

1985 BILL 21

Third Session, 20th Legislature, 34 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 21

**HOSPITALS AND MEDICAL CARE
STATUTES AMENDMENT ACT, 1985**

THE MINISTER OF HOSPITALS AND MEDICAL CARE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 21

1985

HOSPITALS AND MEDICAL CARE STATUTES AMENDMENT ACT, 1985

(Assented to _____, 1985)

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

Alberta Health Care Insurance Act

1(1) *The Alberta Health Care Insurance Act is amended by this section.*

(2) *Section 13 is amended*

(a) *by repealing subsection (2) and substituting the following:*

(2) The Minister or a person employed in the administration of this Act and authorized by the Minister may disclose or communicate information pertaining to the date on which health services were provided, a description of those services, any diagnosis given by a person who provided the services, the name and address of the person who provided the services, the benefits paid for those services and the person to whom they were paid, the name and address of the person to whom the services were provided and any other information pertaining to the nature of the health services provided

(a) to a committee as defined in section 10, if a member of the committee makes a written request for it stating that the information is required for the purposes of an assessment, and

(b) to the Medical Practice Audit Committee established by the College.

(b) *by adding the following after subsection (2):*

(2.1) The Minister or a person employed in the administration of this Act and authorized by the Minister may, in connection with the administration of the *Criminal Code* (Canada), disclose or communicate to the Attorney General, or a person designated by him, information pertaining to the date on which health services were provided, a description of those services, any diagnosis given by a person who provided the services, the name and address of the person who provided the services, the benefits paid for those services and the per-

Explanatory Notes

Alberta Health Care Insurance Act

1(1) This section will amend chapter A-24 of the Revised Statutes of Alberta 1980.

(2) Section 13 presently reads in part:

13(2) The Minister or a person employed in the administration of this Act and authorized by the Minister may disclose or communicate information pertaining to the date on which health services were provided, a description of those services, any diagnosis given by a person who provided the services, the name and address of the person who provided the services, the benefits paid for those services and the person to whom they were paid, the name and address of the person to whom the services were provided and any other information pertaining to the nature of the health services provided, to a committee as defined in section 10, if a member of the committee makes a written request for it stating that the information is required for the purposes of an assessment under section 10.

13(4) The Minister or a person employed in the administration of this Act authorized by the Minister may furnish information pertaining to the date on which health services were provided and a description of those services, the name and address of the person who provided the services, the registration number of the person who received the services, the benefits paid for those services and the person to whom they were paid, but the information may be furnished only

(a) in connection with the administration of this Act, the regulations or the federal Act,

(b) in proceedings under this Act or the regulations,

(c) in connection with the administration of the Financial Administration Act or regulations, orders or directives under that Act,

(d) to the person who provided that service, his solicitor or personal representative, the committee of his estate, his trustee in bankruptcy or other legal representative,

(e) to the resident or his dependant who received the services or to any other person with the written consent of the resident or dependant who received the services,

son to whom they were paid, the name and address of the person to whom the services were provided and any other information coming to the knowledge of any person employed in the administration of this Act in the course of his employment.

(3) *Section 30 is amended by adding the following after clause (e.1):*

(e.2) respecting and authorizing the programs the costs of which may be paid out of the Fund;

(4) *The following is added after section 30.1:*

30.2 A regulation made under section 30(e.2) may be effective as of any date not earlier than January 1, 1985 and may validate the payment of the costs of the programs referred to in the regulation that were made out of the Fund since that effective date.

(5) *Section 31 is amended*

(a) *by repealing subsection (3)(a) and substituting the following:*

(a) money received from the Government of Canada under the *Federal-Provincial Fiscal Arrangements and Establishment Programs Financing Act, 1977 (Canada)* deemed by the Provincial Treasurer to be contributions to Alberta with respect to health care;

(b) *by adding the following after subsection (4)(b):*

(b.1) the costs of programs authorized pursuant to the regulations under section 30(e.2);

(c) *by repealing subsection (4)(c) and substituting the following:*

(c) the costs of goods and services payable pursuant to section 62(b.2) of the *Hospitals Act*;

(e.1) to the solicitor, personal representative, guardian or other legal representative of the resident or dependant referred to in clause (e), or to the committee or guardian of his estate,

(f) to a board of directors, council or committee of an association, society or guild referred to in section 8(4) for purposes in connection with that section,

(g) to a medical examiner appointed under the Fatality Inquiries Act for the purposes of an investigation under that Act,

(h) to the Hospital Privileges Appeal Board established under the Hospitals Act for the purposes of an appeal to that Board, or

(i) to the Health Disciplines Board, a health association or a Health Discipline Committee under the Health Disciplines Act, if the information is furnished in compliance with a notice under section 20 of the Health Disciplines Act.

