

CHAPTER 72

An Act to Incorporate the
Vancouver School of Theology

[Assented to 2nd April, 1971.]

Preamble.

WHEREAS the Board of Governors of The Anglican Theological College of British Columbia and the Board of Governors of Union College of British Columbia have resolved to establish an ecumenical centre for theological education on the campus of the University of British Columbia, to be known as the Vancouver School of Theology, which shall be their successor, and to transfer to it their resources so that it may assume their responsibilities for theological education and continue and expand their work;

And whereas the said Boards of Governors desire to make provision for any other Christian denomination or tradition to participate in the Vancouver School of Theology and for any theological college to be affiliated with it on terms to be agreed upon;

And whereas the said Boards of Governors have by their petition represented that they desire to incorporate the said Vancouver School of Theology and have requested such incorporation;

And whereas it is expedient that such incorporation be granted:

Therefore, 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 *Vancouver School of Theology Act*.

PART I

INTERPRETATION AND DIVISION OF ACT

Interpretation.

2. In this Act, unless the context otherwise requires,
“affiliated theological college” means a Christian theological college that has entered into a written agreement with the School of Theology under which it
- (i) accepts the objectives of the School of Theology specified in section 41 of this Act;
 - (ii) agrees to share in one or more aspects of carrying out these objectives;

- (iii) is authorized to appoint at least one member of the Senate;
- (iv) may be authorized to appoint one or more members of the Board of Governors; and
- (v) agrees that its appointees to the Senate and the Board should attend the meetings of these bodies and diligently discharge their responsibilities as members of these bodies.

"Anglican College" means The Anglican Theological College of British Columbia;

"associate status" means that a denomination, or a formal association representing two or more denominations, or a theological college, has entered into a written agreement with the School of Theology under which it accepts all or a majority of the objectives of the School of Theology specified in section 41 of this Act, and agrees to share in one or more aspects of carrying out these objectives;

"Board" or "Board of Governors" means the Board of Governors of the School of Theology;

"faculty member" includes the Principal, Vice-Principal, Registrar, Librarian, and other members of the teaching staff as determined by the Senate;

"full-time faculty member" means a faculty member who, according to rules proposed by the Principal and approved by the Senate, is working on a full-time basis for the School of Theology;

"full-time student" means a student who, according to rules approved by the Senate, is taking a full programme of studies at the School of Theology;

"layman" includes laywoman;

"participating denomination" means the Anglican Church of Canada and the United Church of Canada, and any other Christian denomination, or formal association representing two or more Christian denominations, that has entered into a written agreement with the School of Theology under which it

- (i) accepts the objectives of the School of Theology specified in section 41 of this Act;
- (ii) agrees to share in one or more aspects of carrying out these objectives;
- (iii) is authorized to appoint at least one member of the Board and of the Senate; and
- (iv) agrees that its appointees to the Board and the Senate should attend the meetings of these bodies and diligently discharge their responsibilities as members of these bodies;

"School of Theology" means the Vancouver School of Theology constituted under this Act;

"Senate" means the Senate of the School of Theology;

"teaching staff" includes any person engaged in teaching or giving instruction at the School of Theology, no matter what his rank or title;

"theological college" includes theological school, seminary, or other Christian theological institution;

"Union College" means Union College of British Columbia.

**Division
of Act**

3. This Act is divided into the following parts and divisions, relating to the following subjects:—

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PART II

ESTABLISHMENT AND CONSTITUTION

Division (1).—Vancouver School of Theology

**Establish-
ment and
Constitution.**

4. (1) As hereinafter provided in this Act, there shall be established in the Province of British Columbia an ecumenical centre for theological education called the Vancouver School of Theology.

(2) The governing bodies of the School of Theology shall be a Board of Governors, a Senate and a Faculty Council.

*Division (2).--Chancellor***Chancellor.**

5. (1) There shall be a Chancellor of the School of Theology who shall be elected by those persons who are members of the Board and the Senate in the manner provided in this Act, and who shall hold office for three years and until his successor is elected.

(2) A faculty member or student of the School of Theology shall not be eligible to be Chancellor or the Acting Chancellor.

(3) A retiring Chancellor is eligible for re-election, but no person shall hold the office of Chancellor for more than six consecutive years in addition to the period filled by him as a result of having been elected for the unexpired term of his predecessor.

Vacancy.

6. In the case of a vacancy in the office of Chancellor by death, resignation, or any other cause before the expiration of his term of office, the vacancy shall forthwith be filled by the Board and the Senate, and the person thus appointed Chancellor shall hold office for the unexpired term of his predecessor.

Chairman of Convocation.

7. The Chancellor shall preside at Convocation, confer degrees, diplomas, and certificates and may represent the School of Theology at ecclesiastical, academic, or other gatherings.

Ex officio membership.

8. The Chancellor shall be an ex officio member of the Board, the Senate, and the Faculty Council, and also of all committees of these bodies, having the same voting rights as other members.

