

1987 BILL 210

Second Session, 21st Legislature, 36 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 210

ALBERTA PALLIATIVE CARE FOUNDATION ACT

MRS. KOPER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 210
Mrs. Koper

BILL 210

1987

ALBERTA PALLIATIVE CARE FOUNDATION ACT

(Assented to , 1987)

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 Alberta Palliative Care Foundation established by section 2;
- (b) "Minister" means the Minister of Hospitals and Medical Care;
- (c) "trustees" means the trustees of the Foundation.

Establishment and composition

2(1) There is hereby created a corporation named the "Alberta Palliative Care Foundation".

(2) The Foundation shall consist of 7 persons appointed by the Lieutenant Governor in Council, one of whom shall be designated by the Lieutenant Governor in Council as chairman.

By-laws and meetings

3(1) The trustees may make by-laws governing the procedure and business of the Foundation, including the expenses referred to in section 5(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.

Objects

4 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 Foundation, and generally for
 - (i) advancing public awareness and understanding of palliative care;
 - (ii) making grants to organizations that fund research into palliative care;
 - (iii) making grants to organizations that provide training for medical staff in the provision of palliative care; and
 - (iv) assisting volunteer organizations to obtain financial and professional assistance for programs that develop understanding and provision of palliative care.

Prohibition of dividends and remuneration

5(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.

Audit, fiscal year and annual report

6(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.

Trust company status

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

Winding-up

8 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.

Regulations

9 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) governing the winding-up of the Foundation, subject to any trust or other condition under which property is held.