

# *An Act to incorporate The Carr Foundation*

*being a Private Act*

Chapter 156 of the *Statutes of Saskatchewan, 1972*  
(effective April 21, 1972).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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**1972**  
**CHAPTER 156**

An Act to incorporate The Carr Foundation

(Assented to April 21, 1972)

**Preamble**

WHEREAS Donald R. Leier, Hotel Keeper, Anthony S. Boryski, Barrister and Solicitor and John A. Stack, Barrister and Solicitor, all of the City of Saskatoon in the Province of Saskatchewan, have by their petition prayed that a corporation to be called The Carr Foundation be created for charitable purposes; and

Whereas it is expedient to grant the prayer of the said petition:

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

**Interpretation**

**1** In this Act:

- (a) “**foundation**” means The Carr Foundation established by section 2;
- (b) “**program of theology**” means the participation of St. Thomas More College in a program of theology;
- (c) “**property**” means real or personal property.

1972, c.156, s.1.

**Incorporation of foundation**

**2** There is hereby created for charitable purposes a foundation to be called “The Carr Foundation” which shall be a body corporate and politic having perpetual succession and the right to use a common seal and all the powers of a natural person that may be exercised by a corporation.

1972, c.156, s.2.

**Trustees**

**3** The Foundation shall be governed and managed by its trustees, hereinafter called “the trustees”, who shall, with such other persons as become members pursuant to the bylaws, rules or regulations in that behalf comprise the members of the foundation.

1972, c.156, s.3.

**Composition of trustees**

4 The trustees shall be the following persons holding office by virtue of their respective offices and during their tenure thereof they shall be known as *ex officio* trustees:

- (a) The Latin Rite Bishop of the Roman Catholic Diocese of Saskatoon;
- (b) The Roman Catholic Archbishop of the Archdiocese of Regina;
- (c) The Byzantine Rite Bishop of the Roman Catholic Church of the City of Saskatoon;
- (d) The Principal of St. Thomas More College;
- (e) The Provincial Superior of St. Mary's Province of Canada of the Missionary Oblates of Mary Immaculate;
- (f) A Professor of Theology appointed by the Board of Directors of St. Thomas More College.

1972, c.156, s.4.

**Objects of foundation**

5 The objects of the foundation shall be to provide support, including financial support, for the program of theology of St. Thomas More College and in particular, without limiting the generality of the foregoing, to provide for salaries for regular and visiting professors of St. Thomas More College, to acquire, maintain and provide staff for a theological library, to provide bursaries, scholarships and prizes to students of St. Thomas More College taking part in the theological program.

1972, c.156, s.5.

**Powers of foundation**

6 Without limiting the generality of section 2, the foundation may:

- (a) solicit, receive and hold by gift, devise, transfer or otherwise property for any object or purpose of the foundation subject to such trusts and conditions, not inconsistent with the terms of any trust or condition imposed by the donor, as the trustees may deem proper and administer such property in accordance with such trusts and conditions;
- (b) transfer any of its property to St. Thomas More College for the benefit of the program of theology upon such terms not inconsistent with such trusts and conditions as it may deem expedient;
- (c) subject to the trusts and conditions upon which they are held, invest and reinvest any funds of the foundation in securities authorized by law for the investment of trust funds or insurance company funds or as may be directed by the donor;
- (d) apply any property of the foundation or expend the income therefrom at the discretion of the trustees for any purpose or object of the foundation subject to the trust conditions upon which such property and income therefrom may be held;
- (e) enter into such contracts as may be necessary, desirable or expedient to give effect to the powers and objects and trusts and conditions and to fulfill such trusts and conditions.

1972, c.156, s.6.

**Appointment and election of trustees**

7(1) The Principal of St. Thomas More College shall be the first chairman of the trustees and shall call a meeting of the trustees within three months after the coming force of this Act.

(2) At such meeting such trustees shall appoint not less than three nor more than five additional trustees in their discretion.

(3) All trustees so appointed shall hold office for a term of three years or until their successors are elected but all trustees appointed pursuant to subsection (2) shall hold office for a term of three years or until their successors are appointed by the trustees referred to in section 4 or their successors, and all appointed trustees shall be eligible for reappointment.

(4) All trustees other than *ex officio* trustees and trustees referred to in subsection (2) shall be elected for a term of three years by a majority vote of those present at a duly called meeting of the trustees.

(5) Vacancies caused by death, resignation or otherwise among the trustees other than *ex officio* trustees shall be filled by election in a similar manner for the unexpired terms of office of the persons dying, resigning or otherwise ceasing to be trustees.

(6) A majority of trustees other than *ex officio* trustees shall be residents of Saskatchewan.

1972, c.156, s.7.

**Quorum and meetings**

8(1) A majority of the trustees for the time being shall constitute a quorum of the trustees.

(2) The trustees shall meet at least once each year on a date to be fixed by the chairman of the trustees.

(3) An *ex officio* trustee may appoint a person to attend the meetings of the trustees on his behalf and the person so attending has all the powers of the *ex officio* trustee including the right to vote at the meetings of the foundation or of the trustees.

1972, c.156, s.8.

**Bylaws, rules and regulations**

9 The trustees may make bylaws, rules and regulations for:

- (a) the adoption of a common seal;
- (b) the appointment, functions, duties and removal of all agents, officers and servants, and for their remuneration;
- (c) the admission of persons as members of the foundation;
- (d) the time and place for the meetings of the trustees and the procedure to be followed at such meetings;
- (e) the general conduct in every particular of the affairs of the foundation;
- (f) the amendment or repeal of any such bylaws, rules and regulations.

1972, c.156, s.9.

**Delegation of powers to committees**

**10(1)** The trustees may, at any time, delegate any of their powers to committees consisting of such of the trustees, and of such other persons, as the trustees deem advisable, and may from time to time withdraw such delegated powers.

(2) Any committee so formed shall, in the exercise of the powers so delegated, conform and be subject to such directions, restrictions and regulations, if any, as are from time to time imposed upon it by the trustees.

1972, c.156, s.10.

**Principal office**

**11** The principal office of the foundation shall be located at the City of Saskatoon in the Province of Saskatchewan.

1972, c.156, s.11.

**No liability except for active breach of trust**

**12** No member or trustee of the foundation shall be personally liable for anything done by him on behalf of the foundation except where there is a breach of trust on his part.

1972, c.156, s.12.

**No profit from services to foundation**

**13** No profit shall be made by any trustee or member of the foundation in respect of his service to the foundation.

1972, c.156, s.13.

**Property held in trust**

**14** All the property of the foundation shall be received and held in trust for the program of theology and if the foundation is wound up or abolished then all the property of the foundation shall be devoted to a program or programs of theology as determined by the Roman Catholic Bishops of Manitoba, Saskatchewan and Alberta or the majority of them.

1972, c.156, s.14.