*Division (3).--Chairman of the Board of Governors***Chairman of the Board.**

9. (1) There shall be a Chairman of the Board, who shall be elected annually by the members of the Board, and who shall hold office for one year and until his successor is elected.

(2) A faculty member or student of the School of Theology shall not be eligible to be the Chairman of the Board.

(3) The Chancellor shall be eligible to be the Chairman of the Board, provided that he shall not serve as Chairman of the Board while serving as Chairman of the Senate.

(4) A retiring Chairman of the Board is eligible for re-election, but no person shall hold the office of Chairman of the Board for more than six consecutive years in addition to the period filled by him as a result of having been elected for the unexpired term of his predecessor.

Chairman of Board meetings.

10. The Chairman of the Board shall preside at meetings of the Board and shall have the same rights of voting as the other members of the Board.

**Ex officio
membership.**

11. The Chairman of the Board shall be an ex officio member of the Senate and of all committees of the Board, having the same voting rights as other members of these bodies.

*Division (4). -- Board of Governors***Board of
Governors.**

12. There shall be a Board of Governors of the School of Theology.

Members.

13. In addition to the honorary members and honorary life members provided for in section 17 of this Act, the Board shall consist of not less than fifteen nor more than twenty-five members.

**Composition
of the Board.**

14. The Board shall be composed of

- (i) the Chancellor;
- (ii) the Principal;
- (iii) five members to be appointed by the Anglican Provincial Synod of British Columbia, of which no less than one and no more than three shall be members of the clergy;
- (iv) five members to be appointed by the General Council of the United Church of Canada or its Executive, after consultation with the British Columbia Conference of the United Church of Canada or its Executive, of which no less than one and no more than three shall be members of the clergy;
- (v) at least one but not more than three members to be appointed by the appropriate authority of each other participating denomination or formal association representing two or more Christian denominations;
- (vi) at least one but not more than three members to be appointed by the appropriate authority of each affiliated theological college, if provision is made for such an appointment by a written agreement between that authority and the Board;
- (vii) one faculty member of the Senate, elected by the faculty members of the Senate;
- (viii) one student member of the Senate, elected by the student members of the Senate; and
- (ix) one member of Senate who is neither a faculty member nor a student of the School of Theology, elected by the remaining members of the Senate not eligible to vote for candidates under clauses (vii) and (viii) of this section.

**Reduction in
membership.**

15. At any time subsequent to four years after this Act comes into force and effect, the number of members of the Board to be appointed under clauses (iii) and (iv) of section 14 of this Act, may be reduced by an affirmative vote of three-quarters of the entire membership of the Board.

**Effect of
church union.**

16. In the event that there is a union of the Anglican Church of Canada and the United Church of Canada, the number of members of the Board to be appointed by the successor denomination shall not, by virtue of the decision to form the new denomination, be reduced below the combined number of members of the Board which the two denominations had been entitled to appoint immediately prior to church union.

**Honorary
members and
honorary
life members.**

17. (1) The Board may appoint, as honorary members of the Board, an Honorary Secretary, and Honorary Solicitor, and an Honorary Treasurer, who may or may not be members of the Board at the time of their appointment.

(2) The Board may appoint honorary life members of the Board.

(3) The honorary members and honorary life members of the Board shall be sent notices, agenda, documents, and minutes of all meetings of the Board, and shall be entitled to participate in those meetings.

(4) Honorary members of the Board are entitled to vote at the meetings of the Board, but honorary life members are not so entitled.

**Term of
office.**

18. (1) A member of the Board, including an honorary member but excluding the Principal and a student member, shall hold office for three years and until his successor is appointed. A member of the Board elected from the Senate vacates his seat on the Board if he ceases to be a member of the Senate.

(2) A student member of the Board shall hold office for one year and until his successor is elected.

(3) A member of the Board, including an honorary member but excluding the Chancellor, the Principal, and the student member, is eligible to hold office for up to three consecutive terms, and in addition may fill a vacancy for a period of less than three years.

(4) A student member of the Board is eligible to hold office for up to four consecutive terms as a student member, and in addition may fill a vacancy for a period of less than one year.

Attendance.

19. Unless excused because of illness by a resolution of the Board, a member of the Board vacates his seat on the Board for the remainder of his term if he does not attend at least three regular meetings of the Board each year. This section, however, does not apply to honorary members or to honorary life members.

Vacancy.

20. A vacancy in the membership of the Board shall forthwith be filled for the remainder of the term of the predecessor member in the same manner in which that member was appointed or elected to the Board.

Division (5).---Senate

Senate.

21. There shall be a Senate of the School of Theology.

Membership.

22. The Senate shall consist of not more than sixty members.

Composition.

