

# Bill Pr64

*(Chapter Pr48  
Statutes of Ontario, 1992)*

## **An Act respecting the Institute for Christian Studies**

**Mr. Marchese**

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|              |                     |
|--------------|---------------------|
| 1st Reading  | December 2nd, 1992  |
| 2nd Reading  | December 10th, 1992 |
| 3rd Reading  | December 10th, 1992 |
| Royal Assent | December 10th, 1992 |

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## An Act respecting the Institute for Christian Studies

## Preamble

The Institute for Christian Studies has applied for special legislation to enable it to grant the degree of Master of Worldview Studies. The applicant represents that it was incorporated and given limited degree-granting powers by special Act in 1983.

It is appropriate to grant the application.

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

**1. Section 6 of the *Institute for Christian Studies Act, 1983*, being chapter Pr25, is repealed and the following substituted:**

## Senate

**6.—(1)** There shall be a Senate of the Institute composed of,

- (a) the president of the Institute who shall be a member by virtue of his or her office;
- (b) one academic officer appointed by the Board;
- (c) two members of the faculty to be elected by the faculty;
- (d) eight members of the Institute appointed by the Board, all of whom must hold an academic or professional degree beyond the baccalaureate and who in the opinion of the Board are qualified to make judgments in academic affairs in keeping with the Basis and Educational Creed of the Institute; and
- (e) two students to be elected by the student body.

## Powers and duties

**(2)** The Senate shall have the following powers and duties:

1. To decide academic policy and supervise its implementation.
2. To recommend to the Board the establishment and termination of programs and courses of study including programs and courses of study leading to

a degree granted by another post-secondary institution, including the degree of Doctor of Philosophy, if the other institution is authorized under the laws of Ontario to grant the degree.

3. To determine the curricula of all programs and courses of study, standards of admission to and continued registration in the Institute and standards of examinations.
4. To identify positions on the academic staff which are to be filled or refilled and to recommend to the Board a person to fill each position.
5. To recommend to the Board re-appointments, tenure appointments, promotions and dismissals of academic staff.
6. To grant diplomas and certificates and the degrees of Master of Philosophical Foundations and Master of Worldview Studies.
7. To recommend to the Board the sponsorship at other institutions of lecture-ships, courses, teaching programs and research projects.
8. To do all things necessary for carrying out the powers and duties set out in paragraphs 1 to 7.

**(3)** The Senate shall elect from among its membership a chair, vice-chair and secretary to serve terms of one year each or until their successors have been elected.

Officers

**(4)** The term of office of the members of the Senate and the manner of their election or appointment shall be determined by the Board.

Term of office, etc.

**2. This Act comes into force on the day it receives Royal Assent.**

Commencement

**3. The short title of this Act is the *Institute for Christian Studies Act, 1992*.**

Short title

# Bill Pr21

(Chapter Pr25  
Statutes of Ontario, 1983)

## An Act respecting the Institute for Christian Studies

Mr. Watson

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|                     |                    |
|---------------------|--------------------|
| <i>1st Reading</i>  | June 6th, 1983     |
| <i>2nd Reading</i>  | October 25th, 1983 |
| <i>3rd Reading</i>  | October 25th, 1983 |
| <i>Royal Assent</i> | November 9th, 1983 |

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**Bill Pr21****1983**

**An Act respecting the  
Institute for Christian Studies**

Whereas The Association for the Advancement of Christian Scholarship hereby represents that it was incorporated by letters patent on the 27th day of November, 1961, as The Association for Reformed Scientific Studies; that its name was changed to The Association for the Advancement of Christian Scholarship by supplementary letters patent dated the 31st day of October, 1968; that its objects, as stated in its letters patent, are "to undertake or promote scripturally directed learning and scholarly enterprise and, in particular, to establish, control and develop a Christian university"; that since 1967, it has conducted and maintained an institute of learning at the university level; and whereas the applicant hereby applies for special legislation providing for the continuance of its organization, government and administration and for the power to exercise suitable powers, rights and privileges; and whereas it is expedient to grant the application;

Preamble

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

**1.—(1) In this Act,**

Inter-  
pretation

- (a) "academic unit" means a faculty, school, institute, department or other academic division of the Institute;
- (b) "Association" means The Association for the Advancement of Christian Scholarship;
- (c) "Board" means the Board of Trustees of the Institute;
- (d) "faculty" means all persons employed by the Institute for Christian Studies on a full-time basis for teaching and research who hold academic status;

- (e) "Institute" means the Institute for Christian Studies;
- (f) "student" means a person who is registered as such on a full-time basis in a program or course of study that leads to a degree, diploma or certificate of the Institute.

