

CHAPTER PR4

**An Act respecting
Tyndale University College & Seminary***Assented to June 13, 2005***Preamble**

Tyndale University College & Seminary has applied for special legislation in connection with its B.A. degree programs. The applicant represents that it was incorporated by special legislation in 1982 under the name Ontario Bible College and Ontario Theological Seminary, which was amended by special legislation in 1986, that it changed its name to Tyndale College & Seminary by supplementary letters patent dated March 11, 1998 and that it changed its name to Tyndale University College & Seminary by special legislation in 2003.

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. The *Tyndale University College and Seminary Act, 2003* is amended by adding the following section:

Requirements re B.A. degree programs

5.1 The following requirements established under the *Post-secondary Education Choice and Excellence Act, 2000* apply to the College in relation to its programs for the degrees of Bachelor of Arts and Bachelor of Arts (Honours) in humanities, social sciences or business studies:

1. The requirements respecting student transcripts and access to transcripts.
2. The requirements respecting the collection and refunding of tuition fees and respecting unearned tuition fees.
3. The requirements respecting the security referred to in subsection 4 (4) of that Act, forfeiture of the security and claims made against the security.

Commencement

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

Short title

- 3. The short title of this Act is the *Tyndale University College & Seminary Act, 2005*.**

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CHAPTER Pr5

An Act respecting Tyndale College & Seminary (formerly Ontario Bible College and Ontario Theological Seminary)

Assented to June 26, 2003

Preamble

Tyndale College & Seminary has applied for special legislation to alter its governing structure, its administration, its name and its degree-granting powers. The applicant represents that it was incorporated by special legislation in 1982 under the name Ontario Bible College and Ontario Theological Seminary, which was amended by special legislation in 1986, and that it changed its name by supplementary letters patent dated March 11, 1998 to Tyndale College & Seminary.

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:

Definition

1. In this Act,

“College” means Tyndale University College & Seminary.

Corporation continued

2. (1) Tyndale College & Seminary is continued as a corporation without share capital under the name Tyndale University College & Seminary.

References to former name

- (2) Unless the contrary intention appears, any reference in a document, other than a degree granted before this Act receives Royal Assent, to Ontario Bible College and Ontario Theological Seminary or Tyndale College & Seminary shall be deemed to be a reference to Tyndale University College & Seminary.

Membership

- (3) The College consists of the members of its board of governors and, if the by-laws of the College provide, such additional persons who are admitted to membership in accordance with the by-laws.

Objects

3. The objects of the College are,
 - (a) to provide university level instruction in various academic disciplines in humanities, religious studies, social sciences and business studies, as well as in certain professional studies;
 - (b) to produce graduates who are well equipped to compete for admission to graduate and professional schools or to enter the workforce successfully;
 - (c) to provide university level instruction and graduate studies in Christian theology;
 - (d) to produce graduates who will seek to serve God and their fellow human beings through their vocations and in their lives generally;
 - (e) to produce graduates who will exercise responsible leadership and ministry in church and society;

- (f) to provide an academic environment in which vigorous academic research and debate leads to the advancement of human knowledge and the development of greater insight by both students and faculty;
- (g) to promote the integration of faith and learning so that the wide range of human knowledge and experience can be understood in relation to a Christian worldview.

Board of governors

4. (1) The affairs of the College shall be managed by its board of governors.

Composition, powers, duties, etc.

(2) Subject to subsections (3) and (4), the composition, powers and duties of the board of governors and the election or appointment of governors shall be as set out in the by-laws of the College.

Number of governors

- (3) The board of governors shall consist of at least 12 and no more than 18 persons.

Citizenship

- (4) At least 50 per cent of the governors must be Canadian citizens or permanent residents of Canada.

Term of office

- (5) Governors shall hold office for a term of three years or until their successors take office.

Restriction re consecutive terms

(6) No person shall serve on the board of governors for more than nine consecutive years, but on the expiration of one year after having served on the board of governors for nine consecutive years, a person is again eligible to be a governor.

Vacancies

(7) If a vacancy on the board of governors occurs, the board of governors may appoint a person to fill the vacancy for the remainder of the unexpired term of the person whose membership is vacant and service on the board of governors for the remainder of an unexpired term shall not be included in the calculation of the nine consecutive years under subsection (6).

Quorum

- (8) Two-fifths of the board of governors constitutes a quorum for the transaction of business.