23. The Senate shall be composed of

- (i) the Chancellor;
- (ii) the Chairman of the Board of Governors;
- (iii) the Principal;
- (iv) the Vice-Principal;
- (v) the Registrar;
- (vi) the Librarian;
- (vii) ten members, other than the Principal, Vice-Principal, the Registrar, and Librarian, to be elected by the full-time faculty members of the School of Theology from those faculty members;
- (viii) four members to be appointed by the Anglican Provincial Synod of British Columbia, of whom two shall be clergymen;
- (ix) four members to be appointed by the General Council of the United Church of Canada or its Executive, after consultation with the British Columbia Conference of the United Church of Canada or its Executive, of whom two shall be clergymen;
- (x) one or two members to be appointed by the appropriate authority of each other participating denomination, formal association representing two or more Christian denominations, and affiliated theological college;
- (xi) eight members to be elected by graduates with a degree or with a three year diploma in theology from Anglican College, Union College, and the School of Theology, and such graduates from other institutions who have completed three full years or their equivalent of academic work at those institutions and one full year or its equivalent of academic work at the School of Theology;
- (xii) one member, other than the Chancellor, Chairman of the Board, and the Principal, to be appointed by the Board from the members thereof;
- (xiii) two members to be appointed by the Senate or comparable body of a university or college with which the School of Theology is affiliated, those members to be chosen from the members of that Senate or body; and
- (xiv) five members to be elected by the full-time students of the School of Theology from those students.

Reduction in membership.

24. (1) At any time subsequent to two years after this Act comes into force and effect, the number of members of the Senate to be appointed by the Anglican Provincial Synod of British Columbia under clause (viii) of section 23 of this Act may be reduced to not less than two by an affirmative vote of a majority of the members of the Senate so appointed, and the number of members of the Senate to be appointed by the General Council of

the United Church of Canada or its Executive under clause (ix) of section 23 may be reduced to not less than two in the same manner.

(2) In the event that the number of members of the Senate to be appointed under clauses (viii) or (ix) of section 23 of this Act is reduced under this section to three, two of these three shall be laymen; in the event that it is reduced to two, at least one of these two shall be a layman.

**Effect of
church union.**

25. In the event that the Anglican Church of Canada and the United Church of Canada are united, the number of members of the Senate to be appointed by the successor denomination shall not be less than the combined number of members which the two denominations were entitled to appoint immediately before their union.

**Term of
office.**

26. (1) The members of the Senate other than the Principal, Vice-Principal, Registrar, Librarian, and students shall hold office for three years and until their successors are appointed or elected.

(2) Student members of the Senate shall hold office for one year and until their successors are elected.

(3) Members of the Senate are eligible for re-appointment or re-election.

(4) No elected member of the Senate other than a student member shall hold office for more than three consecutive terms not including the time spent in office filling a vacancy for a period of less than a year, provided that this provision shall not apply to full-time faculty members until there are eleven or more full-time faculty members of the School of Theology not on leave, other than the Principal, Vice-Principal, Registrar, and Librarian, and shall not operate to reduce the number of the members of the Senate elected by the full-time faculty members below ten.

(5) No student member of the Senate shall hold office for more than four terms as a student member, not including the time spent in office filling a vacancy for a period of less than a year.

**Leave of
absence.**

27. (1) When a faculty member of the Senate is granted full leave of absence from the School of Theology for a period of nine months or more, he shall vacate his seat on the Senate during the term of that leave of absence, but on its expiry he shall resume his seat for the unexpired portion of his term of office on the Senate.

(2) A faculty member who fills the vacant seat on the Senate of another faculty member on leave of absence shall vacate that seat when the latter returns to the School of Theology on the expiry of the term of his leave of absence.

Attendance.

28. Unless excused because of illness by a resolution of the Senate, a member of the Senate shall vacate his seat on the Senate on his failing to attend at least three regular meetings of the Senate each year.

Vacancy.

29. A vacancy in the membership of the Senate shall forthwith be filled for the remainder of the term of the predecessor member as follows:

- (i) in the case of a member of Senate elected under clauses (vii), (xi), and (xiv) of section 23 of this Act, by the person with the next largest number of votes to the person elected with the smallest number of votes at the last election for the Senate, provided that, if there is no such person, the Senate shall fill the vacancy; and
- (ii) in the case of any other member of the Senate, by a person appointed in the same manner in which the predecessor member was appointed.

Division (6).—Faculty Council

Faculty Council.

30. There shall be a Faculty Council of the School of Theology, which shall consist of the Chancellor, the Principal, who shall be Chairman, the Vice-Principal, who shall be Chairman in the absence of the Principal, the Registrar, the Librarian, all full-time faculty members, and such other persons as the Senate may determine, to be appointed or elected in such manner as the Senate may by regulation prescribe.

PART III

NOMINATIONS, ELECTIONS AND VOTING

Board elections.

31. The Board shall make and publish all rules and by-laws necessary and not inconsistent with this Act in respect of nominations, elections, and voting for the offices of Chancellor and Chairman of the Board, and in respect of the election of the Members of the Board to the Senate.