Application  
of  
R.S.O. 1980,  
c. 95  
Institute  
incorporated

(2) The *Corporations Act* applies to the Institute except to the extent that it is inconsistent with this Act.

**2.—**(1) The members of the Association immediately before the coming into force of this Act, including all members of the Board of Trustees named in the Schedule hereto, and any others who become members of the Institute, are hereby created a body corporate with perpetual succession and a common seal under the name of "Institute for Christian Studies".

Rights and  
liabilities  
continued

(2) The property, rights, privileges and powers of the Association are hereby continued and vested in the Institute and the liabilities of the Association together with the benefits and burdens of all contracts and covenants of the Association are hereby continued in and assumed by the Institute.

By-laws, etc.,  
continued

(3) Subject to this Act, all by-laws, regulations, resolutions and appointments of the Association shall continue as by-laws, regulations, resolutions and appointments of the Institute until amended, repealed or revoked.

Association  
dissolved

(4) The Association is dissolved on the day this Act comes into force.

Objects and  
purposes

**3.** The objects and purposes of the Institute are,

- (a) to operate and maintain an institution for post-secondary education and research in all areas of learning based on the Scriptures of the Old and New Testaments and consistent with the Basis and Educational Creed of the Institute;
- (b) to advance scholarship in all areas of learning so as to exhibit the coherence of all reality in Christ and in this way to equip people to direct their lives by the Gospel; and
- (c) to sponsor at other institutions lectureships, courses, teaching programs and research projects.

Board of  
Trustees

**4.—**(1) The affairs of the Institute shall be managed by a Board of Trustees each of whom, at the time of his or her

election and throughout his or her term of office must be and remain a member of the Institute.

(2) Until the Board is reconstituted in accordance with subsection (3), the members of the Board shall be the persons named in the Schedule hereto.

First Board

(3) Within twelve months after the coming into force of this Act, the Board shall be reconstituted to consist of not fewer than twelve and not more than twenty-one members as may be determined by the first Board.

Composition of Board

(4) Subject to subsection (5), members of the Board shall hold office for a period of three years and shall not be eligible to serve for more than two consecutive terms, but on the expiration of one year after having served for two consecutive terms, a person shall again be eligible for membership on the Board.

Term of office

(5) The Board, by by-law, shall provide for the election and retirement in rotation of the members of the Board so that as nearly as possible one-third of the terms of the total membership shall expire each year.

Staggered terms

(6) The Board may by by-law increase or decrease the size of the Board but the Board shall not consist of fewer than twelve or more than twenty-one members.

Change in size of Board

(7) At least two-thirds of the members of the Board shall be elected by mailed ballot by the members of the Institute according to geographic regions from a nomination list prepared by the Board.

Election of Board by geographic regions

(8) A person is not eligible to be elected to the Board under subsection (7) unless at the time of the election the person resides in the geographic region for which he or she has been nominated.

Qualification

(9) In an election of members under subsection (7), a member of the Institute may vote only in the election of members of the Board representing his or her region.

Eligibility to vote

(10) The Board shall by by-law establish the geographic regions and shall establish the number of members of the Board that shall represent each region.

Establishment of geographic regions

(11) The geographic regions may be inside or outside Canada but not more than two regions shall be outside Canada and,

Idem

election and throughout his or her term of office must be and remain a member of the Institute.

(2) Until the Board is reconstituted in accordance with subsection (3), the members of the Board shall be the persons named in the Schedule hereto.

First Board

(3) Within twelve months after the coming into force of this Act, the Board shall be reconstituted to consist of not fewer than twelve and not more than twenty-one members as may be determined by the first Board.

Composition of Board

(4) Subject to subsection (5), members of the Board shall hold office for a period of three years and shall not be eligible to serve for more than two consecutive terms, but on the expiration of one year after having served for two consecutive terms, a person shall again be eligible for membership on the Board.

