

The Saskatchewan Centre of the Arts Act, 2000

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Chapter S-10.1 of *The Statutes of Saskatchewan, 2000* (effective June 27, 2000), as amended by the *Statutes of Saskatchewan, 2014*, c.E-13.1.

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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CHAPTER S-10.1

An Act respecting the Saskatchewan Centre of the Arts

PART I

Short Title and Interpretation

Short title

1 This Act may be cited as *The Saskatchewan Centre of the Arts Act, 2000*.

Interpretation

2 In this Act:

- (a) “**board**” means the board of directors of the centre appointed pursuant to section 13;
- (b) “**centre**” means the Saskatchewan Centre of the Arts continued pursuant to section 3;
- (c) “**Crown**” means the Crown in right of Saskatchewan;
- (d) “**fund**” means the Saskatchewan Centre of the Arts Fund continued pursuant to section 21;
- (e) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

2000, c.S-10.1, s.2.

PART II

Saskatchewan Centre of the Arts

Centre continued

3 The Saskatchewan Centre of the Arts established pursuant to *The Saskatchewan Centre of the Arts Act* is continued as a corporation.

2000, c.S-10.1, s.3.

Mandate and purposes

4 The mandate and purposes of the centre are the following:

- (a) to provide facilities for entertainment, exhibition and the promotion and presentation of sporting, artistic, educational and cultural activities of a provincial, national or international nature;
- (b) to provide catering and convention services;
- (c) to promote the use of the centre’s facilities for the purposes mentioned in clauses (a) and (b);
- (d) to facilitate public access to the activities mentioned in clause (a).

2000, c.S-10.1, s.4.

General powers

5 In carrying out its mandate and fulfilling its purposes, the centre may:

- (a) acquire any copyrights, rights of production or presentation, licences or privileges necessary to host the activities mentioned in clause 4(a) in the centre's facilities or to allow the centre's facilities to be used for those activities;
- (b) consult, co-operate or enter into any agreement with any government, person, agency, organization, association, institution or body that the centre considers necessary to carry out its mandate and fulfil its purposes;
- (c) carry on any business that the centre considers necessary to carry out its mandate and fulfil its purposes, including any business incidental to hosting the activities mentioned in clause 4(a) and any business calculated directly or indirectly to enhance the value of or render profitable the centre's facilities;
- (d) do any other thing that is necessarily incidental to carrying out its mandate and fulfilling its purposes.

2000, c.S-10.1, s.5.

Powers re property

6(1) In carrying out its mandate and fulfilling its purposes, the centre may:

- (a) acquire, by purchase, lease or otherwise, real or personal property that the centre considers necessary for the operation of the centre; and
 - (b) sell, lease, convey or otherwise dispose of and convert into money any of its real or personal property that the centre considers no longer necessary for its purposes.
- (2) The centre shall obtain the approval of the Lieutenant Governor in Council before acquiring or disposing of any real property pursuant to subsection (1).
- (3) The centre may manage, insure, maintain, repair, alter or improve any of its property and may construct or erect any buildings, structures or other improvements.

2000, c.S-10.1, s.6.

Power to accept gifts

7(1) Notwithstanding section 6, the centre may, without obtaining the approval of the Lieutenant Governor in Council, receive gifts of real and personal property, including moneys, for the purposes of the centre, and may sell, lease, convey or otherwise dispose of and convert into money any real or personal property given, devised or bequeathed for those purposes.

(2) The centre shall consider the directions of any person who makes a gift to the centre, but the centre is not bound by those directions.

2000, c.S-10.1, s.7.

Financial assistance

8 To carry out its mandate and fulfil its purposes, the centre may accept any financial assistance made available to it from any government, person, agency, organization, association, institution or body.

2000, c.S-10.1, s.8.

Crown agent

9(1) The centre is for all its purposes an agent of the Crown, and the powers of the centre pursuant to this Act may be exercised only as an agent of the Crown.

(2) All property of the centre, all moneys acquired, administered, possessed or received from any source and all profits earned by the centre are the property of the Crown and are deemed, for all purposes, including taxation of whatever nature and description, to be the property of the Crown.

