

1988 BILL 268

Third Session, 21st Legislature, 37 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 268

ALBERTA ARTS BOARD ACT

MS. BARRETT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 268
Ms. Barrett

BILL 268

1988

ALBERTA ARTS BOARD ACT

(Assented to , 1988)

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

itions

1 In this Act,

- (a) "Board" means the Alberta Arts Board created by section 4;
- (b) "Council" means the Alberta Arts Council created by section 2;
- (c) "Minister" means the Minister of Culture and Multiculturalism.

cil
ished

2(1) There is hereby created the Alberta Arts Council.

(2) The Council has the powers and limitations of a society created under the *Societies Act*.

(3) Any individual, who is a resident of Alberta and who has an interest in the arts may apply for membership in the Council and, subject to the by-laws, shall be admitted for membership.

(4) The object of the Council is

- (a) to support the development of the arts in Alberta, and

(b) to elect members to the Alberta Arts Board pursuant to section 4.

Funding

3(1) The annual fee for membership in the Council shall not exceed

(a) \$10 for the 1988/89 fiscal year, and

(b) a sum determined by the directors of the Council based on \$10 for the 1988/89 fiscal year adjusted for inflation or deflation rates for Alberta as published by Statistics Canada.

(2) The Council may receive and expend such funds as are paid to it by the Minister out of money appropriated to the purpose by the Legislature.

Meetings

4(1) The Council shall at its first meeting elect a Board of no less than 7 and no more than 11 directors, and shall elect one of the members to chair the Board.

(2) The board of directors shall meet at the call of the chair.

(3) The Council shall meet in Alberta at least once in every quarter, including an annual general meeting, at a place and date determined by the board of directors.

(4) The Council may pass by-laws to provide for

(a) the procedure of the Council and its committees, including proxy voting;

(b) the hiring of staff;

(c) the payment of fees to and remuneration of expenses of its members and staff;

(d) the establishment of committees of the Council;

(e) reasonable grounds on which a person may be refused membership in the Council;

(f) a procedure for the hearing of appeals of decisions of the Board to a committee of the Council or to the full Council.

Recommendations

5 The Council may from time to time recommend to the Board or the Minister initiatives which it believes would help promote and enhance the arts as a viable and productive sector of Alberta's society and economy or which would in some other way be beneficial to the development of the arts in Alberta.

Board established

6(1) There is hereby established the Alberta Arts Board.

(2) The object of the Board is to make determinations pursuant to section 6 and recommendations pursuant to section 7.

(3) The Board shall be composed of 15 members of whom 8 shall be elected at the annual meeting of the Alberta Arts Council from among persons the Council considers to have personal experience and knowledge of a branch of the arts, including the performing, literary, film, visual or video arts, in Alberta and 7 shall be appointed by the Lieutenant Governor in Council.

(4) The Board shall at its first meeting elect one of its members to chair the Board.

(5) The Board may make by-laws governing

- (a) the procedures of the Board;
- (b) the hiring of staff;
- (c) the remuneration and reimbursement of expenses of its officers and staff.

Grants

7(1) The Minister shall refer to the Board the applications received by him for grants in support of artistic productions or endeavours under any program under his administration, that provides grants to individuals to support their endeavours in the arts, including the performing, literary, visual, film and video arts, in Alberta.

(2) The Board shall determine which applicants are to receive grants in accordance with criteria established from time to time by the Minister.

(3) The criteria established by the Minister may include specific instructions that a certain minimum part or a certain maximum part of the grant funds are to be applied to accommodate and promote:

- (a) amateur arts;
- (b) service organizations whose endeavours are related to the arts;
- (c) artistic endeavours which are exploratory in nature.

(4) In assessing an application, the Board shall take into consideration

- (a) the applicant's contribution to the community;
- (b) the applicant's reflection of unique and indigenous experiences of Albertans or of Alberta;
- (c) the scope and degree of the applicant's exploratory creativity in the arts;
- (d) the contribution to the educational process and general awareness of the arts in Alberta provided by the applicant and the applicant's work;
- (e) the potential audience for the applicant's work;
- (f) where the endeavour has commercial application, the commercial potential of that endeavour; and
- (g) any other criterion that the Board considers relevant.

(5) The Board shall transmit its determinations to the Minister, who shall make the grants as determined by the Board providing that there are at the time funds available out of which the grants may be made.

(6) Notwithstanding subsection (5), if the Minister has reasons to believe that a grant recommended by the Board would not support the development of the arts in Alberta, he may advise the Board of his reasons in writing and the Board shall reconsider the recommendation and within 90 days shall confirm, vary or cancel it.

(7) The Board shall advise each applicant in writing of the reasons for its decision.

(8) An applicant may appeal a decision of the Board to the Council or a committee of the Council as provided by the by-laws passed pursuant to section 4.

Recommends
initiatives to
Minister

8 The Board may from time to time recommend to the Minister initiatives which it believes would help promote and enhance the arts as a viable and productive sector of Alberta's society and economy or which would in some other way be beneficial to the development of the arts in Alberta.

Amends C-40,
RSA 1980

9 *The Cultural Foundations Act is amended by this section.*

(2) *Section 11 is amended by adding at the end of it "providing he has received a direction in respect thereof, pursuant to section 6 of the Alberta Arts Board Act".*