1970

The Canadian National Exhibition Association Act, 1970

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Bibliographic Citation
The Canadian National Exhibition Association Act, 1970, SO 1970, c 141
Repository Citation
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CHAPTER 141

An Act respecting the Canadian National Exhibition Association

Assented to May 4th, 1970
Session Prorogued November 13th, 1970

WHEREAS The Canadian National Exhibition Association Act, 1948, consolidated the Act entitled An Act to incorporate the Industrial Exhibition Association of Toronto and amendments thereto and extended the powers and privileges of the Canadian National Exhibition Association; and whereas such powers and privileges have been extended from time to time; and whereas the Canadian National Exhibition Association by its petition has prayed for special legislation to consolidate The Canadian National Exhibition Association Act, 1948 and amendments thereto, and to further extend such powers and privileges as hereinafter set forth; and 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 the Province of Ontario, enacts as follows:

1. In this Act,
   (a) "Association" means the Canadian National Exhibition Association;
   (b) "Board" means the Board of Directors of the Association;
   (c) "director" means a director of the Association;
   (d) "Municipality" means The Municipality of Metropolitan Toronto.

2. The several persons and representatives of bodies from time to time constituting the members of the Association shall continue to be a body politic and corporate by the name of "Canadian National Exhibition Association".

3. The head office of the Association shall be in the Municipality.
Powers of Association: 4. The Association has power, subject to any law of general application,

(a) either permanently or periodically in structures, buildings, enclosures and places located in the Municipality, suitable for exhibition purposes, and for the promotion of industries, arts and sciences generally,

(i) to exhibit every and any variety of thing and being, found in animal and vegetable life, and every kind and variety of mineral,

(ii) to exhibit products, wares, goods, merchandise, machinery, mechanical inventions and improvements, of every nature, name and kind, and such as are generally exhibited at fairs, including the various processes of manufacture,

(iii) to exhibit paintings and statuary of any and every nature and kind,

(iv) to exhibit and develop the points and qualities of the several breeds of horses and other animals by such competitive tests as may be humane and proper and as may be considered expedient, and

(v) to make such other exhibitions as will be in conformity with the purposes and objects of this Act;

(b) to provide entertainment or amusement to persons visiting its exhibition by means of music, shows or other attractions and to enter into contracts for such purposes and to allot space for such shows or attractions and to dispose of any contracts for such music, shows or attractions which may not be completed at the close of any exhibition;

(c) for the purpose only of carrying on and maintaining the business aforesaid and such other business as may be hereafter mentioned, to hold, own and acquire, by lease, purchase, gift or otherwise, property real and personal, at such prices and on such terms and conditions as may be agreed upon, and to improve and use the same by the construction of such buildings, houses, works and improvements as are necessary and as may be considered proper and to sell, mortgage, lease or otherwise dispose of any property at any time held by the Association:
(d) to cultivate such portions of the grounds of the Association as the Association may consider proper for the propagation of plants, trees, shrubs, or other things of a vegetable nature;

(e) to manufacture and raise articles and things required in the various exhibitions held by the Association; etc.

(f) to charge such admission fees as may be considered proper to receive for exhibiting everything authorized by this Act;

(g) to charge such entrance fees, and to award, give and pay to exhibitors such prizes, medals and honorary distinctions as the Association may consider proper;

(h) to let or lease stalls, stands, rooms and places in any of the buildings or structures of the Association, or in any part of the grounds or property of the Association, upon such terms and conditions and for such purposes as the Board may consider to be in the best interests of the Association;

(i) to act as agent for the Municipality in the management and operation of such part of the buildings, structures or grounds in or in the vicinity of Exhibition Park as may be designated by the council of the Municipality upon such terms and conditions as may be agreed between the Association and the Municipality;

(j) to borrow money from time to time in such amount as the council of the Municipality may approve;

(k) to invest in securities in which municipalities in Ontario may invest; and

(l) to do such other matters and things as will be in general conformity with the objects and purposes of the Association.

5.—(1) The membership of the Association shall be divided into four sections, namely:

1. The Municipal Section, not to exceed sixty-six members, exclusive of life members.

2. The Manufacturers and Industry Section, not to exceed forty-four members, exclusive of life members.
3. The Agriculture Section, not to exceed forty-four members, exclusive of life members.

4. The General and Liberal Arts Section, not to exceed forty-four members, exclusive of life members.

(2) The Municipal Section shall consist of,

(a) the Chairman and all other members of the council of the Municipality, all permanent heads of departments appointed by the council of the Municipality, the Chairman of the Metropolitan Board of Commissioners of Police, the Chief of Police of the Municipality, the Chairman of the Metropolitan Licensing Commission, the Chairman and the Commissioner of Planning of the Metropolitan Toronto Planning Board, the Chief of the Fire Department and the Medical Officer of Health for Toronto, all of whom shall be ex officio members of the Association;

(b) one representative from each of the following:

- the City of Toronto Planning Board,
- the Convention and Tourist Bureau of Metropolitan Toronto,
- the council of The Corporation of the County of York,
- the Metropolitan Separate School Board,
- The Metropolitan Toronto School Board,
- the Parking Authority of Toronto,
- the Toronto Electric Commissioners,
- the Toronto Harbour Commissioners, and
- the Toronto Transit Commission,

such representatives to be named and appointed annually in the month of January by the said several bodies; and

(c) the life members of the Association assigned to the Municipal Section.

