

NATIONAL ASSEMBLY
Thirty-fourth Legislature, third session

1994, chapter 81

**AN ACT TO AMEND THE ACT TO INCORPORATE
LES OBLATES FRANCISCAINES DE SAINT-JOSEPH**

Bill 274

Introduced by Mr Yvan Bordeleau, Member for l'Acadie

Introduced 2 December 1993

Passage in principle 16 June 1994

Passage 16 June 1994

Assented to 17 June 1994

Coming into force: 17 June 1994

Act amended:

Act to incorporate Les Oblates Franciscaines de Saint-Joseph (1956-57, chapter 158)





CHAPTER 81

An Act to amend the Act to incorporate Les Oblates Franciscaines de Saint-Joseph

[Assented to 17 June 1994]

Preamble

WHEREAS Les Oblates Franciscaines de Saint-Joseph was incorporated by the Act to incorporate Les Oblates Franciscaines de Saint-Joseph (1956-57, chapter 158), hereinafter referred to as “the Act”;

Whereas, since a certain number of nuns who are members of the congregation reside outside the Province of Québec, it has become necessary to remove the obligation to be a resident of the Province of Québec to be or become a member of the congregation;

Whereas the visitor and the clergyman are no longer consulted and no longer exercise any powers provided for in the Act;

Whereas it is therefore advisable to repeal the provisions of the Act that refer to those persons and powers;

Whereas both the visitor and the clergyman have agreed to the presentation of this bill;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1956-57,
c. 158, s. 3,
replaced

1. Section 3 of the Act to incorporate Les Oblates Franciscaines de Saint-Joseph (1956-57, chapter 158) is replaced by the following section:

Members

“3. The persons who are or will become members of the congregation shall of right be members of the corporation, but only as long as they continue to be members of the congregation.”

1956-57,
c. 158, s. 7,
am.

2. Section 7 of the said Act is amended by striking out the second paragraph.

1956-57,
c. 158, s. 8,
am.

3. Section 8 of the said Act is amended by striking out the third paragraph.

1956-57,
c. 158, s. 9,
am.

4. Section 9 of the said Act is amended by replacing that part preceding paragraph *a* by the following:

Powers

“9. The corporation may exercise in respect of either its own assets or those of endowments and settlements, the following powers:”.

1956-57,
c. 158, s. 10,
replaced
Corporate
name

5. Section 10 of the said Act is replaced by the following section:

“10. The corporation may, by resolution, change its corporate name or the place of its corporate seat in the Province. Such resolution shall be forwarded to the Inspector General of Financial Institutions for approval. If the Inspector General approves it, he shall give notice thereof in the *Gazette officielle du Québec*.

Coming into
force

The resolution so approved comes into force on the date of publication of the notice in the *Gazette officielle du Québec*.”

1956-57,
c. 158, ss. 20,
21, repealed
1956-57,
c. 158, s. 22,
replaced
Dissolution

6. Sections 20 and 21 of the said Act are repealed.

7. Section 22 of the said Act is replaced by the following section:

“22. The Inspector General of Financial Institutions, upon petition by the corporation, may declare the corporation dissolved; such dissolution shall take effect only from and after the sixtieth day following the publication of a notice to that effect in the *Gazette officielle du Québec*.

Property

In the event of a dissolution, the property of the corporation, after payment of its debts and performance of its obligations, devolves to the Roman Catholic bishop of the diocese in which the corporate seat of the corporation is located.”

1956-57,
c. 158, s. 25,
am.

8. Section 25 of the said Act is amended

(1) by striking out the words “previously authorized by its visitor” in the second and third lines of the first paragraph;

(2) by striking out the words “and its visitor” in the eighth line of the second paragraph;

(3) by striking out the words “and authorized by its visitor” in the third and fourth lines of the third paragraph;

(4) by replacing the words “Provincial Secretary” in the first line of the fourth paragraph by the words “Inspector General of Financial Institutions”;

(5) by striking out the words “by its visitor if it has one and” in the fourth line of the fourth paragraph.

1956-57,
c. 158, s. 26,
am.

9. Section 26 of the said Act is amended by striking out the words “the agreement of its visitor and” in the third and fourth lines of the second paragraph.

Coming into
force

10. This Act comes into force on 17 June 1994.