

# *The Saskatchewan Heritage Foundation Act*

*Repealed*

by [Chapter 21 of the Statutes of Saskatchewan 2010](#)  
(effective May 20, 2010)

*Formerly*

[Chapter S-22.1 of the Statutes of Saskatchewan, 1990-91](#)  
(effective February 18, 1991) as amended by the [Statutes of Saskatchewan, 2001, c.40](#) and [2004, c.10](#).

## **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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## CHAPTER S-22.1

### An Act respecting the Saskatchewan Heritage Foundation

#### Short title

**1** This Act may be cited as *The Saskatchewan Heritage Foundation Act*.

#### Interpretation

**2** In this Act:

- (a) **“board”** means the board of directors of the corporation;
- (b) **“corporation”** means the Saskatchewan Heritage Foundation constituted by section 3;
- (b.1) **“heritage initiative”** means an initiative to do all or any of the following:
  - (i) to gain further knowledge of Saskatchewan’s heritage;
  - (ii) to increase public awareness, understanding and appreciation of Saskatchewan’s heritage;
  - (iii) to conserve, protect and preserve Saskatchewan’s heritage;
- (c) **“heritage property”** means heritage property as defined by *The Heritage Property Act* and includes any estate or interest in heritage property;
- (d) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

1990-91, c.S-22.1, s.2; 2001, c.40, s.3.

#### Constitution

**3(1)** A corporation under the name of the Saskatchewan Heritage Foundation is hereby constituted.

(2) The corporation is to consist of not less than seven and not more than 15 members appointed by the Lieutenant Governor in Council.

(3) The corporation is for all its purposes an agent of Her Majesty in right of Saskatchewan and its powers under this Act may be exercised only as an agent of the Crown.

(4) All:

- (a) property of the corporation, both real and personal;
- (b) moneys acquired, administered, possessed or received by the corporation from any source; and
- (c) profits earned by the corporation;

are the property of the Crown and are for all purposes, including taxation of whatever nature or description, deemed to be the property of the Crown.

1990-91, c.S-22.1, s.3.

**Capacity to contract**

4(1) The corporation has capacity to contract and to sue and be sued in its corporate name with respect to any right acquired or obligation incurred by it on behalf of the Crown as if the right or obligation had been acquired or incurred on its own behalf.

(2) The corporation may sue with respect to any tort, and may be sued with respect to any liabilities in tort to the extent to which the Crown is subject by reason of *The Proceedings against the Crown Act*.

(3) The corporation, on behalf of the Crown, may contract in its corporate name without specific reference to the Crown.

1990-91, c.S-22.1, s.4.

**Head office**

5 The head office of the corporation is to be located at any place in Saskatchewan that the Lieutenant Governor in Council may determine.

1990-91, c.S-22.1, s.5.

**Reports to minister**

6 The corporation shall:

- (a) report to the minister at regular intervals with respect to its progress and activities; and
- (b) submit to the minister any reports that the minister may require from time to time.

1990-91, c.S-22.1, s.6.

**Responsible to minister**

7 The corporation is responsible to the minister in the exercise of its powers and the performance of its duties and functions.

1990-91, c.S-22.1, s.7.

**Board of directors**

8(1) The board consists of the persons appointed by the Lieutenant Governor in Council pursuant to subsection 3(2).

(2) The board shall manage the affairs and business of the corporation.

(3) A member of the board holds office:

- (a) at pleasure;
- (b) for a term not exceeding two years; and
- (c) until his or her successor is appointed;

and is eligible for further appointments but may not be appointed for more than three consecutive terms.

(4) A vacancy in the membership of the board or the absence of a member of the board does not impair the power of the board to act, subject to the requirement of a quorum pursuant to subsection 10(2).

(5) The corporation shall pay to the members of the board any remuneration and reimbursement for reasonable travel and incidental expenses incurred in the discharge of their duties as members of the board that may be determined by the Lieutenant Governor in Council.

1990, c.S-22.1, s.8; 2001, c.40, s.4.

**Chairman and vice-chairman**

**9(1)** The Lieutenant Governor in Council shall designate one of the persons appointed pursuant to subsection 3(2) to be the chairperson of the board and another person appointed pursuant to that subsection to be vice-chairperson of the board.

(2) Where the chairperson is absent or unable to act or where the office of chairperson is vacant, the vice-chairperson has and may exercise all of the powers and functions of the chairperson.

1990, c.S-22.1, s.9.

**Board procedures**

**10(1)** Subject to the other provisions of this Act, the board may make rules respecting its own procedures.

(2) A quorum of the board consists of a majority of board members.

(3) Meetings of the board shall be held:

(a) on the initiative of the chairperson and after reasonable notice to members of the board; or

(b) at any time a majority of the board considers it appropriate or necessary.

1990, c.S-22.1, s.10.

**Committees of board**

**11(1)** The board may establish any committee of board members on any terms and conditions that it considers appropriate to assist it in carrying out its duties.

(2) The board may:

(a) establish any advisory committees subject to any terms and conditions that it considers appropriate to assist it in carrying out its duties; and

(b) appoint any persons to be members of any advisory committee.

