

AN ACT RESPECTING PACIFIC BIBLE COLLEGE**CHAPTER 88**

Assented to December 2, 1985.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Short title

1. This Act may be cited as the *Pacific Bible College Act*.

Interpretation

2. In this Act, unless the context otherwise requires,
"board of governors" means the Board of Governors of the college;
"college" means the Pacific Bible College;
"president" means the President of Pacific Bible College.

Change of name and objects of the college

3. (1) Pacific Bible College heretofore incorporated under the *Society Act* as Pacific Bible College Society, and the members from time to time of the board of directors pursuant to the provisions of the *Society Act* (now herein after referred to as the "board of governors") are continued and hereby constitute a body corporate under the name "Pacific Bible College".

(2) The objects of the college shall be to provide Christian training for people of any race, colour or Christian creed.

Legal relationships

4. The college may sue and be sued, and may contract and be contracted in its corporate name.

Borrowing

5. The college may, subject to any conditions required by its bylaws,
 - (a) borrow or raise or secure the payment of money,
 - (b) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments, and
 - (c) mortgage or pledge any or all of its properties to secure sum or sums of money borrowed or any part of the purchase money of property, and may issue and sell or pledge bonds, debentures and obligations in accordance with the bylaws of the college.

Investments

6. The college may invest any of its funds in any way authorized so to do by the board of governors, and is not limited to investments authorized by law for trustees.

Trust companies or banks

7. To the extent authorized to do so by its bylaws, the college may entrust any or all sum or sums of money belonging to the college to any trust company or bank, to be held, controlled, administered and dealt with by the trust company or bank for such time and in such manner as the board of governors may from time to time direct.

Reference in bylaws

8. Whenever in the bylaws of the college there is a reference to the board of directors or to directors or to a director, the reference shall be deemed to be the board of governors or the governors or a governor of the college, as the case may be.

Transitional provisions

9. (1) The management and administration of the property, revenue, business and affairs of the college shall be the responsibility of the board of governors.

(2) Subject to this Act, and by the bylaws of the college, the members of the board of governors may exercise all the powers of the college and are members of the college.

(3) The persons who, on the coming into force of this Act, are members of the board of governors of Pacific Bible College Society shall be members of the board of governors of the college until their successors are elected or appointed.

(4) The members of the board of governors shall be elected, in accordance with the bylaws of the college, at the annual meeting of the college.

Bylaws

10. (1) The bylaws of Pacific Bible College Society, so far as not inconsistent with this Act, are the bylaws of the college.

(2) Nothing that is in conflict with this Act shall be included in the bylaws, and the bylaws shall not contain anything contrary to law.

(3) The board shall cause to be filed with the Registrar of Companies a copy of the bylaws of the society and of every amendment thereto.

Board of governors

11. The board of governors may make bylaws for all purposes relating to the affairs, business, property and objects of the college, and, without limiting the generality of the provisions of this Act or the *Society Act* shall have the power to make bylaws extending to the following matters:

- (a) the operation of the college, including the setting and publication of the college's doctrinal position;
- (b) meetings and transactions of the board of governors;
- (c) appointment and membership of committees of the board;
- (d) holding, place and conduct of meetings of the board of governors, and meetings of the college, the notices and consents prerequisite to such meetings, quorums, voting rights at meetings and all other matters in connection with such meetings;
- (e) the filling of vacancies in the board of governors;
- (f) all matters relevant to the terms and conditions of employment of any employees or employee of the college and the termination thereof;

- (g) the remuneration, if any, of officers and employees of the college;
- (h) the exercise of borrowing powers;
- (i) the audit of accounts at the college;
- (j) the custody and use of the common seal of the college;
- (k) the establishment, levying payment, remission and collection of registration and any other fees and assessment deemed appropriate by the board of governors, the amounts thereof, and the requirements regarding the payment thereof;
- (l) the authorization of courses of study, normally requiring completion of secondary school for admission;
- (m) the resolution of disputes arising out of the affairs of the college by arbitration under the *Arbitration Act* or otherwise;
- (n) the conduct generally of the affairs of the college;
- (o) the granting of theological degrees and honorary theological degrees

Agreements

12. The board of governors, on behalf of the college, may enter into any agreement or agreements with any university, college or other institution of learning or with any person, body or corporation, whether public or private, respecting and providing for cooperation in the exercise of any right, power, privilege or function of the college.