2000, c.S-10.1, s.9.

Capacity to contract

10(1) The centre has the capacity to contract and to sue and be sued in its corporate name with respect to any right or obligation acquired or incurred by it on behalf of the Crown as if the right or obligation were acquired or incurred on behalf of the centre.

(2) The centre, on behalf of the Crown, may contract in its corporate name without specific reference to the Crown.

2000, c.S-10.1, s.10.

Liability in tort

11 The centre may:

- (a) sue with respect to any tort; and
- (b) be sued with respect to liabilities in tort to the extent to which the Crown is subject pursuant to *The Proceedings against the Crown Act*.

2000, c.S-10.1, s.11.

Head office

12 The head office of the centre is to be situated in Regina.

2000, c.S-10.1, s.12.

PART III
Administration

Board

13(1) Subject to subsection (2), the Lieutenant Governor in Council shall appoint a board of directors for the centre consisting of not less than eight persons and not more than 12 persons.

(2) Subject to subsections (3) and (4), a person appointed pursuant to subsection (1):

(a) holds office at pleasure for a term not exceeding three years and until a successor is appointed; and

(b) is eligible for re-appointment.

(3) No member of the board shall hold office for more than three consecutive terms.

(4) If a member of the board dies or resigns, the person ceases to be a member of the board on the date of death or on the date the resignation is received by the board, as the case may be.

(5) In accordance with subsection (6), where the office of a person appointed pursuant to subsection (1) becomes vacant, the Lieutenant Governor in Council may:

(a) appoint a person for the remainder of the term of the person who vacated the office; or

(b) appoint a person for the term mentioned in subsection (2).

(6) A vacancy in the membership of the board does not impair the power of the remaining members of the board to act.

2000, c.S-10.1, s.13.

Officers

14(1) The Lieutenant Governor in Council shall designate one of the members of the board to be chairperson of the board and another to be vice-chairperson.

(2) 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.

(3) The board may appoint other officers of the board from its members.

2000, c.S-10.1, s.14.

Bylaws

15 The board may make bylaws governing its procedures and the conduct of its meetings.

2000, c.S-10.1, s.15.

Administration of Act

16(1) The board shall administer this Act.

(2) The board is responsible to the minister for the performance of its duties and the exercise of its powers pursuant to this Act.

(3) The minister may refer to the board for consideration any question relating to the carrying out of the purposes of this Act, and the board shall consider the question and report to the minister.

2000, c.S-10.1, s.16.

Remuneration and reimbursement

17 The members of the board are entitled to:

(a) remuneration for their services at the rates approved by the Lieutenant Governor in Council; and

(b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.

2000, c.S-10.1, s.17.

Executive director

18(1) Subject to the minister's approval, the board shall appoint a person who is not a member of the board as executive director of the centre.

(2) The board shall determine the term of office of the executive director.

(3) The executive director is an employee of the centre.

(4) The executive director may exercise the powers and shall perform the duties assigned to the executive director by the board and is responsible, subject to the direction of the board, for the general supervision and operation of the centre.

(5) The executive director shall annually, and at any other times requested by the board, report to the board on:

(a) the operation of the centre;

(b) the progress of the centre towards the achievement of its purposes; and

(c) any other matters that the board may reasonably require.

2000, c.S-10.1, s.18.

Employees

19(1) The centre may:

(a) employ any employees that it considers necessary for the conduct of its operations; and

(b) determine the duties and powers, conditions of employment, and remuneration of each employee.

(2) The centre is responsible for paying the remuneration of its employees.

(3) The centre has control over and shall supervise its employees.

2000, c.S-10.1, s.19.

Superannuation and benefits

20(1) *The Public Service Superannuation Act, The Superannuation (Supplementary Provisions) Act and The Public Employees Pension Plan Act* apply, with any necessary modification, to the employees of the centre.

(2) Subject to the approval of the minister, the centre may establish or provide for the following for the benefit of the employees of the centre and the dependants of those employees:

- (a) a group insurance plan;
- (b) any other employee benefit program.

2000, c.S-10.1, s.20.

