

Bill Pr29

*(Chapter Pr35
Statutes of Ontario, 1989)*

An Act to amend the Toronto Baptist Seminary Act, 1982

Mr. Kanter

<i>1st Reading</i>	October 11th, 1989
<i>2nd Reading</i>	November 9th, 1989
<i>3rd Reading</i>	November 9th, 1989
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**An Act to amend the
Toronto Baptist Seminary Act, 1982**

Whereas The Toronto Baptist Seminary was founded in 1927 in Toronto and incorporated by letters patent dated the 19th day of April, 1929; that the corporation was continued under the *Toronto Baptist Seminary Act, 1982*, being chapter 90; that supplementary letters patent changing its name to The Toronto Baptist Seminary and Bible College were granted on the 11th day of October, 1985; and whereas the applicant hereby applies for special legislation to amend the composition of the Board of Trustees and to award two new degrees; 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. Section 4 of the *Toronto Baptist Seminary Act, 1982*, being chapter 90, is repealed and the following substituted therefor:

4.—(1) The Board shall be composed of,

Composition
of Board

- (a) the Pastor of the Jarvis Street Baptist Church by virtue of office;
- (b) seven members elected by the members of the Jarvis Street Baptist Church for a term of two years;
- (c) seven members elected by the Board for a term of two years;
- (d) the principal of the Seminary by virtue of office;
- (e) the president of the Alumni Association by virtue of office;
- (f) the treasurer of the Jarvis Street Baptist Church by virtue of office; and

- (g) the managing editor of The Gospel Witness by virtue of office.

Procedure for elections

- (2) The Board shall by by-law determine the manner and procedure for the election of the members under clause (1) (c).

Staggered terms

- (3) The Board may by by-law provide for the election and retirement of the members to be elected under clauses (1) (b) and (c) in rotation.

Eligibility to vote

- (4) No person shall be elected or appointed as a voting member of the Board unless that person is a Canadian citizen or permanent resident of Canada.

Honorary members

- (5) The Board may by by-law appoint three honorary Board members who are not Canadian citizens or permanent residents of Canada and who are not entitled to vote.

Re-election and re-appointment

- (6) Members of the Board, if otherwise qualified, are eligible for re-election or re-appointment, except that no member of the Board shall serve more than three consecutive terms, but on the expiration of one year after having served the third of three consecutive terms, such person may again be eligible for membership on the Board.

Idem

- (7) The limit of three consecutive terms referred to in subsection (6) does not include,

- (a) service on the Board of the Charter Corporation; or
- (b) service on the Board for the balance of an unexpired term for a person who becomes a member of the Board under subsection (8).

Vacancies

- (8) Where a vacancy on the Board occurs before the term of office for which such person was elected has expired, the Board, in its sole discretion, shall determine if the vacancy is to be filled and, if so, the manner and procedure for so doing, and the person filling such vacancy shall hold office for the remainder of the term of the person whose membership is vacant.

No remuneration

- (9) Members of the Board shall not be remunerated or receive any profit from serving on the Board but may be reimbursed for reasonable expenses incurred by them in the performance of their duties.

Quorum

- (10) Unless the by-laws otherwise provide, a majority of the Board constitutes a quorum for the transaction of busi-

ness, but in no case shall a quorum be less than two-fifths of the Board.

(11) The government, management and control of the Seminary and of its property, revenues, expenditures and affairs are vested in the Board and the Board has all powers necessary to perform its duties and achieve the objects of the Seminary including the power, ^{Powers}

