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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

**Bill 238**

(Private)

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

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**Passage in principle 14 December 2005**  
**Passage 14 December 2005**  
**Assented to 16 December 2005**

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## Bill 238

(Private)

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

AS Les Filles de Jésus (Trois-Rivières) was constituted as a legal person by 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);

As the charter of the legal person was amended by chapter 124 of the statutes of 1978 and chapter 112 of the statutes of 1999;

As it is expedient, because of the unification of the Canadian religious provinces of La Congrégation des Filles de Jésus and the reorganization of the Trois-Rivières province as a vice-province on 20 August 2005, to again modify the internal structure of the legal person as well as the rules for the exercise of its powers;

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

#### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 3 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), amended by section 1 of chapter 124 of the statutes of 1978, is replaced by the following section:

**“3.** The members of the legal person shall be the persons who, under the religious rules of La Congrégation des Filles de Jésus, are members of that congregation and are assigned to the religious vice-province of Trois-Rivières, as long as they remain so assigned and members of the congregation.”

**2.** Section 4 of the Act is replaced by the following section:

**“4.** The objects of the legal person shall be to organize, administer and maintain the religious vice-province of Trois-Rivières of La Congrégation des Filles de Jésus, whose objects are religion, charity, instruction, education and welfare.”

**3.** Section 5 of the Act, amended by section 1 of chapter 112 of the statutes of 1999, is again amended by replacing “Special Corporate Powers Act

(R.S.Q., chapter P-16)” in paragraph *j* by “Act respecting the special powers of legal persons (R.S.Q., chapter P-16);”.

**4.** Section 7 of the Act, amended by section 2 of chapter 112 of the statutes of 1999, is replaced by the following section:

“**7.** The legal person may make, amend and repeal by-laws concerning

(a) its internal management;

(b) the appointment, functions, duties and powers of its officers and employees;

(c) the constitution, appointment and management of executive committees, special committees, boards or officers that may be constituted or appointed for the pursuit of its objects and charged with the exercise of all or some of its powers;

(d) the administration, management and control of its property, works and undertakings;

(e) the pursuit of its objects generally.”

**5.** Section 15 of the Act is amended by adding the following paragraphs:

“In the absence of a mandate given under article 2166 of the Civil Code, the legal person shall have the mandate and responsibility to fully ensure the care and administer the property of its members for as long as they remain members of the legal person. The legal person shall appoint one of its officers to execute the mandate.

The execution of the mandate is subordinate to the occurrence of incapacity and to homologation by the court, on the application of the legal person. Any application for homologation or revocation of the mandate of the legal person shall be effected in accordance with the Code of Civil Procedure. The application for homologation must identify the officer appointed to execute the mandate. Proof that the mandator is a member of the legal person is proof of the mandate.”

**6.** Section 16 of the Act, amended by section 3 of chapter 124 of the statutes of 1978, is replaced by the following section:

“**16.** The rights and powers of the legal person shall be exercised by the nun holding the office of Vice-Provincial of the vice-province of Trois-Rivières of La Congrégation des Filles de Jésus.”

**7.** Section 18 of the Act, amended by section 6 of chapter 112 of the statutes of 1999, is again amended

(1) by replacing “provincial superior of the Trois-Rivières province” in subparagraph *c* of the first paragraph by “Vice-Provincial of the vice-province of Trois-Rivières”;

(2) by striking out subparagraph *d* of the first paragraph.

**8.** Section 19 of the Act is amended by striking out “, is a member of its council of advisers”.

**9.** Section 24 of the Act, amended by section 9 of chapter 112 of the statutes of 1999, is again amended by replacing “Provincial Superior of the province” in the second paragraph by “Vice-Provincial of the vice-province”.

**10.** Sections 11, 21 and 24 of the Act, amended by sections 4, 8 and 9 of chapter 112 of the statutes of 1999, are again amended by replacing “Inspector General of Financial Institutions” or “Inspector General”, wherever it occurs, by “enterprise registrar”.

**11.** Sections 1 to 10 of this Act have effect from 20 August 2005.

**12.** This Act comes into force on 16 December 2005.