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Ontario
CHAPTER 139

An Act respecting Regis College

Assented to November 24th, 1978

WHEREAS Regis College, hereinafter called the Charter Corporation, hereby represents that it was founded by the Society of Jesus, a body which has been active since 1632 in the area now known as the Province of Ontario; that the Charter Corporation was incorporated under The Corporations Act by letters patent, dated the 27th day of February, 1958, for the purpose of carrying on the work of the institution previously known as the Jesuit Seminary in the City of Toronto and it has conducted and maintained an institution of learning and is a founding member of the Toronto School of Theology; and whereas the applicant hereby applies for special legislation providing for modification of its organization, government and administration, and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

(a) "Academic Council" means the Academic Council of the College;

(b) "academic officer" means a person who directs an academic program of the College;

(c) "administrative officer" means an employee of the College so designated by the Board;

(d) "administrative staff" means those persons employed by the College, other than the President, the Rector, the academic officers, the administrative officers and the members of the faculty;

(e) "Board" means the Board of Governors of the College;
(f) “College” means Regis College as created by this Act;

(g) “full-time members of the faculty” means those members of the faculty so designated by the Board;

(h) “members of the faculty” means those persons employed by the College who hold the academic rank of professor, lecturer or instructor;

(i) “President” means the President of the College;

(j) “Rector” means the Rector of the College;

(k) “student” means a person registered at the College for full-time or part-time study in a program that leads to a degree;

(l) “year” means the membership year of the Board and of the Academic Council.

(2) In the event of conflict between any provision of this Act and any provision of The Corporations Act, the provision of this Act prevails.

2.—(1) The members of the Board from time to time are hereby constituted a body corporate with perpetual succession and a common seal under the name of “Regis College”.

(2) The property, rights, privileges and powers of the Charter Corporation are hereby continued and vested in the College, and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby continued in and assumed by the College.

(3) Subject to this Act, all by-laws, orders, statutes, regulations, resolutions and appointments of the Charter Corporation shall continue as by-laws, orders, statutes, regulations, resolutions and appointments of the College until amended, repealed or revoked.

(4) The Charter Corporation is dissolved on the date this Act comes into force.

BOARD OF GOVERNORS

3.—(1) The Board of Governors, until reconstituted in accordance with subsection 2, shall consist of Reverend

(2) Within twelve months after the coming into force of this Act, the Board shall be reconstituted to consist of,

(a) the Provincial Superior and Official Consultors of the Upper Canada Province of the Society of Jesus, the President, the Rector and the Vice-Chairman of the Academic Council, who shall be ex officio members; and

(b) four members of whom at least half are to be lay persons not otherwise connected with the College, elected by the Board for a term of two years.

(3) Notwithstanding clause b of subsection 2, for the purpose of the first election of members of the Board under that clause, the Board may by by-law provide for staggered terms of office.

(4) No person shall be elected a member of the Board unless he is a Canadian citizen.

(5) Subject to subsection 6, a member of the Board is eligible for re-election, except that no such member shall serve for more than three consecutive terms, but on the expiration of one year after having served the third of three consecutive terms, such person shall again be eligible for membership on the Board.

(6) The limit of three consecutive terms referred to in subsection 5 does not include service on the Board,

(a) for the balance of an unexpired term for a person who becomes a member of the Board under subsection 7; or

(b) for a term reduced under subsection 3.

(7) Where a vacancy occurs for any reason among the elected members of the Board before the term for which a person was elected has expired, the Board in its sole discretion shall determine whether the vacancy is to be filled and, if so, the person elected by the Board to fill such vacancy shall hold office for the remainder of the term of the person whose membership is vacant.
(8) The Provincial Superior of the Upper Canada Province of the Society of Jesus,

(a) shall be Chairman of the Board and Chancellor of the College; and

(b) may designate a person to assume any or all of the duties and powers of either or both of the offices of Chairman of the Board and Chancellor of the College.

(9) During a vacancy in the office of the Provincial Superior of the Upper Canada Province of the Society of Jesus, a designation made under clause (b) of subsection 8 shall continue in effect but, if there is no designation or to the extent that the designation does not extend, all duties and powers of the Chairman of the Board and Chancellor of the College shall be assumed by such member of the Board as may be appointed by the Board.

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

(a) to enact by-laws for the conduct of its affairs;

(b) to establish and terminate programs and courses of study;

(c) after consideration of the recommendation, if any, of the Academic Council and with the approval of the Chancellor, to appoint the President;

(d) to appoint, promote, suspend and remove the administrative officers of the College and the members of the administrative staff;

(e) to appoint and promote members of the faculty and academic officers, but the appointment of the academic officers and the appointment and promotion of full-time members of the faculty shall be on the recommendation of the Academic Council;

(f) to grant tenure and leave to and to suspend and remove the academic officers and members of the faculty;
(g) to delegate such of its powers under clauses d, e and f as it considers proper to the President or to such other officer or employee of the College as may be recommended by the President;

(h) to appoint an executive committee and such other committees as it may deem advisable and delegate to any such committee any of its powers;

