

1991 BILL PR7

Third Session, 22nd Legislature, 40 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL PR7

THE CAMROSE LUTHERAN COLLEGE
CORPORATION ACT

MR. SCHUMACHER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill PR7
Mr. Schumacher

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1991

THE CAMROSE LUTHERAN COLLEGE CORPORATION ACT

(Assented to , 1991)

Preamble

WHEREAS Camrose Lutheran College Corporation is incorporated by chapter 77 of the Statutes of Alberta, 1913, which was amended by chapter 86 of the Statutes of Alberta, 1947, and chapter 96 of the Statutes of Alberta, 1958; and

WHEREAS a petition has been presented praying for the repeal of the said Statutes; the continuance of the corporation created by the repealed Statutes under the name "Camrose Lutheran College Corporation"; and the enactment of provisions respecting the corporate status, property, rights and duties of the Camrose Lutheran College Corporation; 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:

Repeal of earlier acts

1 An Act to Incorporate the Alberta Norwegian Lutheran College Association, being chapter 77 of the Province of Alberta, 1913, An Act to Incorporate the Alberta Norwegian Lutheran College Association, being Chapter 86 of the Statutes of Alberta, 1947, and an Act Respecting the Camrose Lutheran College Corporation, being chapter 96 of the Statutes of Alberta, 1958, are hereby repealed.

Definitions

2 In this Act,

(a) "Board of Regents" means the Board of Regents of the Corporation;

(b) "Camrose Lutheran University College" means the

institution of learning and established and operated by the Corporation.

(c) "Church" means the Evangelical Lutheran Church of Canada or its successors;

(d) "Meeting of the members of the Corporation" includes both general and special meetings;

Names and place
of business

3(1) The Camrose Lutheran College Corporation heretofore established is hereby continued.

(2) The name of the Corporation shall be "Camrose Lutheran College Corporation".

(3) The principal place of business of the Corporation shall be in the City of Camrose, in the Province of Alberta.

Purpose

4 The purpose of the Corporation shall be the establishment and maintenance of an institution of learning, governed in harmony with the Christian faith as taught by the Church.

Powers

5 The Corporation shall have all of the powers, rights and privileges conferred upon or vested in a corporation by the laws of the Province and more particularly, but without limiting the generality of the foregoing, shall have the power to:

(a) employ any persons it considers necessary to serve the Corporation;

(b) subject to any existing written agreement:

(i) determine the salaries or remuneration of said employees,

(ii) prescribe the duties of said employees, and

(iii) prescribe the term of employment and the terms and conditions of employment of said employees;

(c) provide for:

(i) the support and maintenance of the Corporation,

(ii) the betterment of existing grounds and buildings,

(iii) the erection of any new buildings the Corporation considers necessary or desirable for carrying out the purposes of the Corporation, and

- (iv) the furnishing and equipment of the existing and newly erected buildings;
- (d) specify disciplines and to prescribe courses of study for said disciplines;
- (e) grant a baccalaureate in respect of any program of study designated under section 64.5 of the Universities Act, being Chapter U-5 of the Revised Statutes of Alberta, 1980;
- (f) confer an honorary degree on a person on the authorization of the Board of Regents;
- (g) purchase, accept or acquire by any means, and hold, enjoy and alienate any real or personal property or security or any interest therein within Alberta, which the Corporation considers necessary or desirable for carrying out the purposes of the Corporation;
- (h) borrow money and to give security for it;
- (i) invest any money and any property or security belonging to the Corporation;
- (j) act as trustee of any money or property given or bequeathed for the support of the Corporation;
- (k) establish and administer endowment funds for the benefit of the Corporation;
- (l) draw, accept, make, endorse or negotiate any other negotiable security;
- (m) adopt a common seal and to change it at will;
- (n) sue and be sued;
- (o) do any and all other things that are incidental or conducive to the attainment of the purpose for which the Corporation is established.

Members

6(1) All Congregations of the Church shall be members of the Corporation.

(2) Other Lutheran Congregations in Canada which contribute financial support to the Corporation may be designated associate members of the Corporation if the Board of Regents considers it desirable to do so, however, the number of associate members

shall not exceed twenty-five percent of the total number of Congregations of the Church.

Officers

7(1)The Bishop of the Church shall be the President of the Corporation.

(2) The Chairman of the Board of Regents shall be the Vice-President of the Corporation.

(3) The Secretary of the Church shall be the Secretary of the Corporation.

(4) The Vice-President for Finance and Administration of Camrose Lutheran University College shall be the Treasurer of the Corporation.

Meetings

8(1)The members of the Corporation shall meet in a general meeting at the same time and place as the general meetings of the Church.

(2) The President of the Corporation shall call a special meeting of the members of the Corporation upon the request of the Board of Regents or the Church Council.

(3) The President of the Corporation shall preside at all meetings of the members of the Corporation.

Voting membership

(4) The persons entitled to vote at meetings of the Corporation are:

(a) the official delegates of the Church to general meetings of the Church;

(b) one delegate from each associate member;

(c) the officers of the Corporation;

(d) the members of the Church's Supervising Board of Education; and

(e) the members of the Board of Regents.

9(1)The Corporation shall be administered by the Board of Regents.

(2) The President of the Corporation shall be a non-voting advisory member of the Board of Regents.

(3) All voting members of the Board of Regents shall be elected

at a meeting of the members of the Corporation.

(4) The number of Regents shall be determined from time to time by resolution adopted at a general meeting of the members of the Corporation, but the Board of regents shall consist of not less than ten, nor more than twenty one voting members.

(5) The term of an elected member of the Board of Regents shall not exceed six years and an elected member of the Board of Regents shall not serve more than two consecutive full terms.

(6) The Board of Regents shall serve as the nominating committee for elections of the Board of Regents and shall submit a nominee for each position to the meeting of the members of the Corporation.

(7) No more than one-third of the members of the Board of Regents shall be elected at any one meeting of the members of the Corporation, unless additional Regents are required to fill vacancies.

(8) All business and affairs of the Corporation shall be conducted in accordance with the by-laws and resolutions adopted by the Board of Regents.

Powers of Board
of Regents

10 The powers conferred upon the Corporation in Section 5 hereof are vested in the Board of Regents and, without limiting the generality of the foregoing, the Board of Regents shall be charged with full power to supervise the curriculum and instruction of the Corporation and to manage the affairs of the Corporation including:

(a) the power to make by-laws and regulations for the orderly functioning of the Corporation; and

(b) the power to fill any vacancy on the Board of Regents until the next meeting of the members of the Corporation.

Protection to
Board Members

11(1) Neither the Board of Regents nor an officer, employee, or member of the Board of Regents is liable:

(a) in respect of any act or omission in relation to any activity of the academic staff, students' union or student body; or

(b) on account of any act of the academic staff association, students' union or the student body or any member thereof.

(2) A member of the Board of Regents is not personally liable for any thing done by the Board of Regents or for anything done by

himself in good faith and in the purported exercise of his powers, duties and functions under this Act.

President

12 The President of Camrose Lutheran University College shall be elected by a two-thirds majority vote of the Board of Regents enlarged to include as voting members the President of the Corporation or a duly appointed representative and the Chairman of the Church's supervising Board of Education or a duly appointed representative.

Dissolution

13 In the event of its dissolution, all of the assets of the Corporation in excess of liabilities shall be transferred to the Church.

Account to
Lieutenant
Governor in
Council

14 The Corporation shall render an account of its affairs in writing to the Lieutenant Governor in Council, when called upon to do so.

Coming into force

15 This Act comes into force on the day upon which it is assented to.