(3) Section 30(e.1) presently reads:

30 The Lieutenant Governor in Council may make regulations

(e.1) respecting and authorizing the types of recoverable payments that may be made out of the Fund;

(4) Retrospectivity of regulations.

(5) Section 31 presently reads in part:

(3) The following shall be paid into the Fund:

(a) all money received from the Government of Canada under the Federal-Provincial Fiscal Arrangements and Established Programs Financing Act, 1977 (Canada) as contributions to Alberta with respect to the medical care program under the federal Act;

(b) all money received as premiums pursuant to the Health Insurance Premiums Act;

(c) all money recovered in respect of recoverable payments made out of the Fund pursuant to regulations under section 30(e.1);

(d) reimbursements made by the Workers' Compensation Board pursuant to section 82.1(3) of the Workers' Compensation Act.

(4) The following may be paid out of the Fund:

(a) benefits;

(b) payments by the Minister to the Alberta Hospital Association pursuant to the Blue Cross agreement;

(c) the costs of insured services (as defined in Part 3 of the Hospitals Act) provided by a hospital outside Alberta;

(d) recoverable payments pursuant to regulations under section 30(e.1);

(e) payments required to be made by the Minister pursuant to an arrangement made pursuant to section 82.1 of the Workers' Compensation Act.

Cancer Programs Act

2(1) *The Cancer Programs Act is amended by this section.*

(2) *The following is added after section 26:*

26.1 Except as provided by regulation, the board may not transfer any of its property to the Foundation.

(3) *Section 30 is amended*

(a) *by repealing subsection (1) and substituting the following:*

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 disposed of in accordance with the regulations.

(b) *in subsection (2) by striking out “An order” and substituting “A regulation”.*

Health Insurance Premiums Act

3(1) *The Health Insurance Premiums Act is amended by this section.*

(2) *Section 16.1 is repealed and the following is substituted:*

16.1(1) The Minister may impose interest or a penalty or both in respect of any amounts that remain unpaid under this Act.

(2) The Minister may, by regulation, prescribe the interest rates and the penalties for the purposes of this section.

Hospitals Act

4(1) *The Hospitals Act is amended by this section.*

(2) *Section 26(c) is repealed and the following is substituted:*

(c) “board” means a district board, a board of management, the board of trustees, governing board, council of sisters or other corporate body or persons owning or managing the affairs of a non-district hospital;

(3) *Section 40(6)(a) is amended by adding the following after sub-clause (i):*

(i.1) the Alberta Medical Association (C.M.A.-Alberta Division),

Cancer Programs Act

2(1) This section will amend chapter C-1 of the Revised Statutes of Alberta 1980.

(2) Transfer of board property.

(3) Section 30 presently reads:

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.

Health Insurance Premiums Act

3(1) This section will amend chapter H-5 of the Revised Statutes of Alberta 1980.

(2) Section 16.1 presently reads:

16.1(1) The Minister may impose interest on any amounts that remain unpaid under this Act, at a rate prescribed by the Minister.

(2) The Minister may prescribe interest rates for the purposes of this section.

Hospitals Act

4(1) This section will amend chapter H-11 of the Revised Statutes of Alberta 1980.

(2) Section 26(c) presently reads:

(c) "board" means a district board or a board of management and the board of trustees, governing board, council of sisters or other corporate body or persons owning or managing the affairs of a non-district hospital;

(3) Section 40(3) and (6)(a) presently read:

(3) Information obtained from hospital records or from persons having access thereto shall be treated as private and confidential information in respect of any individual patient and shall be used solely for the purposes described in subsection (2) and the information shall not be published, released or disclosed in any manner that would be detrimental to the

(4) Section 46(3) is amended by striking out “hospital benefits” and substituting “insured services under Part 3”.

(5) Section 54(2)(b) is amended by adding “goods and” after “other”.