Meetings of board of governors

13. (1) The board of governors shall meet at least 3 times in each calendar year, and at such other time or times as may be necessary in its discretion.

(2) The board shall provide by bylaw for the giving of not less than 2 weeks' written notice of every meeting thereof to each member of the board.

(3) A quorum for a meeting of the board of governors shall be a simple majority of all the members thereof.

(4) The board of governors shall elect from among themselves a chairman, a secretary and whatever other officers they deem necessary. The chairman shall preside at all meetings of the board.

Appointment of president

14. The president of the college shall be appointed by the board of governors.

President's powers and duties

15. The president shall be the chief executive officer of the college and he shall supervise and direct the work of the college, the teaching and the administrative staff, and be responsible for student discipline.

Appointment of staff

16. The board of governors, on the recommendation of the president may appoint the Dean, the Dean of Students, the librarian, the registrar, the bursar, the professors, the lecturers, the instructors and all such officers, clerks and employees as may be deemed necessary for the purposes of the college, and define their duties and their tenure of office or employment.

College council

17. (1) There shall be a college council comprising the president of the college, the Dean, the Dean of Students, the business manager and whatever other advisory members those 4 members may appoint, and the president shall be the chairman of the college council.

(2) The college council has power to:

- (a) consider and determine all courses of study;
- (b) determine requirements for admission to the college;
- (c) recommend to the board of governors courses of instruction in the college;
- (d) receive and consider and make recommendations respecting all academic matters;
- (e) conduct examinations and appoint examiners;
- (f) award scholarships, medals and prizes;
- (g) make rules and regulations respecting the conduct and activities of students;
- (h) publish the college calendar;
- (i) make rules and regulations for the conduct of its own affairs;
- (j) make recommendations to the board of governors for the achievement of the objects and purposes of the college.

No personal liability

18. No member of the board of governors is, in his individual capacity, liable for any debt or liability of the college.

Execution of contracts

19. (1) Contracts on behalf of the college may be made as follows:

- (a) any contract that, if made between private persons, would be by law required to be in writing and under seal may be made on behalf of the college in writing under the common seal of the college, and may in the same manner be varied or discharged;
- (b) any contract that, if made between private persons, would be by law required to be in writing, signed by the persons to be charged therewith, may be made on behalf of the college in writing signed by any person acting under its authority, express or implied, and may in the same manner be varied or discharged;
- (c) any contract that, if made between private persons, would by law be valid although made by parol only, and not reduced into writing may be made by parol on behalf of the college by any person acting under its authority, express or implied and may in the same manner be varied or discharged.

(2) All contracts made, varied or discharged according to this section shall, so far as concerns the form thereof, be effectual in law and binding on the college and all other parties thereto.

(3) A bill of exchange or promissory note shall be deemed to have been made, accepted or endorsed on behalf of the college if made, accepted or endorsed in the name of, or by or on behalf of, or on account of the college by any person acting under its authority, express or implied.

Property tax exemption

20. (1) In this section "improvements" and "land" have the same meaning as they have in the *Assessment Act*.

(2) In respect of land and improvements owned or leased by the college and occupied by it and used by it for educational purposes, the college is exempt from payment of real property taxes under the following Acts:

- (a) *Assessment Authority Act*;
- (b) *British Columbia Transit Act*;
- (c) *Education (Interim) Finance Act*;
- (d) *Hospital District Act*;
- (e) *Library Act*;
- (f) *Local Services Act*;
- (g) *Municipal Act*;
- (h) *Municipal Finance Authority Act*;
- (i) *Park (Regional) Act*;
- (j) *Taxation (Rural Area) Act*.

College property

21. The college shall have perpetual succession and a common seal, and has power to acquire, by purchase, gift, devise, bequest or otherwise, real and personal property within or without the Province, and may hold, sell, dispose of, exchange, mortgage, lease, let, improve and develop any such property, and without restricting the generality of the foregoing, may acquire in any way or ways aforesaid land and tenements for use and occupation as college buildings, offices, residences, gardens and playing fields, acquire and develop libraries, furniture and equipment, and deal with any and all such property as empowered to do by this section.

Dissolution or winding up

22. (1) On dissolution or winding up of the college, the assets of the college shall revert to one or more recognized charitable organizations in Canada.

(2) The provisions of the *Company Act* relating to the winding up of companies apply, mutatis mutandis, to the college, but whenever there is a reference therein to a special resolution, to the references shall be deemed to be a resolution.

Commencement

23. This Act comes into force on Royal Assent.