

MENNONITE BRETHREN BIBLICAL SEMINARY ACT**CHAPTER 10***Assented to March 14, 2013****Contents***

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WHEREAS Bruce L. Guenther of the City of Langley, in the Province of British Columbia, desires to continue a seminary in the Province of British Columbia for Canadian and international students;

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

Definitions

- 1 In this Act, unless the context otherwise requires:
 - “**academic council**” means the academic council of the seminary;
 - “**board**” means the board of directors of the seminary;
 - “**bylaws**” means the bylaws of the seminary;
 - “**degree in theology**” means recognition of academic achievement in theological studies or in respect of preparation for a religious vocation that is specified in writing to be an associate, baccalaureate, masters or doctoral degree;
 - “**president**” means the president of the seminary;
 - “**seminary**” means the Mennonite Brethren Biblical Seminary continued under section 2;
 - “**society**” means the society incorporated under the *Society Act* as Mennonite Brethren Biblical Seminary.

Section 2

Mennonite Brethren Biblical Seminary continued

- 2** (1) The society is continued under this Act as a corporation under the name “Mennonite Brethren Biblical Seminary”.
- (2) The seminary consists of the members of the board.

Objects of seminary

- 3** The objects of the seminary are to provide theological education and Christian leadership training at the associate, baccalaureate, masters or doctoral degree levels.

Board of directors

- 4** (1) Until new members of the board are elected or appointed under subsection (2), the members of the board of directors of the society are the persons who, on the coming into force of this Act, are the directors of the board of the seminary referred to in section 2.
- (2) The members of the board must be elected or appointed in accordance with the bylaws.
- (3) The president is a non-voting member of the board.

Bylaws

- 5** (1) Subject to this Act, the seminary must have bylaws for the governance of the seminary including, but not limited to, bylaws respecting the following:
- (a) the objects of the seminary;
 - (b) the appointment or election of the members of the board;
 - (c) the conduct of meetings of the board, including notices and consents prerequisite to those meetings, quorums and voting rights at those meetings and all other matters in connection with those meetings.
- (2) The bylaws of the society on the coming into force of this Act, so far as not inconsistent with this Act, are the bylaws of the seminary and may be amended as set out in the bylaws.

Powers and duties of board

- 6** (1) Subject to this Act and the bylaws, the board is responsible for the management, administration and control of the affairs, business, revenue and property of the seminary.
- (2) Without limiting the general powers conferred on or vested in the board by this Act, the board may do the following:
- (a) establish committees of the board and delegate authority to those committees;
 - (b) employ and remunerate faculty, administrative and other staff of the seminary and define the duties and tenure of office associated with each role or position;

- (c) engage consultants, legal counsel and auditors as may be required;
- (d) acquire, accept, solicit, transfer and dispose of title to and interests in real and personal property;
- (e) borrow, raise or secure payment of money and mortgage or pledge any or all of its properties or assets to secure amounts borrowed;
- (f) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable and transferable instruments;
- (g) invest any funds of the seminary, not immediately required for any of its charitable and lawful objects, in a manner or on security as may from time to time be determined by the board to be advisable, and the board is not limited to making investments in which trustees are authorized to invest by law;
- (h) raise funds to promote the objects of the seminary, subject or not to any specific charitable trusts or conditions;
- (i) establish, terminate and determine the rules and policies of academic programs and courses of study;
- (j) establish and levy registration and other fees and assessments, their amounts and the requirements regarding their payment;
- (k) regulate the admission of students and set admission standards;
- (l) enter into agreements with any university, college or other institution of higher learning or with any person respecting and providing for the cooperation in the exercise of any right, power, privilege or function of the seminary, including in respect of an affiliation with a university, college or other institution of higher learning;
- (m) set terms and responsibilities of the academic council.

Authority to grant degrees in theology

7 Despite the *University Act*, the seminary may grant

- (a) degrees in theology, including honorary degrees in theology,
- (b) diplomas in theology, and
- (c) certificates in theology

in its own right or jointly with any university, college or other institution of higher learning.

Appointment of president

8 The board must appoint the president.

Section 9

Duties and powers of president

- 9 The president is the chief executive officer of the seminary and must, subject to the direction of the board,
- (a) supervise and direct the work of the seminary, the faculty, administrative staff and other staff of the seminary,
 - (b) be responsible for the discipline of students,
 - (c) represent the seminary in its dealings with its constituencies and with the community at large, and
 - (d) perform other duties as may be assigned by the board.

Academic council

- 10 (1) There must be an academic council of the seminary, composed of
- (a) the president,
 - (b) the deans of the seminary,
 - (c) representative faculty members appointed in accordance with the bylaws, and
 - (d) one or more additional persons as may be appointed by the board.
- (2) The academic council is responsible for regulating the conduct of its meetings and proceedings, including the appointment of committees and other bodies necessary for its work.
- (3) The academic council may do the following:
- (a) advise and make recommendations to the president and the board on the admission standards, curriculum design and academic programs of the seminary;
 - (b) deal with all matters of academic concern as specified in the bylaws or assigned to it by the president or the board.
- (4) The president, or designate, is the chair of the academic council.

Provision of personal information

- 11 (1) In this section:
- “**personal education number**” means a unique identification number for a student assigned or identified under section 170.3 (2) of the *School Act*;
- “**personal information**” means recorded information about an identifiable individual;
- “**student**” means a person who is, or is applying to be, enrolled as a student of the seminary.
- (2) This section applies only if the seminary has been designated by the minister responsible for the administration of the *School Act* under section 168 (7) of that Act.

- (3) The board must require a student to provide the seminary with
 - (a) the student's personal education number, or
 - (b) the personal information necessary to obtain a personal education number for the student.
- (4) The board must submit the personal information collected under subsection (3) (b) to the minister responsible for the administration of the *School Act* to obtain a personal education number for the student.
- (5) The board may use a student's personal education number for the following purposes:
 - (a) carrying out its responsibilities in respect of operating a program or activity of the seminary;
 - (b) conducting research and statistical analysis of personal information in its possession;
 - (c) facilitating the provision of personal information under subsection (6).
- (6) The board must provide to the minister responsible for private post-secondary institutions the personal information about a student that is in the possession of the board if the minister responsible for private post-secondary institutions requests that information.
- (7) The minister responsible for private post-secondary institutions must provide to the minister responsible for the administration of the *School Act* the personal information about a student that is in the possession of the minister responsible for private post-secondary institutions if the minister responsible for the administration of the *School Act* requests that information and provides the minister responsible for private post-secondary institutions with a valid personal education number for that student.

Dissolution and winding-up

- 12** (1) On dissolution or winding-up of the seminary, the funds and assets of the seminary remaining after all debts have been paid or provisions for their payment have been made, must be transferred and delivered to one or more qualified donees, as defined in the *Income Tax Act* (Canada), in accordance with the bylaws.
- (2) The provisions of the *Society Act* relating to the winding-up of societies apply to the seminary, except that a reference in that Act to a special resolution is to be read as a resolution of the board.

Section 13

Commencement

- 13** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 11	On the coming into force of sections 34 and 37 of the <i>Advanced Education Statutes Amendment Act, 2011</i> , S.B.C. 2012, c. 7.