(6) Section 62 is amended

(a) by repealing clause (b) and substituting the following:

(b) prescribing the goods and services for the purpose of section 54(2)(b);

(b) by adding the following after clause (b):

(b.1) prescribing the institutions and persons for the purposes of section 54(1)(b);

(b.2) respecting the amounts payable by the Government of Alberta in respect of goods and services provided to a resident of Alberta outside Alberta which if provided in Alberta would be insured services;

(b.3) respecting a schedule of fees for goods and services provided to a person not entitled to receive insured services under section 55;

(c) by repealing clause (k) and substituting the following:

(k) prohibiting or regulating the sale, lease or other disposition of real and personal property by a district board or board of an approved hospital;

(7) Section 65 is repealed.

personal interests, reputation or privacy of a patient or the patient's attending physician.

(6) *Notwithstanding subsection (3) or any other law,*

(a) the Minister may, for the purposes mentioned in subsection (2) and without the consent of any other person, disclose to or obtain from

(i) the Director of Medical Services appointed under the Occupational Health and Safety Act,

(ii) the Department of National Health and Welfare for purposes in connection with the Medical Care Act (Canada) or the Hospital Insurance and Diagnostic Services Act (Canada), or

(iii) the government of a province of Canada or an agent of that government for purposes in connection with any health services or hospital care insurance plan administered by that government or its agent,

any records of diagnostic and treatment services provided in respect of a patient in an approved hospital;

(4) Section 46(3) presently reads:

(3) In this section, "proper charges" means the charges for services not provided as hospital benefits or charges for the payment of which patients are liable pursuant to Part 3 or the regulations.

(5) Section 54(2) presently reads:

(2) The insured services to be provided under this Part shall include

(a) standard ward hospitalization in an approved hospital, and

(b) any other services that are prescribed in the regulations.

(6) Section 62 presently reads in part:

62 The Lieutenant Governor in Council may make regulations

(a) prescribing the basis on which the Minister may make contracts with nursing homes, private hospitals, or other institutions, facilities or persons, other than approved hospitals, for the provision of standard ward hospitalization or other services to be furnished to patients as insured services under this Part;

(b) prescribing which services furnished by approved hospitals in addition to standard ward hospitalization shall be classed as insured services under this Part;

(k) prohibiting, except with the consent of the Minister, the sale, lease or other disposition of any land, buildings, facilities or equipment by a hospital district or board of an approved hospital;

(7) Section 65 presently reads:

65 The payments of insured services under this Part as authorized pursuant to this Part and the regulations and the expense of administering

(8) *Section 68 is amended*

(a) *by repealing clause (a) and substituting the following:*

(a) “board” means a board as defined in section 26 but does not include

(i) the Alberta Cancer Board under the *Cancer Programs Act*,

(ii) a Board established under section 49 of the *Mental Health Act*,

(iii) a board under the *Provincial General Hospitals Act*,
or

(iv) the University Hospitals Board under the *University of Alberta Hospitals Act*;

(b) *in clause (b) by striking out “sections 77 and 79(b)” and substituting “section 77”.*

(9) *Section 69 is amended by adding the following after subsection (1):*

(1.1) A by-law establishing a foundation after the coming into force of this subsection has no effect until a certified copy of the by-law is filed with the Minister.

(10) *The following is added after section 73:*

73.1 Except as provided by regulation, a board may not transfer any of its property to a foundation.

(11) *Section 77(2) is repealed and the following is substituted:*

(2) No person shall operate a hospital foundation established to benefit a general or auxiliary hospital, including any corporation established before the commencement of this section, to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a hospital, unless exempted by the Minister subject to any terms and conditions he prescribes.

this Part shall be paid out of the money voted by the Legislature for that purpose.

(8) Section 68 presently reads:

68 In this Part,

- (a) "board" means a district board or a board of management;*
- (b) "foundation", except in sections 77 and 79(b), means a foundation established under this Part.*

(9) Section 69 presently reads:

69(1) A board may by by-law establish a hospital foundation.

(2) A foundation, on its establishment, is a corporation.

(3) A foundation consists of the following, who are the trustees of the foundation:

- (a) the chairman of the board,*
- (b) 2 other persons who are members of and are appointed trustees by the board, and*
- (c) 2 persons who*
 - (i) are residents of Alberta,*
 - (ii) are not members of the board, and*
 - (iii) are appointed trustees by the board.*

(4) Appointments referred to in subsection (3)(b) and (c) shall be made for terms not exceeding 3 years.

(10) Transfer of board property.

(11) Section 77 presently reads:

77(1) A board shall not establish a hospital foundation except in accordance with this Part.