Term of office

(5) The Board, by by-law, shall provide for the election and retirement in rotation of the members of the Board so that as nearly as possible one-third of the terms of the total membership shall expire each year.

Staggered terms

(6) The Board may by by-law increase or decrease the size of the Board but the Board shall not consist of fewer than twelve or more than twenty-one members.

Change in size of Board

(7) At least two-thirds of the members of the Board shall be elected by mailed ballot by the members of the Institute according to geographic regions from a nomination list prepared by the Board.

Election of Board by geographic regions

(8) A person is not eligible to be elected to the Board under subsection (7) unless at the time of the election the person resides in the geographic region for which he or she has been nominated.

Qualification

(9) In an election of members under subsection (7), a member of the Institute may vote only in the election of members of the Board representing his or her region.

Eligibility to vote

(10) The Board shall by by-law establish the geographic regions and shall establish the number of members of the Board that shall represent each region.

Establishment of geographic regions

(11) The geographic regions may be inside or outside Canada but not more than two regions shall be outside Canada and,

Idem

- (a) where there is one region outside Canada, it may be represented by up to two members of the Board, as the Board may determine; and
- (b) where there are two regions outside Canada, they shall each be represented by one member of the Board,

and a member representing a region outside Canada need not be a Canadian citizen.

Members  
at large

(12) In addition to the members of the Board elected according to geographic regions, the Board may by by-law provide for the election at large of up to one-third of the members of the Board and such election shall be by mailed ballot by the members of the Institute without regard to geographic regions from a nomination list prepared by the Board.

Canadian  
citizenship

(13) Subject to subsection (11), no person shall be elected or appointed as a member of the Board unless he or she is a Canadian citizen.

Vacancies

(14) If a vacancy occurs on the Board before the expiry of a term of office for which a member was elected, the Board, in its sole discretion, shall determine if the vacancy is to be filled and, where it decides to fill the vacancy, it shall appoint a person who would be eligible for election to the office of the member whose office is vacant and the person shall serve for the remainder of the term of the member whose office is vacant.

Calculation  
of term

(15) Service on the first Board under subsection (2) or for the remainder of an unexpired term under subsection (14) shall not be included in the calculation of the two consecutive terms referred to in subsection (4).

President  
may attend  
Board  
meetings

(16) The president shall not be a member of the Board but shall have the right to attend all meetings of the Board except for such part of any Board meeting where the Board, in its opinion, will discuss a matter in which the president may have a conflict of interest in which case the Board may require the president to withdraw.

Powers of  
Board

5. Except in such matters as are assigned by this Act to the Senate or to the members of the Institute, the government, conduct, management and control of the Institute and of its property, revenues, expenditures, business and affairs are vested in the Board and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the Institute including, without limiting the generality of the foregoing, the power,

- (a) to determine general non-academic policy for the Institute;
- (b) to establish and terminate programs and courses of study after consideration of the recommendations of the Senate and the faculty;
- (c) to appoint, promote, suspend and remove the administrative officers of the Institute and the members of the administrative staff;
- (d) to appoint, promote, grant tenure and leave to and suspend and remove the members of the faculty and academic officers, after consideration of the recommendation of the Senate;
- (e) to establish, change and terminate academic units within the Institute and determine the powers and duties of any such unit;
- (f) to appoint committees and delegate thereto power and authority to act for the Board with respect to any matter or class of matters, but where power and authority to act for the Board are delegated to a committee, a majority of the members of the committee shall be members of the Board;
- (g) to establish and amend, by by-law, the statement of Basis and Educational Creed of the Institute, subject to the approval by a two-thirds majority of the members of the Institute present at an annual general meeting of the Institute;
- (h) to federate or affiliate the Institute with any other institution of higher learning and make agreements with any institution of higher learning to become part of or become federated or affiliated with the Institute;
- (i) to sponsor at other institutions lectureships, courses, teaching programs and research projects, upon the recommendation of the Senate;
- (j) to establish and collect fees and charges for tuition and for services of any kind offered by the Institute and collect fees and charges on behalf of any entity, organization or element of the Institute;

