

1984 BILL 61

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Second Session, 20th Legislature, 33 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 61

WILD ROSE FOUNDATION ACT

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HON. MR. PAYNE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 61

1984

### WILD ROSE FOUNDATION ACT

(Assented to \_\_\_\_\_, 1984)

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

Definitions

**1** In this Act,

(a) "Foundation" means The Wild Rose Foundation created pursuant to section 2;

(b) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

Foundation established

**2(1)** There is hereby created a corporation with the name "The Wild Rose Foundation" consisting of not more than 7 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 a member of the Foundation as chairman and another member as vice-chairman.

(4) In the event of the absence or inability to act of the chairman or in the event that the office of chairman is vacant, the vice-chairman shall be the acting chairman and in that capacity has all the powers and duties of the Chairman.

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

Purpose

**3** The purpose of the Foundation is to provide funding to volunteer non-profit organizations that provide necessary and valuable community services to Albertans but the Foundation shall not provide funding in respect of a service or program that is within the objects of any one or more of the following:

(a) The Alberta Sport Council;

(b) The Recreation, Parks and Wildlife Foundation;

(c) The Alberta Art Foundation;

- (d) The Alberta Foundation for the Performing Arts;
- (e) The Alberta Cultural Heritage Foundation;
- (f) The Alberta Foundation for the Literary Arts;
- (g) The Alberta Historical Resources Foundation;
- (h) any organization that receives grants from the Western Canada Lottery Foundation.

By-laws

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

- (a) respecting the conduct of the business and affairs of the Foundation,
- (b) governing the administration of its funds,
- (c) establishing honorary offices that are considered desirable and governing the appointment of persons to them,
- (d) governing the management of the real and personal property of the Foundation,
- (e) governing the making of grants,
- (f) governing applications for grants, and
- (g) relating to any other matter necessary for carrying out the purposes 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.

Powers of Foundation

**5(1)** The Foundation may, subject to the regulations,

- (a) make grants to any organization within the purposes of the Foundation,
- (b) acquire real or personal property, whether by purchase, donation, lease, grant, devise, bequest or otherwise,
- (c) hold, preserve, maintain, renovate, restore and manage the real and personal property of the Foundation, and
- (d) dispose of any real or personal property by sale, lease or any other manner.

(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 under section 50 of the *Financial Administration Act*, or

(b) sell and dispose of securities and reinvest the proceeds of sale in securities authorized under clause (a).

Directions by  
Minister

**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 section 5(1), and

(b) co-ordinating the work of the Foundation with the programs, policies and the work of the Government and public and private organizations and 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.

Fiscal year and  
annual report

**7(1)** The fiscal year of the Foundation is the period from April 1 to the next following 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) audited financial statements as required under section 77 of the *Financial Administration Act*, and

(c) any other information that the Minister may require.

(3) On 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.

Agent of  
the Crown

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

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