(2) Except to the extent provided by the regulations, no person shall operate a hospital foundation established to benefit a general or auxiliary hospital, including any corporation established before the commencement of this section to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a general or auxiliary hospital, unless its operation complies with this Part and the regulations.

(12) *Section 78 is amended*

(a) *by repealing subsection (1) and substituting the following:*

78(1) In the event of the winding-up of a 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 disposed of in accordance with the regulations.

(b) *in subsection (2) by striking out “An order” and substituting “A regulation”.*

(13) *Section 79(b) is repealed.*

Mental Health Act

5(1) *The Mental Health Act is amended by this section.*

(2) *Section 68(h) is repealed and the following is substituted:*

(h) prohibiting or regulating the sale, lease or other disposition of property by a Board;

(3) *The following is added after section 69:*

PART 6

MENTAL HEALTH HOSPITAL FOUNDATIONS

70 In this Part,

(a) “foundation” means, except in section 79, a foundation established under this Part;

(b) “Board” means a Board established under section 49.

71(1) A Board may by by-law establish a foundation.

(2) A by-law establishing a foundation has no effect until a certified copy of the by-law is filed with the Minister.

(12) Section 78 presently reads:

78(1) In the event of the winding-up of a 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 under its jurisdiction,

(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 condition under which the property is held.

(13) Section 79 presently reads:

79 The Lieutenant Governor in Council may make regulations

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

(b) exempting any person who at the commencement of section 77(2) is operating a hospital foundation, including a corporation referred to in that subsection, from compliance with that subsection as it relates to all or part of this Part or the regulations;

(c) subject to section 78, governing the winding-up of a foundation.

Mental Health Act

5(1) This section will amend chapter M-13 of the Revised Statutes of Alberta 1980.

(2) Section 68(h) presently reads:

68 The Lieutenant Governor in Council may make regulations

(h) prohibiting, except with the consent of the Minister, the sale, lease or other disposition of any facilities or equipment by a Board;

(3) Mental Health Hospital Foundations.

- (3) A foundation, on its establishment, is a corporation.
- (4) A foundation consists of the following, who are the trustees of the foundation:
- (a) the chairman of the Board,
 - (b) 2 other persons who are members of and are appointed trustees by the Board, and
 - (c) 2 persons who
 - (i) are residents of Alberta,
 - (ii) are not members of the Board, and
 - (iii) are appointed trustees by the Board.
- (5) Appointments referred to in subsection (4)(b) and (c) shall be made for terms not exceeding 3 years.
- 72** The trustees shall appoint a chairman of the foundation from among themselves.
- 73(1)** The trustees may make by-laws governing the procedure and business of the foundation, including the reimbursement for the expenses referred to in section 76(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.
- 74** The objects of a foundation are
- (a) to solicit and receive, by gift, bequest, devise, transfer or otherwise, property of every nature and description,
 - (b) subject to any prior trust conditions imposed on the use of the property, to hold, use and administer the property generally for maintaining and enhancing mental health care and, in particular, to finance or assist in the financing of the construction, equipping, operation, maintenance and management of the mental health hospital administered by the Board, and
 - (c) to further mental health care education.
- 75(1)** A foundation may, subject to any prior trust conditions, transfer any of its property to the Board on any terms that it considers expedient.
- (2) Except as provided by regulation, a Board may not transfer any of its property to a foundation.
- 76(1)** The payment of any dividend or remuneration out of the funds of a foundation to any of the trustees is prohibited.
- (2) A trustee may be reimbursed out of the funds of a 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.
- 77(1)** The Auditor General is the auditor of a foundation.

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

(3) At the end of the fiscal year a 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.

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

79(1) A Board shall not establish a foundation except in accordance with this Part.

(2) No person shall operate a foundation established to benefit a mental health hospital, including any corporation established before the commencement of this section, to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a hospital, unless exempted by the Minister subject to any terms and conditions he prescribes.

80(1) In the event of the winding-up of a 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 disposed of in accordance with the regulations.

(2) A regulation under subsection (1) shall not be inconsistent with any trust or condition under which the property is held.

81 The Lieutenant Governor in Council may make regulations

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

(b) subject to section 80, governing the winding-up of a foundation.

Provincial General Hospitals Act

6(1) The Provincial General Hospitals Act is amended by this section.

