

1988 BILL 31

Third Session, 21st Legislature, 37 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 31

**CALGARY GENERAL HOSPITAL BOARD
AMENDMENT ACT, 1988**

THE MINISTER OF HOSPITALS AND MEDICAL CARE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 31

1988

CALGARY GENERAL HOSPITAL BOARD AMENDMENT ACT, 1988

(Assented to _____, 1988)

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

- 1 *The Calgary General Hospital Board Act is amended by this Act.*
- 2 *Section 1 is amended by adding the following after clause (f):*
 - (g) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

3 *Section 3 is amended*

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

3(1) The Board shall be composed of the following members:

- (a) the Mayor,
- (b) 4 persons appointed by resolution of the Council, and
- (c) 4 persons appointed by the Minister.

(b) *in subsection (2) by striking out " , clause (b)" and substituting "(b)";*

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

(3) Persons appointed under subsection (1)(b) shall be electors.

(4) The first 4 vacancies on the Board occurring after the coming into force of this subsection by reason of the expiration of terms of office shall be filled by persons appointed by the Minister.

Explanatory Notes

1 This Bill amends chapter 8 of the Statutes of Alberta, 1976.

2 Section 1 presently reads:

1. In this Act,

(a) "Board" means The Calgary General Hospital Board;

(b) "City" means the City of Calgary;

(c) "Council" means the council of the City;

(d) "elector" means a person who

(i) resides in the City, and

(ii) is qualified to vote at the municipal elections of the City;

(e) "Hospital" means the Calgary General Hospital;

(f) "Mayor" means the Mayor of the City.

3 Section 3 presently reads:

3.(1) The Board shall be composed of the following members:

(a) the Mayor, and

(b) eight electors appointed by resolution of the Council.

(2) Not more than two members of the Council shall be appointed under subsection (1), clause (b) to hold office at any one time.

4 *Section 4(1) and (2) are repealed and the following is substituted:*

4(1) Appointments to the Board shall be for terms of 3 years.

5 *Section 5 is repealed and the following is substituted:*

5 Where a vacancy occurs on the Board for any reason other than the expiration of the term for which a member of the Board is appointed, the appointment by the Council or the Minister, as the case may be, to fill the vacancy shall be for the remainder of the term.

6 *Section 6 is amended*

(a) *in subsection (1) by striking out “33 of The” and substituting “35 of the”;*

(b) *in subsection (2) by striking out “, subsection (1), clause (b) of The” and substituting “(1)(c) of the”;*

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

(2.1) Notwithstanding subsection (1), section 29(1)(a) and (b) of the *Municipal Government Act* do not apply to the members of the Board appointed by the Minister.

(d) *in subsection (3)*

(i) *by striking out “An elector” and substituting “A person”;*

(ii) *by striking out “the elector” and substituting “the person”.*

7 *Section 10 is amended by striking out “The Alberta” and substituting “the”.*

4 Section 4 presently reads:

4.(1) Of the electors appointed to the Board pursuant to section 3, subsection (1), clause (b),

(a) three shall be appointed for a term of three years,

(b) three shall be appointed for a term of two years, and

(c) two shall be appointed for a term of one year.

(2) After the appointment of the first Board following the commencement of this Act, electors shall be appointed for terms of three years on the Board to fill those vacancies which annually occur by reason of the expiration of the terms for which members of the Board were appointed.

(3) Notwithstanding the period for which he was appointed to the Board, a member of the Council who is appointed as a member of the Board ceases to hold office as a member of the Board if he ceases to be a member of the Council.

(4) Notwithstanding any other provision of this Act, a member of the Board may, unless sooner disqualified pursuant to section 6, remain in office until his successor on the Board has been appointed.

(5) A former member of the Board is eligible for reappointment as a member of the Board.

5 Section 5 presently reads:

5.(1) Where a vacancy occurs on the Board by reason of a death or a resignation or from any other cause other than the expiration of the term for which a member of the Board is appointed, the Council shall appoint an elector to fill the vacancy on the Board for the remainder of the term.

(2) Where a vacancy occurs on the Board for any cause, the vacancy shall be filled within 60 days after the vacancy occurs.

6 Section 6 presently reads:

6.(1) Sections 29 to 33 of The Municipal Government Act apply to the members of the Board to the same extent as though reference in those sections to a council were references to the Board.

(2) Notwithstanding subsection (1), the provisions of section 29, subsection (1), clause (b) of The Municipal Government Act do not apply to the Mayor in his capacity as a member of the Board.

(3) An elector is not qualified to be appointed or to remain as a member of the Board if the elector is a member of the medical or dental staff of the Hospital.

7 Section 10 presently reads:

10. The Board has, with respect to the Hospital, all the powers and duties conferred or imposed by law on the Board of an approved hospital (as defined in The Alberta Hospitals Act).

8 *Section 11 is amended*

(a) in subsection (1) by striking out “The Interpretation Act, 1980” and substituting “the Interpretation Act”;

(b) in subsection (2) by adding “and the approval of the Minister” after “resolution”.

9 *Section 12 is amended by striking out “431 of The” and substituting “447 of the”.*

8 Section 11 presently reads:

11.(1). Without limiting the generality of section 10, the Board has, in addition to the powers given to it by section 16 of The Interpretation Act, 1980 the power

(a) subject to subsection (2), to purchase any estate or interest in real property required for its purposes and to hold and alienate any estate or interest so purchased;

(b) subject to subsection (2), to acquire by gift or devise any estate or interest in real property and to hold and alienate it, subject to the terms of any trust upon which it may be held;

(c) to borrow moneys from time to time for any purpose related to the management, maintenance or operation of the Hospital or for the purpose of financing capital costs;

(d) to mortgage its property for the purpose of securing the repayment of the principal or interest or both of moneys borrowed by the Board;

(e) to make such banking arrangements as are necessary for the carrying out of its powers and duties;

(f) draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;

(g) subject to the terms of any trust upon which it may be held, invest in such manner as the Board considers proper, all moneys that come into the hands of the Board and that are not then required to be expended;

(h) to act as trustee of any moneys or property given or bequeathed to it;

(i) generally, to do or cause to be done all things necessary for or incidental to the management, maintenance and operation of the Hospital.

(2) The Board shall not

(a) acquire or sell any estate or interest in real property, or

(b) enter into a lease of real property for a term of more than one year,

without first obtaining the approval of the Council given by resolution.

9 Section 12 presently reads:

12. Section 431 of The Municipal Government Act does not apply to the Board.