

1991 BILL 35

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Third Session, 22nd Legislature, 40 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 35

FAMILY LIFE AND SUBSTANCE ABUSE  
FOUNDATION ACT

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THE MINISTER OF HEALTH

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 35

1991

### FAMILY LIFE AND SUBSTANCE ABUSE FOUNDATION ACT

(Assented to , 1991)

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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 Family Life and Substance Abuse Foundation established by this Act;
- (b) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act;
- (c) "substance abuse" means the use of any substance by an individual in quantities that cause a physical or

psychological condition that may result in problems for individuals, families or communities.

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| <b>Foundation established</b> | <b>2</b> There is hereby established a corporation called the "Alberta Family Life and Substance Abuse Foundation".  |
| <b>Objects</b>                | <b>3</b> The objects of the Foundation are to strengthen Alberta families through the discovery and application of new knowledge about substance abuse by supporting <ul style="list-style-type: none"><li>(a) the development and evaluation of new educational and public awareness programs on family life and substance abuse,</li><li>(b) the development and evaluation of new methods for the treatment of substance abuse,</li><li>(c) innovative basic and applied research projects on the relationship between family life and substance abuse and other innovative studies in the field of substance abuse,</li><li>(d) the evaluation of proposed and current programs relating to family life and substance abuse, and</li><li>(e) the development of an information base on family life and substance abuse in Alberta.</li></ul> |
| <b>Crown agent</b>            | <b>4</b> The Foundation is an agent of the Crown in right of Alberta.  |
| <b>Powers</b>                 | <b>5</b> The Foundation may, subject to the regulations, <ul style="list-style-type: none"><li>(a) make grants and awards on any condition that the Foundation considers appropriate to any person or organization for a purpose consistent with the objects of the Foundation;</li><li>(b) fund in whole or in part research professorships or chairs established at any university in Alberta for a purpose consistent with the objects of the Foundation;</li><li>(c) publish, produce or distribute books, pamphlets, films or other productions that relate to the objects of the Foundation;</li><li>(d) establish and appoint members to any committee to act in an advisory, administrative or technical capacity in</li></ul>   |

connection with any matter pertaining to the objects of the Foundation;

- (e) accept grants and donations;
- (f) acquire real or personal property, whether by purchase, gift, lease, devise, bequest or any other means;
- (g) hold, manage and dispose of its real and personal property;
- (h) enter into a contract with any person in relation to any matter pertaining to the objects of the Foundation, including a patent agreement, royalty agreement or commercial marketing agreement;
- (i) establish, maintain or close accounts with any bank, treasury branch, credit union or trust company;
- (j) enter into overdraft or line of credit arrangements with a bank, treasury branch, credit union or trust company for the purpose of meeting its obligations as they come due.

Directions by  
Minister

**6** 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, and
- (b) co-ordinating the work of the Foundation with the programs, policies and work of the Government and public and private organizations and institutions, in order to avoid duplication of effort and expense.

Trustees

**7(1)** The Foundation consists of not fewer than 3 and not more than 11 persons appointed as trustees by the Lieutenant Governor in Council.

**(2)** At least one of the trustees must be a member of the Alberta Alcohol and Drug Abuse Commission.

**(3)** A trustee holds office for a term of not more than 3 years and is eligible for reappointment.

**(4)** The Lieutenant Governor in Council shall designate one of the trustees to be the chair of the Foundation.

(5) The trustees shall, at the first meeting of trustees in each year, elect one of the trustees to be the deputy chair of the Foundation.

(6) A majority of the trustees of the Foundation present at a meeting of the trustees constitutes a quorum.

**Remuneration and expenses**     **8** The Lieutenant Governor in Council may establish the rate of remuneration and the subsistence and travelling expenses to be paid to the trustees.

**Employees**     **9(1)** In accordance with the *Public Service Act*, there may be appointed an executive director and other employees that are required for the operation of the Foundation.

(2) The appointment of the executive director is subject to the approval of the Minister.

(3) The executive director is the chief executive officer and an employee of the Foundation and is responsible for the management of the business and affairs of the Foundation.

(4) The executive director may delegate to an employee of the Foundation any power conferred or duty imposed on the executive director by the Foundation.

**By-laws**     **10(1)** The Foundation may make by-laws respecting the conduct of the business and affairs of the Foundation.

(2) The *Regulations Act* does not apply to the by-laws of the Foundation.

**Funds**     **11(1)** Money received by the Foundation from any source constitutes the funds of the Foundation.

(2) The income of the funds of the Foundation accrues to the Foundation.

(3) All expenditures of the Foundation, including grants, awards and other funding provided by the Foundation, must be paid out of the funds of the Foundation.

**Consolidated Cash Investment Trust Fund**     **12** The Foundation may be designated as a depositor to a Consolidated Cash Investment Trust Fund.

Surplus	<p><b>13(1)</b> In this section, “surplus” means that portion of the money provided to the Foundation in a fiscal year under the authority of a vote in an Act, referred to in section 6(2)(a) of the <i>Alberta Heritage Savings Trust Fund Act</i> that, in the opinion of the Minister, has neither been paid out by the Foundation in that fiscal year nor been committed for an expenditure approved by the Foundation in that fiscal year.</p> <p>(2) If the Foundation has a surplus at the end of a fiscal year, the Minister may direct the Foundation to pay the whole or part of the surplus to the Provincial Treasurer.</p> <p>(3) The Foundation shall, within 30 days of receiving the direction of the Minister, comply with it.</p> <p>(4) Money paid to the Provincial Treasurer by the Foundation under this section must be deposited into the Alberta Heritage Savings Trust Fund.</p>
Fiscal year	<p><b>14</b> The fiscal year of the Foundation is the period commencing on April 1 in one year and ending on March 31 in the next year.</p>
Annual report	<p><b>15(1)</b> The Foundation shall, as soon as practicable after the end of each fiscal year, provide the Minister with a report that contains its audited financial statement and summarizes the business and affairs of the Foundation during the preceding fiscal year.</p> <p>(2) The Minister shall</p> <ul style="list-style-type: none"> <li>(a) provide the Select Standing Committee on the <i>Alberta Heritage Savings Trust Fund Act</i> with a copy of the report, and</li> <li>(b) lay a copy of the report before the Legislative Assembly if it is sitting or, if it is not sitting, within 15 days after the commencement of the next sitting.</li> </ul>
Regulations	<p><b>16</b> The Lieutenant Governor in Council may make regulations</p> <ul style="list-style-type: none"> <li>(a) restricting and regulating the powers of the Foundation;</li> <li>(b) respecting the winding-up of the Foundation;</li> <li>(c) providing for any other matter necessary for or incidental to the carrying out of the intent of this Act.</li> </ul>

- Repeal**      **17**    *The Alcoholism and Drug Abuse Foundation Act is repealed.*
- Expiry**      **18**    *This Act expires on July 1, 2002 unless it is continued for one or more periods by the Lieutenant Governor in Council.*
- Coming into force**    **19**    *This Act comes into force on Proclamation.*