Senate elections.

32. The Senate shall make and publish all rules and by-laws necessary and not inconsistent with this Act with respect to the election of Senate members to the Board and of the nominations and election of the elected members of the Senate.

Chancellor's nominating committee.

33. (1) There shall be a Chancellor's Nominating Committee which shall be constituted by by-law of the Board.

(2) The Committee shall recommend one or more persons for election to the office of Chancellor.

Nominations for Chancellor.

34. After receiving the report of the Chancellor's Nominating Committee, members of the Board and the Senate may nominate additional persons for the office of Chancellor.

**Principal's
nominating
committee.**

35. (1) There shall be a Principal's Nominating Committee composed of the Chairman of the Board, who shall serve as Chairman of the Committee, three other members of the Board to be elected by the Board, and four members of the Senate to be elected by the Senate.

(2) The Committee shall recommend to the Board one or more persons for appointment to the office of Principal.

(3) The Board is not bound to accept the names recommended by the Committee.

Elections.

36. (1) The Registrar shall conduct the elections for the office of Chancellor, for the members of the Board to be elected under clauses (vii), (viii), and (ix) of section 14 of this Act, and for the members of the Senate to be elected under clauses (vii), (xi), and (xiv) of section 23 of this Act.

(2) In the elections referred to in subsection (1) of this section, the secret ballot by mail shall be used.

**Election
Register.**

37. (1) The Registrar shall maintain an alphabetical list, to be called the "Election Register," of the names and known addresses of those who are entitled to vote at an election for the offices referred to in section 36 (1) of this Act, and the Election Register shall be open to inspection at all reasonable hours by all persons entitled to vote.

(2) Inadvertent failure by the Registrar to inform a person entitled to vote in an election conducted by the Registrar, of an election shall not invalidate the election.

**Election
results.**

38. The Registrar shall report in writing to the Board and to the Senate at their next meeting following an election the results of that election.

**Equality
of votes.**

39. In the event of an equality of votes between two or more candidates in an election for a member of the Senate under clause (xi) of section 23 of this Act, the Senate shall cast the deciding vote.

PART IV

POWERS AND DUTIES

Division (1). -- Corporate Powers

Corporation.

40. The Vancouver School of Theology is a body politic and corporate with perpetual succession and a common seal, having the rights, powers, duties, and liabilities set forth in this Act.

**Objects
and duties.**

41. The School of Theology, being an ecumenical Christian centre for theological education, shall, so far as and to the full extent which its resources from time to time permit, provide

- (i) instruction and training that will prepare men and women to exercise the professional ministries of the Christian churches;
- (ii) facilities for the advanced study of theology and for theological research;
- (iii) instruction and training in theology for laymen that will further the general ministry and mission of the church;
- (iv) for the recognition of the polity, and the support of the worship and spiritual disciplines, of the participating denominations; and
- (v) an ecumenical forum for theological dialogue among persons of different disciplines and different theological viewpoints.

Degrees.

42. The School of Theology shall have in its own right and name the power to grant degrees established in accordance with the provisions of this Act.

Property.

43. (1) The School of Theology may acquire by gift, purchase, or any other manner, and hold any and all property of every nature and kind whatsoever.

(2) Subject to the terms of any grant, conveyance, gift, devise, or bequest of any real and personal property, the School of Theology may mortgage, sell, transfer, lease, or otherwise dispose of its real and personal property.

(3) The School of Theology may, for the purpose of giving effect to the powers conferred by this section or any of them, make and execute all necessary and proper conveyances, transfers, leases, and other documents.

(4) The School of Theology may apply on its own behalf to secure Letters Probate or Letters of Administration with Will annexed where it is named in a will as beneficiary.

Perpetuities rule.

44. The rule against perpetuities, the Accumulations Act, 1967, and any amendments to it, and other rules restricting the holding of real and personal property do not apply to property of the School of Theology or to an intended grant, conveyance, gift, devise, or bequest of such property to the School of Theology.

Exemption from taxation.

45. The property, real and personal, vested in the School of Theology and any property leased to and occupied by the School of Theology are exempt from taxation under the *Municipal Act*, the *Public Schools Act*, the *Taxation Act*, the *Vancouver Charter* and other similar taxation Acts so long as they are used and occupied for the purposes of the School of Theology; and any real property so vested which is disposed of by a lease to a college affiliated with the School of Theology, so long as it is used and occupied for the purposes of that college, continues to be entitled to the exemption from taxation provided in this section.

Execution of documents.

46. All deeds, transfers, mortgages, instruments, or documents required to be in writing, and to which the School of Theology is a party, shall be

deemed to be properly executed by the School of Theology if

- (i) the corporate name and seal of the School of Theology are affixed thereto by the Bursar or some other member of the Board authorized by the Board; and
- (ii) the corporate name and seal are witnessed by the signature of the Chairman of the Board or other member of the Board authorized by the Board and by the Bursar or some other member of the Board authorized by the Board.