- (a) to enact by-laws for the conduct of its affairs;
- (b) to establish and terminate programs and courses of study after consideration of the recommendations, if any, of the Senate;
- (c) to appoint, promote, suspend and remove the administrative officers of the Seminary and the members of the administrative staff, after consideration of the recommendations, if any, of the Senate;
- (d) to appoint the Principal of the Seminary who shall be the chief academic officer and to define the duties and responsibilities of the Principal, after consideration of the recommendations, if any, of the Senate;
- (e) to appoint and promote members of the faculty and academic officers, after consideration of the recommendations, if any, of the Senate;
- (f) to grant tenure and leave to and to suspend and remove members of the faculty and the academic officers, after consideration of the recommendations, if any, of the Senate;
- (g) to establish, change and terminate academic units within the Seminary and determine the powers and duties of any such unit, after consideration of the recommendations, if any, of the Senate;
- (h) 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;
- (i) to establish and collect fees and charges for tuition and for services offered by the Seminary and collect

fees and charges on behalf of any entity, organization or element of the Seminary;

- (j) to expend such sums as the Board considers necessary for the erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students;
- (k) to borrow money for the purposes of the Seminary and give security therefor on such terms and in such amounts as it determines;
- (l) to invest all money that comes into the Seminary that is not required to be expended, for any purpose to which it lawfully may be applied, subject 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 moneys belonging to various trusts in its care into a common trust fund;
- (m) to acquire by purchase, lease, gift, or devise and to hold any real property and, subject to the *Charities Accounting Act*, to sell, mortgage or dispose of the same or any part thereof as the Board considers advisable;
- (n) to hold, manage, sell or convert any of the property owned by the Seminary and to invest and reinvest any principal in such manner as may be determined;
- (o) to acquire, solicit or receive any gift of property, either as an annual or other contribution or as an addition to the fund or funds of the Seminary;
- (p) to enact by-laws to regulate the admission of members of the faculty who are of Christian character and who are in full accord with and subscribe to the doctrinal statement of the Seminary as set out in the by-laws and who are in agreement with the aims and objectives of the Seminary;
- (q) 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

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- (ii) specific documents and other instruments in writing,

and to affix the corporate seal of the Seminary thereto;

- (r) to establish the membership year of the Board;
- (s) to enact by-laws respecting the doctrinal statement of the Seminary.

(12) The borrowing power of the Seminary is limited to borrowing for current operating expenses unless it borrows on the security of real or personal property.

Limitation on borrowing

2. Section 8 of the said Act is repealed and the following substituted therefor:

8.—(1) There shall be a Senate of the Seminary composed of,

Senate

- (a) the president and the principal who shall be members by virtue of their offices;
- (b) the members of the faculty; and
- (c) three members of the Board, other than the president and the principal, appointed by the Board for a term of two years.

(2) The president shall be the chairperson of the Senate and a vice-chairperson shall be elected by the Senate for a term of two years from among its members in such manner as the Senate may determine.

Chairperson and vice-chairperson

(3) The Senate has, subject to the approval of the Board with respect to the expenditure of funds, the power to determine the academic policy of the Seminary and, without limiting the generality of the foregoing, has the power,

Powers

- (a) to enact by-laws for the conduct of its affairs;
- (b) to make recommendations to the Board to establish and terminate programs and courses of study;
- (c) to determine the curricula of all programs and courses of study, standards of admission to the Seminary and continued registration therein, and the qualifications for graduation;

- (d) to conduct examinations, appoint examiners and decide all matters related to examinations and the appointment of examiners;
- (e) to award fellowships, scholarships, bursaries, prizes and other marks of academic achievement;
- (f) to award diplomas, certificates and licentiates and to grant the degrees of Bachelor of Theology, Bachelor of Theological Studies, Bachelor of Religious Education, Master of Divinity, Master of Theology, Master of Theological Studies, Master of Religious Education and honorary Doctor of Divinity; and
- (g) to appoint committees and delegate thereto power and authority to act for them with respect to any matter set out in clauses (b) to (f), but where such power and authority to act are delegated to a committee, a majority of the members of the committee shall be members of the Senate.

Commence-
ment

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

Short title

4. The short title of this Act is the *Toronto Baptist Seminary and Bible College Act, 1989*.