- (k) to borrow money for the purposes of the Institute and to give security therefor on such terms and in such amounts as it may deem advisable;
- (l) to invest all money that comes into the Institute that is not required to be expended, for any purpose to which it lawfully may be applied, subject always to any express limitations or restrictions on investment powers imposed by the terms of same, in such manner as it considers proper and, except where a trust instrument otherwise directs, to combine trust monies belonging to various trusts in its care into a common trust fund;
- (m) to acquire, accept, solicit or receive, by purchase, lease, deed, contract, donation, legacy, gift, grant, bequest, devise or otherwise, any kind of real or personal property and to enter into and carry out agreements, contracts and undertakings incidental thereto and to hold any such property and to sell, lease, mortgage, dispose of and convey the same or any part thereof or interest therein as the Board may consider advisable;
- (n) to hold, manage, sell or convert any of the real or personal property from time to time owned by the Institute and to invest and reinvest any principal in such manner as may from time to time be determined;
- (o) to acquire, accept, solicit or receive any gift of real or personal property, either as an annual or other contribution or as an addition to the fund or funds of the Institute;
- (p) to appoint a member or members of the Board, or any other person or persons, to execute on behalf of the Board,
  - (i) documents and other instruments in writing generally, or
  - (ii) specific documents and other instruments in writing,and to affix the corporate seal of the Institute thereto;
- (q) to establish conditions for membership in the Institute, but no such condition shall take effect until it is

approved at a meeting of the members of the Institute; and

- (r) to enact by-laws for the conduct of the Board's affairs.

6.—(1) There shall be a Senate of the Institute composed of, Senate

- (a) the president of the Institute who shall be an *ex officio* member;
- (b) one academic officer appointed by the Board;
- (c) two members of the faculty to be elected by the faculty;
- (d) eight members of the Institute appointed by the Board, all of whom must hold an academic or professional degree beyond the baccalaureate and who in the opinion of the Board are qualified to make judgments in academic affairs in keeping with the Basis and Educational Creed of the Institute; and
- (e) two students to be elected by the student body.

(2) The Senate shall have the following powers and duties:

Powers and  
duties

1. To decide academic policy and supervise its implementation.
2. To recommend to the Board the establishment and termination of programs and courses of study including programs and courses of study leading to a degree granted by another post-secondary institution, including the degree of Doctor of Philosophy, if the other institution is authorized under the laws of Ontario to grant the degree.
3. To determine the curricula of all programs and courses of study, standards of admission to the Institute and continued registration therein and standards of examinations.
4. To identify positions on the academic staff which are to be filled or refilled and to recommend to the Board a person to fill each position.

5. To recommend to the Board reappointments, tenure appointments, promotions and dismissals of academic staff.
6. To grant diplomas and certificates and the degree of Master of Philosophical Foundations.
7. To recommend to the Board the sponsorship at other institutions of lectureships, courses, teaching programs and research projects.
8. To do all things necessary for carrying out the powers and duties set out in paragraphs 1 to 7.

## Officers

(3) The Senate shall elect from among its membership a chairman, vice-chairman and secretary to serve terms of one year each or until their successors have been elected.

## Term of office, etc.

(4) The term of office of the members of the Senate and the manner of their election or appointment shall be determined by the Board.

## Members

7.—(1) Membership in the Institute consists of the members of the first Board of Trustees, named in the Schedule hereto, all members of the Association immediately before the coming into force of this Act and such other persons who are in full accord with and subscribe to the Basis and Educational Creed of the Association as set out in the by-laws and who pay annual membership dues in an amount to be established from time to time by the Board and who meet such other conditions as may be set out in the by-laws from time to time.

## Idem

(2) The members of the Institute shall meet annually and at such meetings shall have the power,

- (a) to approve the audited annual financial statements of the preceding year and the annual budget for the ensuing year;
- (b) to appoint one or more public accountants licensed under the *Public Accountancy Act* to audit the accounts and transactions of the Institute;
- (c) to approve reports presented to it by the Board; and
- (d) to transact all business included in the agenda.

R.S.O. 1980,  
c. 405

## Special meetings

(3) The Board may call special or general meetings of the members of the Institute at any time.

