



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 231

(Private)

An Act respecting Dixville Home Inc.

Introduced 11 November 2010
Passed in principle 10 December 2010
Passed 10 December 2010
Assented to 10 December 2010

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(Private)

AN ACT RESPECTING DIXVILLE HOME INC.

AS Dixville Home Inc. is a public institution constituted as a legal person on 22 March 1965 under Part III of the Companies Act (R.S.Q., 1964, chapter 271) and its mission is to operate a rehabilitation centre of the class of rehabilitation centres for mentally impaired persons or persons with a pervasive developmental disorder, in accordance with section 84 and paragraph 1 of section 86 of the Act respecting health services and social services (R.S.Q., chapter S-4.2);

AS Dixville Home Inc. is a legal person designated by the Minister of Health and Social Services under section 139 of the Act respecting health services and social services;

AS, by a deed registered on 23 July 1974 at the registry office of the registration division of Coaticook under number 49703, Dixville Home Inc. acquired the immovable designated as lot 143 of the cadastre of the village of Dixville in the registration division of Coaticook;

AS, contrary to section 44 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Lieutenant-Governor in Council to acquire the lot, and its deed of acquisition is therefore null under section 48 of that Act;

AS, by a deed registered on 20 November 1986 at the registry office of the registration division of Coaticook under number 65784, Dixville Home Inc. acquired the immovable designated as lot 109 of the cadastre of the village of Dixville in the registration division of Coaticook;

AS, contrary to section 72 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, Dixville Home Inc. failed to obtain the authorization of the Government or consult the regional council concerned to acquire the lot, and its deed of acquisition is therefore null under section 75 of that Act;

AS Dixville Home Inc. acquired the immovables to carry out the mission of the institution and used them for that purpose for many years;

AS Dixville Home Inc. wishes to sell the two immovables but the absence of the authorizations required at the time it acquired the immovables prevents it from claiming that its titles of ownership are valid;

AS it is in the interest of Dixville Home Inc. that its failure to obtain the required authorizations at the time it acquired the immovables, and the resulting defects of title affecting them, be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite sections 44 and 48 of the Act respecting health services and social services (1971, chapter 48) applicable at the time, the deed of sale registered under number 49703 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable designated as lot 143 of the cadastre of the village of Dixville in the registration division of Coaticook, may not be annulled on the grounds that the authorization of the Lieutenant-Governor in Council was not obtained, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

2. Despite sections 72 and 75 of the Act respecting health services and social services (R.S.Q., chapter S-5) applicable at the time, the deed of sale registered under number 65784 at the registry office of the registration division of Coaticook, by which Dixville Home Inc. acquired the immovable designated as lot 109 of the cadastre of the village of Dixville in the registration division of Coaticook, may not be annulled on the grounds that the authorization of the Government was not obtained or the regional council concerned was not consulted, and no allegation of irregularity or illegality may be raised against the right of ownership of Dixville Home Inc. in the immovable.

3. This Act must be registered at the registry office of the registration division of Coaticook and the appropriate entries registered against lots 143 and 109 of the cadastre of the village of Dixville in the registration division of Coaticook.

4. This Act comes into force on 10 December 2010.