

1992 BILL Pr 4

Fourth Session, 22nd Legislature, 41 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr 4

CARITAS HEALTH GROUP ACT

MR. GESELL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill Pr 4
Mr. Gesell

BILL Pr 4

1992

CARITAS HEALTH GROUP ACT

(Assented to , 1992)

WHEREAS it is expedient to grant the prayer of the petition;

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

Establishment

1 The present members of The General Hospital (Grey Nuns) of Edmonton and the present members of the Misericordia Hospital and such others as shall hereafter from time to time become members of the Caritas Health Group in the manner prescribed in the by-laws of the Caritas Health Group are hereby declared to be a body politic and corporate in deed and in name by the name of Caritas Health Group, for the purposes and objects hereinafter set out.

Objects

2(1) The objects of the corporation are:

(a) to undertake and carry on charitable institutions, works and activities consisting of the operations of hospitals, missions, health care facilities of any kind or nature, schools, dispensaries, homes for the aged, homes for the handicapped and the like; to impart education and medical and other training; and generally to care for the aged, sick, handicapped and unfortunate;

(b) to provide and offer health care activities, facilities and programs of all kinds, including without limitation general acute care hospitals, auxiliary hospitals, nursing homes,

geriatric rehabilitation facilities, hostels, family care programs, educational programs, and schools of nursing;

(c) to carry on any other business, development or activity for the purpose of generating revenue for the corporation or which, in the opinion of the directors is otherwise incidental, beneficial or conducive to the corporation's objects;

(d) to incorporate, support and monitor other entities engaged in activities incidental or conducive to the objects;

(e) to incorporate and support other entities for the purpose of generating revenue for the corporation or for any other purpose, beneficial to the corporation;

(f) generally, to engage in charitable and benevolent activities.

(2) The corporation shall not be restricted to conducting its activities within the Province of Alberta, but is hereby empowered to conduct such activities as its members and directors consider in their opinion incidental, beneficial or conducive to the corporation's objects, outside of the Province of Alberta and outside of Canada.

(3) The corporation shall at all times conduct its activities in a manner which is consistent with the principles outlined in the medical moral code approved from time to time by the Canadian Conference of Catholic Bishops or any successor organization.

Capacity 3 The corporation shall have the capacity, rights, powers and privileges of a natural person.

Head office 4 The head office of the corporation shall be at the City of Edmonton, in the Province of Alberta, or at such other places in the province as may from time to time be determined by the by-laws of the corporation.

Use of Funds 5 The funds or credits of the corporation, whether received as revenues, gifts, proceeds or from borrowing or from the disposal, charge or use of assets or otherwise, shall be used and applied for the furtherance of all or any of the objects and activities in which the corporation may engage, the exercise of its powers and for the furtherance of works of charity or benevolence.

**By-laws and
Regulations**

6 It shall be lawful for the corporation from time to time to make by-laws, rules, orders and regulations for the government and proper administration of the property, affairs and interests of the corporation and for the enforcement of discipline and the admission and retirement of members, the appointment, expulsion or removal of any persons as members of the corporation or bearing office therein and also generally for the internal government of the affairs of the said corporation, and to repeal and amend the same.

Officers

7 Until otherwise directed by by-laws, the members mentioned herein shall be the officers of the corporation.

**Liability of
members**

8 The members, directors or officers of the corporation are not, as members, directors or officers liable for any liability, act or default of the corporation.

**Remuneration of
Directors**

9(1) No income or property of the corporation shall be distributed to a director during the existence of the corporation or on or after its liquidation.

(2) Notwithstanding subsection (1) any director may be paid a reasonable price or remuneration for goods, services or other valuable benefits provided to the corporation.

Resolution

10(1) The corporation shall be deemed dissolved one year from a resolution of the members to do so provided all provisions of Section 204 of the Business Corporations Act have been met.

(2) The Alberta Catholic Hospitals Foundation and the Sisters of Charity of Montreal "Grey Nuns" shall be immediately notified of such resolution.

(3) A resolution to dissolve the corporation may be revoked by resolution any time within one year from the date of the resolution to dissolve.

**Property upon
liquidation**

11 Upon liquidation the property, assets and profits of the corporation shall, subject to the terms of any contracts to which the corporation may be a party and after payment of all liabilities, be paid and transferred to another Catholic health care organization if the members cannot agree to the Catholic Archdiocese of Edmonton for utilization in the health care field in the Province of Alberta.