

NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

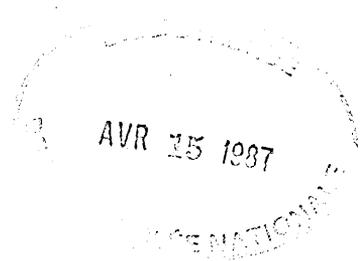
Bill 203

(Private)

**An Act respecting certain transactions between
the Society of Jesus, “La Corporation du
Collège des Jésuites” and “La Corporation
du Collège Saint-Charles Garnier”**

Introduction

**Introduced by
Mr Réjean Doyon
Member for Louis-Hébert**



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Bill 203

(Private)

An Act respecting certain transactions between the Society of Jesus, “La Corporation du Collège des Jésuites” and “La Corporation du Collège Saint-Charles Garnier”

WHEREAS the Society of Jesus was incorporated on 18 May 1887 by chapter 28 of the statutes of 1887, amended by chapter 128 of the statutes of 1950-51, by chapter 190 of the statutes of 1959-60 and by chapter 164 of the statutes of 1960-61;

Whereas one of the objects of the Society of Jesus is to create and maintain houses for the purposes of education, study, retreat and other works;

Whereas “La Corporation du Collège des Jésuites” composed in part of priests of the Society of Jesus was incorporated by chapter 122 of the statutes of 1923-24, amended by chapter 146 of the statutes of 1930-31;

Whereas the Collège Saint-Charles Garnier, owned by “La Corporation du Collège des Jésuites”, gives instruction and education and whereas that work was, until 1982, entrusted to “La Corporation du Collège des Jésuites”, established to secure the permanency of the institution and ensure its proper functioning;

Whereas, from 1982, the work has been entrusted to “La Corporation du Collège Saint-Charles Garnier”, incorporated by letters patent issued on 3 June 1981; whereas that corporation is not composed of priests of the Society of Jesus;

Whereas the Society of Jesus wishes to be freed of all its obligations with respect to the work and the ownership of the Collège Saint-Charles Garnier provided its successors agree to certain conditions, one condition being the continuation of the work;

Whereas it is in the public interest that the work be carried on;

Whereas the surest and most effective means of guaranteeing the continuation of the work, thus ensuring its perpetuity, is to create an undefeasible lien on the immovables;

Whereas, under the terms of the respective incorporating Acts and amendments thereto, doubt subsists as to the power of the Society of Jesus and “La Corporation du Collège des Jésuites” to effect the transfer of the immovables by gratuitous title or at a lower price than their actual value;

Whereas the Act to authorize the municipalities to collect duties on transfers of immovables (R.S.Q., chapter M-39) does not provide for any exemptions for situations involving transactions such as those envisaged by the parties and whereas it is in the public interest to exempt the parties from the payment of such duties, taking into consideration the purpose of the transactions;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. “La Corporation du Collège des Jésuites” has the power to transfer its immovables by gratuitous title or at a lower price than their actual value to the Society of Jesus, such transfer being exempt from the payment of transfer duties provided for in the Act to authorize the municipalities to collect duties on transfers of immovables (R.S.Q., chapter M-39), notwithstanding any general or special provision inconsistent with this Act.

2. The Society of Jesus has the power to transfer the same immovables, by gratuitous title or at a lower price than their actual value, to “La Corporation du Collège Saint-Charles Garnier”, such transfer being exempt from the payment of transfer duties provided for in the Act to authorize the municipalities to collect duties on transfers of immovables (R.S.Q., chapter M-39), notwithstanding any general or special provision inconsistent with this Act. The deed of transfer may entail charges, conditions, obligations and prohibitions which may restrict the use of the immovables and designed to ensure that the immovables are used for education purposes or related purposes, such

charges, conditions, obligations and prohibitions thus constituting a real right encumbering the immovables.

3. This Act may be registered if accompanied with a list of the immovables contemplated therein. The list must describe the immovables according to law and be approved by a resolution of the board of directors of the Society of Jesus.

4. This Act comes into force on (*insert here the date of assent to this Act*).