

1994

CHAPTER T-15.01

An Act to establish the Tourism Authority

(Assented to May 2, 1994)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Tourism Authority Act*.

Interpretation

2 In this Act:

- (a) **"authority"** means the Tourism Authority established pursuant to section 3;
- (b) **"board"** means the board of the authority;
- (c) **"member"** means a member of the authority;
- (d) **"minister"** means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

Authority established

3(1) The Tourism Authority is established as a corporation.

(2) The authority consists of the following members:

- (a) not more than six persons appointed by the Lieutenant Governor in Council;
- (b) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan's tourism industry as a whole;
- (c) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan's hotel and motel industry;
- (d) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan's tourist outfitting industry;
- (e) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan First Nations;
- (f) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan's Métis people;
- (g) not more than three persons selected by the organization designated in the regulations that represents Saskatchewan's heritage, arts and multicultural communities;

- (h) not more than three persons selected by the organization designated in the regulations that represents Regina's tourism industry;
- (i) not more than three persons selected by the organization designated in the regulations that represents Saskatoon's tourism industry;
- (j) not more than nine persons selected by the organizations designated in the regulations that represent Saskatchewan's tourism regions; and
- (k) not more than one person selected by each organization that applies to the board and, in the opinion of the board, meets the criteria set out in the regulations for the purpose of this clause.

(3) The term of office of a member is the term prescribed in the regulations.

Authority not an agent of the Crown

4 The authority is not an agent of the Crown in right of Saskatchewan.

Purpose of authority

5 The purpose of the authority is to facilitate in Saskatchewan:

- (a) the marketing of tourism;
- (b) the provision of visitor and information services;
- (c) the education and training of individuals involved in the tourism industry;
- (d) the planning and development of tourism destination areas;
- (e) the administration of tourism funding programs, other than capital funding;
- (f) research and policy development in tourism;
- (g) public awareness of tourism; and
- (h) the development and promotion of tourism in Saskatchewan.

Powers of authority

6 The authority may:

- (a) acquire by purchase, lease, gift or any other means any real or personal property that it requires for the purposes of this Act;
- (b) dispose by lease, sale or any other means of any of its real or personal property that it no longer requires for the purposes of this Act;
- (c) accept any funds granted to the authority by the minister;
- (d) enter into contracts or agreements that it considers expedient or desirable in the exercise of its powers or the performance of its responsibilities pursuant to this Act;
- (e) charge any fee required for the operation of any facility, enterprise, program or undertaking permitted pursuant to this Act;
- (f) establish one or more advisory committees for any purpose in connection with this Act, prescribe the powers and duties of those committees and appoint any persons to those committees;
- (g) establish and operate any facility, enterprise, program or undertaking that it considers will be conducive to the exercise of its powers or the performance of its responsibilities pursuant to this Act; and
- (h) generally do and authorize the doing of any things that it considers incidental or conducive to the exercise of its powers or the performance of its responsibilities pursuant to this Act.

Funding of authority

7 The Government of Saskatchewan shall provide an annual grant to the authority in an amount appropriated by the Legislature.

Head office

8 The head office of the authority is to be situated at any place within Saskatchewan that the board may designate.

Meetings

- 9**(1) The authority shall hold at least two general meetings of the members in each fiscal year at a time and place designated by the chairperson of the board.
- (2) The chairperson shall call a special meeting of the members of the authority on receipt of a written request specifying the purpose for the meeting from at least 15% of the members.

Responsibilities of members

- 10** The members shall:
- (a) review and approve any audited financial statement prepared pursuant to section 20;
 - (b) review and approve any report prepared pursuant to section 21;
 - (c) review and approve any financial statement prepared pursuant to section 21;
 - (d) confirm, ratify or amend any bylaws prepared by the board and submitted to the members pursuant to subsection 11(6);
 - (e) set any limitations on borrowing by the authority;
 - (f) approve the appointment of the auditor of the authority; and
 - (g) provide directions to the board respecting the management, goals and strategic planning of the authority.

Board

- 11**(1) The board consists of:
- (a) not more than two persons appointed by the Lieutenant Governor in Council from the members appointed by the Lieutenant Governor in Council pursuant to clause 3(2)(a);
 - (b) not more than one person selected by each of the organizations mentioned in clauses 3(2)(b) to (i) from the members selected by those organizations;
 - (c) not more than three persons selected by the organizations mentioned in clause 3(2)(j) from the members selected by those organizations; and
 - (d) not more than two persons elected by the members of the authority from the members selected by the organizations mentioned in clause 3(2)(k).
- (2) The board shall direct the affairs and business of the authority.
- (3) The board shall designate from its members:
- (a) a chairperson; and
 - (b) a vice-chairperson.
- (4) Where the chairperson is absent or unable to act or the office of chairperson is vacant, the vice-chairperson may exercise all the powers and shall perform all the duties of the chairperson.
- (5) The board may appoint other officers from its members.
- (6) The board may make bylaws respecting its own procedures and the management and business of the authority that are to remain in effect until confirmed, ratified or amended by the members at the next general meeting of the members following the making of the bylaws.
- (7) Board members are to be reimbursed by the authority for their expenses in accordance with rates established for government employees by the Public Service Commission.
- (8) The quorum of the board is a majority of the board members then in office.