(i) to federate or affiliate the College with any other institution of higher learning;

(j) to appoint a member or members of the Board, or any other person or persons, to execute on behalf of the Board:

(i) documents and other instruments in writing generally, or

(ii) specific documents and other instruments in writing,

and to affix the corporate seal of the College thereto;

(k) to borrow money for the purposes of the College and give security therefor on such terms and in such amounts as it may deem advisable;

(l) to invest all money that comes into its hands that is not required to be expended for any purpose to which it lawfully may be applied, subject always to any express limitations or restrictions on investment powers imposed by the terms of the instruments creating any trust as to the same, in such manner as it considers proper and, except where a trust instrument otherwise directs, combine trust moneys belonging to various trusts in its care into a common trust fund;

(m) to establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College; and

(n) to establish from time to time the membership year of the Board.

4. The Board shall appoint one or more public accountants licensed under The Public Accountancy Act to audit the accounts and transactions of the College at least annually.
5.—(1) The Board shall make a financial report annually to the Minister of Colleges and Universities in such form and containing such information as the Minister may require.

(2) The Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

(3) The Board shall make available to the public an annual report, including an annual financial report, in such form and manner as the Board may determine.

ACADEMIC COUNCIL

6.—(1) There shall be an Academic Council of the College composed of,

(a) the President, the Rector and the president of the College student body, who shall be ex officio members;

(b) such academic officers or administrative officers of the College as may be designated by the Academic Council;

(c) the full-time members of the faculty; and

(d) such students as may be elected from among themselves by secret ballot.

(2) The Academic Council shall, by by-law, determine the number of students to be elected to the Academic Council and the manner and procedure for the election of such students.

(3) The term of office for a student member shall be one year.

(4) The President shall be Chairman of the Academic Council and a Vice-Chairman shall be elected by the Academic Council for a term of two years from among its members holding office under clauses (b) and (c) of subsection 1 in such manner as the Academic Council may by by-law determine.

(5) No person shall serve as Vice-Chairman of the Academic Council for more than two consecutive terms but, on the expiration of one year after having served the second of
two consecutive terms, a person shall again be eligible to serve as Vice-Chairman.

7.—(1) The Academic Council has, subject to the approval of the Board with respect to the expenditure of funds and to subsection 10 of section 3, the power to determine the academic policy of the College and, without limiting the generality of the foregoing, has the power,

(a) to enact by-laws for the conduct of its affairs;

(b) to recommend to the Board the appointment of the President and academic officers and the appointment and promotion of the full-time members of the faculty;

(c) to make recommendations to the Board with respect to the establishment and termination of programs and courses of study;

(d) to determine the curricula of all programs and courses of study, the standards of admission to the College and continued registration therein, and the qualifications for graduation;

(e) to conduct examinations, appoint examiners and decide all matters relating thereto;

(f) to award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievements;

(g) subject to subsection 2, to grant degrees in theology including honorary degrees;

(h) to appoint committees as it may deem advisable and delegate to any such committee any of its powers; and

(i) to establish from time to time the membership year of the Academic Council.

(2) The power to grant degrees in theology may be exercised only while the College is federated or affiliated with a university which has degree-granting rights conferred by the Legislative Assembly.

BOARD OF GOVERNORS AND ACADEMIC COUNCIL

8.—(1) Subject to subsections 2 and 3, the meetings of the Board and of the Academic Council shall be open to the public.
Meetings
in camera

(2) Where a matter confidential to the College is to be considered at a meeting of the Board or Academic Council, the part of the meeting concerning such matter may be held in camera.

Ideas

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting of the Board or Academic Council, the part of the meeting concerning such individual shall be held in camera unless there is a mutual agreement to the contrary by the Board or the Academic Council, as the case may be, and such individual.

By-laws
open to
public for
inspection

9.—(1) The by-laws of the Board and of the Academic Council shall be open to examination by the public during normal business hours.

Publication of by-laws

(2) The Board and the Academic Council shall publish their by-laws from time to time in such manner as they may, respectively, consider proper.

OBJECTS AND PURPOSES

10. The objects and purposes of the College are,

(a) the advancement of learning and the dissemination of knowledge; and

(b) the intellectual, social, moral and physical development of the members of the student body and faculty and the betterment of society.

PROPERTY

11. All property heretofore or hereafter, by statute or otherwise, granted, conveyed, devised or bequeathed to the Charter Corporation, the Board, the College, any of its divisions or departments, or to any person in trust for or for the benefit of any of the foregoing, subject to any trust affecting the same, shall be vested in the College.

12. The College has power to purchase or otherwise acquire, take or receive, by deed, gift, bequest or devise, and
to hold, possess and enjoy, without licence in mortmain and without limitation as to the period of holding, any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof or any interest therein from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof.

13. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed or disposed of to the Upper Canada Province of the Society of Jesus and any property which by virtue of a devise or bequest would have, but for the dissolution, vested in the College shall vest in the Upper Canada Province of the Society of Jesus.

14. This Act comes into force on the day it receives Royal Assent.

15. The short title of this Act is The Regis College Act.