Investments.

47. (1) The Board may invest for the benefit of the School of Theology all or any sum or sums of money belonging to it and available for investment in any securities in which life insurance companies are authorized from time to time by the parliament of Canada to invest, without being restricted as to the proportion of moneys which may be invested in any class of such securities.

(2) Nothing in this section precludes the School of Theology from holding any type of bond, debenture, stock, share, or other investment donated to it, or from carrying out the terms of a deed of trust.

Borrowing.

48. The School of Theology may borrow, either with or without security, such sums of money from time to time as it may deem necessary for its purposes.

Affiliation.

49. The School of Theology may affiliate with any university or college constituted under an Act of the legislature of the Province of British Columbia.

Division (2).--Board of Governors

Meetings.

50. (1) The Board shall meet as often as is necessary to transact the business of the Board and in any event not less than once every three months and not less than six times a year.

(2) Fifty percent of the members of the Board excluding honorary members and honorary life members shall constitute a quorum for the transaction of business.

(3) In the case of an equality of votes for and against a motion, the question is resolved in the negative, and the Chairman shall so declare.

**Vice-chairman
of the Board.**

51. (1) The Board shall elect a Vice-Chairman from among its members annually, but no faculty member and no student at the School of Theology shall be eligible for the office of Vice-Chairman.

(2) The Vice-Chairman of the Board shall perform the duties of the Chairman of the Board when the latter is absent or the office of Chairman is vacant, and shall then have all the powers, rights, and privileges of the Chairman.

Powers.

52. The management, administration, and control of the property, revenue, business, and affairs of the School of Theology are vested in the Board. Without thereby limiting the general powers conferred upon or vested in the Board by this Act, the Board has power

- (i) to make rules for the meetings of the Board and its transactions;
- (ii) from time to time to appoint a Secretary and such committees as shall be deemed necessary for the proper carrying out of its functions;
- (iii) from time to time to erect, equip, furnish, and maintain any and all buildings or other structures, campuses, and grounds as may be considered necessary, and to make such rules and regulations as to management, government, and control thereof as may seem meet;
- (iv) to appoint the Principal, the Vice-Principal, the Registrar, the Librarian, the Bursar, the members of the teaching staff, and all such officers and other employees as the Board may deem necessary for the purposes of the School of Theology and to fix their salaries or remuneration and to define their duties and their tenure of office or employment which, unless otherwise provided, shall be during the pleasure of the Board; but no person shall be appointed a member of the teaching staff of the School of Theology unless he is first nominated for the position for which it is proposed to appoint him by the Principal, and no member of the teaching staff of the School of Theology shall be promoted or removed except upon the recommendation of the Principal;
- (v) to provide a pension plan and other fringe benefits for specified categories of persons employed by the School of Theology;
- (vi) with the approval of the Senate, to provide for such fellowships, scholarships, bursaries, prizes, student loans, and courses of instruction as may seem meet to the Board and the Senate, and after consultation with the Senate to discontinue them;
- (vii) to prepare and adopt annually budgets for operating and capital revenue and expenditure for the School of Theology;
- (viii) to fix and collect the fees to be paid for instruction in credit and non-credit courses, library fees, charges for meals, and for accommodation in the residences owned or operated by the School of Theology and such other fees as may be deemed necessary by the Board;
- (ix) from time to time to determine the number of students that may, in the opinion of the Board, having regard to the resources available, be accommodated in the School of Theology;
- (x) to authorize the borrowing from any person, bank, or corporation of any sum of money that may be required for the purposes of the School of Theology;
- (xi) to enter into any agreements or covenants on behalf of the School of Theology including

- (a) an agreement to affiliate with any university or college constituted under an Act of the legislature of the Province of British Columbia;
 - (b) an agreement with a Christian denomination or formal association representing two or more Christian denominations under which that denomination or association becomes a participating denomination or association in the School of Theology;
 - (c) an agreement with a Christian theological college under which that college becomes affiliated with the School of Theology; and
 - (d) an agreement with a denomination, or formal association representing two or more denominations, or with a theological college, under which that denomination, association, or college acquires an associate status in the School of Theology;
- (xii) to select a seal and arms for the School of Theology and have sole custody and use of the seal;
 - (xiii) from time to time to make rules and by-laws in order to carry out the functions of the Board, and to alter, amend, and annul these rules and by-laws; and
 - (xiv) to do and perform all other matters and things which may be necessary for the well-ordering and advancement of the School of Theology.

Audit.

53. The accounts of the School of Theology shall be audited at least once a year by a public accountant appointed annually by the Board.

Annual report.

54. The Board shall prepare and adopt an annual report on the affairs of the School of Theology, containing at least a financial report and a report from the Principal, and shall distribute it to members of the Board and the Senate and to such other persons as the Board may determine.

Joint meetings of Board and Senate.

