of the hospitals,

(e) the Government, or

(f) any charitable organization designated in the order.

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

31 The Lieutenant Governor in Council may make regulations

(a) respecting the types and amounts of property that the board may transfer to the Foundation and the circumstances under which such property may be transferred;

(b) subject to section 30, governing the winding-up of the Foundation.

6 This Act comes into force on Proclamation.

