

The Doukhobors of Canada C.C.U.B. Trust Fund Act

being

Chapter D-32.1 of the *Statutes of Saskatchewan, 1979-80* (effective June 29, 1980) as amended by the *Statutes of Saskatchewan*, 1983, c.11 and 29; [1988-89, c.42](#); [1989-90, c.54](#); [1992, c.4](#); [2004, c.10](#); [2005, c.8](#); [2014, c.E-13.1](#); and [2018, c.42](#).

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 D-32.1

An Act to provide for the Establishment of the Doukhobors of Canada C.C.U.B. Trust Fund

Short title

1 This Act may be cited as *The Doukhobors of Canada C.C.U.B. Trust Fund Act*.

Interpretation

2 In this Act:

- (a) “**board**” means the Doukhobors of Canada C.C.U.B. Trust Fund Board established pursuant to section 4;
- (b) “**chairperson**” means the chairperson of the board;
- (c) “**fund**” means the Doukhobors of Canada C.C.U.B. Trust Fund established pursuant to section 11;
- (d) “**member**” means a member of the board;
- (e) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

1979-80, c.D-32.1, s.2; 1983, c.11, s.22; 1992, c.4, s.3.

Purpose of Act

3 The purpose of this Act is to establish a trust fund into which the surplus funds now available to the Minister of Finance, arising out of the liquidation of assets of the C.C.U.B. Ltd. in a foreclosure action and to which no valid claim has been established through the courts, may be transferred and used to further the culture and heritage of the Doukhobors of Canada.

1979-80, c.D-32.1, s.3.

Board

4(1) There is hereby established a body corporate, to be called the Doukhobors of Canada C.C.U.B. Trust Fund Board, consisting of nine members appointed by the minister.

(2) The members appointed pursuant to subsection (1) must include:

- (a) four persons:
 - (i) nominated by recognized Doukhobor societies organized in Saskatchewan; and
 - (ii) approved by the minister;
- (b) four persons:
 - (i) nominated by recognized Doukhobor societies organized in British Columbia; and
 - (ii) approved by the minister; and

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- (c) one person:
- (i) nominated by recognized Doukhobor societies organized in Alberta; and
 - (ii) approved by the minister.
- (3) The headquarters of the board is to be located at the Village of Veregin, in the Province of Saskatchewan.
- (4) The board shall administer this Act and is responsible to the minister in the performance of its duties and the exercise of its powers pursuant to this Act.

1979-80, c.D-32.1, s.4; 1992, c.4, s.4; 2005, c.8, s.2.

Chairperson and vice-chairperson

- 5(1)** The minister shall appoint a chairperson and vice-chairperson of the board from among the members, but the appointments must be made from a nomination by the members based on a recorded vote.
- (2) The chairperson holds office for a term of one year or until his or her successor is appointed.
- (3) The chairperson shall sign any contract, agreement, order or rule on behalf of the board, but the treasurer of the board shall countersign all documents which may involve the expenditure of trust funds.
- (4) The vice-chairperson of the board shall act in the place of the chairperson during the chairperson's absence or inability to act.

1992, c.4, s.5.

Secretary treasurer

- 6(1)** The board shall appoint a secretary and a treasurer, or a secretary treasurer, who shall perform any duties that the board may determine or that may be prescribed in the regulations.
- (2) Persons appointed pursuant to subsection (1) are to be paid, from the earnings of the fund, any remuneration that is approved by the board.

1979-80, c.D-32.1, s.6.

Term of office

- 7(1)** Subject to subsection 5(2), each member holds office for a term of three years or until his or her successor is appointed.
- (2) Each member is eligible for reappointment but no member may be appointed for more than two consecutive terms.

1992, c.4, s.6.

Vacancy on board

- 8(1)** Where a vacancy occurs in the membership of the board, the minister shall, subject to subsection 4(2), immediately appoint a person to fill the vacancy for the remainder of the term of office of the member being replaced.
- (2) A vacancy in the membership of the board does not impair the power of the remaining members to act.

(3) A quorum of the board consists of the number and class of members prescribed in the regulations.

