



Province of Alberta

ALBERTA FOUNDATION FOR THE ARTS ACT

Revised Statutes of Alberta 2000
Chapter A-19

Current as of June 12, 2013

Office Consolidation

© Published by Alberta Queen's Printer

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

Definitions

1 In this Act,

- (a) “arts” means
 - (i) the literary, performing, visual and media arts, and
 - (ii) anything prescribed by the regulations;
- (b) “Foundation” means the Alberta Foundation for the Arts established by this Act;

- (c) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

1991 cA-21.5 s1;1994 cG-8.5 s93

Foundation

- 2** The Alberta Foundation for the Arts is established as a corporation.

1991 cA-21.5 s2

Purposes

- 3** The purposes of the Foundation are
- (a) to support and contribute to the development of and to promote the arts in Alberta;
 - (b) to provide persons and organizations with the opportunity to participate in the arts in Alberta;
 - (c) to foster and promote the enjoyment of works of art by Alberta artists;
 - (d) to collect, preserve and display works of art by Alberta artists;
 - (e) to encourage artists resident in Alberta in their work.

1991 cA-21.5 s3

Crown agent

- 4** The Foundation is an agent of the Crown in right of Alberta.

1991 cA-21.5 s4

Powers

- 5** The Foundation may, subject to the regulations,
- (a) acquire real or personal property, including works of art, by purchase, gift, lease, devise, bequest or any other means;
 - (b) act as trustee of any real or personal property acquired by the Foundation in trust;
 - (c) hold, preserve, maintain, renovate, restore and manage the real and personal property of the Foundation;
 - (d) dispose of any real or personal property of the Foundation by sale or lease or in any other manner, subject to the terms of any trust on which it is held;

- (e) make grants to any person or organization;
- (f) publish, produce and distribute books, pamphlets, videos, films or other material about the Foundation;
- (g) hire employees, consultants and advisors and determine their duties, terms of employment and remuneration;
- (h) conduct fund-raising campaigns or raise funds by any other method;
- (i) make and maintain banking arrangements;
- (j) draw, make, accept, endorse, execute and issue bills of exchange and other negotiable or transferable instruments;
- (k) exercise any power or perform any duty given to it by the regulations.

1991 cA-21.5 s5

Directions by Minister

6 The Minister may give directions to the Foundation for the purposes of

- (a) providing priorities and guidelines for it to follow in the exercise of its powers and the performance of its duties, and
- (b) co-ordinating the work of the Foundation with the programs, policies and work of the Government and public and private organizations and institutions, in order to avoid duplication of effort and expense.

1991 cA-21.5 s6

Composition of Foundation

7(1) The Foundation consists of members appointed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council shall designate from among the members a chair and one or more vice-chairs of the Foundation.

(3) The Minister may designate an employee of the Government under the Minister's administration as secretary of the Foundation.

1991 cA-21.5 s7

Remuneration and expenses

8(1) The Foundation shall pay its members

- (a) remuneration, and
- (b) travelling, living and other expenses incurred in the course of their duties as members.

(2) Remuneration and expenses referred to in subsection (1) must be determined

- (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
- (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

RSA 2000 cA-19 s8;2009 cA-31.5 s26

Bylaws

9(1) The Foundation may make bylaws

- (a) governing the administration of the Foundation;
- (b) governing the making of grants;
- (c) relating to any matter necessary for carrying out the purposes of the Foundation.

(2) A bylaw does not become effective until it is approved by the Minister.

1991 cA-21.5 s9

Government employees

10 If the Minister considers it necessary, the Minister shall provide to the Foundation the services of employees of the Government under the Minister's administration to carry out the work of the Foundation.

1991 cA-21.5 s10

Funds

11(1) Money received by the Foundation from any source constitutes the funds of the Foundation.

(2) The income of the funds of the Foundation accrues to and forms part of those funds.

(3) Expenditures and grants made by the Foundation must be paid from the funds of the Foundation.

1991 cA-21.5 s11

Management and pooled investment of funds

12 The Foundation may be a participant under section 40 of the *Financial Administration Act*.

RSA 2000 cA-19 s12;2004 c7 s19

Fiscal year

13 The fiscal year of the Foundation is April 1 to the following March 31.

1991 cA-21.5 s13

Annual report

14(1) The Foundation shall, as soon as possible after the end of the fiscal year, provide the Minister with a report that summarizes the operation of the Foundation during the last fiscal year and includes the Foundation's audited financial statements.

(2) The Minister shall lay a copy of the report before the Legislative Assembly if it is sitting and, if it is not sitting, within 15 days after the commencement of the next sitting.

1991 cA-21.5 s14

Regulations

15 The Minister may make regulations

- (a) prescribing anything to be part of the arts for the purposes of this Act;
- (b) restricting and regulating the powers and duties of the Foundation;
- (c) establishing additional powers and duties of the Foundation.

1991 cA-21.5 s15



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