

2013

CHAPTER 03

An Act to amend An Act respecting St. Thomas More College

(Assented to December 5, 2013)

Preamble

WHEREAS St. Thomas More College is a body corporate constituted by way of Private Act through the Statutes of Saskatchewan;

WHEREAS St. Thomas More College has petitioned the Legislative Assembly of Saskatchewan for a Private Act to amend Chapter 06 of the Statutes of Saskatchewan, 2001; and

WHEREAS it is expedient to grant the prayer of the said Petition;

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

Short title

1 *St. Thomas More College Amendment Act, 2013.*

S.S. 2001, c.06 amended

2 *St. Thomas More College Act, 2001* is amended in the manner set forth in this Act.

Preamble amended

3 **The preamble is struck out and the following substituted:**

“Preamble

WHEREAS St. Thomas More College was constituted as a body corporate by *An Act to Incorporate St. Thomas More College* being Chapter 74 of the Statutes of Saskatchewan, 1943;

WHEREAS *An Act to Incorporate St. Thomas More College* being Chapter 74 of the Statutes of Saskatchewan, 1943 was amended by Chapter 158 of the Statutes of Saskatchewan, 1972 and continued as a body corporate by Chapter 06 of the Statutes of Saskatchewan, 2001;

WHEREAS the priests of the Congregation of St. Basil had a founding role in the establishment of the college, and Chapter 06 of the Statutes of Saskatchewan, 2001 recognized the continuing role for the Congregation of St. Basil in the life of the college;

WHEREAS the Congregation of St. Basil desires to pass this role on to the St. Thomas More College Society, an ecclesiastical entity constituted in accordance with the canon law of the Catholic Church;

WHEREAS the Superior General of the Congregation of St. Basil has consented and three-quarters of the members of the corporation have approved the petition to the Legislative Assembly of Saskatchewan to amend Chapter 06 of the Statutes of Saskatchewan, 2001 to reflect the role of the St. Thomas More College Society and to make other incidental changes;

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

WHEREAS it is expedient to grant the prayer of the said Petition”.

Section 2 amended

4 Section 2 is amended:

(a) by repealing clause (a) and substituting the following:

“(a) **‘Bishop’** means the Bishop of the Roman Catholic Diocese of Saskatoon or any successor diocese;

“(a.1) **‘board’** means the board of governors of the college”;

(b) by repealing clause (d);

(c) by adding the following clause after clause (e):

“(e.1) **‘St. Thomas More College Society’** means the ecclesiastical entity constituted in accordance with the canon law of the Catholic Church”;

(d) by repealing clause (f).

Section 4 amended

5 Subsection (1) is amended by striking out “a place” and substituting “an academic community”.

Section 5 amended

6 Section 5 is amended:

(a) by repealing clauses (a) and (b) and substituting the following:

“(a) a representative of the St. Thomas More College Society, and such other persons from time to time chosen by the St. Thomas More College Society;

“(b) two persons from each of the Roman Catholic dioceses of Saskatchewan appointed by the Bishop or the administrator of the diocese if the Bishop is incapable of carrying out these appointments”;

(b) by repealing clause (l) and substituting the following:

“(l) the chief financial officer;

“(m) the director of mission and ministry”.

New section 7**7 Section 7 is repealed and the following substituted:****“Board to manage college**

7 Subject to the bylaws of the corporation and this Act, the board shall manage the affairs of the college and of the corporation and exercise all powers of the corporation”.

Section 9 amended**8 Section 9 is amended:****(a) by striking out subsection (1) and substituting the following:**

“(1) The board shall choose an individual to be president, subject to the consent of the St. Thomas More College Society”;

(b) in subsection (2) by striking out “corporation” and substituting “board”;**(c) in subsection (3) by striking out “controller” and substituting “chief financial officer”.****Section 10 amended****9 Section 10 is amended:****(a) by striking out clause 1(j) and substituting the following:**

“(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 the meetings of the board of governors, the use of resolutions in lieu of meetings, the use of electronic communications to conduct meetings, the enforcement of discipline and the determination of the qualifications of members of the board of governors, and subject to this Act, the admission, retirement, terms of office, and removal of members and officers of the corporation”;

(b) by adding the following after subsection (2):

“(3) In carrying out the powers set out in this section the corporation shall observe the canon law of the Catholic Church, as amended from time to time;

“(4) The bylaws of the corporation shall be enacted, amended or repealed by the board and approved by the members of the corporation in general meeting, provided that the enactment, amendment or repeal of the bylaws shall not come into force until the consent of the St. Thomas More College Society has been obtained”.

Section 12 amended**10 Section 12 is amended in the following manner:****(a) by striking out “Superior General” and substituting “St. Thomas More College Society”; and****(b) by adding “the” after “the members of”.****Coming into force**

11 This Act comes into force on assent.

