

THE SENATE OF CANADA

BILL I<sup>7</sup>.

Assented to April 30th, 1949.

An Act to incorporate the National Spiritual Assembly  
of the Bahá'ís of Canada.

Preamble.	<b>WHEREAS</b> a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—
Incorporation.	1. John Aldham Robarts, of the city of Toronto, province of Ontario, manager; Emeric Sala, of the city of St. Lambert, province of Quebec, manufacturer; Dame Laura Romney Davis, wife of Victor Davis of the city of Toronto, province of Ontario; Siegfried Schopflocher, of the city of Montreal, province of Quebec, manufacturer; Rowland Arduin Estall, of the city of Montreal, province of Quebec, insurance broker; Ross Greig Woodman, of the city of Toronto, province of Ontario, lecturer; Lloyd George Gardner, of the city of Toronto, province of Ontario, wholesaler; and Dame Doris Cecilia Richardson, wife of J. P. Richardson, of the city of Toronto, province of Ontario; and Dame Rosemary Scott Sala, wife of the said Emeric Sala, of the city of St. Lambert, province of Quebec, and their successors are constituted a body politic and corporate under the name of “National Spiritual Assembly of the Bahá'ís of Canada”, hereinafter called the “National Assembly”.
Corporate name.	
Officers.	2. The persons named in section one of this Act shall be the first directors of the National Assembly and John Aldham Robarts, Emeric Sala, Dame Laura Romney Davis and Siegfried Schopflocher, respectively, be president, vice-president, secretary and treasurer thereof and shall hold office until their successors are appointed.
Head office.	3. (1) The head office of the National Assembly shall be at the city of Toronto, in the province of Ontario, or at such other place in Canada as may be decided by the National Assembly.
Notice of change.	(2) Notice in writing shall be given to the Secretary of State by the National Assembly concerning any change of the head office and a copy of such notice shall be published forthwith in <i>The Canada Gazette</i> .
Objects.	4. The objects of the National Assembly shall be to (a) exercise exclusive jurisdiction and authority over all the activities and affairs of the Bahá'í cause throughout Canada; (b) admit and release all individuals to membership in the Bahá'í community according to the by-laws of the National Assembly in that behalf; (c) recognize local spiritual assemblies of Bahá'ís in Canada, scrutinize all membership rolls; (d) organize, maintain, carry on, and assume in all parts of Canada devotional meetings, public meetings and conferences of an educational, humanitarian and spiritual character; (e) establish, construct, maintain and support temples of universal worship and other institutions and edifices for humanitarian service; (f) promote the spiritual welfare of and the unity of spirit among the Bahá'ís of Canada by mutual assistance; to foster, diffuse, encourage, advance and strengthen “the interests of the servants of God for His sake, even as they regard their own interests and to choose that which is meet and seemly”; (g) establish, maintain and support a publishing house or otherwise provide for the publication of books, pamphlets, magazines, and newspapers pertaining to the Bahá'í cause; (h) settle any dissension existing within a local Bahá'í community of such character that it cannot be remedied by the efforts of the local spiritual assembly

and settle questions arising between two or more spiritual assemblies and between members of different Bahá'í communities and to entertain all appeals from decisions of local spiritual assemblies;

- (i) enter into, make, perform and carry out any contract of every sort and kind for the furtherance of the objects of the National Assembly with any person, firm, association, corporation, private, public or municipal or body politic, of any province, territory or colony thereof, or any foreign government; and in this connection, and in all transactions under the terms hereof, to do any and all things which a co-partnership or person could do or exercise, and which now or hereafter may be authorized by law;
- (j) fulfill all and whatsoever the several purposes and objects set forth in the written utterances of Bahá'u'lláh, 'Abdu'l-Bahá and Shoghi Effendi;
- (k) administer the property, business and other temporal affairs of the National Spiritual Assembly of the Bahá'ís of Canada.

**Management.** 5. The affairs of the National Assembly shall be managed by the nine members of the National Assembly, who shall be assisted by such other officers and agents as the National Assembly may appoint.

**Power to make by-laws.** 6. The National Assembly may from time to time make by-laws, not contrary to law, for

- (a) the prerequisites of admission and the qualifications of respecting any member of the National Assembly and local spiritual assemblies of Bahá'ís in Canada and Bahá'ís generally and their release;
- (b) the administration, management and control of the property, business and other temporal affairs of the National Assembly and of the Bahá'ís of Canada;
- (c) the election or appointment and the functions, duties and remunerations of the members of the National Assembly and local spiritual assemblies and of the officers, agents and servants or the National Assembly;
- (d) the creation of any special committee or board for the purpose of the National Assembly and the appointment or election of the members thereof;
- (e) the calling of regular or special meetings of the National Assembly and of the Bahá'ís of Canada, and of any committee or board thereof, and fixing the necessary quorum of, and the procedure to be followed at all meetings of the National Assembly, the local spiritual assemblies, the Bahá'ís, and of any committee or board thereof;
- (f) the general performance of the objects and purposes of the National Assembly.

