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The Bridge Street United Church Foundation Act, 1973

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CHAPTER 182

An Act respecting Bridge Street
United Church Foundation

Assented to April 27th, 1973
Session Prorogued March 5th, 1974

WHEREAS Alastair Donald Cameron, of the City of Belleville, in the County of Hastings, retired Bank Manager, Ronald William Cass, of the City of Belleville, in the County of Hastings, Lawyer, Douglas Gordon Burr, of the City of Belleville, in the County of Hastings, Insurance Agent, Jacob Carroll Anderson, of the City of Belleville, in the County of Hastings, Judge, Joseph George Demeza, of the City of Belleville, in the County of Hastings, School Superintendent, Harold Milton Davis, of the City of Belleville, in the County of Hastings, retired Minister, Robert John Ord, of the City of Belleville, in the County of Hastings, Lawyer, John Henry Canning, of the City of Belleville, in the County of Hastings, Accountant, John William Deacon, of the City of Belleville, in the County of Hastings, Real Estate Agent, Phyllis Irene Berry, of the City of Belleville, in the County of Hastings, Housewife, Donald George Williams, of the Township of Sidney, in the County of Hastings, Life Underwriter, and John Dale O'Flynn, of the Township of Ameliasburgh, in the County of Prince Edward, Lawyer, hereby represent that it is desirable to incorporate a charitable foundation; and whereas the applicants hereby apply for special legislation to effect such purpose; and whereas it is expedient to grant the application;

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

1.—(1) Alastair Donald Cameron, Ronald William Cass, Douglas Gordon Burr, Jacob Carroll Anderson, Joseph George Demeza, Harold Milton Davis, Robert John Ord, John Henry Canning, John William Deacon, Phyllis Irene Berry, Donald George Williams and John Dale O'Flynn and all persons who, from time to time, are members of the congregation of Bridge Street United Church, Belleville, Ontario, are hereby constituted a body politic and corporate under the name of Bridge Street United Church Foundation, hereinafter called the Foundation.
2. The Foundation has the power for charitable purposes, to engage in religious, educational and charitable activities of all kinds and, without in any way limiting the generality of the foregoing,

(a) to support the purposes, aims and objectives of said Bridge Street United Church, and those of such other congregations of The United Church of Canada as may, from time to time, be considered advisable by the Board of Directors;

(b) to support the purposes, aims and objectives of The United Church of Canada;

(c) to support the purposes, aims and objectives of such universities and other educational institutions in Ontario and elsewhere as may, from time to time, be considered advisable by the Board of Directors;

(d) as permitted by the by-laws of The United Church of Canada, to take such steps, by personal or written appeals, campaigns, public meetings or otherwise, as may, from time to time be deemed advisable for the purpose of procuring contributions to the funds of the Foundation;

(e) to print and publish any newspapers, periodicals, books or leaflets that may be considered advisable for the promotion of the objects of the Foundation; and

(f) to exercise any of the powers from time to time afforded the Foundation by this Act, The United Church of Canada Act or any other applicable Act of the Province of Ontario (but such powers shall not include any powers granted by any such Act exclusively to The United Church of Canada) only in furtherance of the carrying out of the aforesaid charitable purposes.

3.—(1) The Foundation has, in addition to the powers, rights and privileges mentioned in section 26 of The Interpretation Act, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatso-
ever and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without license in mortmain and without limitation as to the period of holding.

(2) The Foundation has power,

(a) to borrow money on its credit in such amounts, on such terms and from such persons, firms, and corporations, including chartered banks, as may be determined by the Board of Directors;

(b) to make, draw and endorse promissory notes or bills of exchange;

(c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any moneys so borrowed or the fulfillment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,

provided that the total indebtedness of the Foundation shall not exceed $50,000 without the prior written consent of the Executive or Sub-Executive of the General Council of The United Church of Canada.

