

ST JOHN'S COLLEGE

BY-LAWS & AGREEMENTS

As of November, 2018



ST JOHN'S COLLEGE

University of Manitoba

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BY-LAWS OF ASSEMBLY

(Incorporating amendments up to May 2018)

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AGREEMENT BETWEEN ST JOHN'S COLLEGE AND THE
UNIVERSITY OF MANITOBA, AMENDING THAT OF JUNE 11,
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AN ACT TO INCORPORATE ST JOHN'S COLLEGE

CONSTITUTION AND STATUTES OF ST JOHN'S COLLEGE,
RUPERT'S LAND, 2 March 1867

BY-LAWS OF ASSEMBLY

(Incorporating amendments up to May 2018)

A. ASSEMBLY MEETINGS

- (1) Assembly normally shall meet every month from September to June.
- (2) Notice of meetings of Assembly will normally be given in writing, with a proposed agenda, seven days before the date of the meeting.
- (3) In the absence of the Chair, a chair shall be selected for the meeting by the Executive Committee from its membership.
- (4) A petition from five Assembly members to Assembly Executive shall be sufficient to bring about a special meeting of Assembly.
- (5) In the case of dispute, resolutions shall be effected by appeal to Bourinot's Rules of Order.

B. QUORUM AND VOTING PROCEDURES

- (1) A quorum for ordinary matters shall be 12 members, with a simple majority of those present deciding issues. For extraordinary matters of business, according to the Statutes, a quorum is a number equal to 50% of College Fellows.

For the purpose of determining the number that shall count for special meetings of Assembly, the term "Fellows" shall be interpreted to exclude (a) all Retired Fellows, (b) those

Fellows on leave of absence, and (c) those Fellows who do not normally maintain an office at the College.

These extraordinary items are:

- (a) The election of College Officers;
- (b) The proposal of changes in the Statutes or Bylaws;
- (c) The admission to Fellowship of faculty members, and all other matters concerning College Fellowships;
- (d) The passage of the annual budget.

Other matters may be placed in this category.

C. STANDING COMMITTEES OF ASSEMBLY

There shall be seven standing committees of Assembly:

Executive

Finance and Administration

Religious Affairs

Scholarships

Student Affairs

Membership

Visiting Speakers and Canadian Studies

Standing committees are responsible to, and report to Assembly, as appropriate. A quorum for committees shall be a simple majority of the committee membership. Each committee shall appoint its own chair and recording secretary. The Warden shall by right of office be a member of all standing committees.

(1) **Executive Committee**

There shall be an Executive Committee of eight consisting of the Chair of Assembly, who will act as chair; the Warden; the Dean of Studies; the Dean of Theology; and four members elected by Assembly for three-year or lesser terms. At least one of the members elected by Assembly shall be a student.

The function of the Executive Committee shall be:

- (a) To prepare the agenda of Assembly;
- (b) To act on matters between Assembly meetings when necessary, subject to the final approval of Assembly;
- (c) When directed by Assembly, to act as a nominating committee of Assembly and officers of Assembly.

(2) **Finance and Administration Committee**

The Finance and Administration Committee is a joint committee of Council and Assembly. It shall consist of nine members, in addition to the Chancellor and Vice-Chancellor.

Membership shall include the Bursar, the Dean of Studies, the Dean of Theology, three members elected by and from Assembly and three members elected by but not necessarily from Council, for a three-year or lesser term. The terms of the Assembly representatives shall be staggered such that one Fellow shall be elected in each year. In the event of a resignation or retirement by a Fellow, Assembly shall elect a replacement to complete the term of that Fellow.

The chair shall be appointed by the members of the committee and the Assistant Bursar shall act as recording secretary.

