

1964

CHAPTER 107

An Act to Incorporate l'Association Canadienne Francaise de l'Alberta

(Assented to April 15, 1964)

Preamble

WHEREAS the persons hereinafter named have petitioned for an Act constituting them a body politic and corporate with the powers and for the purposes hereinafter set forth;

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

THEREFORE Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

Incorporation

1. His Honour Judge Andre M. Dechene, Louis A. Desrochers, Lionel Tellier, Joseph P. Moreau, Roger Motut, Lucien Maynard, and such other persons as are now or may hereafter become under the provisions of this Act members of the Association, shall be, and are hereby declared to be a body politic and corporate in deed and in name by the name of "Association Canadienne Francaise de l'Alberta" for the purposes and objects hereinafter set out.

Objects

2. The objects of the association are
- (a) to rescue from oblivion the memories of the early inhabitants, missionaries, fur traders, explorers and settlers in Alberta of French origin,
 - (b) to promote the intellectual, moral, social and material welfare of the Canadians of French origin in Alberta,
 - (c) to promote the study of the French language and the formation of adult education groups,
 - (d) to sponsor radio programmes in French,
 - (e) to promote goodwill, harmony and co-operation among its members,
 - (f) to promote better understanding among Canadians of different racial origin in the Province.

Seal,
succession,
contracts
and status

3. The association shall have perpetual succession and a common seal, and may at any time hereafter contract and

be contracted with, including the borrowing of money on mortgage, or promissory note, sue and be sued, implead and be impleaded, in any manner whatsoever in all courts in this Province.

Head office

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

Power of acquisition of realty and personality

5. The association shall have power from time to time and at any time hereafter to acquire by gift, hold, devise, bequest, transfer, purchase or otherwise for the benefit of the corporation, any real or personal property, and may from time to time dispose of the same or any part thereof by sale, transfer or mortgage, lease, exchange or otherwise, and with the proceeds therefrom may acquire other real or personal property or invest the same in any security whatsoever for the use of the association.

Application of revenues

6. The rents, revenues and profits of all real or personal property held by the association shall be appropriated and applied for the purposes of the association and of the institutions carried on by the association and the construction and repair of buildings and the acquisition of real or personal property requisite for the purposes of the association.

Execution of documents

7. Any transfer, mortgage, discharge of mortgage, or lease of real estate or any interest therein or any transfer of stocks, funds, debentures or other personal property vested in the association shall be deemed to be duly executed for that purpose if the same has affixed thereto the seal of the association verified by the signatures of the president and the secretary for the time being of the association.

Further powers

8. The association shall have power to erect, construct equip and maintain buildings and other erections for the proper carrying on of its education and charitable works and to do all other matters and things necessary for the carrying out of the objects of the association.

By-laws

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

Borrowing powers

10. The corporation in addition to all other powers shall have power

- (a) to borrow or raise or secure the payment of money by negotiable instruments and by the issue of debentures or debenture stock, bonds, mortgages or obligations charged upon the property of the corporation, and to extend the period for payment of the same, and to purchase, redeem or pay off any such securities in whole or in part,
- (b) to invest its funds, or any portion thereof, either directly in the name of the corporation, or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities,
- (c) to ensure or give any guarantee for payment of any loan, mortgage, bond or debenture issue, obligations or securities made or issued by the corporation situate within the Province of Alberta, and
- (d) to mortgage or charge all or any part of the property of the corporation either for the payment of security for a debt or otherwise.

Organiza-
tion of
branches

11. (1) The association may from time to time have or establish and maintain any number of branches thereof to promote the objects of the association, and may provide for the organization of special branches to promote specific objects of the association, and each such branch shall have all the powers necessary to carry out its particular objects.

(2) The association may provide the qualifications for membership in any special branch with the right to such special branch to make any rules and regulations required for the operation of the branch.

