

1984 BILL PR 6

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL PR 6

CONCORDIA LUTHERAN SEMINARY ACT

MR. SZWENDER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill PR 6
Mr. Szwender

BILL PR 6

1984

CONCORDIA LUTHERAN SEMINARY ACT

(Assented to _____, 1984)

WHEREAS the Lutheran Church-Canada was incorporated by Act of the Parliament of Canada on the 4th day of June, 1959; and

WHEREAS the Church is operating a Seminary in the City of Edmonton under the name of Concordia Lutheran Seminary; and

WHEREAS a petition has been presented praying that it be enacted 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 Regents of Concordia Lutheran Seminary;
- (b) "Corporation" means the body corporate created by this Act under the name Concordia Lutheran Seminary;
- (c) "teaching staff" means the professors, associate professors, assistant professors, lecturers, instructors and all others engaged in the work of teaching, giving instruction or carrying out research on behalf of the Seminary.

Incorporation

2 Reverend Roger Winger of Kitchener, Ontario, Mr. Curtis Steiman of Winnipeg, Manitoba, Reverend Milford Murray of Saskatoon, Saskatchewan, Reverend Roy Holm of Regina, Saskatchewan, Mr. Gary Gabert of Bruderheim, Alberta, Reverend Edwin Lehman of Edmonton, Alberta and Reverend Carl Wolski of Edmonton, Alberta and such other persons as are from time to time appointed to be members of the Board, as hereinafter provided, are hereby constituted and established a body corporate under the name of Concordia Lutheran Seminary.

Powers

3 The Corporation

- (a) has perpetual succession;
- (b) shall have a common seal, with power to change, alter, break and renew same when and so often as it thinks proper;
- (c) may contract and be contracted with, sue and be sued, implead and be impleaded with, answer and defend in all courts and places whatsoever;
- (d) may acquire by gift, purchase, devise, bequests, transfer or otherwise, property of every nature and have, hold, possess, enjoy, take and receive the same for the general uses and purposes of the Corporation;
- (e) may from time to time, give, sell, exchange, convey, transfer, assign, mortgage, encumber, demise or otherwise dispose of all or any of the property of the Corporation or any interest therein;
- (f) may borrow, raise or secure the payment of money for any of the purposes of the Corporation in such manner as it deems expedient;
- (g) has all the other powers and privileges and immunities vested by law in a corporation, necessary or proper for the carrying out of its objects.

Objects

4 The objects of the Corporation are:

- (a) to recruit and train pastors, and other professional church workers for service within the Lutheran Church, and provide opportunity for their continuing growth;
- (b) to conserve and promote unity within the Lutheran Church;
- (c) to strengthen congregations and their members in giving bold witness by word and deed to the love and work of God, the Father, the Son and Holy Spirit and extend that Gospel witness into all the world;
- (d) to do all such things as may be incidental to or conducive to the attainment of the above objects.

Income and Property

5(1) All income and property of the Corporation shall be applied toward the furtherance of the objects of the Corporation, and no portion of such income or such income or property shall be paid or transferred or be made available directly or indirectly for the benefit of any member or members of the Corporation.

(2) If upon the winding up or dissolution of the Corporation there remains, after satisfaction of all of its debts, liabilities and obligations, any property or assets whatsoever, the same shall not be paid or distributed generally among the members, but it shall be paid or transferred to Lutheran Church-Canada, or in the event such organization, or a legal successor thereto, no longer exists or does not wish to receive the property or assets, to such other charitable organization in Canada the objects of which, in the opinion of the Board of Regents, most closely resemble those of the Corporation.

Liability

6 The liability of the members is limited.

Board of Regents

6(1) The Corporation shall be managed and administered by a governing Board of Regents of not more than 12 members.

(2) The first Board shall be the persons named in section 2.

(3) The Board shall by by-law prescribe the terms of office and method of election, appointment, replacement and retirement of members of the Board subject to the provisions of this Act.

(4) The Board shall by by-law prescribe the procedure to be adopted regarding the calling and conduct of meetings.

Powers of Board

8(1) The conduct, management and control of the Corporation and its property, revenues, business and affairs are vested in the Board and the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the Corporation, including, without limiting the generality of the foregoing, the power

(a) to appoint and to remove and to fix the number, duties, salaries and other emoluments of officers, teaching and administrative staff and any other employees, servants or agents;

(b) to make rules governing the educational policy, the admission of students, the curriculum and any other matter whatsoever in connection with the operation of the Corporation;

(c) to appoint an executive committee and such other committees of the Board as it deems advisable and to delegate to any such committee any of its powers;

(d) to enact such by-laws, regulations and orders as are deemed necessary for the management of the affairs of the Corporation and from time to time to amend, alter or repeal the by-laws, regulations and orders, or any of them, as the Board deems fit and proper.

(2) The interpretation of objects and the exercise of powers by the Board in the areas of policy, procedure, management and operations shall be subject to the constitution and by-laws of Lutheran-Church Canada now or hereafter in force.

- Investment of funds **9** The funds of the Corporation not immediately required for its purposes and the proceeds of all property that come into the hands of the Board, subject to any trust or trusts affecting same, may be invested and re-invested in such investments as the Board deems advisable.
- Transfer of land **10** Upon presentation to the Registrar of the North Alberta Land Registration District of any transfer or other instrument whereby any land or interest in land is being transferred from the Lutheran Church-Canada to the Seminary hereby created, the Registrar may without fee or charge therefor do all things necessary to vest the land or interest therein in the name of the Seminary, subject to any encumbrances or charges as may be registered.
- Accounting **11** The Corporation shall at all times when called upon so to do, render an account in writing of its property and affairs to the Lieutenant Governor in Council.
- General laws **12** The powers herein provided shall be subject to the general laws now or hereafter in force in the Province.

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