

1994 BILL 2

Second Session, 23rd Legislature, 43 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 2

ALBERTA SPORT, RECREATION, PARKS
AND WILDLIFE FOUNDATION ACT

THE MINISTER OF COMMUNITY DEVELOPMENT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 2

1994

ALBERTA SPORT, RECREATION, PARKS AND WILDLIFE FOUNDATION ACT

(Assented to , 1994)

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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 Sport, Recreation, Parks and Wildlife Foundation established under this Act;
- (b) "Minister" means the Minister of Community Development.

Foundation
established

2(1) The “Alberta Sport, Recreation, Parks and Wildlife Foundation” is established as a corporation consisting of not more than 10 members appointed by the Lieutenant Governor in Council, among whom there must be one member of the Legislative Assembly and one employee of the Government who is under the administration of the Minister.

(2) The Lieutenant Governor in Council may prescribe the term of office of any member of the Foundation.

(3) The Lieutenant Governor in Council shall designate one of the members of the Foundation as chair and one of the members of the Foundation as vice-chair.

(4) The Lieutenant Governor in Council may prescribe the rate of remuneration and the subsistence and travelling expenses to be paid to the members of the Foundation.

(5) A majority of the members constitutes a quorum.

Objects

3 The objects of the Foundation are

- (a)** to develop and maintain sport programs, facilities and services;
- (b)** to develop and maintain recreation programs, facilities and services;
- (c)** to develop and maintain parks programs, facilities and services;
- (d)** to develop and maintain fish and wildlife programs, facilities and services;
- (e)** to raise funds to be used in assisting the Foundation in the carrying out of its objects.

Powers

4(1) The Foundation may, subject to the regulations,

- (a)** acquire and dispose of real and personal property;
- (b)** hold, preserve, maintain, renovate, restore and manage its real and personal property;
- (c)** enter into an agreement with any person respecting any matter pertaining to the objects of the Foundation;
- (d)** hire employees, consultants and advisors and determine their duties, terms of employment and remuneration;

- (e) make grants in accordance with the by-laws to any person or organization;
- (f) make and maintain banking arrangements;
- (g) publish, produce and distribute books, pamphlets, videos, films or any other productions that relate to the objects of the Foundation;
- (h) exercise any power or perform any duty given to it by the regulations.

(2) Any real or personal property acquired by the Foundation by gift, grant, bequest, devise or loan is subject to any terms and conditions stipulated by the person giving, granting, bequeathing, devising or loaning the property.

By-laws

5(1) The Foundation may, with the approval of the Minister, make by-laws

- (a) governing the administration of the Foundation;
- (b) governing the making of grants;
- (c) relating to any other matter necessary for carrying out the objects and duties of the Foundation.

(2) A by-law does not become effective until it is

- (a) passed by a majority of the members of the Foundation at a meeting of the Foundation, or
- (b) signed by a majority of the members of the Foundation,

and approved by the Minister.

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

**Directions,
regulations**

6(1) 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 institutions, in order to avoid duplication of effort and expense.

(2) The Minister may make regulations

- (a) restricting and regulating the exercise of the Foundation's powers;**
- (b) establishing additional powers and duties of the Foundation.**

Government employees	7 If the Minister considers it necessary, the Minister shall provide to the Foundation the services of employees of the Government under the Minister's administration to carry out the work of the Foundation.
Funds	8(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 and forms part of those funds. (3) Expenditures and grants made by the Foundation must be paid from the funds of the Foundation.
CCITF	9 The Foundation may be designated as a depositor in the Consolidated Cash Investment Trust Fund.
Crown agent	10 The Foundation is an agent of the Crown in right of Alberta.
Tax exemption	11 The real and personal property, business and income of the Foundation are exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature, and that exemption extends to any person registered as a charitable organization under the <i>Income Tax Act</i> (Canada) who leases property of the Foundation.
Auditor	12 The Auditor General is the auditor of the Foundation.
Fiscal year and annual report	13(1) The fiscal year of the Foundation is the period from April 1 to the following March 31. (2) After the end of each fiscal year, the Foundation shall prepare and submit to the Minister a report consisting of

- (a) a general summary of its transactions and affairs during that year, its revenues and the application of its expenditure during that year,
 - (b) an audited balance sheet of its accounts and financial transactions during that year, and
 - (c) any other information that the Minister may require.
- (3) On receiving a report under subsection (2), the Minister shall lay a copy of it before the Legislative Assembly if it is then in session, and if not, within 15 days after the commencement of the next ensuing session.

Transitional **14(1)** *On the coming into force of this Act the Alberta Sport Council and The Recreation, Parks and Wildlife Foundation cease to exist.*

(2) On the coming into force of this Act the assets, liabilities, rights and obligations of the Alberta Sport Council and The Recreation, Parks and Wildlife Foundation are vested in the Alberta Sport, Recreation, Parks and Wildlife Foundation and may be dealt with in its name.

(3) Each employee of the Alberta Sport Council and of The Recreation, Parks and Wildlife Foundation continues as an employee of the Alberta Sport, Recreation, Parks and Wildlife Foundation until the Foundation otherwise directs.

Repeal **15** *The Alberta Sport Council Act and the Recreation, Parks and Wildlife Foundation Act are repealed.*

Coming into force **16** *This Act comes into force on Proclamation.*