



## CHAPTER 71.

An Act to incorporate Parishes of the Ukrainian  
Catholic Church in British Columbia.

[Assented to 20th March, 1958.]

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of British Columbia, enacts  
as follows:—

Short title.

1. This Act may be cited as "The Ukrainian Catholic Parishes Act."

Definitions.

2. In this Act:—

"Church" means the Catholic Church of Ukrainian Rite in Canada, in communion with the Holy See of Rome:

"Corporation" means a parish incorporated under this Act:

"Members" means Christians who hold services of public worship according to the dogmas, doctrines, discipline, by-laws, rules, and regulations of the Church and who reside within any parish as herein defined:

"Parish" means a congregation, local church, charge, circuit, mission, or other local unit for purposes of worship, under the guidance of a priest of the Church.

Incorporation.

3. (1) The members of any parish, at a meeting called as hereinafter provided, may, by a clear majority of the votes of the members present at the meeting and entitled to vote, pass a resolution constituting the members of the parish and their successors a body politic and corporate under the name "The Ukrainian Catholic Parish of \_\_\_\_\_" or "The Ukrainian Greek Catholic Parish of \_\_\_\_\_" or "The Greek Catholic Parish of \_\_\_\_\_" (giving the distinguishing name of the parish).

(2) A copy of the resolution accompanied by a certificate of consent in writing under the hand of the bishop of the Church in British Columbia and sealed with the seal of The Ukrainian Catholic Episcopal Corpo-

ration of Western Canada, and stating that the members of the parish are members of the Catholic Church of Ukrainian Rite in Canada in communion with the Holy See of Rome, and that the parish is a parish of that Church, shall, within six months after the date of the meeting, be filed in the office of the Provincial Secretary.

(3) A copy of the resolution so filed, certified by the Provincial Secretary, shall be received in all cases as prima facie proof of the facts and matters therein stated.

(4) Fourteen days' notice shall be given of any meeting called for the purposes mentioned in subsection (1), and the notice shall state the purpose of the meeting and shall be published in a newspaper having a general circulation in the locality in which the parish is situated.

(5) A corporation may be operated in such a manner as to be self-sustaining financially, but shall not be operated for the purpose of being, or so as to be, a source of revenue to members or parishes or to the Church.

Spiritual guidance.

(6) A corporation under this Act shall be under the jurisdiction of the bishop of the Church in British Columbia and his successors in office of the same faith and rite, appointed by the Supreme Pontiff and persevering in communion with the Holy See of Rome.

Board of trustees,  
financial board, and  
organizations.

4. (1) Every corporation shall have:—

- (a) A priest duly appointed by the bishop, who shall be ipso facto the rector of the board of trustees, church committees, and all parochial organizations of the corporation:
- (b) An elected board of trustees comprising not less than five members in addition to the rector and the chairman of the board of trustees:
- (c) A financial board comprising at least three members, who shall act in an advisory capacity; and
- (d) Any necessary parochial organizations in order to aid the corporation and its good works.

(2) The trustees shall be elected annually for a period of one year by the members present at the meeting and entitled to vote, but the trustees may be re-elected.

(3) Members of the financial board may also be members of the board of trustees.

(4) No parochial organization may be organized within the parish without the formal approval of the rector.

Meetings.

5. (1) All meetings of the members of a corporation shall be called by the rector or, in his absence and with his consent, by the board of trustees.

(2) Where a meeting is held in the absence of the rector, all decisions shall be made subject to his approval.

(3) All questions at meetings shall be decided by majority vote.

