

1991 BILL PR3

Third Session, 22nd Legislature, 40 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL PR3

LUTHERAN CHURCH-CANADA,
THE ALBERTA - BRITISH COLUMBIA DISTRICT
CORPORATION ACT

MR. DOYLE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill PR3
Mr. Doyle

BILL PR3

1991

LUTHERAN CHURCH-CANADA, THE ALBERTA - BRITISH COLUMBIA DISTRICT CORPORATION ACT

(Assented to , 1991)

WHEREAS the Alberta and British Columbia District of the Evangelical Lutheran Synod of Missouri, Ohio and Other States was incorporated pursuant to the Statutes of Alberta 1944, chapter 82;

AND WHEREAS the Directors of the corporation have unanimously resolved to repeal the said incorporating legislation and continue the corporation under the name "Lutheran Church-Canada, The Alberta - British Columbia District";

AND WHEREAS it is expedient to grant the prayer of the said Petitioners;

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

Definitions

1 In this Act,

(a) "corporation" means the Alberta and British Columbia District of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States, incorporated under the Statutes of Alberta 1944, chapter 82 and continued under this Act;

(b) "directors" means the board of directors of the corporation.

Continuance

2(1) The corporation is hereby continued under this Act.

(2) The name of the corporation is changed to "Lutheran Church-Canada, The Alberta - British Columbia District".

Objects

3 The objects of the corporation are

(a) to support public worship;

(b) to unite in a corporate body the various congregations, organized as corporations, or existing as voluntary organizations, of the Evangelical Lutheran Church in the Province of Alberta and British Columbia and throughout Canada who as congregations and as individual members of such congregations accept, and remain true to, the canonical books of the Old and New Testaments as the sole and exclusive rule of Christian doctrine and practice and acknowledge as a true exposition of sound Christian doctrine the Book of Concord, of the year of our Lord 1580;

(c) to promote the efficiency and extend the influence of the corporation;

(d) to hold, own, manage, control, possess and receive, directly and indirectly, by grant, gift, purchase, donation, devise or bequest, real, personal and mixed property of every name, nature and description whatsoever and dispose of the same;

(e) to invest monies and other personal property, with or without interest, in such manner as the directors of the corporation may elect or see fit so to do, subject to the action of the corporation, with or without security, for religious purposes;

(f) to promote efficiency, co-operate in ecclesiastical work in the extension of religion, by educational, charitable and missionary work;

(g) to help to establish and maintain parochial schools, colleges, seminaries and other institutions of learning, for the purpose of training full time church workers and for providing general Christian education thereby preparing students for ministry in whatever vocation they choose; and

(h) to do all such other acts and things and engage in such other conduct and activity as the directors may from time to time determine to be capable of being conveniently done or carried on or calculated, directly or indirectly, to enhance the interests of the corporation.

Corporate
existence

4(1)The corporation

(a) shall have perpetual succession;

(b) shall have a common seal;

(c) may contract and be contracted with;

(d) shall have power to borrow for the purposes of the corporation;

(e) shall have the power to lend money of the corporation on mortgage or promissory notes, and;

(f) may sue and be sued, implead and be impleaded with.

(2) The directors and members of the corporation are not liable for any liability, act or default of the corporation except in accordance with any applicable laws to the contrary.

Powers **5** The corporation shall have power from time to time and at all times hereafter to acquire by transfer, purchase or otherwise for the benefit of the corporation any land or real or personal estate and from time to time as may be deemed necessary dispose of the same or any part thereof by sale, transfer, mortgage, lease, exchange or otherwise, and with the proceeds therefrom may acquire other land, real or personal estate or invest the same in any security whatsoever for the purposes aforesaid.

Idem **6** The corporation shall have capacity to exercise its powers and to carry out its objects in the Province of Alberta, in the Province of British Columbia and in other areas where ministry opportunities exist.

Head office **7** The head office of the corporation shall be at Edmonton, in the Province of Alberta, or at such other place in the Province of Alberta or in the Province of British Columbia as may from time to time be determined by the corporation.

By-laws **8** It shall be lawful for the corporation to make by-laws and regulations for the government and proper administration of the property, affairs and interest of the corporation and to repeal or amend the same from time to time.

Directors **9** The affairs of the corporation shall be managed by its Board of Directors elected according to the by-laws and regulations of the corporation.

Seal **10** All instruments relating to real property shall be executed under the seal of the corporation attested as provided by the rules and regulations of the corporation.

Property **11** All property which the corporation shall acquire as aforesaid shall be applied and administered in accordance with the by-laws and regulations of the corporation.

- Report** **12** The corporation shall at all times, whenever required so to do by the Lieutenant Governor in Council, make a report in writing of its affairs and property.
- Winding up** **13** In the event of winding up of the corporation, all assets of the corporation shall be distributed to the Lutheran Church-Canada, provided the Lutheran Church-Canada is then a registered charity in Canada, or such other charities registered in Canada as the directors shall determine.
- Repeal** **14** An Act to Incorporate the Alberta and British Columbia District of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States, Statutes Alberta 1944, chapter 82, is repealed.