

NATIONAL ASSEMBLY

FIFTH SESSION

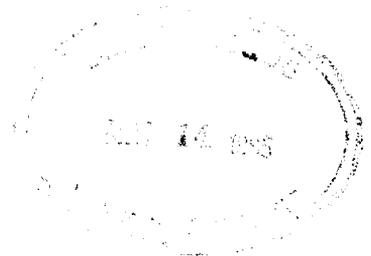
THIRTY-SECOND LEGISLATURE

Bill 38

An Act to amend the Act respecting the Montréal Museum of Fine Arts

Introduction

**Introduced by
Mr Clément Richard
Minister of Cultural Affairs**



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EXPLANATORY NOTE

The main object of this bill is to amend the Act respecting the Montréal Museum of Fine Arts with regard to the composition and powers of the board of trustees of the museum.

Bill 38

An Act to amend the Act respecting the Montréal Museum of Fine Arts

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting the Montréal Museum of Fine Arts (R.S.Q., chapter M-42) is amended by replacing section 5 by the following section:

“5. The corporation shall be administered by a board of twenty-one trustees.

Nine of the trustees shall be appointed by the Government and the remaining twelve shall be elected by the general meeting of the members of the corporation from among their own number.”

2. Section 6 of the said Act is replaced by the following section:

“6. Each trustee shall be appointed or elected for three years.”

3. The said Act is amended by inserting, after section 6, the following sections:

“6.1 Every trustee shall remain in office, notwithstanding the expiry of his term, until he is replaced, reappointed or reelected.

Every vacancy shall be filled for the remainder of the term of the person to be replaced by the Government if it appointed the trustee or by the board of trustees in the case of any other trustee.

“6.2 Any natural person may be appointed or elected a trustee, except

(1) a person under eighteen years of age;

- (2) an interdicted person;
- (3) a person of unsound mind, declared incapable by a court of another province or another country;
- (4) an undischarged bankrupt;
- (5) an employee of the corporation.”

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

“7. Each year, at its first sitting, the board of trustees shall elect, from among the trustees, an executive committee of ten members.

Four members of the executive committee shall be chosen from among the trustees appointed by the Government.

The members of the executive committee shall remain in office, notwithstanding the expiry of their term, until they are replaced or reelected.

Every vacancy shall be filled by the board of trustees for the remainder of the term of the member to be replaced.”

5. Section 8 of the said Act is replaced by the following section:

“8. The executive committee shall administer the day-to-day affairs of the corporation; it shall see that the decisions of the board of trustees are implemented and carry out any mandate entrusted to it by the board.

Moreover, the executive committee shall exercise such powers as may be delegated to it by the board; in no case, however, may the board delegate to the executive committee the powers provided in the second paragraph of section 6.1, or in sections 7, 9.1, 10, 16 and 17.”

6. The said Act is amended by inserting, after section 9, the following section:

“9.1 The board of trustees may

(1) fix the amount of the dues exigible from each class of member of the Museum as well as the contributions payable for certain activities;

(2) fix the entrance fees for Museum activities;

(3) appoint art acquisition committees and determine the functions thereof;

(4) delegate to an art acquisition committee appointed under paragraph 3 or to a committee appointed under subparagraph *e* of the first paragraph of section 10 the exercise of its powers except those provided in the second paragraph of section 6.1 or in sections 7, 9.1, 10, 16 and 17.”

7. Section 10 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by adding, after the word “trustees” in subparagraph *e* of the first paragraph, the words “; except the appointment and functions of art acquisition committees”.

8. Section 11 of the said Act is amended by replacing the words “the date fixed by the board of trustees” by the words “31 March of each year”.

9. Section 12 of the said Act is amended by replacing the word “three” in the second line by the word “six”.

10. From among the trustees appointed by the Government to replace those in office on (*insert here the date of introduction of this bill*), three shall be appointed for one year, three shall be appointed for two years and three shall be appointed for three years and from among the trustees elected by the general meeting to replace those in office on (*insert here the date of introduction of this bill*), four shall be elected for one year, four shall be elected for two years and four shall be elected for four years.

11. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

12. This Act comes into force on the date fixed by proclamation of the Government.