The duties of the Committee shall include:

- (a) reviewing and recommending the annual College budget to Assembly
- (b) overseeing college investments, including reviewing at least quarterly, the financial statements of the College, and of the Trust Funds
- (c) recommending to Council the appointment of Investment Manager(s) and monitoring the performance of the Manager(s).
- (d) recommending to Council the budget parameters for the annual operating budget
- (e) recommending the audited statements to Council for approval
- (f) recommending to Council the appointment of the Auditor
- (g) recommending capital expenditures to Council
- (h) recommending to Council on employment policies referred to it by the Warden
- (i) receiving reports on the state of buildings, equipment and services from the Administration and making recommendations to Assembly and Council, as appropriate, regarding upkeep and replacement
- (j) recommending to Assembly new facilities and projects requiring financial support
- (k) recommending to Assembly and Council, as appropriate, the purpose, terms and conditions of trust

endowments, excluding those in support of scholarships, bursaries or awards

- (l) recommending to Council and Assembly on any other matters which are referred to it by those bodies.

(3) Religious Affairs Committee

This committee shall consist of six members, including the Chaplain, the Dean of Theology, one Theology student, one other student, and two members of Assembly. The function of this committee shall be to advise the Warden on the religious life of the College and to develop programmes to enhance the spiritual life of the College.

(4) Scholarship Committee

The Committee shall consist of eight members, including the Warden, the Dean of Studies, the Registrar, one member elected by the Faculty of Theology, and four Fellows elected by Assembly. The Awards Clerk and Development Officer shall be non-voting members of the Committee; the Awards Clerk shall act as secretary to the Committee.

The duties of the Committee shall include:

- (a) selecting, on behalf of Assembly, the recipients of Awards, Bursaries, Fellowships, and Prizes awarded by St John's College, and reporting these names to Assembly
- (b) recommending to Assembly the terms and conditions of Awards, Fellowships, and prizes

(5) Student Affairs Committee

This committee shall consist of six members including three students, one member of Assembly, the Dean of Studies, the Registrar, and the Vice-Stick ex officio. The function of this committee shall be:

- (a) To consider the relationship between students and faculty, students and administration, students and staff; to make recommendations to Assembly or the proper committee of Assembly in regard to ways that these relationships may be improved;
- (b) To investigate the needs of students of St John's College from a broad and flexible perspective, and to make recommendations to Assembly about how identified problems might be solved;
- (c) To discuss and initiate programmes for the social, cultural and academic benefits of students, in co-operation with the Student Council and Assembly.

(6) Membership Committee

The function of this Committee will be:

- (a) To assess the College's needs and recommend to Assembly the areas in which College Fellows are to be sought;
- (b) To seek out and consider suitable candidates for the positions of Senior, Junior, Research, Visiting and Retired Fellows;

- (c) From time to time recommend to Assembly the duties and responsibilities of Senior, Junior, Research, Visiting and Retired Fellows;
- (d) To advise the Administration of the College on the use of College office space;
- (e) At the discretion of Assembly, to take such action with regard to membership as Assembly deems necessary.

(7) Visiting Speakers and Canadian Studies Committee

The function of this committee will be to arrange, co-ordinate, or assist with symposia, conferences, visiting speakers, debates, visiting scholars and the like.

D. OTHER COMMITTEES OF ASSEMBLY

Assembly may from time to time appoint specialist committees. Included would be:

(1) Archives, College Press and Library Committee

The function of this committee will be:

- (a) To facilitate the communication of mutual concern between the officers of the College Library and its primary users, as represented by the College Assembly, paying particular attention to ensuring that
- (b) The needs of Diocesan clergy and laity are met, that the collection is developed appropriately and that use of the Library by College members is promoted;

- (c) To assist the Administration in ensuring that College records are properly preserved;
- (d) To consider matters brought forward to it by Assembly or by the Administration with respect to the St John's College Press.