- Casting-vote. (4) In case of a tie vote, the rector shall have a casting-vote.
- Consent of chairman. (5) No orders, by-laws, decisions, and regulations of any parochial organization have any force or effect until the consent of the rector has been obtained.
- Signing cheques. (6) Cheques issued by a corporation shall be signed by the rector and one of the members of the board of trustees, or where there is no resident rector, by two members of the board of trustees.
- Seals, registers, and minutes. (7) Parochial seals, registers, documents, and minutes of the board of trustees, church committees, and religious organizations shall be kept in the parish rectory, and if possible in a fire-proof safe.
- Financial returns. (8) Each corporation shall submit detailed annual financial statements to the bishop of the Church in British Columbia, and shall open its financial books for inspection to a duly appointed representative of The Ukrainian Catholic Episcopal Corporation of Western Canada.
- Purchase of property. **6.** Every corporation may, with the written approval of the bishop of the Church, purchase, acquire, take, have, hold, receive, possess, retain, and enjoy property, real or personal, corporeal or incorporeal, necessary for its purposes or any estate or interest therein.
- Disposal of property. **7.** Every corporation may, with the approval of the bishop of the Church, sell, convey, exchange, alienate, mortgage, lease, or demise any real or personal property held by the corporation, whether by way of investment or for the uses and purposes of the corporation.
- By-laws. **8.** (1) Every corporation may make by-laws, not inconsistent with the provisions of this Act, for:—  
(a) The administration, management, and control of the property, business, and other temporal affairs of the corporation;  
(b) The appointment of committees for the purposes of the corporation, and the calling of the meetings of those committees; and  
(c) Generally for the carrying-out of the objects and purposes of the corporation.  
(2) No by-law has any force or effect, and no committee has any powers under a by-law, until the by-law has been approved by the bishop of the Church in British Columbia.
- Borrowing. **9.** (1) Every corporation may, for the purposes of the corporation:—  
(a) Borrow money upon the credit of the corporation;  
(b) Limit or increase the amount to be borrowed; and  
(c) Make, draw, accept, endorse, or become party to promissory notes and bills of exchange.  
(2) Every note or bill made, drawn, accepted, or endorsed by the corporation and signed by the bishop of the Church in British Columbia, or by some other person nominated for the purpose by the bishop of

the Church in British Columbia, is binding upon the corporation, and is presumed to have been made, drawn, accepted, or endorsed with proper authority until the contrary is shown, and it is not necessary in any case to have the seal of the corporation affixed to any such note or bill.

Execution of documents.

**10.** Any deed, transfer, mortgage, charge, or other instrument relating to or dealing with real estate or any interest therein vested in any corporation shall be deemed to be duly executed and binding upon the corporation, and shall be sufficient for the purposes for which it was intended, if there are affixed thereto the seal of the corporation attested by the rector and secretary of the board of trustees and the seal of The Ukrainian Catholic Episcopal Corporation of Western Canada attested by the bishop of the Church.

Liability of members.

**11.** No member of any corporation shall be individually responsible for any of the debts, contracts, or liabilities of the corporation.

General by-laws.

**12.** A corporation formed under the Act shall be governed by such general by-laws as may be from time to time made, altered, or amended by the bishop of the Church in British Columbia, not inconsistent with any provision of this Act.

Parishes and missions incorporated prior to this Act.

**13.** Every parish or mission of the Ukrainian Catholic Church in the Province of British Columbia that before the passing of this Act became a body corporate under any public or private Act, Bill, name, or corporation different from the above mentioned in this section, but which was under the actual and (or) spiritual care or management of the Right Reverend Nicetos Budka, D.D., and (or) his lawful successors in office, and (or) receiving a priest duly appointed by the said bishop and (or) his successors in office and (or) holding in the said parish or mission services of public worship according to the dogmas, doctrines, by-laws, discipline, rules, and regulations of the Ukrainian Catholic or the Ukrainian Greek Catholic or Ruthenian Greek Catholic Church, may, by resolution pursuant to the terms of this Act, apply as a corporation hereunder, and thereafter, subject to the provisions of the pertinent sections of this Act, shall continue as a body corporate under the terms of this Act; and on, from, and after the coming into force of this Act, this Act applies and shall apply and shall continue to apply to such bodies so applying for a corporate status as a corporation, and the name of each of those churches, parishes, or missions shall be changed to conform with the provisions of subsection (1) of section 3 of this Act.

Saving.

**14.** Such change in name shall not in any way impair, alter, or affect the rights or liabilities of the corporation, or any bequest, gift, or donation now made or which hereafter may be made to the corporation, whether by its original or its new name, or any suit or proceeding now pending or judgment existing either by or in favour of or against the

corporation and which, notwithstanding such change in name of the corporation, may be enforced and continued as if this Act had not been passed.

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