

APR 28 2008

Hon. Roger Fitzgerald
Speaker
House of Assembly

Re: Newfoundland and Labrador Sports Centre Inc.

Dear Mr. Speaker,

Until April 2002, the Department of Tourism, Culture and Recreation operated and managed the Torbay Recreation Centre which was utilized as a training and competition venue for the Province's athletes and teams participating in the NL Games and the Canada Games. Since the closing of this facility the Department has explored a number of options for its replacement. In January 2007, an agreement was signed between the Province, the City of St. John's, Sport Newfoundland and Labrador, and the Swilers Rugby Club for the construction and operation of the Newfoundland and Labrador Sports Centre.

On April 3, 2008, the Newfoundland and Labrador Sports Centre, was incorporated as a provincial crown corporation, under Part 1 of the *Corporations Act*.

Pursuant to Section 10(3) of the *Transparency and Accountability Act*, the following information is presented with respect to the newly formed Newfoundland and Labrador Sports Centre Inc.:

Purpose for Incorporation

By vesting the NL Sports Centre a provincial crown corporation:

- (i) the Centre will have the ability to access corporate sponsorship and other sources of government and non-government funding;
- (ii) the Centre will have increased flexibility in financial management, such as revenue generation; and
- (iii) a very effective partnership between governments (federal, provincial, municipal) and key partners such as Sport Newfoundland and Labrador and the Swilers will be maintained.

The objects of the Crown Corporation are as follows:

- (i) to conduct overall management, maintenance and operation of the NL Sports Centre;
- (ii) to oversee the arrangement for shared access to the facility by the Swilers Rugby Club and provincial sports organizations; and
- (iii) to encourage public access to promote an active living lifestyle for residents of Newfoundland and Labrador.

The powers of the Corporation are as follows:

- (i) title to the property acquired by the corporation shall be held in the name of the Crown corporation and deemed property of the Crown;
- (ii) to acquire by purchase or lease property, and hold, manage or dispose of them as the corporation may determine;
- (iii) to acquire by gift, bequest property, and administer or dispose of that property, subject to terms, if any, on which that property was given, bequeathed or devised to the corporation;
- (iv) to enter into partnership, sponsorship and other contractual agreements that further the objectives of the corporation;
- (v) to lease its property;
- (vi) to operate special events, parking facilities, and other facilities for the use of the public and lease or otherwise make available, on terms and conditions that the corporation considers appropriate, those facilities or space;
- (vii) to expend money appropriated by the Legislature of the province for the purposes of the corporation;
- (viii) to expend money received by the corporation from its operations including money received by it from leasing or otherwise making available facilities or space; and
- (ix) to generally, do and authorize those things that the corporation considers necessary for the attainment of its objects and the exercise of the powers of the corporation.

The governance structure of the Crown Corporation will be as follows:

- (i) the Crown Corporation for the NL Sports Centre will be overseen by a Board of Directors reporting to the Minister of Tourism, Culture and Recreation;
- (ii) the Board would be composed of no fewer than 9 members including: a chair, two (2) representatives of Sport Newfoundland and Labrador, two (2) representatives of the Swilers Rugby Club, two (2) representatives of the Government of Newfoundland and Labrador, and two (2) representatives of the City of St. John's;
- (iii) the Lieutenant Governor-in-Council shall appoint the two representatives for the Government of Newfoundland and Labrador, of which one will be a senior public servant of the Department of Tourism, Culture and Recreation and the other entities will appoint their own respective representatives to the Board; and
- (iv) the Chair shall be appointed by the Lieutenant Governor-in-Council.

The powers and duties of the Board will be as follows:

- (i) the Board of Directors shall carry out those duties conferred or required under the objects and powers of the Crown Corporation;
- (ii) the Board has the general management of the corporation and may exercise the powers of the corporation;
- (iii) the chairperson may preside over all meetings of the Board, but during his/her absence or vacancy from the office of chairperson, the vice chair or another member elected by the Board shall preside over meetings and may exercise the powers of the chairperson at that meeting; and
- (iv) the Board may employ a manager, staff and employees of the corporation for the operations and purposes of the corporation in accordance with the budget approved by the Minister for the financial year in which the employees are employed with the Corporation;
- (v) the Board of Directors will make best efforts to generate income to assist in its operations from appropriate local and national events. For this purpose, a provision will be adopted in the by-laws or constituting documents of the Crown Corporation to be incorporated; and
- (vi) the Board of Directors shall consult with the Department of Justice during the development and creation of the Corporation's By-Laws and constituting documents.

The Corporation may, with the prior approval of the Lieutenant Governor-in-Council and in accordance with the *Transparency and Accountability Act*, raise short term loans for a period of no more than two (2) years.



CLYDE JACKMAN, M.H.A.

Burin-Placentia West

Minister