(2) Section 9 is repealed and the following is substituted:

9 A board may

(a) acquire and hold real and personal property, and

(b) subject to the regulations, sell, lease or otherwise dispose of real or personal property.

Provincial General Hospitals Act

6(1) This section will amend chapter P-21 of the Revised Statutes of Alberta 1980.

(2) Section 9 presently reads:

9(1) A board may acquire and hold real property.

(2) The board, with the approval of the Minister, may sell or otherwise dispose of any of the real property of the board.

(3) *The following is added after section 20:*

20.1 The Lieutenant Governor in Council may make regulations prohibiting or regulating the sale, lease or other disposition of property by a board.

(4) *Section 21 is amended by striking out “sections 30 and 32(b)” and substituting “section 30”.*

(5) *The following is added after section 22(1):*

(1.1) A by-law establishing a foundation after the coming into force of this subsection has no effect until a certified copy of the by-law is filed with the Minister.

(6) *The following is added after section 26:*

26.1 Except as provided by regulation, a board may not transfer any of its property to a foundation.

(7) *Section 30(2) is repealed and the following is substituted:*

(2) No person shall operate a hospital foundation established to benefit a hospital, including any corporation established before the commencement of this section, to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a hospital, unless exempted by the Minister subject to any terms and conditions he prescribes.

(8) *Section 31 is amended*

(a) *by repealing subsection (1) and substituting the following:*

31(1) In the event of the winding-up of a 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,

(3) Regulations.

(4) Section 21 presently reads:

21 In this Part, "foundation", except in sections 30 and 32(b), means a foundation established under this Part.

(5) Section 22 presently reads:

22(1) A board may by by-law establish a hospital foundation.

(2) A foundation, on its establishment, is a corporation.

(3) A foundation consists of the following, who are the trustees of the foundation:

(a) the chairman of the board,

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

(c) 2 persons who

(i) are residents of Alberta,

(ii) are not members of the board, and

(iii) are appointed trustees by the board.

(4) Appointments referred to in subsection (3)(b) and (c) shall be made for terms not exceeding 3 years.

(6) Transfer of board property.

(7) Section 30 presently reads:

30(1) A board shall not establish a hospital foundation except in accordance with this Part.

(2) Except to the extent provided by the regulations, no person shall operate a hospital foundation established to benefit a hospital, including any corporation established before the commencement of this section to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a hospital, unless its operation complies with this Part and the regulations.

(8) Section 31 presently reads:

31(1) In the event of the winding-up of a 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 hospital,

and the balance, if any, shall be disposed of in accordance with the regulations.

(b) in subsection (2) by striking out “An order” and substituting “A regulation”.

(9) Section 32(b) is repealed.

University of Alberta Hospitals Act

7(1) *The University of Alberta Hospitals Act is amended by this section.*

(2) *Section 10(2) is repealed and the following is substituted:*

(2) The Board may, subject to the regulations, sell, lease or otherwise dispose of real or personal property.

(3) *Section 16 is amended by adding the following after subsection (1):*

(1.1) The Lieutenant Governor in Council may make regulations prohibiting or regulating the sale, lease or other disposition of property by a board.

University Hospitals Foundation Act

8(1) *The University Hospitals Foundation Act is amended by this section.*

(2) *Section 12 is amended*

(a) *by repealing subsection (1) and substituting the following:*

12(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 disposed of in accordance with the regulations.

(b) *in subsection (2) by striking out “An order” and substituting “A regulation”.*

(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.*

(9) Section 32 presently reads:

32 *The Lieutenant Governor in Council may make regulations*

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

(b) *exempting any person who at the commencement of section 30(2) is operating a hospital foundation, including a corporation referred to in that subsection, from compliance with that subsection as it relates to all or part of this Part or the regulations;*

(c) *subject to section 31, governing the winding-up of a foundation.*

University of Alberta Hospitals Act

7(1) This section will amend chapter U-8 of the Revised Statutes of Alberta 1980.

(2) Section 10(2) presently reads:

(2) *The Board, with the approval of the Minister, may sell or otherwise dispose of any of the real property of the Board.*

(3) Regulations.

University Hospitals Foundation Act

8(1) This section will amend chapter U-9 of the Revised Statutes of Alberta 1980.

(2) Section 12 presently reads:

12(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 remaining 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 condition under which the property is held.*

(3) The following is added after section 12:

12.1 The Lieutenant Governor in Council may, subject to section 12, make regulations governing the winding-up of the Foundation.

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