(3) Any branch which may hereafter be established with special membership and which may be desirous of becoming incorporated, shall and may by resolution approved by a vote of at least two-thirds of the members present at any regular meeting resolve to become so incorporated; and upon evidence by a certified copy of such resolution signed by the president and secretary of such branch being filed with the Registrar of Companies together with a certificate signed by the president and secretary of the association that the incorporation of such branch has been duly authorized by the association, such branch shall be and become from the time of the issuing by the Registrar of Companies of his certificate hereinafter provided for, a body politic and corporate as aforesaid by the style or name by which it may be designated by the association, and as such shall have perpetual succession and a common seal, with power to change or alter the said seal by by-law to that effect.

(4) Any branch hereafter established with special membership which shall seek to become incorporated under this Act shall be entitled upon producing and filing of the proofs, documents and certificate aforesaid and upon payment of

a fee of ten dollars to receive a certificate of incorporation under the provisions hereof under the hand of the Registrar of Companies in such form as he may deem suitable, and such certificate shall be final and conclusive evidence of such branch being a corporation under this Act.

(5) Whenever a debt has been or shall be contracted by any branch hereafter established under this Act with special membership for the building, repairing, extending or improving of any buildings or for acquiring land held by any such branch under the provisions of this Act, or for the purchase of the land on which the same has been or is intended to be erected, any such incorporated branch may from time to time secure the debt or any part thereof by a mortgage upon the lands and buildings, or may borrow money to pay the debt or part thereof and may secure the repayment of the loan and interest by a mortgage upon its lands and buildings or part thereof upon such terms as may be agreed upon.

(6) Any transfer, mortgage, discharge of mortgage, or lease of real estate or any interest therein or any transfer of stocks, funds, debentures or other personal property of any branch incorporated under this Act shall be deemed to be duly executed for that purpose if the same has affixed thereto the common seal of the said branch so named therein and of the president and of the secretary of the said branch.

(7) Should any branch hereafter established with special membership cease to exist or be dissolved from any cause whatsoever, all the property held or belonging to such branch shall at once vest in the association but charged with the payment of the debts of such branch to the full extent of such property.

(8) In case the association declares the authority of any branch hereafter established with special membership forfeited pursuant to the constitution of the association, such branch shall, if not incorporated under this Act, be and be held to cease to exist and to be dissolved from the date of the resolution declaring such forfeiture, and if incorporated under this Act from the date of filing with the Registrar of Companies of a certificate under the hands of the president and the secretary and the seal of the association certifying to such forfeiture.

Non-profit

12. No member of the association or of any branch of the association incorporated under this Act shall have the right to derive any personal benefit from any interest he may have in the association or any branch thereof, nor shall any member have the power to assign or transfer to any person or persons whomsoever, any interest which he may have to or in the funds or property of the said association or any branch thereof, and upon the decease of any such member the same shall not pass to his heirs, executors or administrators, but the same shall at all times be the pro-

perty and remain under the control of the association or branch respectively, and no property or stock, share or interest of any kind belonging to the association or any incorporated branch, shall be subject to the payment of the private debts of any of its members, nor liable to be taken in execution by any judgment creditor or garnisheed in any proceedings against any individual member or members of the association or any branch incorporated hereunder.

- Officers** **13.** Until otherwise directed by by-laws, the persons named in section 1 shall be the directors of the association and the present existing rules and regulations of the association shall, *mutatis mutandis*, be the rules and regulations of the association until changed by by-laws.
- Mainten-
ance** **14.** The corporation may exercise any activity that may help it to maintain its institutions and may bargain and sell the products of the same provided it conforms to the laws of the Province of Alberta.
- Accounting** **15.** The corporation shall at all times when called upon so to do by the Lieutenant Governor in Council render an account in writing of its property and affairs.
- General
laws** **16.** The powers herein granted shall be subject to the general laws of the Province now in force or hereafter enacted.
- Short title** **17.** This Act may be cited as "*The A.C.F.A. Act*".
- Commence-
ment of Act** **18.** This Act comes into force on the day upon which it is assented to.