PART IV Financial Matters

Fund continued

21(1) The Saskatchewan Centre of the Arts Fund is continued.

(2) The fund consists of:

- (a) all moneys appropriated by the Legislature for the purposes of this Act;
- (b) all earnings on investments of the fund; and
- (c) subject to section 24, all other moneys received by the centre by way of grant, bequest, donation or otherwise for the purposes of this Act.

2000, c.S-10.1, s.21.

Investments

22 The centre may:

- (a) invest any part of its moneys 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 any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the centre considers expedient.

2000, c.S-10.1, s.22.

Disbursements from fund

23 Subject to the provisions of this Act and any orders that may be made and any directives that may be issued by Treasury Board, the centre may make disbursements from the fund for:

- (a) the remuneration of all persons appointed or employed by the centre pursuant to this Act;
- (b) the payment of all remuneration and expenses incurred by the members of the board pursuant to section 17;

- (c) the payment of all sums of money required by the centre for the carrying out of its duties and the exercise of its powers pursuant to this Act, including all expenses necessarily incurred; and
- (d) any other payment that may be authorized by this Act.

2000, c.S-10.1, s.23.

Restricted funds

24(1) For the purposes of this Act, the centre may establish and administer two restricted funds.

(2) Each restricted fund consists of moneys designated to that fund by the board, but is not to include moneys appropriated by the Legislature.

(3) Where moneys are designated pursuant to subsection (2), those moneys, notwithstanding *The Financial Administration Act, 1993*, are to be deposited in the appropriate restricted fund and not in the general revenue fund.

(4) The centre shall use all moneys in one of the restricted funds for capital expenditures to maintain and improve the centre's facilities.

(5) The centre shall use all moneys in the other restricted fund for:

- (a) programming of activities in the centre's facilities; and
- (b) any other purposes that the centre considers appropriate to further its mandate and fulfil its purposes.

(6) The centre may:

- (a) invest any part of the moneys from a restricted fund 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 any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the centre considers advisable.

(7) The centre shall consider the directions of any person who makes a contribution to a restricted fund, but the centre is not bound by those directions.

2000, c.S-10.1, s.24.

Fiscal year

25 The fiscal year of the centre, the fund, and the restricted funds is the period commencing on April 1 in one year and ending on March 31 in the following year.

2000, c.S-10.1, s.25.

Audit

26 The Provincial Auditor or any other auditor or firm of auditors appointed by the Lieutenant Governor in Council shall audit the records, accounts and financial statements of the centre, the fund, and the restricted funds:

- (a) annually; and
- (b) at any other time that the Lieutenant Governor in Council may require.

2000, c.S-10.1, s.26.

c. S-10.1 SASKATCHEWAN CENTRE OF THE ARTS, 2000

Annual report

27(1) The board, in each fiscal year, in accordance with section 13 of *The Executive Government Administration Act*, shall submit to the minister:

- (a) a report on the business of the centre, the fund, and the restricted funds for the preceding fiscal year; and
- (b) a financial statement showing the business of the centre, the fund, and each restricted fund for the preceding fiscal year in any form that may be required by Treasury Board.

(2) The minister, in accordance with section 13 of *The Executive Government Administration Act*, shall lay before the Legislative Assembly each report and statement received by the minister pursuant to this section.

2000, c.S-10.1, s.27; 2014, c.E-13.1, s.62.

PART V
Repeal, Transitional and Coming into Force

R.S.S. 1978, c.S-10 repealed

28 *The Saskatchewan Centre of the Arts Act* is repealed.

2000, c.S-10.1, s.28.

Transitional

29(1) The persons acting as directors of the board pursuant to section 3 of *The Saskatchewan Centre of the Arts Act* on the day before the coming into force of this Act constitute the board until new appointments are made pursuant to section 13 of this Act.

(2) The person acting as executive director of the centre pursuant to section 4 of *The Saskatchewan Centre of the Arts Act* on the day before the coming into force of this Act is continued as executive director until a new executive director is appointed pursuant to section 18 of this Act.

2000, c.S-10.1, s.29.

Coming into force

30 This Act comes into force on assent.

2000, c.S-10.1, s.30.