Executive committee and committees

- 12**(1) The board may:
- (a) appoint from its members an executive committee;
 - (b) prescribe in the bylaws the term of a member of the executive committee; and
 - (c) by resolution, delegate to the executive committee any powers that it considers necessary for the efficient conduct of the affairs and business of the authority.
- (2) A member of the executive committee holds office until that member:
- (a) is removed by resolution of the board;
 - (b) has served the term prescribed in the bylaws; or
 - (c) has ceased to be a member of the board.
- (3) The executive committee may exercise any powers of the board that are delegated to it by

resolution of the board, subject to any restrictions contained in the resolution.

- (4) The executive committee shall fix its quorum, which is not to be less than a majority of its members.
- (5) The executive committee shall:
 - (a) keep minutes of its proceedings; and
 - (b) submit to the board, at each meeting of the board, the minutes of the executive committee's proceedings during the period since the most recent meeting of the board.
- (6) The board may:
 - (a) appoint any committees that it considers necessary for the efficient conduct of the affairs and business of the authority;
 - (b) prescribe the duties of any committee it appoints; and
 - (c) fix the allowances for expenses of members of any committee it appoints.

Staff

- 13**(1) The authority may employ a president.
- (2) The authority may determine the president's duties and powers, conditions of employment and remuneration.
- (3) The board may establish policies respecting:
 - (a) the hiring of employees;
 - (b) employees' duties and powers;
 - (c) employees' conditions of employment;
 - (d) employees' remuneration; and
 - (e) any other employment matter.
- (4) Subject to the policies established by the board, the president may:
 - (a) hire any employees that the president considers necessary for the conduct of the authority's operations; and
 - (b) determine the employees':
 - (i) respective duties and powers;
 - (ii) conditions of employment; and
 - (iii) remuneration.
- (5) The president has control over and shall supervise the employees.

Superannuation and other plans

- 14** The authority may establish and support any or all of the following for the benefit of the president and employees and the dependants of the president and employees:
- (a) a superannuation plan;
 - (b) a group insurance plan; and
 - (c) any other pension, superannuation or employee benefit program.

Public employees superannuation plan

15 The Lieutenant Governor in Council may declare, by regulation, that the provisions of *The Public Service Superannuation Act* and *The Superannuation (Supplementary Provisions) Act* apply to the authority, the president and the employees of the authority.

Borrowing powers

- 16**(1) Subject to any limitations on borrowing set by the members, the authority may borrow any amount of moneys that it considers will be required to fund the operations of the authority or to fulfil the purposes of the authority.
- (2) The authority may provide any guarantee or security that it considers appropriate respecting a loan.

Loan not guaranteed

17 No loan made pursuant to section 16 is to be guaranteed by the Minister of Finance, and the Government of Saskatchewan is not liable for the repayment of that loan or any interest, principal or

premium respecting that loan.

Investment

18 The authority may:

- (a) invest any part of the capital or operating moneys of the authority in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of the investments in any manner, on any terms and in any amount that the authority considers appropriate.

Fiscal year

19 The fiscal year of the authority is the period commencing on October 1 in one year and ending on September 30 in the next year.

Audit

20 The authority shall appoint an auditor who shall audit the authority's records, accounts and financial statements:

- (a) annually; and
- (b) at any other times the authority may direct.

Annual report

21(1) In each fiscal year, the authority shall submit to the minister, in accordance with *The Tabling of Documents Act, 1991*:

- (a) a report on the business of the authority for its preceding fiscal year; and
- (b) a financial statement on the business of the authority for its preceding fiscal year.

(2) In accordance with *The Tabling of Documents Act, 1991*, the minister shall lay before the Legislative Assembly each report and financial statement that the minister receives.

Regulations

22 The Lieutenant Governor in Council may make regulations:

- (a) prescribing the manner of appointment of members and the term of the appointments;
- (b) designating the organizations from which members are to be selected for the purposes of subsection 3(2);
- (c) prescribing the criteria respecting an organization that applies to the board pursuant to clause 3(2)(k);
- (d) prescribing the manner of appointment of members of the board and the term of the appointments;
- (e) prescribing any other matter or thing that is authorized or required to be prescribed in the regulations;
- (f) prescribing any matter or thing that the Lieutenant Governor in Council considers necessary for the purposes of this Act.

Coming into force

23 This Act comes into force on proclamation.