

1984 BILL PR 3

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Second Session, 20th Legislature, 33 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL PR 3

FOOTHILLS CHRISTIAN COLLEGE ACT

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MR. OMAN

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Mr. Oman

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### FOOTHILLS CHRISTIAN COLLEGE ACT

(Assented to , 1984)

Preamble WHEREAS Foothills Christian College, a congregation incorporated under the *Religious Societies' Land Act*, has by its petition prayed for the enactment of legislation for its incorporation under this Act as hereinafter set forth, and it is expedient to grant the prayer of the petition;

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

Definitions **1** In this Act,  
(a) "Board" means the Board of Directors of the College;  
(b) "by-laws" means the by-laws of the College;  
(c) "College" means Foothills Christian College, a body corporate incorporated under this Act;  
(d) "Society" means Foothills Christian College, a congregation incorporated under the *Religious Societies' Land Act*.

Incorporation of College **2(1)** The persons who are the members of the Society immediately before the commencement of this Act, together with the persons who become members of the College after the commencement of this Act, are incorporated as a body corporate under the name "Foothills Christian College".

(2) Upon the commencement of this Act,  
(a) the Society is dissolved;  
(b) the rights, property, obligations and liabilities of the Society become the rights, property, obligations and liabilities of the College;

(c) the persons who were the members and officers of the board of directors of the Society immediately before the commencement of this Act become the members and officers respectively of the Board of Directors of the College until their successors are elected or appointed pursuant to the by-laws;

(d) the constitution of the Society becomes the by-laws of the College until the first by-laws are enacted by the College under this Act;

(e) the officers and employees of the Society become officers and employees of the College;

(f) any reference to the Society in any document shall be deemed to be a reference to the College.

(3) As soon as practicable after the commencement of this Act, the Registrar of Corporations shall cancel the registration of the society under the *Religious Societies' Land Act* effective as of the date of the commencement of this Act.

Object

**3** The object of the College is to provide Christian education, consisting of biblical, general and professional studies, for the purpose of helping Christians acquire the knowledge, skills and motivation needed to be effective Christian leaders.

Head office

**4** The head office of the College shall be located in Alberta at the place specified in the by-laws.

Board of Directors

**5(1)** There shall be a Board of Directors of the College consisting of the persons elected or appointed as its members pursuant to the by-laws.

(2) The Board shall manage the business and affairs of the College.

(3) Subject to sections 4 and 6, the Board may exercise its powers by resolution.

By-laws

**6** The Board may make by-laws respecting

(a) the admission, suspension and expulsion of members of the College;

(b) the amount of the membership fees and other fees payable to the College or the manner in which those fees may be fixed;

(c) the number of members of the Board;

(d) the election or appointment of the members of the Board and of the officers of the Board and their respective rights, powers, privileges and duties;

- (e) the suspension and removal of members of the Board;
- (f) the calling of meetings of members of the College and the conduct of business at those meetings;
- (g) the appointment of an executive committee of the Board and the delegation to that committee of any of the powers or duties of the Board other than the power to make by-laws;
- (h) the establishment of the offices of the College and the appointment of persons to those offices;
- (i) the appointment and removal of the auditor of the College;
- (j) any restriction on the activities in which the College may engage;
- (k) the establishment of standing and special committees of the College and their responsibilities;
- (l) subject to section 4, the location of the head office of the College;
- (m) the regulation of the investment of the funds of the College pursuant to section 7(2)(d);
- (n) the transfer of the remaining property of the College in the course of the winding up of the College to
  - (i) 1 or more organizations, whether incorporated or not, that have objects similar to that of the College or that engage in activities similar to those in which the College had engaged at any time prior to the commencement of the winding up proceedings, or
  - (ii) a foundation or other charitable organization, whether incorporated or not, either by way of gift or in trust for such charitable purposes as are specified in the by-laws.

Powers

**7(1) The College may in furtherance of its object**

- (a) establish, maintain and operate 1 or more colleges;
- (b) undertake and support research and education related to the object of the College;
- (c) provide financial and other assistance to organizations that have objects similar to that of the College or that engage in activities similar to those in which the College engages or has engaged;
- (d) solicit, receive and hold gifts upon any trusts or conditions acceptable to the Board and administer the gifts in accordance with those terms and conditions;

(e) publish, produce or distribute books, pamphlets, films and other productions that relate to any matter pertaining to the object of the College.

(2) In addition to its powers under the *Interpretation Act* and under subsection (1), the College may do any other acts in connection with or incidental to the furtherance of its object and, without limiting the generality of the foregoing, the College may

(a) acquire, hold and alienate any estate or interest in real or personal property;

(b) borrow money from any person and give any security for the repayment of money so borrowed;

(c) draw, make, accept, endorse, execute or issue promissory notes, bills of exchange and other negotiable instruments;

(d) subject to the by-laws, invest in any manner it thinks fit the funds of the College that are not from time to time required for expenditure;

(e) lend its funds or guarantee the payment of any debt;

(f) make such banking arrangements as are necessary for the purpose of its business and affairs.

Degrees in  
divinity

**8** The College may grant academic degrees in divinity to its graduates, in addition to certificates and diplomas.

No personal  
benefit to  
members

**9(1)** No part of the income of the College shall be paid to, or otherwise made available for, the personal benefit of any member of the College.

(2) Notwithstanding anything in the *Companies Act* or any other Act,

(a) if the by-laws under section 6(n) provide for the transfer of the property of the College upon the winding up of the College, the liquidator shall transfer any remaining property of the College to the organization or organizations specified in the by-laws, in accordance with the by-laws, or

(b) if the College is to be wound up and there are no by-laws in force under section 6(n) at the commencement of the winding up proceedings, the liquidator shall, subject to the approval of the Court of Queen's Bench, transfer any remaining property of the College to

(i) 1 or more organizations, whether incorporated or not, with objects similar to those of the College or that engage in activities similar to those in which the College had engaged at any time prior to the commencement of the winding up proceedings, or

(ii) a foundation or other charitable organization, whether incorporated or not, either by way of gift or in trust for 1 or more charitable purposes.

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*In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.*