

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 231
(PRIVATE)

An Act respecting the Hellenic Community of Montreal

First reading
Second reading
Third reading

M. GÉRALD GODIN

L'ÉDITEUR OFFICIEL DU QUÉBEC

1979



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(PRIVATE)

An Act respecting the Hellenic Community of Montreal

WHEREAS the Hellenic-Canadian Community of the Island of Montreal, incorporated by chapter 99 of the statutes of 1926, amended by chapters 152 of 1955-1956 and 174 of 1958-1959, has greatly expanded and it is in its interest that its powers be amended;

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. The name of the Hellenic-Canadian Community of the Island of Montreal is changed to that of "Hellenic Community of Montreal", hereinafter called "the Community".

This change of name does not entail any amendments to the rights and obligations of the Hellenic-Canadian Community of the Island of Montreal.

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 on it by this act.

3. The corporate seat of the community shall be within the limits of the judicial district of Montreal, at the place determined by its board of directors.

A notice of the location or of any change of the corporate seat shall be sent to the Ministre des consommateurs, coopératives et institutions financières.

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

- (a) to preserve and promote the Greek language;
- (b) to set up charitable, welfare 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 Greek Orthodox Church and as directed by the ecclesiastical authority and the religious precepts prescribed by the said patriarchate.

5. The Community may make by-laws for

- (a) its internal management;
- (b) the appointment, functions, duties and powers of its officers or personnel.

6. The Community may establish parishes, schools or educational institutions, youth and family protection centres and services, community centres of an athletic, cultural and recreational nature, hospital centres, homes, and reception centres for the aged.

At the request of the Community and with the approval of two-thirds of the members attending a special general meeting at which there is a quorum, the *Ministre des consommateurs, coopératives et institutions financières* may, on such conditions as he may determine, issue letters patent under his sign and seal incorporating such services, centres, homes and institutions.

The petition for such letters patent shall indicate the name of the new corporation, its purposes or objects, the location of its corporate seat, the powers, rights and privileges it will enjoy, the rules for the exercise of its powers and the appointment of its members and directors, and provide for the procedure and conditions for amending the letters patent.

Notice of the issuance of such letters patent shall be published in the *Gazette officielle du Québec*.

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

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

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

(b) build and erect any building on its immoveable property and make contracts for such purposes;

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

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

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

9. The immoveable property of the Community must not exceed \$25 000 000 in value.

If the Community receives immoveable property by gift or will, and as a result the value of its holdings exceeds the authorized limit, the Community shall within ten years alienate such property, so that the total value of its immoveable property does not exceed \$25 000 000.

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

11. The affairs of the Community shall be administered by a board of directors. The number and qualifications of the directors and their mode of appointment shall be prescribed by by-law.

12. The board of directors of the Community shall appoint an advisory board; the number, qualifications, duties and powers of the members of the advisory board and their mode of appointment shall be prescribed by the by-laws.

The purpose of the advisory board is to study any matter which is, in the opinion of the board of directors, likely to affect the welfare and development of the Community, and to advise the board of directors and the general meeting on matters regarding the construction, acquisition, purchase, alienation, and hypothecation of the immoveable assets of the Community, any change or revision of the charter and by-laws of the Community, the issuing of bonds, and capital investments.

The advisory board shall give its substantiated advice to the board of directors or the general meeting on all matters referred to it, within the time prescribed by the board of directors or the general meeting.

Before taking a decision on any matter referred to above, the general meeting must ascertain that the advice of the advisory

board has been duly communicated to the members of the Community.

Where a solicited opinion is not submitted within the prescribed time, the decision of the special general meeting called for such purpose is final.

13. No resolution for the adoption of a by-law to request the amendment of this act is valid unless a calling notice to that effect has been duly given to the members of the Community and such resolution is passed by two-thirds of the members attending a special general meeting at which there is a quorum.

No resolution for the adoption of a by-law to request the amendment of the affiliation of the Community with the Oecumenical Patriarchate of Constantinople under this act is valid unless a calling notice to that effect has been duly given to the members of the Community, and unless such resolution is passed by ninety per cent of the members attending a general special meeting at which there is a quorum.

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

Such committee must transfer the remaining assets of the Community to an institution serving persons of Greek origin in the region of Montreal and having purposes and objects similar to those of the Community.

Upon petition by the Community, approved by two-thirds of the members present at a general special meeting at which there is a quorum, the Minister may declare dissolved a corporation established pursuant to section 6; such dissolution takes effect from the sixtieth day following publication of a notice to that effect in the *Gazette officielle du Québec*. The property of the dissolved corporation, after payment of its debts and the carrying out of its obligations, reverts to the Community.

15. Each year during the month of January and whenever required to do so, the Community shall send to the Ministre des consommateurs, coopératives et institutions financières a detailed statement of its immoveables, a copy of its by-laws and the names of its officers.

16. Sections 2 to 7, 9 and 11 to 18 of chapter 99 of the statutes of 1926 are replaced by this act.

17. This act comes into force on the day of its sanction.