55. (1) The Board may call a joint meeting of the Board and the Senate at any time after giving due notice thereof and in any event shall call at least one such meeting every year.

(2) Joint meetings of the Board and the Senate shall be held only for the purpose of consultation on matters of interest to the Board and the Senate. No resolution shall be passed at these meetings, and discussions shall be without prejudice to action by the Board or the Senate.

Remuneration.

56. No member of the Board or the Senate shall directly or indirectly receive any remuneration from the School of Theology for his services as a member of the Board or the Senate, but he may be reimbursed for such expenses incurred by him in the performance of his duties as may be deemed reasonable by the Board.

*Division (3).--Senate***Meetings.**

57. (1) The Senate shall meet as often as is necessary to transact the business of the Senate and in any event not less than five times a year.

(2) Fifty percent of the members of the Senate shall constitute a quorum necessary for the transaction of business.

(3) The Principal, and in his absence the Vice-Principal, shall be the Chairman of the Senate, having as Chairman the same right of voting as other members of the Senate.

(4) If the Principal considers it desirable that he should not serve as Chairman of the Senate, he may request the Chancellor to serve as Chairman for a term of one year. The Principal may renew this request from year to year.

(5) The Registrar shall be the Secretary of the Senate.

(6) In the case of an equality of votes for and against a motion in the Senate, the question is resolved in the negative and the Chairman shall so declare.

Powers and duties.

58. It is the duty of the Senate and it has power

- (i) to regulate the conduct of its meetings and proceedings;
- (ii) to provide for the government, management, carrying out and revision of the curriculum, instruction, and education offered by the School of Theology;
- (iii) to determine all questions relating to the academic and other qualifications required of applicants for admission as students to the School of Theology;
- (iv) on the advice of the Principal after he has consulted with the participating denominations, to provide for the recognition of the polity, and the support of the worship and spiritual disciplines, of each participating denomination;
- (v) (a) to provide for degrees, including honorary degrees, diplomas, and certificates of proficiency in theology; and
(b) to determine the persons to whom these degrees, diplomas, and certificates shall be awarded;
- (vi) to determine who shall receive fellowships, scholarships, bursaries, prizes, and loans if such loans are provided for;
- (vii) to recommend the establishment or discontinuance by the Board of any department, course of instruction, chair, fellowship, scholarship, bursary, prize, or loan;
- (viii) from time to time to determine, after consultation with the Faculty Council, which members of the teaching and administrative staffs apart from the Principal, Vice-Principal, Registrar, and Librarian shall be classified as faculty members;
- (ix) from time to time to determine, after consultation with the Faculty Council, the membership of the Faculty Council;

- (x) to make rules for the management and conduct of the library;
- (xi) to provide for the preparation and publication of an annual calendar;
- (xii) to hear and determine appeals by students against any decision of the Faculty Council;
- (xiii) from time to time to make rules and by-laws in order to carry out the functions of the Senate, and to alter, amend, and annul these rules and by-laws; and
- (xiv) to make such recommendations to the Board as may be deemed proper for promoting the interest of the School of Theology or for carrying out the objects and provisions of this Act.

Approval of resolutions.

59. A certified copy of every resolution, order, or by-law of the Senate providing for any of the matters mentioned in clauses (ii), (v) (a), and (xiii) of section 58 of this Act shall be sent to the Board within ten days of being passed, and no such resolution, order, or by-law has force or effect until it has been approved by the Board.

*Division (4).--Faculty Council***Meetings.**

60. (1) Forty percent of the members of the Faculty Council, excluding faculty members on leave of absence, shall constitute a quorum necessary for the transaction of business.

(2) The Chairman of the Faculty Council has the same right of voting as other members of the Council.

(3) In the case of an equality of votes for and against a motion in the Faculty Council, the question is resolved in the negative and the Chairman shall so declare.

Powers and duties.

61. It is the duty of the Faculty Council and it has power

- (i) to regulate the conduct of its meetings and proceedings, including the appointment of committees and other bodies necessary for its work;
- (ii) to make recommendations to the Senate concerning the membership of the Faculty Council;
- (iii) to make recommendations to the Senate concerning the curriculum, including specific courses of instruction;
- (iv) subject to the approval of the Senate, to appoint examiners who shall conduct examinations and determine their results;
- (v) subject to the approval of the Senate, to regulate student discipline and the general conduct of students, both those taking courses at the School of Theology and those not taking courses there but having accommodation in its residences; and, subject to an appeal to the Senate, to exercise disciplinary jurisdiction with respect to those students, and in the exercise of such disciplinary

jurisdiction, to expel or suspend students or to impose fines and to expel students for non-payment of any fines so imposed;

- (vi) subject to the approval of the Senate, to make provisions to enable the students in attendance at the School of Theology to appoint or elect representative committees of themselves to be recognized as their official spokesmen with the right to communicate through the Principal with the Faculty Council, the Senate, and the Board upon any subject affecting the students; and to give to the committees so appointed or elected such powers of government with respect to the conduct of students in the School of Theology as the Faculty Council considers proper;
- (vii) generally to deal with all matters as may be assigned to it by the Board, the Senate, and the Principal; and
- (viii) to make such recommendations to the Board, the Senate, and the Principal as may be deemed proper on any academic matter affecting the interests of the School of Theology and to the Principal on any matter of discipline.

