

CHAPTER 44

An Act Respecting Trinity Junior College

[Assented to 2nd April, 1969.]

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 *Trinity Junior 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 Trinity Junior College;
"Evangelical Free Church" means the Evangelical Free Church of America;
"President" means the President of Trinity Junior College.
- Society continued. 3. (1) Trinity Junior College heretofore incorporated under the *Societies Act* and the members from time to time of the Board of Governors are continued and hereby constituted a body corporate under the name "Trinity Junior College."
- Objects. (2) The objects of the College shall be to provide for young people of any race, colour, or creed the first two years of university education in the arts and sciences with an underlying philosophy and viewpoint that is Christian and to assist students to transfer to senior colleges and universities.
(3) The General Conference of the Evangelical Free Church, meeting in annual session or in special session, at such time and place as the Conference shall determine, with duly appointed delegates from member churches, shall exercise general direction and sponsorship of the College.
- Suits and contracts. 4. The College may sue and be sued, and may contract and be contracted with in its corporate name.
- Financial 5. The College may, subject to any conditions required by its by-laws,
(a) borrow or raise or secure the payment of money; and
(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 property to secure any 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 by-laws 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 company. 7. To the extent authorized to do so by its by-laws, the College may entrust any or all sum or sums of money belonging to the College to any trust company, to be held, controlled, administered, and dealt with by the trust company for such time and in such manner as the Board of Governors may from time to time direct.

Directors. 8. Wherever in the by-laws 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 to the Board of Governors or the governors or a governor of the College, as the case may be.

Powers and duties of governors. 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 the by-laws of the College, the members of the Board of Governors may exercise all the powers of the College and are the members of the College.

(3) In the carrying-out of its powers and duties pursuant to this Act and the by-laws of the College, the Board of Governors is responsible to the Annual Conference of the Evangelical Free Church.

(4) The persons who, upon the coming into force of this Act, are members of the Board of Directors of Trinity Junior College shall be members of the Board of Governors of the College until their successors are elected or appointed.

(5) The members of the Board of Governors shall be elected, in accordance with the by-laws of the College, at the annual meeting of the Evangelical Free Church.

(6) The President is ex officio a member of the Board of Governors and of all committees thereof.

By laws. 10. (1) The by-laws of Trinity Junior College, so far as not inconsistent with this Act, are the by-laws of the College.

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

(3) The Board shall cause to be filed with the Registrar of Companies a copy of the by-laws of the College and of every amendment thereto.

Power to make by-laws. 11. The Board of Governors may make by-laws 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 *Societies Act* conferring powers upon the Board of Governors, the power of the Board of Governors to make by-laws extends to the following matters:—

(a) The operation of the College:

- (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 of 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 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; and
- (n) The conduct generally of the affairs of the College.

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 co-operation 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 three 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 by-law for the giving of not less than two 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 two-thirds of all the members thereof.

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

President and Dean.

14. The President and Dean of the College shall be appointed by the General Conference of the Evangelical Free Church upon the recommendation of the Board of Governors of the College.

Duties and
powers of
President.

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.

Staff.

16. The Board of Governors, upon the recommendation of the President, may appoint 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 of the College, the Dean of Students, the business manager, and whatever other advisory members those three 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; and
- (j) make recommendations to the Board of Governors for the achievement of the objects and purposes of the objects and purposes of the College.

Liability
exemption.

18. No member of the Board of Governors is, in his individual capacity, liable for any debt or liability of the College.

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; and

- (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.

Taxation.

20. All property used for educational purposes whereof the College is the owner or a tenant is exempt from taxation under the *Municipal Act*, the *Public Schools Act*, and the *Taxation Act*.

Powers.

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
and
winding up.**

22. (1) Upon dissolution or winding-up of the College, the assets of the College shall revert to the Evangelical Free Church of Canada.

(2) The provisions of the *Companies 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, the reference shall be deemed to be to a resolution.