1979-80, c.D-32.1, s.8; 1992, c.4, s.7.

Payments to members

9 No member shall receive any remuneration or payment for his or her service as a member other than reimbursement for expenses that may be:

- (a) incurred in carrying out his or her duties; and
- (b) approved by the minister.

1979-80, c.D-32.1, s.9; 1992, c.4, s.8.

Meetings

10 The board shall meet at least once a year at a time and place that the chairperson may determine and at any other time and place that the chairperson may determine.

1979-80, c.D-32.1, s.10; 1992, c.4, s.9.

Fund established

11(1) The Doukhobors of Canada C.C.U.B. Trust Fund is hereby established.

(2) The fund is to be held and administered by the board in accordance with this Act and the regulations.

1979-80, c.D-32.1, s.11.

Fund moneys

12(1) The fund is to consist of:

- (a) all moneys paid to it pursuant to subsection (2); and
- (b) any moneys received by the board as a grant, gift or otherwise.

(2) The Minister of Finance shall cause to be deposited in the fund the principal sum of \$222,078.42 paid into the Court of Queen's Bench on February 19, 1973, by the Canada Permanent Trust Company together with the statutory interest accrued during the period the funds were held by the court up to the date of transfer of the funds to the Minister of Finance.

1979-80, c.D-32.1, s.12; 2018, c.42, s.65.

Power to accept gifts, etc.

13 The board may accept grants, gifts, devises and bequests for the purposes of this Act and, subject to the terms of the trust imposed by the donor or testator, may sell, lease, convey or otherwise dispose of and convert into money any property given, devised or bequeathed for those purposes.

1979-80, c.D-32.1, s.13.

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Investments

14 The board may invest any part of the fund not presently required for expenditure in any security or class of securities authorized for the investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*, may dispose of those securities, subject to the terms of the investment, in any manner and upon any terms that it considers advisable.

1979-80, c.D-32.1, s.14; 1983, c.29, s.9; 1988-89, c.42, s.31; 2004, c.10, s.17 and 18.

Use of earnings

15 The board shall use the earnings of the fund, and the portion of the fund consisting of moneys described in clause 12(1)(b), for the purposes mentioned in section 16, but shall not at any time pay out of the fund any sum that would reduce the balance of the fund to less than the amount paid into the fund pursuant to subsection 12(2).

1979-80, c.D-32.1, s.15.

Grants

16(1) The board shall provide for the making of grants to recognized non-profit organizations which are dedicated to establishing and maintaining the heritage and culture of the Doukhobors of Canada.

(2) A grant may be made subject to any terms and conditions that the board considers reasonable.

1979-80, c.D-32.1, s.16.

Audit

17 The records and accounts of the fund are to be audited annually by the Provincial Auditor or any other auditor that may be designated by the Lieutenant Governor in Council.

1979-80, c.D-32.1, s.17.

Annual report

18(1) The board shall, in each fiscal year, in accordance with section 13 of *The Executive Government Administration Act*, submit to the minister:

(a) a report of the board upon its business for its immediately preceding fiscal year;

(b) a financial statement, certified by the auditor of the fund, showing the business of the board for its immediately preceding fiscal year, in any form that may be required by Treasury Board.

(2) The minister shall, in accordance with section 13 of *The Executive Government Administration Act*, lay before the Legislative Assembly each report and statement received by the minister pursuant to subsection (1).

1979-80, c.D-32.1, s.18; 1992, c.4, s.10; 2014, c.E-13.1, s.62.

Regulations

19 For the purpose of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations:

- (a) defining any word or expression used in this Act but not defined in this Act;
- (b) respecting financial matters, including the administration of the fund;
- (c) respecting guidelines in the matter of making grants;
- (d) respecting the conduct of meetings;
- (e) prescribing any class of questions before the board that requires the approval of more than half of the members present and prescribing the proportion of the members present that is required to decide any such question;
- (f) respecting the duties of the secretary and the treasurer or the secretary treasurer appointed by the board;
- (g) prescribing the number and class of members of the board that constitutes a quorum of the board.