**Power to acquire and hold property.** 7. (1) The National Assembly may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any and every estate and interest whatsoever given, granted, 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 National Assembly.  
(2) The National Assembly may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

**Investment in and disposal of real property.** 8. Subject always to the terms of any trust relating thereto, the National Assembly may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the National Assembly, whether by way of investment for the uses and purposes of the National Assembly 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; and for the purpose of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the National Assembly 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.

**Obligation to dispose of lands.** 9. (1) No parcel of land, or interest therein, at any time acquired by the National Assembly and not required for its actual use and occupation, and not held by way of security, shall be held by the National Assembly, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, or for a longer period than ten years after it shall have ceased to be required for the actual use and occupation by the National Assembly, whichever shall be the longer period, but

	shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the National Assembly shall no longer retain any interest or estate therein, except by way of security.
<b>Extension of time.</b>	(2) The Secretary of State may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.
<b>Fifteen year limit.</b>	(3) The whole period during which the National Assembly may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years after the date of the acquisition thereof, or after it shall have ceased to be required for the actual use or occupation by the National Assembly, whichever shall be the later date.
<b>Forfeiture of property held beyond the time limit.</b>	(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned which has been held by the National Assembly for a longer period than authorized by the foregoing provisions of this section without being disposed of, shall be forfeited to His Majesty for the use of Canada.
<b>Statement.</b>	(5) The National Assembly shall give the Secretary of State, when required, a full and correct statement of all lands, at the date of such statement, held by the National Assembly, or in trust for it, and subject to the provisions of this section.
<b>Application of section.</b>	(6) This section shall apply only to lands and estates, or interests therein, which, by reason of the situation of such lands or otherwise, are subject to the legislative authority of the Parliament of Canada.
<b>Application of mortmain laws.</b>	<b>10.</b> In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act, but otherwise, the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the National Assembly.
<b>Transfer of property held in trust.</b>	<b>11.</b> In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof to the National Assembly.
<b>Execution of documents.</b>	<b>12.</b> Any deed or other instrument relating to real property, or any interest therein, shall be deemed to be duly executed if there is affixed thereto the seal of the National Assembly and the signature of the president and secretary or treasurer or the National Assembly duly authorized for such purpose.
<b>Disposition of property by gift or loan.</b>	<b>13.</b> The National Assembly may make a gift of or loan any of its property, whether real or personal, to, or for the assistance of, any local spiritual assembly of Bahá'ís in Canada for the purchase, erection, leasing or maintenance of any building or buildings deemed necessary for any temple, college, school, hospital, orphanage or home for the aged, or for any other religious, charitable, educational, or social purpose, upon such terms and conditions as it may deem expedient.
<b>Borrowing powers.</b>	<b>14.</b> (1) The National Assembly may, from time to time, for the purposes of the National Assembly, (a) borrow money upon the credit of the National Assembly; (b) limit or increase the amount to be borrowed; (c) make, draw, accept, endorse, or become party to promissory notes and bills of exchange; and it shall not be necessary to have the seal of the National Assembly affixed to any such note or bill; (d) issue bonds, debentures or other securities of the National Assembly; (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, charge or pledge all or any of the real and personal property, undertaking and rights of the National Assembly to secure any such bonds, debentures or other securities or any money borrowed or any other liability of the National Assembly.

**Limitation.** (2) Nothing in this section shall lie construed to authorize the National Assembly to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

**Investment of funds.** **15.** The National Assembly may also invest and reinvest any of its funds in

- (a) bonds or debentures of any municipality, or public school corporation, or district in Canada, in bonds, stock and debentures or other securities of Canada, or of any province thereof, or in any security the payment of which is guaranteed by Canada, or any province thereof;
- (b) first mortgages on freehold property in Canada, and, for the purpose of the same, may take mortgages or assignments thereof, whether such mortgages or assignments be made directly to the National Assembly in its own corporate name or to some company or person in trust for it, and may sell and assign the same; or
- (c) any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds.

**Functions and meetings.** **16.** The National Assembly may exercise its functions throughout Canada and its meetings may be held at any place within Canada.

**Passed by the Senate, Wednesday, 27th April, 1949.**

*[signed by the Clerk of the Senate]*

Wednesday, 27th April, 1949

ORDERED: That the Clerk do carry this Bill to the Commons and acquaint them that the Senate desires their concurrence thereto.

*[signed by the Clerk of the Senate]*

HOUSE OF COMMONS  
Friday, 29th April, 1949.

ORDERED: That the Clerk do carry back this Bill to the Senate and acquaint Their Honours that this House hath passed the same without any amendment.

*[signed by the Clerk of the House]*

**I assent to this Bill in His Majesty's name.**

*[signed by the Governor General]*