c 451 Research Foundation Act

Ontario
CHAPTER 451

Research Foundation Act

1. In this Act,

(a) "Board" means the Board of Governors of the Foundation;

(b) "Executive Committee" means the Executive Committee of the Board;

(c) "Foundation" means the Ontario Research Foundation. 1944, c. 53, s. 1.

2. The Ontario Research Foundation is continued as a body corporate. 1944, c. 53, s. 2.

3. The objects of the Foundation are the carrying on of research, studies and investigations, particularly those having for their objects,

(a) the conservation, development and utilization of the natural resources of the Province;

(b) the development and utilization of the by-products of any processes involving the treating or using of the mineral, timber or other resources of the Province;

(c) the development and improvement of methods in the agricultural industry and the betterment, welfare and progress of farm life;

(d) the mitigation and abolition of disease in animal or vegetable life and the control and destruction of insect or parasitic pests; and

(e) the improvement and development of industrial materials, products and techniques. 1944, c. 53, s. 3.

4.—(1) The affairs of the Foundation shall be managed and its powers may be exercised by a Board of Governors consisting of not more than twenty-five members who shall be appointed by the
Lieutenant Governor in Council and the members of the Board are the members of the Foundation.

(2) A member of the Board may resign at any time. 1944, c. 53, s. 4.

(3) A person who is appointed as a member of the Board shall hold office for a term of five years. 1962-63, c. 126, s. 1, revised.

5.—(1) The Board at each annual meeting shall elect from among its members a chairman and two vice-chairmen who shall hold office until the next annual meeting and until their successors are duly elected and who are eligible for re-election.

(2) Any vacancy occurring in any of such offices during the term of office may be filled by the Board from among its members for the remainder of the unexpired term. 1944, c. 53, s. 5 (1, 2).

6.—(1) There shall be an Executive Committee of the Board consisting of the chairman and vice-chairmen and two other members who shall be elected by the Board from among its members at each annual meeting and who shall hold office until the next annual meeting and until their successors are duly elected and who are eligible for re-election.

(2) The Board may delegate all or any of its powers to the Executive Committee and may revoke or amend any such delegation. 1944, c. 53, s. 6, revised.

7. Meetings of the Board and of the Executive Committee may be held at such places and times as may be determined in accordance with the by-laws of the Foundation, but the annual meeting of the Board shall be held not later than the 1st day of May in each year. 1944, c. 53, s. 7.

8. The Board may make by-laws not contrary to the provisions of this Act to regulate the conduct and administration of the affairs of the Foundation in all things and particularly, without limiting the foregoing general power,

(a) to regulate the calling of and the procedure at meetings of the Board and of the Executive Committee; to regulate the time and place for the holding of such meetings respectively; and to fix the respective quorum for the Board and for the Executive Committee;
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(b) to regulate the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Foundation; and

(c) to establish and regulate the appointment, functions, powers, duties, meetings, quorum and removal of, such technical or advisory committees as the Board may consider advisable. 1944, c. 53, s. 8.

9. The chairman, vice-chairmen and members of the Board and of the Executive Committee shall not be paid any remuneration but, if the by-laws of the Foundation so provide, may be paid any reasonable expenses incurred by them in the performance of their duties and section 71 of the Corporations Act applies with necessary modifications to the Foundation and to the members of the Board and of the Executive Committee in the same manner and to the same effect as though the Foundation were a company incorporated under Part I of that Act and the members of the Board and of the Executive Committee were directors thereof. 1944, c. 53, s. 9.

10. All property and assets, real and personal, rights and privileges owned, held, possessed or enjoyed by the Foundation immediately before the 5th day of May, 1944 continue to be vested in the Foundation for the same estate, title or interest. 1944, c. 53, s. 10.

11. The Foundation may,

(a) purchase, lease or otherwise acquire and hold any real property or any estate or interest therein deemed necessary for the purposes of the Foundation;

(b) take by gift, donation, devise or bequest and hold any real or personal property or any estate or interest therein;

(c) with the prior approval of the Lieutenant Governor in Council and without the consent of the owner, enter upon, take, use and expropriate any real property or any estate or interest therein considered necessary for its purposes, and the Expropriations Act applies; R.S.O. 1980, c. 148

(d) construct, maintain and alter any buildings and works considered necessary or convenient for the purposes of the Foundation; and

(e) when no longer required for the purposes of the Foundation, sell, lease or otherwise dispose of any real property or any estate or interest therein. 1944, c. 53, s. 11, revised.
12. The Foundation may carry on research, investigations, studies and operations for other persons upon such terms and conditions as the Executive Committee may determine, subject to any direction of the Board. 1944, c. 53, s. 12.

13. The Foundation may purchase or otherwise acquire any invention or discovery or any right therein and may apply for, purchase or otherwise acquire any letters patent of invention or similar protection of the Government of Canada or elsewhere or any license or other right, title or interest in or under any patent or similar protection and may hold, use, exercise, develop, license, assign or otherwise dispose of or turn such invention, discovery, letters patent or protection to account. 1944, c. 53, s. 13.

14. The Foundation may establish and administer scholarships to assist in the training of research and scientific workers. 1955, c. 73, s. 1.

15. The Foundation may pay gratuities, bonuses and allowances to retired or superannuated officers or servants of the Foundation either out of the general funds of the Foundation or out of any special funds set aside for that purpose and may make payments toward insurance, pension, retirement, sickness and other funds or plans calculated to benefit the officers and employees of the Foundation or their dependants or connections, but no payment shall be made to or for the benefit of the chairman, vice-chairmen or members of the Board or of the Executive Committee. 1944, c. 53, s. 14.

16. 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. 1944, c. 53, s. 15.

17. No real property of the Foundation and no estate or interest therein shall be liable to be entered upon, used, taken or expropriated by any municipal or other corporation or person possessing the right of taking land compulsorily and no power to enter upon, take or expropriate land hereafter conferred shall extend to the real property of the Foundation or to any estate or interest therein unless in the Act conferring the power it is made in express terms to apply thereto. 1944, c. 53, s. 16.

18. All real property of the Foundation shall, with respect to the application of any statute of limitations, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1944, c. 53, s. 17.
19. The funds of the Foundation may be invested as the Executive Committee may determine subject to any direction of the Board. 1944, c. 53, s. 18.

20. The Board at each annual meeting shall appoint one or more auditors who shall hold office until the next annual meeting and until their successors are duly appointed and the auditor or auditors shall yearly examine the accounts of the Foundation and shall report thereon to the Board. 1944, c. 53, s. 19.

21.—(1) The Foundation shall, after the close of each fiscal year, file with the member of the Executive Council who is responsible for the administration of this Act an annual report which shall include a financial statement, a description of the work of the Foundation during the previous year and such other information as the Lieutenant Governor in Council may require.

(2) The member of the Executive Council who is responsible for the administration of this Act shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1960-61, c. 89, s. 1.

22. The Foundation has power to do all such things as are incidental or conducive to the attainment of its objects. 1944, c. 53, s. 21.