4. The funds of the Foundation not immediately required for its purposes and the proceeds of all property that have come into the Foundation, subject to any trusts affecting the same, may be invested and reinvested in trustee investments and in any shares, bonds or debentures in which Canadian life insurance companies are permitted to invest their funds, whether or not they are investments in which trustees are authorized to invest trust funds, without being restricted as to the proportion of the funds of the Foundation which are invested in any class of such investments and all its property and revenue shall be applied for the attainment of the objects for which the Foundation is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

5.—(1) The members of the Foundation shall consist of those persons who, from time to time, are members of the congregation of the said Bridge Street United Church.

(2) Any person who becomes a member of the said Bridge Street United Church shall automatically become a member of the Foundation and any member of the Foundation who
ceases to be a member of Bridge Street United Church shall automatically cease to be a member of the Foundation.

6.—(1) There shall be a Board of Directors of the Foundation that shall consist of the persons named in section 1 who shall hold office until their successors are elected or appointed, as may be provided in the by-laws of the Foundation and members of the Board of Directors shall serve without remuneration but may be reimbursed for their expenses properly incurred in carrying out their duties as members of the Board of Directors.

(2) The Board of Directors of the Foundation shall consist of one person who is appointed as a director of the Foundation by the Executive or Sub-Executive of the General Council of The United Church of Canada and eleven persons who are elected as directors by the members of the Foundation at a general meeting, provided that those persons who are so elected must be proposed from the members of the Foundation by the Congregational Board of the said Bridge Street United Church.

7.—(1) The Board of Directors has the control, management and government of the Foundation and has power to make by-laws, rules and regulations not contrary to law or to the provisions of this Act,

(a) for the management of the Foundation;

(b) for determining the number of members of the Board of Directors that shall constitute a quorum;

(c) respecting the election or appointment of members of the Board of Directors;

(d) regulating all matters pertaining to meetings of the Board of Directors;

(e) for determining the number of members of the Foundation that shall constitute a quorum;

(f) regulating all matters pertaining to meetings of the members of the Foundation; and

(g) for all other matters relating to the Foundation.

(2) All by-laws of the Foundation shall be submitted to the Executive or Sub-Executive of the General Council of The United Church of Canada for its review before being confirmed by the members of the Foundation, and the Execu-
tive or Sub-Executive shall make such submissions in relation to such review of the by-laws within thirty days after the submission of the by-laws.

(3) It is the intention of this section to make provision for the Executive or the Sub-Executive to make such representations to the Board of Directors as it considers necessary to ensure that the by-laws are in keeping with the spirit and purposes of the Foundation as set out in section 2, but it is not the intention of the review to be a judicial review, giving the Executive or the Sub-Executive of the Church the power to enforce its views.

8.-(1) The Board of Directors shall elect from among their number a President, one or more Vice-Presidents, a Secretary and a Treasurer (provided that one person may hold the office of Secretary and Treasurer, and if this is the case he shall be called the Secretary-Treasurer) and may, from time to time, appoint such other officers as are considered desirable.

(2) The officers elected or appointed under subsection 1 shall perform such duties as may be required of them, from time to time, by the Board of Directors.

9. A member shall not, as such, be held answerable or responsible for any act, default, obligation or liability of the Foundation or for any engagement, claim, payment, loss, injury, transaction, matter or thing related to or connected with the Foundation.

10. All property vested in the Foundation shall, as far as application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

11. Upon dissolution or winding up of the Foundation all of its property, both real and personal, shall vest in the trustees of Bridge Street United Church, Belleville, Ontario, provided that if the said Bridge Street United Church shall not exist as an organized body, all of the said property shall vest in The United Church of Canada subject to such trusts and for such purposes as the Conference within the bounds of which the said Bridge Street United Church was formerly located may determine under the by-laws, rules and regulations of the General Council of The United Church of Canada.

12. In the event that the congregation of Bridge Street United Church merges with another church congregation in a
manner required by the rules and regulations of The United Church of Canada, the members of the uniting congregations shall become members of the Foundation.

13. Wherever in this Act reference is made to The United Church of Canada, such reference shall be deemed to extend to The United Church of Canada and its successors.

14. This Act comes into force on the day it receives Royal Assent.

15. This Act may be cited as The Bridge Street United Church Foundation Act, 1973.