Continuation of present board

(9) The members of the board of governors and officers of Tyndale College & Seminary in office immediately before the coming into force of this Act are continued in office until their successors are appointed or elected under this Act and in accordance with the by-laws of the College.

New board

(10) The board of governors shall be reconstituted in accordance with this section and the by-laws of the College by the first anniversary of the day this Act receives Royal Assent.

Same

(11) Service on the board of governors pursuant to subsection (9) shall not be included in the calculation of the nine consecutive years under subsection (6).

Powers of board of governors

5. (1) The board of governors has all powers necessary or convenient to manage the affairs of the College and to carry out the objects of the College.

Same

- (2) Without limiting the generality of subsection (1), the board of governors may,
- (a) enact by-laws for the conduct of its affairs;
 - (b) establish by by-law Christian doctrinal statements of the College which shall be adhered to by the governors and the members of the faculty;
 - (c) establish academic and administrative policies of the College;
 - (d) establish an education policy and establish and terminate programs and courses of study;

- (e) appoint, promote, grant leave to, suspend and remove members of the faculty, academic officers, administrative officers and non-academic staff and determine their remuneration;
- (f) establish, change and terminate requirements for academic credits;
- (g) establish admission standards and regulate the admission of students;
- (h) appoint committees of the board of governors and delegate the power and authority to act for the board of governors with respect to any matter or class of matters to any committee the majority of whose members are governors;
- (i) establish policies respecting examinations, the appointment of examiners and the deciding of all matters relating to examinations;
- (j) award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;
- (k) grant the degrees set out in the Schedule;
- (l) federate or affiliate the College with any other institute of higher learning;
- (m) establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College;
- (n) borrow money for the purpose of the College and give security for it on such terms as it may deem advisable and in accordance with the by-laws of the College;
- (o) invest all money that comes into the College 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 terms of the same, in such manner as it considers proper and, except where a trust instrument otherwise directs, combine trust money belonging to various trusts in its care into a common trust fund;
- (p) acquire, accept, solicit or receive by any means any kind of real or personal property, enter into and carry out agreements and undertakings incidental thereto, hold any such property and sell, lease, mortgage, dispose of and convey any such property or any part of such property or interest in it, as the board of governors may consider advisable.

By-laws

6. (1) The by-laws of the College shall be open to examination by the public during the normal office hours of the College.

Same

- (2) The College shall publish its by-laws from time to time in the manner the board of governors considers proper.

Audit

7. (1) The board of governors shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and the transactions of the College at least once a year.

Same

- (2) A copy of the audited annual statement shall be made available for inspection by the public during the normal office hours of the College.

Meetings open to public

8. (1) Subject to subsections (2) and (3), meetings of the board of governors shall be open to the public and prior notice of the meetings shall be given to the governors and to the public in accordance with the by-laws of the College, and no person shall be excluded from a meeting except for improper conduct as determined by the board of governors.

Exception

- (2) Where matters determined to be confidential to the College by the person chairing the meeting are to be considered at a meeting of the board of governors, the part of the meeting concerning such matters may be closed to the public.

Same

- (3) Where a matter of a personal nature concerning an individual may be considered at a meeting of the board of governors, the part of the meeting concerning the individual shall be closed to the public unless there is an agreement to the contrary by the board of governors and the individual.

Non-profit corporation

9. (1) The College shall be carried on without the purpose of gain for its governors.

Surplus

- (2) Any surplus of the College shall be applied solely for its objects and shall not be divided among its governors.

Dissolution

10. Upon the dissolution of the College and after payment of all its debts and liabilities, the remaining property of the College shall be distributed or disposed of to charitable organizations in Canada having objects as similar as possible to those of the College.

Repeals

11. The following are repealed:

- 1.** *Ontario Bible College and Ontario Theological Seminary Act, 1982.*
- 2.** *Ontario Bible College and Ontario Theological Seminary Act, 1986.*

Commencement

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

Short title

13. The short title of this Act is the *Tyndale University College & Seminary Act, 2003*.

SCHEDULE

DEGREES

1. Bachelor of Arts, Bachelor of Arts (Honours) in humanities, social sciences or business studies.
2. Bachelor of Biblical Studies.
3. Master of Divinity, honorary Doctor of Divinity.
4. Doctor of Ministry.
5. Doctor of Missiology.
6. Bachelor of Religious Education, Master of Religious Education.
7. Bachelor of Religious Studies.
8. Bachelor of Sacred Music.
9. Bachelor of Theology, Master of Theology, Doctor of Theology.
10. Master of Theological Studies.