

The Medical Services Incorporated Act

being

Chapter 02 of the *Statutes of Saskatchewan, 1986*
(effective April 3, 1986) as amended by the *Statutes of
Saskatchewan, 2015, c.I-9.11.*

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CHAPTER 02

An Act respecting Group Medical Services

Preamble

WHEREAS Medical Services Incorporated was continued pursuant to section 181 of *The Business Corporations Act* on September 8, 1980, and has since that date existed and carried on its operations with its head office in the City of Saskatoon, in the Province of Saskatchewan; and

WHEREAS the Lieutenant Governor in Council has designated Medical Services Incorporated as an approved health agency pursuant to *The Saskatchewan Medical Care Insurance Act*; and

WHEREAS Medical Services Incorporated has by petition prayed for an Act of the Legislative Assembly providing for matters respecting the corporation; and

WHEREAS it is expedient to grant the prayer of that petition:

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

Short title

1 This Act may be cited as *The Medical Services Incorporated Act*.

Interpretation

2 In this Act:

(a) “**approved health agency**” means an approved health agency as defined in *The Saskatchewan Medical Care Insurance Act*;

(b) “**corporation**” means Medical Services Incorporated continued pursuant to *The Business Corporations Act* on September 8, 1980.

1986, c.02, s.2.

Corporation continued

3 Medical Services Incorporated is continued as a body corporate.

1986, c.02, s.3.

Objects**4** The objects of the corporation are:

- (a) to enter into contracts or agreements for the provision of medical care and treatment with physicians and surgeons duly licensed and authorized according to law to provide medical care and treatment in the place where the care and treatment is provided;
- (b) to enter into contracts or agreements for the provision of services incidental to the provisions of medical care and treatment with persons other than physicians and surgeons;
- (c) to make payment for medical and related services to and for its subscribers or members in accordance with *The Saskatchewan Medical Care Insurance Act*;
- (d) to provide facilities and offer agreements whereby individuals, families, health groups, associations and municipal bodies may obtain medical and health care or treatment and services incidental to such care or treatment, and related benefits;
- (e) to enter into agreements with its subscribers for the provision of medical services or other services that are not insured services as defined in *The Saskatchewan Medical Care Insurance Act*;
- (f) to enter into agreements with medical or other groups organized or set up with powers and purposes that are similar to those of the corporation and which are calculated or likely to facilitate the objects of the corporation;
- (g) to encourage medical research and preventative medicine;
- (h) to provide funds and establish trusts for medical and health education and medical and health care and service;
- (i) to co-operate with organized medicine in any or all of its branches in the advancement of the standards of medical and health care and service;
- (j) to enter into agreements or treaties with any company or group of companies duly licensed and authorized by law to insure, re-insure, or to insure and re-insure any risk carried by the corporation in the course of its business resulting from any agreement to which it is a party respecting medical and health care or treatment and services incidental to such care or treatment, and related benefits.

1986, c.02, s.4.

Powers

- 5(1)** The corporation has the capacity and, subject to the other provisions of this Act, the rights, powers and privileges of an individual.

- (2) In addition to all other powers as a body corporate, the corporation may, for the purpose of carrying out its objects:
- (a) enter into any arrangements with any governments or authorities that may seem conducive to the attainment of all or any of the corporation's objects, and to obtain from any such government or authority any rights, privileges and concessions that the corporation may think it desirable to obtain, and carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
 - (b) invest and deal with the moneys of the corporation not immediately required for its purposes in any manner that the corporation may determine;
 - (c) do any other things that are necessary, incidental or conducive to the attainment of the objects of the corporation or to the exercise of any powers mentioned in this Act.
- (3) The corporation may dispose of funds surplus to its own requirements, other than a surplus arising from the operation of the approved health agency service of the corporation as an approved health agency, by contributing all or part of those funds:
- (a) to the furnishing of special equipment or facilities in one or more hospitals within Saskatchewan;
 - (b) to the furtherance of medical research in Saskatchewan;
 - (c) in aid of the care or treatment within Saskatchewan of sick, injured or infirm persons.
- (4) The corporation may subscribe to, become a member of and co-operate with, any other organization, whether incorporated or not, whose objects are in whole or in part similar to its own objects.

1986, c.02, s.5.

Membership

- 6(1)** The members of the corporation are:
- (a) those persons shown in the records of the corporation on the day on which this Act comes into force as:
 - (i) medical members and non-medical members of the approved health agency service of the corporation as an approved health agency; and
 - (ii) persons entitled to the provision of medical services, or other related services, that are not insured services as defined in *The Saskatchewan Medical Care Insurance Act*; and
 - (b) all other persons who become registered as members of the corporation.

- (2) The corporation shall keep a register or list of its members, showing:
- (a) the name and address of each member;
 - (b) the date on which each member is registered; and
 - (c) the date on which any member ceases to be a member.

1986, c.02, s.6.

Bylaws

7(1) The corporation may make any bylaws, not inconsistent with this Act, *The Health Services Act* or *The Saskatchewan Medical Care Insurance Act*, that it considers advisable for the proper conduct of its affairs.

(2) Without limiting the generality of subsection (1), the corporation may make bylaws to provide for any or all of the following matters:

- (a) the terms of admission of members and their rights and obligations;
- (b) the different classes of members, if any;
- (c) the conditions of withdrawal of members and the manner, if any, in which a member may be expelled;
- (d) the payment of membership fees and the issue of membership certificates;
- (e) the manner and method of collection of membership fees and the purposes for which membership fees may be used;
- (f) the time and place of, and manner of calling and conducting, meetings of the corporation;
- (g) the number of members required to constitute a quorum;
- (h) the conditions under which any member may become entitled to benefits from the corporation;
- (i) the terms of any contract between the corporation and its members;
- (j) the election, term of office and removal of directors, and the filling of vacancies, the powers, duties and remuneration of directors, and the procedure and the number to constitute a quorum, at meetings of the directors;
- (k) the appointment of auditors and the auditing of the books and accounts of the corporation;
- (l) the method of arbitration in the case of any dispute.

(3) Rules for the management of Medical Services Incorporated made prior to the coming into force of this Act continue, in so far as they are not inconsistent with this Act, *The Health Services Act* or *The Saskatchewan Medical Care Insurance Act*, in full force and effect until they are amended or repealed.

1986, c.02, s.7.

No share capital

8 The corporation is a corporation without share capital, and all of its shares issued prior to the coming into force of this Act are to be redeemed in accordance with the bylaws of the corporation.

1986, c.02, s.8.

Non-liability of members

9 No member of the corporation is liable in his individual capacity for any debt or liability of the corporation.

1986, c.02, s.9.

Dividends prohibited

10 The corporation shall not declare or pay any dividends to its members.

1986, c.02, s.10.

Winding-up

11 Upon the winding-up of the corporation, the proceeds may only be used to further the objects described in subsection 5(3).

1986, c.02, s.11.

Non-application of certain Acts

12 *The Insurance Act, The Business Corporations Act* and *The Non-profit Corporations Act* do not apply to the corporation.

1986, c.02, s.12; 2015, c1-9.11, s.11-7.

Returns

13 The corporation shall at all times, when called upon by the Minister of Health or the Minister of Justice and Attorney General to do so, render an account of its property and affairs.

1986, c.02, s.13; 2015, c1-9.11, s.11-7.

