

NATIONAL ASSEMBLY
Thirty-third Legislature, second session

1989, chapter 112
**AN ACT RESPECTING THE GREEK ORTHODOX
COMMUNITY OF THE CITY OF LAVAL**

Bill 266

Introduced by Mr Christos Sirros, Member for Laurier

Introduced 19 June 1989

Passage in principle 21 June 1989

Passage 21 June 1989

Assented to 22 June 1989

Coming into force: 22 June 1989

Act replaced:

Act to incorporate The Greek Orthodox Community of the City of Laval (1971, chapter 126)





CHAPTER 112

An Act respecting The Greek Orthodox Community of the City of Laval

[Assented to 22 June 1989]

Preamble

WHEREAS The Greek Orthodox Community of the City of Laval, incorporated by chapter 126 of the statutes of 1971 under the name of The Greek Orthodox Community of the City of Laval, and in French, La Communauté grecque orthodoxe de la Ville de Laval, obtained from the Minister of Financial Institutions, Companies and Cooperatives, on 30 December 1972, letters patent constituting its members into a corporation governed by the Religious Corporations Act (1971, chapter 75) under the name of The Greek Orthodox Community of the City of Laval;

Whereas the Community has greatly expanded and it is in its interest that it be dissolved, and that a new corporation with increased powers be created in its place;

Whereas it has requested this Bill by resolution of its board of directors approved by its members;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Constitution
of corpora-
tion

1. A corporation, hereinafter called “the Community”, is constituted, for the purposes contemplated by this Act, under the name of “Greek Orthodox Community of Laval” and in French, “Communauté Grecque Orthodoxe de Laval”.

Powers

2. The Community is a corporation within the meaning of the Civil Code; it is vested with the general powers of such a corporation and the special powers conferred upon it by this Act.

Corporate seat

3. The Community has its corporate seat in the city of Laval at the address determined from time to time by resolution of its board of directors.

Notice of location

A notice of the location or of any relocation of its corporate seat shall be sent to the Inspector General of Financial Institutions and published in the *Gazette officielle du Québec*.

Objects of Community

4. The objects of the Community shall be to ensure the progress of the culture of the population of Greek origin in the Laval area, and especially

(a) to preserve and promote the Greek language;

(b) to set up charitable, welfare, cultural, teaching and educational organizations for the benefit of the population of Greek origin;

(c) to preserve and perpetuate the Greek Orthodox faith and tradition promulgated by the authority of the Oecumenical Patriarchate of Constantinople according to the doctrine and the faith proclaimed and applied by the Orthodox Church and as directed by the ecclesiastical authority and the religious precepts prescribed by the said patriarchate.

Officers and personnel

5. The Community may make by-laws governing the appointment, functions, duties and powers of its officers and personnel.

Cemeteries

6. The Community may establish and maintain cemeteries and erect vaults in its chapels for the mortal remains of its members, its benefactors or any person connected in any way with the Community, in conformity with the Burial Act.

Parishes

7. The Community may, according to law, establish parishes, schools or educational institutions, athletic, cultural and recreational community centres, private hospital centres and reception centres.

Acquisition of property

8. The Community may acquire, receive, own, maintain and operate any movable or immovable property necessary for the attainment of its objects, and alienate, lease, hypothecate and pledge such property. For that purpose, it may borrow sums of money, and draw, make, accept and endorse bills of exchange, promissory notes and other negotiable instruments.

Powers of
Community

9. The Community, with the approval of two-thirds of its members attending a special general meeting at which there is a quorum, may

(a) acquire, possess, lease, hold, administer and alienate immovables;

(b) build, erect, demolish and make major renovations or alterations to any building on its immovable property, and make contracts for such purposes;

(c) sell, exchange, hypothecate or pledge its immovables;

(d) make by-laws for its internal management.

Agreement

The Community may also sign and implement any agreement for the exercise of such powers.

Maximum
value of
property

10. The immovable property of the Community must not exceed \$25 000 000 in value.

Alienation

If the Community receives, by gift or will, immovables which cause the value of its immovable property to exceed the authorized limit, the Community shall within ten years alienate such property, so that the total value of its immovable property does not exceed \$25 000 000.

Custody of
registers

11. The Community shall be the custodian of the registers of acts of civil status kept by the priests ministering to the churches of the Community, and such priests are authorized and empowered to solemnize marriages and to keep such registers.

Board of
directors

12. The rights and powers of the Community shall be exercised by its board of directors.

By-laws

The number, required qualifications, appointment, election, term of office, powers and rights of the members of the board of directors shall be determined by the by-laws of the Community.

Affiliation

13. No by-law to request the amendment of the affiliation of the Community with the Oecumenical Patriarchate of Constantinople is valid unless notice of a meeting for such purpose has been duly given to the members of the Community, and unless the by-law is passed by ninety per cent of the members attending a special general meeting called for such purpose and at which there is a quorum.

Disaffiliation

In the event that the Community disaffiliates itself from the Oecumenical Patriarchate of Constantinople without the consent of

the latter, it must within 60 days of the disaffiliation apply to the Inspector General of Financial Institutions for letters patent constituting its members into a corporation governed by Part III of the Companies Act (R.S.Q., chapter C-38) or by the Religious Corporations Act (R.S.Q., chapter C-71), or dissolve.

Dissolution **14.** Upon dissolution of the Community approved by two-thirds of the members attending a special general meeting called for such purpose and at which there is a quorum, assets remaining after payment of its debts and liabilities shall be transferred to a committee of three trustees, one designated by the Oecumenical Patriarchate of Constantinople, and the other two by a special general meeting of the Community called to consider the dissolution.

Transfer of assets Such committee shall transfer the remaining assets of the Community to an institution serving persons of Greek origin in the province of Québec and having purposes and objects similar to those of the Community.

Dissolution **15.** The corporation known as The Greek Orthodox Community of the City of Laval is dissolved.

Succession The Community succeeds to the dissolved corporation, is vested, from the date of the dissolution, with its rights and privileges, is declared to be the owner of its property and is liable for its debts and obligations; any alienation of property made in favour of the dissolved corporation is considered to be made to the corporation constituted by this Act and any proceedings that have been or could have been instituted by or against the dissolved corporation may validly be instituted or continued, as the case may be, by the corporation constituted by this Act or against it.

Registration In accordance with registration laws, the Community shall register, in the registration offices of the divisions where the immovables are located, a declaration of the transfer of immovable property arising from this Act, describing the immovables so transferred.

Members **16.** The members of the corporation dissolved by section 15 become members of the Community as well as any other person whom the Community admits in accordance with its by-laws.

Continuance in office The members of the board of directors of the dissolved corporation in office on the date of coming into force of this Act remain in office until they are replaced in accordance with the by-laws of the Community.

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By-laws **The by-laws of the dissolved corporation which are not inconsistent with the provisions of this Act are the by-laws of the Community until they are amended, replaced or repealed.**

Transmission of documents **17.** Whenever it is so required, the Community shall transmit to the Inspector General of Financial Institutions a detailed statement of its immovables, a copy of its by-laws and the names of its officers.

1971, c. 126, replaced **18.** The Act to incorporate The Greek Orthodox Community of the City of Laval (1971, chapter 126) is replaced by this Act.

Coming into force **19.** This Act comes into force on 22 June 1989.