(3) The corporation shall pay to the members of committees appointed pursuant to subsection (2), other than members of the board, any remuneration and reimbursement for reasonable travel and incidental expenses incurred in the discharge of their duties as advisory committee members that may be determined by the board.

1990, c.S-22.1, s.11.

**Staff**

**12** The minister may provide the corporation with:

- (a) any supplies; and
- (b) the services of any employees under the minister's administration;

that, in the opinion of the minister, are required for the corporation to carry out its powers and duties under this Act.

1990, c.S-22.1, s.12.

**Professional advisors, etc.**

**13** The corporation, on any terms and conditions that it considers appropriate, may retain the services of any consultants or professional or technical advisors that it considers necessary for the purposes of this Act.

1990, c.S-22.1, s.13.

**Powers and duties of corporation**

**14(1)** Subject to the other provisions of this section and the regulations, the corporation may:

- (a) purchase, lease or otherwise acquire any heritage property and any real property, furnishings, equipment and supplies that it considers necessary for the conduct of its business;
- (b) develop, maintain, manage or operate any heritage property and real property acquired pursuant to clause (a);
- (c) exhibit or display, within or outside Saskatchewan, any heritage property acquired pursuant to clause (a) on any terms and conditions it considers appropriate;
- (d) sell, lease, exchange or otherwise dispose of any heritage property, real property, furnishings, equipment and supplies acquired pursuant to clause (a);
- (e) solicit and receive donations, bequests or other gifts of or relating to heritage property or heritage initiatives;
- (f) undertake, support or sponsor educational or research programs relating to heritage property or heritage initiatives;
- (g) provide professional and technical services, on any terms and conditions it considers appropriate, to any person, agency, organization, association, institution or body within or outside Saskatchewan with respect to heritage property or heritage initiatives;
- (h) provide financial assistance, by way of grants, loans or other means, on any terms and conditions it considers appropriate, to any person, agency, organization, association, institution or body within or outside Saskatchewan with respect to heritage property or heritage initiatives;

- (i) enter into agreements with any person, agency, organization, association, institution or body within or outside Saskatchewan that it considers necessary for the conduct of the business of the corporation;
  - (j) charge fees for any goods, services, facilities or materials provided to persons by the corporation;
  - (k) advise and make recommendations to the minister on any matter relating to the conservation, protection, preservation and designation of heritage property; and
  - (l) carry out any other powers that may be conferred on the corporation by the Lieutenant Governor in Council.
- (2) The corporation shall not provide financial assistance pursuant to clause (1)(h) in an amount exceeding \$50,000 in any fiscal year without the approval of the Lieutenant Governor in Council.
- (3) The corporation shall not enter into any agreement pursuant to clause (1)(i) whereby the corporation is liable to make expenditures in excess of \$50,000 in any fiscal year without the approval of the Lieutenant Governor in Council.

1990-91, c.S-22.1, s.14; 2001, c.40, s.5.

#### **Revenues of corporation**

**15** Notwithstanding any other Act or law, the corporation may receive and hold any:

- (a) moneys appropriated to it by the Legislature;
- (b) moneys distributed to the corporation from the net profits of a lottery scheme within the meaning of *The Interprovincial Lotteries Act, 1984* for the purposes of the corporation;
- (c) moneys received by it pursuant to clause 14(1)(e);
- (d) amounts realized by it as a result of investments of moneys of the corporation; and
- (e) proceeds realized by it from the disposal of assets of the corporation.

1990-91, c.S-22.1, s.15; 2001, c.40, s.6.

#### **Investment**

**16** The corporation may:

- (a) invest any part of the moneys of the corporation in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of the investments in any manner, on any terms and in any amount that the corporation considers expedient and invest the proceeds of that disposition in investments of the kind described in clause (a).

1990-91, c.S-22.1, s.16; 2001, c.40, s.7; 2004, c.10, s.17.

**Treasury Board directives**

**17** The Treasury Board may make orders and issue directives that it considers expedient with respect to the financial conduct of the corporation.

1990-91, c.S-22.1, s.17.

**Annual report**

**18(1)** In each fiscal year, the corporation, in accordance with *The Tabling of Documents Act, 1991*, shall prepare and submit to the minister:

(a) a report of the corporation on its business for its preceding fiscal year; and

(b) a financial statement showing the business of the corporation for its preceding fiscal year in any form that may be required by Treasury Board.

(2) The minister, in accordance with *The Tabling of Documents Act, 1991*, shall lay before the Legislative Assembly each report and statement received by him or her pursuant to subsection (1).

1990-91, c.S-22.1, s.18; 2001, c.40, s.8.

**Audit**

**19** The Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall:

(a) annually; and

(b) at any other time that the Lieutenant Governor in Council may require;

audit the accounts and financial statements of the corporation.

1990-91, c.S-22.1, s.19.

**Fiscal year**

**20** The fiscal year of the corporation is the period commencing on April 1 in one year and ending on March 31 in the next year.

1990-91, c.S-22.1, s.20.

**Regulations**

**21** The Lieutenant Governor in Council may make regulations respecting any matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

1990-91, c.S-22.1, s.21.