



BILL NO. 127

Government Bill

*4th Session, 61st General Assembly
Nova Scotia
61 Elizabeth II, 2012*

An Act to Amend Chapter 22 of the Revised Statutes, 1989, the Art Gallery of Nova Scotia Act

CHAPTER 54
ACTS OF 2012

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 6, 2012**

The Honourable Leonard Preyra
Minister of Communities, Culture and Heritage

*Halifax, Nova Scotia
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**An Act to Amend Chapter 22
of the Revised Statutes, 1989,
the Art Gallery of Nova Scotia Act**

Be it enacted by the Governor and Assembly as follows:

1 Clause 2(e) of Chapter 22 of the Revised Statutes, 1989, the *Art Gallery of Nova Scotia Act*, is amended by striking out “Tourism and Culture” in the first and second lines and substituting “Communities, Culture and Heritage”.

2 Section 4 of Chapter 22 is amended by striking out “society incorporated under the *Societies Act*” in the fourth line and substituting “natural person”.

3 Subsection 5(1) of Chapter 22 is repealed and the following subsections substituted:

(1) The management and control of the affairs of the Gallery are vested in a Board of Governors and the Board may, subject to this Act, exercise the powers of the Gallery.

(1A) Where there is a conflict between the Board and the membership attending an annual or a special meeting of the Gallery, relating to the exercise of the powers of the Gallery, the exercise of the powers by the Board prevails.

4 Clause 10(g) of Chapter 22 is repealed and the following clause substituted:

(g) to regulate the rights of members of the Gallery.

5 Section 11 of Chapter 22 is amended by

(a) striking out “Board” in the first line and substituting “Gallery”.

(b) striking out clauses 11(b), (c), (d), (f) and (g);

(c) striking out the semicolon at the end of clause (i) and substituting a period;
and

(d) striking out clause (j).

6 Chapter 22 is further amended by adding immediately after Section 11 the following Section:

11A The Gallery may

(a) collect, classify, preserve and display objects relevant to its purposes;

(b) administer programs and projects for art galleries, museums or organizations for promoting the purpose of this Act;

(c) publish or cause to be published such information relating to the Gallery as it considers advisable;

(d) determine the classifications of membership in the Gallery, including qualifications for membership, procedures for becoming a member, fees to be paid by members and all other matters respecting membership;

(e) carry on the operation of a shop and buy and accept on consignment articles for sale;

(f) hold competitions to increase the knowledge and capabilities of persons interested in the visual arts;

(g) make, execute, issue and endorse bills of exchange, cheques, promissory notes, hypothecation forms and other such instrument as may be necessary or convenient;

(h) subject to the approval of the Minister, do such matters and things as may be necessary or incidental for the attainment of its objects and the exercise of its powers.

7 (1) Subsection 12(1) of Chapter 22 is amended by

(a) striking out “Any” in the first line and substituting “Subject to subsection (3), any”;

(b) striking out “Art Gallery of Nova Scotia” in the fourth line and substituting “Gallery”; and

(c) striking out “of Directors of the Art Gallery of Nova Scotia” in the fourth and fifth lines.

(2) Section 12 is further amended by adding immediately after subsection (2) the following subsection:

(3) Subsection (1) does not apply to any grant, gift, devise, bequest or trust to or for the benefit of any registered charity, within the meaning of the *Income Tax Act* (Canada), that is created or established after the coming into force of this subsection.
