

2001

CHAPTER 06

An Act respecting St. Thomas More College

(Assented to May 30, 2001)

Preamble

WHEREAS St. Thomas More College was in 1943 constituted a body corporate by S.S. 1943, c.74 An Act to incorporate St. Thomas More College;

WHEREAS that Act reflected the founding role of the priests of the Congregation of St. Basil and ensured for them a continuing role in the life of the college;

WHEREAS three-quarters of the members of the corporation have approved the petition to the Legislative Assembly to amend the Act with respect to membership;

WHEREAS it is now expedient to enlarge the governance of the college in the manner and to the extent provided for in this Act; and

WHEREAS the college seeks to continue its mission of reflecting upon and faithfully transmitting the Christian message coming to it through the Catholic Church;

NOW THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART I

Short title and Interpretation

Short title

1 This Act may be cited as *The St. Thomas More College Act, 2001*.

Interpretation

2 In this Act:

- (a) **“board”** means the board of governors of the college;
- (b) **“Catholic”** means an ecclesiastical entity in union with the Bishop of Rome;
- (c) **“chairperson”** means the Chairperson of the corporation and the Chairperson of the board;
- (d) **“congregation”** means the Congregation of St. Basil;
- (e) **“college”** means St. Thomas More College;
- (f) **“Superior-General”** means the Superior-General of the Congregation.

PART II Role of Corporation

Corporation continued

3 St. Thomas More College is continued as a corporation.

Role of corporation

4(1) The primary role of the corporation is to operate a Catholic college that is federated with the University of Saskatchewan and is a place where students may obtain a liberal education in the arts and sciences or in any other useful branch of learning and to promote the study, practice and knowledge of those arts and sciences.

(2) For the purpose of fulfilling its role, the corporation may:

- (a)** formulate and offer courses of study and rules of behaviour for the students;
- (b)** provide for the delivery of lectures and seminars and the holding of courses and conferences calculated directly or indirectly to advance the cause of education;
- (c)** award entrance, undergraduate and graduate scholarships, bursaries and prizes;
- (d)** appoint such professors, associate professors, assistant professors, lecturers, instructors, and other officers and employees as may be necessary for carrying into effect the objects and purposes of the corporation;
- (e)** in conjunction with the college, provide a church or chapel for those of the Catholic faith;
- (f)** exercise any other powers consistent with this Act and with the operation of an institution of higher learning in the Catholic tradition.

PART III Members of the Corporation

Members

5 The following persons are members of the corporation:

- (a)** the Superior-General, the members of the congregation assigned to serve at the college, and such other members of the congregation from time to time chosen by the Superior-General;
- (b)** two persons from each of the Roman Catholic dioceses of Saskatchewan appointed by the bishop of the diocese or in the absence of the bishop, the administrator of the diocese;
- (c)** two persons appointed by the Eparch of the Ukrainian Catholic eparchy of Saskatchewan;
- (d)** faculty members of the college having tenure or full-time appointment without term;

- (e) twelve students registered in the college to be chosen by the St. Thomas More Students Union;
- (f) three persons appointed by the St. Thomas More - Newman Alumni Association;
- (g) a minimum of 10 but not more than fifteen persons, of the Catholic faith, who are resident in Saskatchewan and who are nominated for membership by the board;
- (h) a minimum of 5 persons but not more than ten persons who are resident in Canada and who are nominated for membership by the board;
- (i) the president;
- (j) the treasurer;
- (k) the dean of the college;
- (l) the controller.

PART IV Board of Governors

Board of Governors continued

6 The Board of Governors of St. Thomas More College is continued.

Board to manage college

7 The board shall, subject to the bylaws, manage the affairs of the college and of the corporation and exercise all powers of the corporation which are not by this Act or the bylaws required to be exercised by the corporation at a general meeting.

Bylaws respecting the board

8 The structure, membership and terms of office of members of the board shall be determined by the bylaws of the corporation.

PART V Officers of the Corporation

Officers

- 9(1)** The Superior-General shall choose an individual to be president.
- (2) The corporation shall fix the president's term of office, remuneration, and conditions of employment.
- (3) The board shall appoint a dean, a treasurer, and a controller, and fix the terms of office, remuneration and conditions of employment of each officer.