(3) The Manufacturers and Industry Section shall consist of,

(a)
(a) the Minister of Industry, Trade and Commerce of Canada and the following ministers of the Province of Ontario:

the Minister of Trade and Development,

the Minister of Lands and Forests,

the Minister of Mines, and

the Minister of Public Works,

all of whom shall be *ex officio* members of the Association, and provided also that the deputy of each of the said ministers shall be *ex officio* a member of the Association in place of his minister during the absence or illness of his minister or during such periods as his minister from time to time may designate in writing;

(b) representatives from such manufacturers, industrial and labour associations and societies in such numbers for each as may be specified from time to time in the by-laws of the Board and who shall be named and appointed by such manufacturers, industrial and labour associations and societies at any meeting thereof; and

(c) the life members of the Association assigned to the Manufacturers and Industry Section.

(4) The Agriculture Section shall consist of,

(a) the Minister of Agriculture and the Deputy Minister *ex officio* members of Agriculture of Canada, and the Minister of Agriculture and Food and the Deputy Minister of Agriculture and Food for Ontario, all of whom shall be *ex officio* members of the Association;

(b) representatives from such agricultural associations and societies in such numbers for each as may be specified from time to time in the by-laws of the Board and who shall be named and appointed by such associations and societies at any meeting thereof; and

(c) the life members of the Association assigned to the Agriculture Section.
(5) The General and Liberal Arts Section shall consist of,

(a) the following ministers for the Province of Ontario:

the Minister of Education,

the Minister of Justice and Attorney General,

the Minister of Municipal Affairs,

the Minister of Tourism and Information, and

the Provincial Secretary and Minister of Citizenship,

all of whom shall be *ex officio* members of the Association and provided also that the deputy of each of the said ministers shall be *ex officio* a member of the Association in place of his minister during the absence or illness of his minister or during such periods as his minister from time to time may designate in writing;

(b) representatives from such liberal arts and other associations and societies in such numbers for each as may be specified from time to time in the by-laws of the Board and who shall be named and appointed by such liberal arts and other associations and societies at any meeting thereof; and

(c) the life members of the Association assigned to the General and Liberal Arts Section.

(6) Each representative named and appointed under subsections 3, 4 and 5 shall continue to be a member until a successor is appointed so long as such representative is a member and actively engaged in the objects of the body he represents.

(7) In recognition of distinguished services to the Association, all past presidents shall be constituted life members of the Association and members of the Board and each shall be assigned to one of the four sections as may be determined by the Board.

(8) Notwithstanding anything herein contained, where any association, society or other body is authorized to name and appoint a representative or where a vacancy occurs in
the representation of any association, society or other body, a representative may be named and appointed forthwith to act until a successor is named and appointed and notice in writing from the association, society or other body to the Association will constitute the representative so named and appointed a member of the Association.

(9) The representation of any of the bodies named in the by-laws may be cancelled by the Board if such body fails to appoint a representative in any year and the decision of the Board shall be final upon any question as to the proper appointment of any representative and as to whether there has been proper compliance with the provisions of this Act and the by-laws.

6.—(1) The Board shall consist of,

(a) the Minister of Industry, Trade and Commerce and the Minister of Agriculture of Canada, the Minister of Justice and Attorney General, the Minister of Tourism and Information, the Minister of Trade and Development and the Minister of Agriculture and Food for Ontario, the Chairman of the council of the Municipality and the Mayor of the City of Toronto, each of whom shall be ex officio members of the Board;

(b) the past presidents of the Association;

(c) ten members of the Municipal Section appointed by the council of the Municipality, at least two of whom shall not be members of the council; and

(d) seven representatives from the Manufacturers and Industry Section, seven from the Agriculture Section and seven from the General and Liberal Arts Section, elected by ballot by a majority of the votes of the members present in person and voting at the annual meeting.

(2) Any of the ministers of the Crown for Canada or Ontario may designate in writing such other person as he considers appropriate, who shall thereby be deemed to be a member of the Association, to be a member of the Board in lieu of the minister, and such designation shall continue to be effective unless revoked in writing by the minister making it for such minister continues in office.

(3) The Board shall each year after the annual meeting elect from among the directors a president and two vice-presidents and may elect, as honorary president, to hold office...
office during the year, any director who has held the office of president, and in the event of there being no past president or of such person refusing to act, then any of the directors may be elected as honorary president.

(4) If a vacancy occurs at any time by death, resignation or otherwise among the elected directors, the remaining directors shall fill the vacancy by the appointment of a member of the Association for the remainder of the year.