Appeal.

62. (1) Any persons aggrieved by a decision of the Faculty Council has a right of appeal therefrom to the Senate in accordance with any rules made by the Senate.

(2) A member of the Senate who has been directly involved in any matter that is the subject of an appeal to the Senate shall not take part as a member of the Senate in the proceedings of the Senate when it is dealing with that appeal.

(3) The decision of the Senate on an appeal shall be final.

Division (5).—Principal

Principal.

63. There shall be a Principal of the School of Theology, who shall be the chief executive officer, and who shall generally supervise and direct the academic work of the School of Theology, the teaching and administrative staffs, and all other officers and employees. He shall have such other powers and perform such other duties as from time to time may be assigned to him by the Board.

Powers.

64. Without limiting his general powers, the Principal has power

- (i) to recommend appointments, promotions, and removal of members of the teaching and administrative staffs and the officers and employees of the School of Theology after he has followed such consultation procedures as shall be approved from time to time by the Board;
- (ii) subject to this Act and in consultation with members of the teaching staff, to arrange and direct the studies, assignments, and examinations of students;

- (iii) to promote the spiritual welfare of the students and, in consultation with members of the teaching staff, students, and chaplains or spiritual advisers appointed under section 70 of this Act, generally to oversee the worship and devotional life of the School of Theology consistent with clause (iv) of section 41 and clause (iv) of section 58 of this Act;
- (iv) to summon meetings of the Faculty Council whenever he shall deem it necessary to do so, provided that he shall summon such a meeting when requested to do so by one-third of the members of the Council excluding faculty members on leave of absence; and
- (v) to authorize lectures and instruction to be given at the School of Theology by persons other than the duly appointed members of the teaching staff.

Suspension.

65. (1) The Principal has power to suspend any member of the teaching and administrative staffs and any officer or employee of the School of Theology. Upon the exercise of that power, he shall forthwith report his action to the Board with a statement of his reasons for that action. The Vice-Principal, Registrar, Bursar, Librarian and any member of the teaching staff who has been thus suspended shall have a right of appeal to the Board, whose decision is final.

(2) The Principal has power to suspend any student and to deal summarily with any matter of student discipline, notwithstanding any powers conferred on the Faculty Council. Upon the exercise of that power, he shall forthwith report his actions to the Faculty Council with a statement of his reasons for that action. A student who has been thus suspended shall have a right of appeal to the Senate, whose decision is final.

Annual report.

66. The Principal shall report annually on the progress of the School of Theology at a joint meeting of the Board and the Senate and may make any necessary recommendations, and he shall also report on any matter which shall be referred to him by the Board or the Senate.

Ex officio membership.

67. The Principal is ex officio a voting member of all committees of the Board, the Senate, and the Faculty Council.

*Division (6).--Other Officers***Officers.**

68. There shall be a Vice-Principal, a Registrar, a Librarian, and a Bursar, to be appointed by the Board on the recommendation of the Principal.

Vice-Principal.

69. The Vice-Principal shall have all the duties and powers of the Principal when the Principal is absent or the position of the Principal is vacant.

Chaplain.

70. (1) Each participating denomination may, with the consent of the Principal, appoint or remove a chaplain or spiritual adviser to students at the School of Theology.

(2) A chaplain or spiritual adviser may or may not be a faculty member of the School of Theology. In any event, he shall, if he so desires, be a member of the Faculty Council.

(3) Subject to clause (iv) of section 58 and to clause (iii) of section 64 of this Act, a chaplain or spiritual adviser at the School of Theology shall be responsible for the worship and spiritual disciplines of the students of the denomination or denominations that appointed him, and for matters relating to the needs of the denomination or denominations that appointed him, and to their requirements for ordination.

PART V**TRANSITION AND REPEAL****Board.**

71 Notwithstanding the provisions of section 14 of this Act, the first members of the Board under clause (iii) of that section shall be: J. Alan Broadbent, Godfrey P. Gower, J.H. Houghland, G. Peter Kaye, and Brian W. Whitlow, and those under clause (iv) of that section shall be Robert Mills Clark, Robert J.D. Morris, Charles O'Hara, Ralph C. Pybus, and Ernest Rands.

Senate.

72. Notwithstanding the provisions of section 23 of this Act, the first members of the Senate under clause (xi) of that section shall be appointed as follows:

- (a) four members by the Alumni Association of Anglican College after consultation with the Senate of that College; and
- (b) four members by the Alumni Association of Union College after consultation with the Senate of that College;

and the first members of the Senate under clause (viii) of that section shall be appointed by the Board of Governors of Anglican College after consultation with the Senate of that College, and those under clause (ix) of that section shall be appointed by the Board of Governors of Union College after consultation with the Senate of that College.

