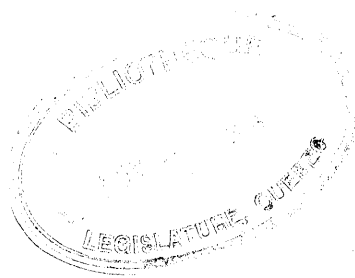


THIRD SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 231
(PRIVATE)



**An Act respecting the Hellenic-Canadian
Community of the Island of Montreal**

First reading
Second reading
Third reading

M. HARRY BLANK

L'ÉDITEUR OFFICIEL DU QUÉBEC

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Bill 231
(PRIVATE)

An Act respecting the Hellenic-Canadian
Community of the Island of Montreal

WHEREAS the Hellenic-Canadian Community of the Island of Montreal has greatly expanded since its incorporation by chapter 99 of the statutes of 1926, and it continues to progress; whereas its powers and rights under its charter are no longer adequate, and its very structure no longer meets its present needs; and whereas it is expedient that fuller powers be granted to it to enable it to pursue its objects more effectively;

Therefore, Her Majesty, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

- 1.** A corporation, hereinafter called "the corporation", is incorporated under the name of "Hellenic Community of Montreal".
- 2.** The seat of the corporation shall be within the limits of the judicial district of Montreal.
- 3.** In order to preserve and perpetuate the Greek Orthodox faith and tradition promulgated by the authority of the Oecumenical Patriarchate of Constantinople, the corporation shall follow the doctrine and the faith proclaimed and applied by the Greek Orthodox Church and shall spiritually and canonically depend upon the Oecumenical Patriarchate of Constantinople and the ecclesiastical authority designated by the said patriarchate, and abide by its religious rules and regulations.
- 4.** The objects of the corporation are charity, welfare and education.
- 5.** The corporation may make, amend and repeal by-laws concerning

- (a) its internal management;
- (b) the appointment, functions, duties and powers of its officers, agents and servants and any other person in its employ.

6. The corporation 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.

The powers of the corporation must be exercised in accordance with the laws and regulations to the extent that such laws and regulations are applicable to it.

At the request of the corporation 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 of amending such letters patent.

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

Upon petition by the corporation, 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 under this section; such dissolution takes effect only from the sixtieth day following publication of a notice to that effect in the *Gazette officielle du Québec*. Where a corporation established under this section is dissolved, its property, after payment of its debts and the carrying out of its obligations, reverts to the corporation.

7. The corporation has the power to 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, the whole in accordance with its by-laws.

8. The corporation, 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 by any legal mode and under any title;
- (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, amend and repeal by-laws for its internal management.

The corporation is entitled to sign and execute any agreement, document or contract entailed by the exercise of such powers or deemed accessory thereto.

9. The immoveable property of the corporation must not exceed fifty million dollars in value.

10. If the corporation receives immoveable property by gift or will, and as a result the value of its holdings exceeds the authorized limit, the gift or legacy is not on that account null; the corporation shall within ten years of entering into peaceable possession of such gift or legacy sell or alienate such or any other of its property, so that the total value of its immoveable property does not exceed fifty million dollars.

11. Upon dissolution of the corporation, 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 corporation called to consider the dissolution and the third by the Consul General of Greece in Montreal.

Such committee must transfer the remaining assets of the corporation to an institution or institutions serving persons of Greek Orthodox origin in the greater Montreal area and having purposes and objects similar to those of the corporation.

12. The corporation maintains 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 registers of acts of civil status and to exercise all other powers appertaining to priests or ministers of religious congregations, the whole in accordance with the Civil Code and the general laws.

13. The corporation's business is administered by its board of directors. The number, qualifications, duties and powers of the directors and all other matters pertaining to the operations of the board are prescribed by the by-laws of the corporation.

14. There shall be an advisory board, whose purpose is to study, *proprio motu*, any matter likely to affect the welfare and development of the corporation, 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 corporation, any change or revision of the charter and by-laws of the corporation, 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 delay prescribed by the board of directors or the general meeting.

Before taking a final decision on any matter referred to above, the general meeting must ascertain that the advice of the advisory board has been duly recieved and communicated to all the members of the corporation.

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

The by-laws of the corporation shall specify the number, mode of election or appointment, qualifications required, duties and powers of the members of the advisory board, and all other matters pertaining to the operations of the board.

15. No resolution for the adoption of a by-law to request and obtain amendments to this act is valid unless a notice of motion to that effect has been duly given to the members of the corporation and such resolution has been 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 and obtain the change or amendment of the affiliation of the corporation with the Oecumenical Patriarchate of Constantinople under this act is valid unless a notice of motion to that effect has been duly given to the members of the corporation, and unless such resolution has been unanimously adopted by the members attending a general special meeting at which there is a quorum.

16. Sections 1 to 7, 9 and 11 to 18 of chapter 99 of the statutes of 1926, chapter 152 of the statutes of 1955/1956 and chapter 174 of the statutes of 1958/1959 are repealed.

The corporation called the Hellenic-Canadian Community of the Island of Montreal, contemplated by the repealed chapters, is dissolved.

The corporation succeeds to the dissolved corporation, is seized of all its rights and privileges, is declared owner of its property and is bound by its debts and obligations; any disposition of property made in favour of the dissolved corporation is considered made to the corporation incorporated by this act and proceedings commenced or that might have been commenced by or against such dissolved corporation may validly be commenced or continued, as the case may be, by or against the corporation hereby incorporated.

The corporation must cause to be registered in conformity with the laws of registration, at the registry offices of the places where the immoveables are situated, a declaration showing the transmission of immoveables resulting from this act and describing according to law the immoveables so transmitted.

17. The members of the corporation dissolved by section 16 become members of the corporation, together with any other person the corporation may admit in accordance with its by-laws.

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

All by-laws of the dissolved corporation that are not inconsistent with this act are by-laws of the new corporation until they are amended, replaced or repealed.

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