(4) Unless the by-laws of the Institute specify a greater number, twenty-five members of the Institute shall constitute a quorum for the transaction of business at any special or general meeting of the Institute. Quorum

(5) Unless specifically otherwise provided herein, questions arising at any meeting of the members of the Institute shall be decided by a majority of the votes. Voting

(6) Each member in good standing shall be entitled to one vote on each question arising at any special or general meeting of the members. Idem

(7) In case of an equality of votes, the chairman, in addition to his original vote, shall have a second and deciding vote. Idem

(8) Notice of the time and place of every special or general meeting shall be given to each member of the Institute at least ten days before the time fixed for holding of such meeting, in a manner to be determined by the Board. Notice

**8.**—(1) The Board shall elect from among its membership, at its first meeting following the annual general meeting of members of the Institute, a chairman, a vice-chairman, a secretary and a treasurer, who shall hold office for a term of one year each or until their successors have been elected. Officers

(2) The chairman, vice-chairman and secretary of the Board shall occupy the same offices in respect of the meetings of the members of the Institute. Idem

(3) In the case of the absence or illness of the chairman or there being a vacancy in that office, the vice-chairman shall act as and have all the powers of the chairman. Idem

(4) In the case of the absence or illness of the chairman and vice-chairman or there being vacancies in those offices, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act and have all the powers of the chairman. Idem

**9.**—(1) Subject to subsections (2) and (3), the meetings of the Board, the Senate and the members of the Institute shall be open to the public and prior notice of the meeting shall be given to the members of the Board, the Senate and the members of the Institute, as the case may be, and to the public in such manner as the Board, the Senate and the members of the Institute shall respectively determine and no persons shall be excluded from a meeting except for improper conduct as Open meetings

determined by the Board or the Senate or the members of the Institute, as the case may be.

## Exception

(2) Notwithstanding subsection (1), where a matter is confidential to the Institute, the part of the meeting of the Board or Senate, as the case may be, concerning such a matter may be held *in camera*.

## Idem

(3) Where a matter of a personal nature concerning an individual is to be considered at a meeting of the Board or Senate, the part of the meeting concerning the individual shall be held *in camera* unless the individual and the Board or Senate, as the case may be, agree that that part of the meeting be open to the public.

## By-laws

(4) The by-laws of the Institute and of the Senate shall be open to examination by the public during the normal office hours of the Institute.

## Idem

(5) The Institute and the Senate shall publish their by-laws, from time to time, in such manner as they may respectively consider proper.

## Property

**10.** All property heretofore or hereafter granted, conveyed, devised or bequeathed to the Association or the Institute or any of their units or to any person in trust for or for the benefit of any of the foregoing, subject to any trust affecting the same, vests in the Institute.

References  
to  
Association

**11.** For the purposes of construing any instrument, unless the contrary intention appears, a reference to the Association or any of its divisions or departments shall be construed to refer to the Institute.

Non-profit  
corporation

**12.** The Institute shall be carried on without the purpose of gain for the members of the Board or the members of the Institute and any profits or other accretions to the Institute shall be used in promoting its objects and purposes.

Application  
of property

**13.** The property of the Institute shall be applied solely for the objects and purposes of the Institute.

## Dissolution

**14.** Upon dissolution of the Institute and after the payment of all debts and liabilities, the remaining property of the Institute shall be distributed or disposed of to charitable organizations in Canada having objects of a religious nature as similar as possible to those of the Institute.

Commence-  
ment

**15.** This Act comes into force on the day it receives Royal Assent.

**16.** The short title of this Act is the *Institute for Christian* Short title  
*Studies Act, 1983.*

## SCHEDULE

*First Trustees*

Mr. John de Groot, Sr.

Mr. Ary de Jong

Mr. Jan de Koning

Dr. Harry Groenewold

The Rev. James Joosse

Mrs. Heather Marsman

The Rev. Graham E. Morbey

The Rev. Derk Pierik

Dr. Edward Piers

Mr. Wietse G. Posthumus

Dr. Hendrikus W. H. Van Andel

Dr. John C. Vander Stelt

Mr. Ben Vandezande

Dr. John W. Van Dyk

Ms. Elizabeth E. Westrik

Mr. Bert Witvoet