



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 206

(Private)

**An Act to again amend the charter of
Les Filles de Jésus (Trois-Rivières)**

Introduction

**Introduced by
Mr Yves Beaumier
Member for Champlain**

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Bill 206

(Private)

AN ACT TO AGAIN AMEND THE CHARTER OF LES FILLES DE JÉSUS (TROIS-RIVIÈRES)

WHEREAS Les Filles de Jésus (Trois-Rivières) was constituted as a legal person by chapter 159 of the statutes of 1956-57;

Whereas the charter of that legal person was amended by chapter 124 of the statutes of 1978;

Whereas it is expedient to again amend the internal structure and certain powers, rights and privileges of that legal person so as to respond more adequately to its present needs;

Whereas the legal person was previously and specially authorized by its visitor, Monsignor Martin Veillette, Bishop of Trois-Rivières, to apply to have its charter amended;

Whereas it is in the interest of the legal person that its charter be amended accordingly;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 5 of the Act to incorporate Les Filles de Jésus (Trois-Rivières) and to repeal the Act to incorporate La Congrégation des Filles de Jésus (1956-57, chapter 159) is amended

(a) by replacing the first three lines by “The legal person shall have the following powers, in particular the powers”;

(b) by replacing paragraphs *h*, *i* and *j* by the following paragraphs:

“(h) to hypothecate the immovables and movables or encumber in any manner the movable property of the legal person;

“(i) to issue bonds or other securities of the legal person, and pledge or sell the same for such sums and at such prices as may be considered expedient;

“(j) notwithstanding the provisions of the Civil Code of Québec, to grant a hypothec, even a floating hypothec, on a universality of property, movable or immovable, present or future, corporeal or incorporeal, in accordance with section 34 of the Special Corporate Powers Act (R.S.Q., chapter P-16);”;

(c) by striking out “and keep registers of civil status to record such burials” in paragraph *o*.

2. Section 7 of the said Act is amended

(a) by replacing “officiers” in the French text of subparagraph *b* by “dirigeants”, and by replacing “servants” in that subparagraph by “employees”;

(b) by striking out the second paragraph.

3. Section 10 of the said Act is repealed.

4. Section 11 of the said Act, replaced by chapter 124 of the statutes of 1978, is again replaced by the following section :

“11. The legal person may, by by-law, change its name or transfer its head office to another place within Québec; a copy of such by-law shall be forwarded to the Inspector General of Financial Institutions for approval. If the Inspector General approves the by-law, he shall deposit a notice to that effect in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45).

The by-law so approved shall come into force on the date of deposit of the notice in the register.”

5. Section 17 of the said Act is repealed.

6. Section 18 of the said Act is amended by striking out “and of the visitor” in subparagraph *d*.

7. Section 20 of the said Act is repealed.

8. Section 21 of the said Act is replaced by the following section :

“21. The Inspector General of Financial Institutions may, upon petition by the legal person, agree to dissolve the legal person and fix the date of its dissolution. The Inspector General shall dissolve the legal person by drawing up an act of dissolution which he shall deposit in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

The legal person is dissolved from the date fixed by the Inspector General.

In the case of dissolution, the property of the legal person, after payment of its obligations, shall vest in the body designated in the petition for dissolution, which had previously accepted the property so vested.”

9. Section 24 of the said Act is replaced by the following section :

“24. The Lieutenant Governor, upon petition by the legal person, may issue letters patent under the Great Seal of the Province constituting as a legal person, for one or more of the purposes mentioned in section 4, including the rights, powers and privileges mentioned in the petition and on the conditions therein mentioned, any house, province, vice-province, council, committee, officer, board or undertaking of the congregation; a copy of the letters patent shall be forwarded to the Inspector General of Financial Institutions who shall deposit it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

The petition shall state the object or objects of the legal person, its head office, the powers, rights and privileges mentioned in this Act which it is to possess, the rules for the exercise of its powers and for the appointment of its member or, as the case may be, of its members and its directors and of its visitor, where such is the case, the latter being the nun who holds the office of Provincial Superior of the province of Trois-Rivières of the congregation of the Filles de Jésus or any person she has appointed as visitor.

The Lieutenant Governor, upon petition by a legal person constituted under this section and authorized by its visitor, if it has a visitor, may, by supplementary letters patent, alter the objects and powers of such legal person as well as the rules established for exercising the same; a copy of such supplementary letters patent shall be forwarded to the Inspector General of Financial Institutions who shall deposit it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

The legal person constituted under this section may, by by-law, change its name or transfer its head office to another place within Québec; a copy of such by-law shall be forwarded to the Inspector General of Financial Institutions for approval. If the Inspector General approves the by-law, he shall deposit a notice to that effect in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons. The by-law so approved shall come into force on the date of deposit of the notice in the register.

The Inspector General of Financial Institutions, upon petition by a legal person constituted under this section and authorized by its visitor, if it has a visitor, and by the legal person constituted by this Act, may agree to dissolve the legal person and fix the date of its dissolution. The Inspector General shall dissolve the legal person by drawing up an act of dissolution which he shall deposit in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons. The legal person is dissolved from the date fixed by the Inspector General. In the case of dissolution, the property of such legal person, after payment of its obligations, shall vest in the legal person constituted by this Act.”

10. Section 25 of the said Act is replaced by the following section:

“25. The Lieutenant Governor, upon petition by the legal person constituted by this Act, may, by the letters patent constituting a legal person under the preceding section, order that such legal person succeeds a legal person existing at such time and declare the latter dissolved, provided the latter has agreed thereto by its director or directors.

The Lieutenant Governor, upon petition by a legal person constituted under the preceding section, with the consent of its visitor, if it has a visitor, and the approval of the legal person constituted by this Act, may enact the same provision in favour of the legal person which made the petition and cause it to succeed a similar legal person which has agreed thereto by its director or directors.

From the date of issuing of such letters patent, the legal person succeeding the legal person dissolved shall be vested with all its rights, property and privileges and shall be bound by its obligations; any disposal of property made in favour of the legal person dissolved shall be considered as made in favour of the legal person succeeding it and all proceedings commenced by or against the legal person dissolved may validly be undertaken or continued by or against the legal person succeeding it.

The succeeding legal person shall cause to be published, in the land register of the registry office of the registration division in which the immovables are situated, a declaration showing the transfer of immovables resulting from this Act and the provisions of the letters patent thereof and describing, according to law, the immovables so transferred.”

11. Sections 1 to 9, 12 to 16, 18, 19, 22 and 23 of the said Act are amended by replacing “corporation” by “legal person”.

12. Sections 2, 12, 18 and 19 of the said Act are amended by replacing “corporate seat” by “head office”.

13. This Act comes into force on *(insert here the date of assent to this Act)*.