(5) If a vacancy occurs among the directors appointed by the council of the Municipality, such vacancy may be filled by such council appointing one or more of its members or some other member of the Municipal Section, as the case may require.

(6) If a vacancy occurs at any time by death, resignation or otherwise in the office of president or vice-presidents, the Board may elect from among the directors a person to fill the vacancy for the remainder of the term for which the person so vacating was elected.

(7) The president and vice-presidents and the elected and appointed members of the Board shall hold office until their successors are elected or appointed, as the case may be, provided that they continue as members of the Association.

(8) Every elected director is required to attend in person meetings of the Board unless excused by resolution thereof and the place of an elected director shall be deemed vacant if the director fails to attend three consecutive meetings of the Board without being excused.

7. The Board has power,

(a) to make by-laws, rules and regulations not inconsistent with this Act for,

(i) the management of the Association;

(ii) the acquisition of exhibition grounds and buildings, by purchase, lease, agreement or otherwise, and the selling, leasing, mortgaging or otherwise disposing of the same, as occasion may require;

(iii) the acquisition and management of all property, whether real or personal, which may be required for the purposes of, or in connection with, the exhibition or other business
and operations of the Association, and the
sale or other disposal thereof, when no longer
required for such purposes;

(iv) the entering into of such arrangements, agreements,
contracts and contracts with any person or
corporation, society or association, as may
become necessary to carry out the objects of
the Association;

(v) the naming of organizations and societies from
time to time in each section who may appoint
representatives to the membership and
specifying the number of such representatives;

(vi) the fee, if any, to be paid by the members;

(vii) the holding of annual or periodical exhibitions;

(viii) fixing the time for the annual meeting and the
calling of general, special and other meetings
of the Association;

(ix) the appointment, removal and remuneration of all
officers, agents, clerks, workmen and servants of the Association;

(x) the admission fees to be received from persons visiting the exhibition held by the Association;

(xi) the entrance fees to be charged to exhibitors;

(xii) the general management of all exhibitions, and

(xiii) the prohibition of gambling, theatrical, circus,
or mountebank performances, exhibitions or
shows and the huckstering or trafficking in
fruits, goods or merchandise, tickets or other
things on the Exhibition Grounds in the City
of Toronto or on the streets or lots within
four hundred yards of such grounds, during
the time of the annual exhibition of the
Association, and any one who contravenes
such by-laws, rules or regulations or refuses
on demand to desist from such contravention
may be removed by the officers of the Associ-
ation, or by any police officer and shall be
liable to a fine of not less than $5 and not more
than $300, recoverable under The Summary
Convictions Act, and in default of payment
the
the offender shall be imprisoned in the common gaol for a period of not more than thirty days; provided that any such by-law, rule or regulation shall not prevent the sale upon any lands within the said distance of four hundred yards of articles usually sold thereon or theatrical or circus performances, exhibitions or shows usually held thereon at times other than during the said exhibition;

(b) in general, to do all things and make all contracts and agreements that may be necessary to carry out the objects and exercise the powers of the Association;

(c) to appoint annually such number of honorary and associate directors as it may consider advisable, and such honorary and associate directors shall have such powers and perform such duties as may be assigned to them from time to time by the Board, but shall not have the right to vote at meetings of the Board; and

(d) in recognition of distinguished services to the Association, to appoint such former directors of the Association as it considers advisable as honorary directors for life, and such honorary directors shall have all the rights, powers and duties of directors of the Association but shall not have the right to vote at meetings of the Association or of the Board.

8. The societies, associations and other bodies represented in the membership of the Association and other bodies not so represented are hereby authorized and empowered to enter into any arrangement or agreement with the Board for the holding of exhibitions and for taking part in the exhibitions held by the Association, and otherwise for promoting the objects of the Association, and may aid the same with grants of moneys.

9. The Municipality or any municipality may make grants of money, lands, buildings or other articles in aid of the Association, or may lend money to the Association and such grants or loans may be upon such terms and conditions as may be agreed upon and may recover the money lent and may appropriate the money recovered to the purposes of the municipality.

10. The Municipality or any municipality and the Association are hereby authorized to make and enter into agreements relating to the holding of any exhibition or event and the granting and accepting of aid for the same, and for the furnishing and providing of exhibition grounds and buildings suitable
suitable for the purpose of the Association, and the council of
the Municipality or the council of every such municipality
may pass by-laws for any such purpose or for the promotion
of any of the purposes of the Association, and all agreements
and by-laws in existence for the purposes aforesaid on the
30th day of November, 1970, shall be valid.

11. The by-laws, rules, orders and regulations of the Association in force on the 30th day of November, 1970, shall be and continue to be the by-laws, rules, orders and regulations of the Association until altered or repealed.

12. The following Acts are repealed:


13.—(1) This Act, except sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12 comes into force on the day it receives Royal Assent.

(2) Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12 come into force on the 1st day of December, 1970.

14. This Act may be cited as The Canadian National Exhibition Association Act, 1970.