



Kings Regional Rehabilitation Centre Act

CHAPTER 16

OF THE

ACTS OF 1990

amended 1991, c. 17

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An Act to Incorporate the Board of Management of Kings Regional Rehabilitation Centre

Short title

1 The Act may be cited as the *Kings Regional Rehabilitation Centre Act*. 1990, c. 16, s. 1.

Interpretation

2 In this Act,

(a) "Management Corporation" means Kings Regional Rehabilitation Centre, incorporated by this Act;

(b) "Municipality" means the Municipality of the County of Kings. 1990, c. 16, s. 2.

Continuation of Kings Regional Rehabilitation Centre

3 The unincorporated body known as "Kings Regional Rehabilitation Centre" established by Order in Council 79-1537, dated the twenty-seventh day of November, 1979, and amended on the first day of February, 1988, is hereby continued as a body corporate under the name "Kings Regional Rehabilitation Centre". 1990, c. 16, s. 3.

Object

4 The object of the Management Corporation is to manage and operate the Kings Regional Rehabilitation Centre. 1990, c. 16, s. 4.

Members

5 (1) The Management Corporation consists of

- (a) four members appointed by the Governor in Council; and
- (b) six members appointed by the Municipality.

Term of office

(2) Unless an appointment otherwise prescribes, a member of the Management Corporation holds office for a term of three years and may be re-appointed.

Cessation of membership

(3) A person ceases to be a member of the Management Corporation when that person dies, resigns, becomes incapable of performing that person's duties as a member or fails to perform those duties or, where the person was a member of the Council of the Municipality at the time that person was appointed a member of the Management Corporation, when that person ceases to be a member of that Council.

Casual vacancies

(4) Where a person ceases to become a member of the Management Corporation other than by reason of expiration of a term of office as a member of the Management Corporation, the body which appointed that person shall appoint another person as a member of the Management Corporation for the unexpired portion of the term.

Effect of vacancy

(5) A vacancy in the membership of the Management Corporation does not affect the exercise by the remaining members of the powers, rights and privileges of the Management Corporation or the corporate capacity of the Management Corporation. 1990, c. 16, s. 5.

Powers of Management Corporation

6 (1) The Management Corporation may exercise such powers as are necessary or conducive in attaining its object and, without restricting the generality of the foregoing, may

(a) subject to subsection (2), make such by-laws, rules and regulations as the Management Corporation deems necessary for, or conducive to, attaining its object;

(b) acquire by donation, deed, devise, bequest, purchase or gift real or personal property, hold and enjoy the same, erect and maintain such buildings or structures on such real property as are necessary or conducive to attaining its object, and sell, transfer, convey, dispose of and deal with such real and personal property;

(c) determine its fiscal year;

(d) with the consent of the Municipality, borrow from time to time such sums of money as may be necessary for, or conducive to, attaining its object and upon such terms and conditions as the Board determines.

Ministerial approval

(2) A by-law, rule or regulation made pursuant to clause (a) of subsection (1) is not effective unless and until it is approved by the Minister of Community Services. 1990, c. 16, s. 6.

Annual meeting

7 (1) The Management Corporation shall have an annual meeting each year within three months of the end of the fiscal year of the Management Corporation and such other regular meetings as may be required.

Officers

(2) The Management Corporation shall, from among its members, appoint a Chairman, a Vice-chairman, a Secretary-treasurer and such other officers as the Management Corporation from time to time considers necessary or conducive in attaining its object. 1990, c. 16, s. 7.

Records and accounts

8 (1) The Management Corporation shall maintain proper records and accounts of all transactions, information, finances, receipts and disbursements, revenues and expenditures, assets and liabilities and other matters under its control.

Annual report

(2) The Management Corporation shall annually prepare and submit to the Municipality a report of its affairs, including a balance sheet, statement of revenue and expenditure and such other financial reports as will disclose its operations and financial condition, prepared in accordance with generally accepted accounting principles consistently applied.

Audit

(3) The annual report of the Management Corporation shall be audited in accordance with generally accepted auditing standards by a public accountant within the meaning of the *Public Accountants Act* and licensed pursuant to that Act.

Copy of report available

(4) The Management Corporation shall make a copy of every report prepared in accordance with subsection (2) available to any person who requests the report on reasonable notice and on payment of a reasonable fee for production of the report. 1990, c. 16, s. 8.

Transfer of existing property

9 (1) Any right, title or interest in personal property which, immediately before the coming into force of this Act, is vested or held in trust for the unincorporated body known as Kings Regional Rehabilitation Centre established by Order in Council 79-1537 dated the twenty-seventh day of November, 1979, and amended the first day of February, 1988, is hereby vested in the Management Corporation.

Assumption of existing liabilities

(2) All the obligations and liabilities of the said unincorporated body known as Kings Regional Rehabilitation Centre, existing immediately before the coming into force of this Act, are the obligations and liabilities of the Management Corporation.

Use of Fund

(3) As long as the Kings Regional Rehabilitation Centre is being used for the same purposes as it was being used immediately prior to the coming into force of this subsection, the Management Corporation may use money donated to the fund that, immediately prior to the coming into force of this subsection, was known and administered as the Bus and Pool Fund, to construct a front entrance to the Kings Regional Rehabilitation Centre enabling access to the Centre by physically handicapped persons, and to renovate the recreation hall in the Centre to provide additional program space. 1990, c. 16, s. 9; 1991, c. 17, s. 1.

Winding up

10 In the event of the Management Corporation ceasing operations or winding up, all the property, assets and undertaking of the Management Corporation vest in the Municipality and all the obligations and liabilities of the Management Corporation are obligations and liabilities of the Municipality. 1990, c. 16, s. 10.

Financial assistance

11 (1) The Municipality has the same power to render financial assistance to the Management Corporation, including, for greater certainty, the power to guarantee a borrowing, and the same power to raise money to render such financial assistance as the Municipality has, pursuant to the *Municipal Housing Corporations Act*, as amended from time to time to

(a) render financial assistance to a housing corporation, within the meaning of that Act, whose instrument of incorporation was executed by the Municipality; and

(b) raise money for the purpose of rendering such financial assistance.

Powers retained

(2) Notwithstanding subsection (1), no repeal or amendment of the *Municipal Housing Corporations Act* operates to abolish the powers which the Municipality has, from time to time, pursuant to subsection (1) or to reduce the extent of those powers. 1990, c. 16, s. 11.

