

An Act to incorporate Lutheran Sunset Home of Saskatoon

being a Private Act

Chapter 98 of the *Statutes of Saskatchewan, 1967*
(effective April 1, 1967) as amended by the *Statutes of
Saskatchewan, 2013, c.01*.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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1967

CHAPTER 98

An Act to incorporate Lutheran Sunset Home of Saskatoon

[Assented to April 1, 1967]

Preamble

WHEREAS there has existed for some time in the Province of Saskatchewan an unincorporated body owning and operating a nursing home, home for the aged and hospital under the name of Lutheran Sunset Home, at the City of Saskatoon, in the Province of Saskatchewan, having as its objects the care for the aged, ill and infirm as hereinafter set forth; and

Whereas a petition has been presented praying for the incorporation of the said Lutheran Sunset Home as a body politic and corporate under the name of Lutheran Sunset Home of Saskatoon, and its expedient that the prayer of the said petition be granted:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Incorporation

1 Ernest J. Cole, Professional Engineer, and Samuel Carlyle Karstad, insurance salesman, both of Saskatoon, and Oliver Moe, farmer, of White Bear, and Arthur S. Olson, pastor, of Prince Albert, all in the Province of Saskatchewan, and Joseph Rostad, pastor, of Calgary, in the Province of Alberta, and such other persons as are now or may hereafter become, under the provisions of this Act, or of the by-laws hereinafter referred to, members of the hereinafter mentioned corporation, shall be and are hereby declared to be a body politic and corporate in deed and in name by the name of Lutheran Sunset Home of Saskatoon (herein also referred to as “the corporation”) for the purposes and objects hereinafter set out.

1967, c.98, s.1.

Objects

2 The objects of the corporation are the care for the aged, the ill and the infirm, and persons with mental and physical challenges, through charitable and benevolent activities, including the operation of hospitals, homes, missions, schools of nursing, sanitariums and dispensaries.

1967, c.98, s.2; 2013, c.01, s.3.

Seal

3 The corporation shall have perpetual succession and a common seal, and may at all times hereafter contract and be contracted with, sue and be sued, implead and be impleaded in any matter whatsoever in all courts and places whatsoever in the Province of Saskatchewan.

1967, c.98, s.3.

Head office

4 The head office of the corporation shall be at the City of Saskatoon, in the Province of Saskatchewan, or at such other place in the province as may from time to time be determined by the by-laws of the corporation.

1967, c.98, s.4.

Capacity and powers

5.1(1) Subject to this Act, the corporation has the capacity, rights, powers and privileges of a natural person.

(2) Without limiting the generality of subsection (1), the corporation has the power to:

- (a) purchase, acquire by gift, devise, bequest or transfer, or hold any real or personal property;
- (b) sell, transfer, mortgage, lease, exchange or otherwise dispose of any real or personal property;
- (c) invest all or a portion of its funds in any property or security as the corporation may determine;
- (d) borrow or raise money and secure its repayment by granting security in any of its assets or by issuing bonds, debentures, bills of exchange, promissory notes, mortgages or any other instrument that the corporation may consider necessary;
- (e) draw, accept, make, endorse and negotiate bills of exchange and other negotiable instruments;
- (f) enter into any contract, indenture or agreement or deed;
- (g) have a corporate seal and change it at will;
- (h) erect, construct, equip and maintain buildings and other erections for the proper carrying on of its educational and other charitable works and to do all other matters and things necessary for the carrying on of its educational and other charitable works and to do all other matters and things necessary for the carrying out of the objects that the corporation may become engaged in or occupied with; and
- (i) do any and all other things that are necessary, incidental or conducive to the attainment of the objects of the corporation or to the exercise of any powers mentioned in this Act.

2013, c.01, s.4.

6 Repealed. 2013, c.01, s.5.

Use of revenues

7 The rents, revenues and profits from all property, real or personal, held by the corporation and the assets and property of the corporation shall be appropriated and applied to the maintenance of the institutions carried on by the corporation, and the construction and maintenance of buildings and the acquisition of property, real or personal, requisite for the advancement of charity and benevolence and for the furtherance of any or all of the objects and works in which the corporation may engage or for such other purposes as from time to time may seem expedient to the directors.

1967, c.98, s.7.

Execution of instruments

8 All instruments relating to real property shall be executed under seal of the corporation attested as provided by the rules and regulations of the corporation.

1967, c.98, s.8.

9 Repealed. 2013, c.01, s.6.

10 Repealed. 2013, c.01, s.7.

By-laws

10.1(1) The corporation may make, amend and repeal any by-laws that it considers advisable for the conduct of its affairs.

(2) Without limiting the generality of subsection (1), the corporation may make by-laws to provide for any or all of the following matters:

- (a) the governance and proper administration of its property, affairs and interests;
- (b) the affiliation of other bodies or organizations with the corporation;
- (c) the election of directors, and the powers and duties of them;
- (d) the appointment of officers of the corporation, and the powers and duties of them;
- (e) the calling of meetings of the board of directors, and the governance and conduct of them, including, but not limited to, prescribing the quorum and procedure for voting at any meetings;
- (f) the remuneration and reimbursement of officers, directors, committee members and delegates of the corporation;
- (g) the indemnification and insurance of officers and directors of the corporation;
- (h) the making, amendment, repealing and revocation of by-laws;
- (i) the disposition of assets upon a winding-up, liquidation or dissolution of the corporation;
- (j) the appointment of an auditor to audit the accounts of the corporation;
- (k) the form and use of a corporate seal; and
- (l) generally for the carrying out of the objects of the corporation.

2013, c.01, s.7.

11 Repealed. 2013, c.01, s.8.**Officers and directors**

11.1(1) The corporation may exercise all its powers by and through a board of directors established by the by-laws or by and through such other bodies or committees as the corporation may from time to time provide for in its by-laws for the management of all or any of the property or affairs of the corporation.

(2) The board of directors of the corporation shall consist of those individuals who are from time to time elected in accordance with the by-laws of the corporation.

(3) The board of directors may delegate to any officer, director or committee of directors any of the powers of the directors.

2013, c.01, s.8.

Vesting of title and assumption of liabilities

12(1) On the coming into force of this Act, all the lands, estates, property, real, personal or mixed, effects, rights, credits, choses in action and causes of action of every description belonging to or standing in the name of or existing in Lutheran Sunset Home of Saskatoon are, without fee or charge by the Registrar of the Land Registration District in which the said property lies, transferred to and vested in the corporation without further Act, conveyance or other deed to and for the use and benefit absolutely of the corporation, its successors and assigns for all the estate, right, title, interest, claim and demand which the corporation has on coming into force of this Act or thereafter becomes or may become entitled to; and the corporation may exercise all the powers, rights and privileges over for and in respect of them or any of them that the corporation has or had or could or might have exercised.

(2) The corporation shall assume and it is liable for all of the debts, liabilities and charges of every kind and description existing against Lutheran Sunset Home of Saskatoon as at the date of the coming into force of this Act.

(3) Should the corporation by means other than legal dissolution cease to exist or its property be abandoned, title to its land and other assets, real and personal, shall pass to The Evangelical Lutheran Church of Canada.

1967, c.98, s.12.

Accounting

13 The corporation shall at all times when called upon to do so by the Lieutenant Governor in Council render an account in writing of its property and affairs.

1967, c.98, s.13.

Validity of acts of directors and officers

14 An act of a director or officer is valid notwithstanding an irregularity in his or her election or appointment or a defect in his or her qualification.

2013, c.01, s.9.

No personal liability

15 No director, officer or member of any committee of the corporation shall be personally liable for any liability, act or default of the corporation.