PART VI
Powers of the Corporation

Powers

10(1) In addition to the powers, rights and privileges conferred upon or vested in corporations by the laws of Saskatchewan, the corporation shall have full power and authority:

- (a) to acquire by gift, devise, purchase, exchange, lease or otherwise, real and personal property of any and every nature and kind whatsoever and to possess, hold and enjoy the same as owner;
- (b) to sell, mortgage, lease, exchange or otherwise deal with or dispose of its real and personal property or any portion of either and with the proceeds thereof to acquire other real and personal property to such extent as may be deemed advisable or desirable, and to make and execute all necessary or proper conveyances, transfers, or other instruments for carrying the same into effect;
- (c) to invest all or any sums of money belonging to the corporation in any property or security whatsoever for the use and purposes of the corporation;
- (d) to acquire, take possession of and hold as the corporation may deem proper all real or personal property as may at any time be mortgaged, hypothecated or pledged to the corporation by way of security or conveyed to it in satisfaction of obligations or debts due or owing to it from any person, firm or corporation;
- (e) to borrow from any person, firm or corporation such sum or sums of money as may be found or deemed to be necessary for the purposes of the corporation and to secure any loans to the lender or lenders by bills of exchange, promissory notes, mortgages, or any other instrument or instruments that may be required or deemed necessary or desirable by the lender or lenders;
- (f) to acquire, by gift, purchase or otherwise, build and erect and to manage and conduct all such facilities and structures as may be found or deemed necessary or convenient for carrying on the educational work of the corporation, including the organization, conduct and management of boarding places and halls of residence for students;
- (g) to fix, charge and collect fees for any services rendered by the corporation, including fees for the instruction of and for the board and lodging of students;
- (h) to make and enter into contracts and arrangements for affiliating the corporation and its educational work with any other schools and colleges, and in particular to retain its federation with the University of Saskatchewan;
- (i) to adopt a corporate seal and to change it at will;

(j) to make and alter or vary bylaws, rules, orders and regulations for the government and proper administration of the property, affairs and interests of the corporation including, without limiting the generality of the foregoing, the election of the board of governors, the procedure at all meetings of members of the corporation, and meetings of the board of governors, the enforcement of discipline and the determination of the qualifications of members of the board of governors, and subject to this Act and subsection 9(2), the admission, retirement, terms of office, and removal of members and officers of the corporation.

(2) Nothing in this section shall be construed as authorizing the corporation to sell, mortgage or otherwise dispose of property given, devised or bequeathed to it or held in trust for it contrary to the terms of that gift, devise, bequest or trust with respect to the property.

PART VII General

Exemption from taxation

11 Lots one (1), two (2), three (3) and four (4), in block fifteen (15), in the City of Saskatoon, in the Province of Saskatchewan, according to a plan of record in the Saskatoon Land Registration District as No. G.194, and all personal property of the corporation now or acquired by the corporation after the coming into force of this Act shall, while used for religious and college purposes, be exempt from all taxes, rates levies and assessments of every nature and kind, save and except special assessment taxes under Part XII of *The Urban Municipality Act, 1984*.

Amendment procedures

12 The corporation does not have the power to petition the Legislative Assembly for any amendment to this Act unless the petition is made with the consent of the Superior-General and is approved by not less than two-thirds of the members of corporation voting on the petition either in person or by proxy at a meeting of the corporation of which notice has been given as required by the bylaws.

PART VIII Transitional, Repeal and Coming into force

Transitional

13 Upon the coming into force of this Act:

- (a) the property of St. Thomas More College as it existed on the day before this Act comes into force continues to be the property of the corporation;
- (b) the corporation continues to be liable for the obligations of St. Thomas More College that existed on the day before this Act comes into force;
- (c) any existing cause of action, claim or liability is not affected by the enactment of this Act and any existing cause of action, claim or liability continues to apply to the corporation notwithstanding the enactment of this Act;

(d) a civil, criminal or administrative action or proceeding pending by or against St. Thomas More College as it existed on the day before this Act comes into force may be continued to be prosecuted by or against the corporation;

(e) a conviction against, or ruling, order or judgment in favour of or against St. Thomas More College as it existed on the day before this Act comes into force may be enforced by or against the corporation;

(f) the bylaws of St. Thomas More College that were in force on the day before this Act comes into force continue as the bylaws of the corporation until replaced or amended by the corporation pursuant to this Act, to the extent they are not inconsistent with this Act.

S.S. 1943, c.74 repealed

14 An Act to incorporate St. Thomas More College is repealed.

Coming into force

15 This Act comes into force on assent.