Term of office.

73. (1) Each member of the Board or the Senate of the School of Theology appointed under sections 71 and 72 of this Act shall hold office for one year and until his successor has been appointed or elected under the provisions of this Act.

(2) In determining whether a member of the Board or the Senate has served the maximum number of consecutive terms specified in sections 18 and 26 of this Act, no account shall be taken of the time served as a member of these bodies under sections 71 and 72 of this Act.

**Faculty
Council.**

74. (1) Notwithstanding the provisions of section 30 and of clause (ix) of section 58 of this Act, the first members of the Faculty Council shall be all full-time faculty members of the School of Theology.

(2) The Principal shall convene the first meeting of the Faculty Council.

Principal.

75. Notwithstanding the provisions of section 35 and of clause (iv) of section 52 of this Act, the first Principal of the School of Theology shall be appointed by the Boards of Governors of Anglican College and of Union College on the recommendation of the "Implementation Committee" established jointly by these Boards and charged by them with the duty of making that recommendation.

**Transfer
of property
for general
purposes.**

76. (1) All property, real and personal, (a) vested in the Anglican College or Union College or (b) held in trust for either College absolutely or to pay or apply the income for the general purposes of these Colleges shall be vested in or held in trust for the School of Theology from and after June 30, 1971. And all debts, liabilities, obligations, and covenants of the Anglican College and Union College existing on June 30, 1971, or arising subsequently in respect of the period before June 30, 1971, shall be assumed, paid, discharged, and satisfied by the School of Theology.

(2) Any property, real and personal, hereafter granted, conveyed, devised, given, or bequeathed to the Anglican College or to Union College or to trustees to hold upon trust for either of these Colleges absolutely or to pay or apply the income for the general purposes of these Colleges shall be vested in the School of Theology or be held in trust for it.

**Transfer of
property for
special
purposes.**

77. (1) All property, real and personal, vested in the Anglican College or Union College as trustee to hold upon trust for a particular purpose connected with these Colleges shall, from and after June 30, 1971, be vested in the School of Theology as trustee to hold upon trust for that purpose in connection with the School of Theology. And all property, real and personal, vested in trustees to hold upon trust for a particular purpose connected with the Anglican College or Union College shall, from and after June 30, 1971, be vested in the said trustees for that purpose in connection with the School of Theology.

(2) Any property, real and personal, hereafter granted, conveyed, devised, given, or bequeathed to the Anglican College or to Union College as trustee to hold upon trust for a particular purpose connected with these Colleges shall be vested in the School of Theology as trustee to hold upon trust for that purpose in connection with the School of Theology. And all property, real and personal, hereafter granted, conveyed, devised, given, or bequeathed to trustees to hold upon trust for a particular purpose connected with the Anglican College or Union College shall be vested in the said trustees for that purpose in connection with the School of Theology.

**Amendment
of trusts.**

78. When section 76 or section 77 applies to property held or to be held in trust and, in the opinion of the Board of the School of Theology, it is impractical or inexpedient to administer the trusts as affected solely by section 76 or 77, the said Board may amend the trusts so as to allow for their more practical or expedient administration, provided that in doing so the Board keeps as closely as possible to the original purposes of the said trusts.

**Distribution
of property
on dissolution.**

79. (1) In the event that the School of Theology ceases to exist, the Board shall distribute all property, real and personal, vested either at law or in equity in the School of Theology, among the appropriate authorities of each participating denomination, participating association of denominations, and affiliated college in proportion to the value of the property which was contributed by each. In determining the proportionate value of a contribution, account shall be taken of the date of that contribution and its value at that time, of the changes in the value of money since each contribution was made, and of any other factors which should be taken into account in order to arrive at an equitable distribution.

(2) The Board may perform the duty of distribution under this section either (a) by distributing all or part of the property in specie, or (b) by selling all or part of the property and distributing the proceeds of sale, or (c) by designating, in the case of a beneficial interest, a new beneficiary from among the participating denominations, participating associations of denominations, and affiliated colleges.

(3) The power of the Board to distribute property under this section shall not apply to an interest of the School of Theology that, by the terms of the instrument creating that interest, terminates on the dissolution of the School of Theology.

(4) In the event of a dispute about the distribution of the property of the School of Theology under this section, the matter shall be decided by three arbitrators appointed by the Chief Justice of the Supreme Court of British Columbia on the application of any participating denomination, participating association of denominations, or affiliated college.

Repeal.

80. The *Anglican Theological College of British Columbia Act, 1915*, being chapter 68 of the Statutes of British Columbia, 1915, and the *Union College of British Columbia Act*, being chapter 86 of the Statutes of British Columbia, 1926-27, and the amendments to these Acts, shall be repealed on June 30, 1971.