

CHAPTER 58

**An Act to Incorporate The Bishop of The Ukrainian Catholic
Eparchy of New Westminster and His Successors in Office
a Corporation Sole***[Assented to 30th June, 1976.]***Preamble.**

WHEREAS a new diocese for the Ukrainian Catholics has been created under the style and title of the Ukrainian Catholic Eparchy of New Westminster which comprises the Province of British Columbia, the Yukon Territory and the portion of North West Territories lying north of the Province of British Columbia and west of the 120th and not farther than 141st longitude (formerly forming a portion of the Ukrainian Catholic Episcopal Corporation of Western Canada);

And whereas there is now standing registered in the name of the Ukrainian Catholic Episcopal Corporation of Western Canada, a corporation incorporated by special Act of the Senate and the House of Commons of Canada, being chapter 83 of the Statutes of the Dominion of Canada, 1951, certain real and personal property within the territorial boundaries of the said Eparchy of New Westminster;

And whereas Most Reverend Jerome Isidore Chimy, the Ukrainian Catholic Bishop of the said Eparchy of New Westminster has presented a petition, praying that the Bishop of The Ukrainian Catholic Eparchy of New Westminster and his successors in office, may be created a Corporation Sole, and that all real and personal property vested in The Ukrainian Catholic Episcopal Corporation of Western Canada (save and except the properties held by "The Order of Saint Basil the Great in Canada"), within the territorial boundaries of the said Ukrainian Catholic Eparchy of New Westminster, may be declared to stand vested in The Ukrainian Catholic Eparchy of New Westminster as a Corporation Sole;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Incorporation.

1. The Bishop of the Ukrainian Catholic Eparchy of New Westminster for the time being and his successors in office, duly nominated and appointed as such Bishop according to the usages and rites of the Roman Catholic Church shall be a Corporation Sole with perpetual succession, under the name and style of "THE UKRAINIAN CATHOLIC EPARCHY OF NEW WESTMINSTER", hereinafter called "the Corporation", for the purposes of administering the property, business and other temporal affairs of the Corporation.

**Corporate
name.**

Vesting in new
Corporation all
lands standing
in the name of
The Ukrainian
Catholic Episcopal
Corporation of
Western Canada.

2. All property, real or personal, now vested or standing in the name of The Ukrainian Catholic Episcopal Corporation of Western Canada within the Province of British Columbia, are hereby declared to be vested in The Ukrainian Catholic Eparchy of New Westminster as a Corporation Sole; and that the said The Ukrainian Catholic Eparchy of New Westminster as a Corporation Sole may hold, sell, convey, mortgage, lease, or otherwise deal with the said property under the name and seal of The Ukrainian Catholic Eparchy of New Westminster.

Power to
acquire and
hold property.

3. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever, given, granted, mortgaged, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

Investment
in and
disposal of
real property.

4. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property within the territorial boundaries of The Ukrainian Catholic Eparchy of New Westminster; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Borrowing
powers.

5. The Corporation may, from time to time, for the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party authorized by the said by-laws, shall be binding upon the

Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

- (c) issue bonds, debentures or other securities of the Corporation;
- (e) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;
- (f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

**Vacancy,
absence,
infirmity or
incapacity.**

6. (1) Vacancy in the office of The Ukrainian Catholic Eparchy of New Westminster may happen by death, resignation, absence, infirmity or incapacity of the Bishop of The Ukrainian Catholic Eparchy of New Westminster.

(2) In the event of the death or resignation of the Bishop of The Ukrainian Catholic Eparchy of New Westminster, the administrator canonically appointed according to the laws, usages and rites of the Roman Catholic Church, shall administer the affairs of the Ukrainian Catholic Eparchy of New Westminster in accordance with the laws and usages of the Roman Catholic Church until the nomination and appointment of another Bishop in a manner named in section 1 of this Act.

(3) In the event of the absence, illness, infirmity or other incapacity of the Bishop of The Ukrainian Catholic Eparchy of New Westminster for the time being to perform the duties of the Corporation, then his Vicar General or other person canonically appointed, according to the laws and usages of the Roman Catholic Church, shall perform his duties as Bishop, and he shall have, until a new Bishop is appointed, or during such absence, illness, infirmity or incapacity, the powers conferred by this Act upon the Corporation.

**Powers of
Administrator.**

7. In the event of any person or corporation being entitled, during a vacancy in the said office, to demand from the Ukrainian Catholic Eparchy of New Westminster a conveyance or release of any interest in real estate in pursuance of an agreement duly entered into between the said person or corporation and the said Corporation Sole, then the person who shall for the time being be appointed, according to the usages and rites of the Roman Catholic Church, to administer the affairs of The Ukrainian Catholic Eparchy of New Westminster is hereby authorized to execute and deliver to the said person or corporation a deed or release of the said lands, in accordance with the terms of the said agreement, in the name of The Ukrainian Catholic Eparchy of New Westminster, and according to the laws and usages of the

Roman Catholic Church, and the said conveyance shall be a valid transfer of the said lands or release of the said lands as if made by the Bishop of The Ukrainian Catholic Eparchy of New Westminster.

Short
title.

8. This Act may be cited as: *The Ukrainian Catholic Eparchy of New Westminster Incorporation Act.*

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