(2) **Art, Music and Social Committee**

1. The members of this committee shall be:

- (a) the Art Fellow and the Music Fellow (if such positions are filled)
- (b) at least 3 other College Fellows, each appointed for a 3-year term
- (c) one student, selected by the St John's College Student Council
- (d) the Warden and the Dean of Studies, ex-officio

2. The duties of this committee shall include:

- (a) To arrange, coordinate, or assist with the curating and public display of the SJC art collection;
- (b) Where possible, to arrange exhibitions of works (including appointing a curator for the exhibition, ensuring security, and other responsibilities as deemed necessary by the committee);
- (c) To ensure that the catalogue of works owned by the College is properly maintained;

- (d) At least once every five years, to conduct an audit of the SJC art collection, including confirming the presence and location of all works in the College catalogue;
- (e) To oversee the maintenance and renewal of musical instruments in the collection of the SJC;
- (f) To arrange and coordinate the major social events of SJC including dinners and special seasonal events;
- (g) To take such action for art, music and social events with respect to booking space, booking entertainment, menu planning, purchase of gifts, rental of equipment, the recruiting and assigning volunteers for events, and other responsibilities as deemed necessary by the committee.

E. COLLEGE FACULTY MEMBERSHIP

(1) Honorary Fellows

An Honorary Fellow is one:

- (a) Whom the College wishes to recognize as a distinguished contributor to the Church, the country, or to College and University life in general, but who receives no emoluments and has no share in College governance as a result of honorary Fellowship;
- (b) Who has a right to be informed of all major College events and ceremonies, and to take whatever place at them that may be provided for Honorary Fellows;

- (c) Who has been nominated to the Honorary Degrees Committee of Assembly, which shall advertise annually among College members and friends the opportunity and form of nomination, and the criteria for election;
- (d) Who is elected by Assembly upon nomination of the Honorary Degrees Committee, at a meeting deemed to be extraordinary; and
- (e) Who ceases to be an Honorary Fellow by reason of actions reflecting gross discredit upon College as recognized by two-thirds vote of Assembly at a meeting deemed to be extraordinary.

(2) **College Fellows**

1. A Senior Fellow is one:

- (a) Who is a member of the College engaged in teaching, and/or research, and who hold a year-round or permanent appointment, or a post-retirement appointment, in St John's College and/or the University of Manitoba;
- (b) Who is obliged to:
 - (i) Take part in College governance by attendance at Convocation and Assembly meetings, and by service on such committees as he/she may reasonably be asked to join;
 - (ii) Initiate or support such social, cultural and academic programmes as are appropriate to the College;

- (iii) Teach as many of his/her classes in the College as is appropriate;
 - (iv) Participate so far as possible in such distinctive College academic programmes as are approved by Assembly;
 - (v) Normally, locate his/her main office in the College;
 - (vi) Advise the College Library concerning acquisitions and holdings; and
 - (vii) Acknowledge his/her College membership in all publications and academic consultation.
- (iii) Who is entitled to:
- a. Such remuneration as the governing body of the College may from time to time decide;
 - b. Occupancy of an office and reasonable use of support services in the College;
 - c. Use of such amenities as the governing body of the College may from time to time provide.
- (iv) Who is elected to Assembly upon nomination of the Membership Committee in light of the following criteria:
- a. Commitment to the principle that Colleges are a desirable element within the larger University;
 - b. Excellence in teaching and scholarship;

- c. Expressed willingness to accept the obligations set out in (2) above.
 - (v) Who ceases to be a Senior Fellow upon resignation, termination of appointment at the College and/or the University, or by reason of actions reflecting gross discredit upon the College as recognized by two-thirds vote of Assembly at a meeting deemed to be extraordinary.
- 2. A Visiting Fellow is one:
 - (a) Who is elected to a fellowship in College for reasons deemed appropriate by Assembly; or
Who holds or a postretirement appointment at St John's College and/or The University of Manitoba, or
Who is a full-time doctoral student having completed the candidacy or comprehensive examinations, or post-doctoral fellow at the University of Manitoba;
 - (b) Whose obligations are as for College Fellows;
 - (c) Whose entitlement are as for College Fellows;
 - (d) Who is elected by Assembly for a term of one year, upon nomination by the Membership Committee, on account of his/her fitness for community with those in College, on the basis of academic interests or other relevant considerations; Who is eligible to apply for re-election for a maximum of two further one-year terms;
 - (e) Who ceases to be a Visiting Fellow by expiry of term, by resignation, or by reason of actions reflecting gross discredit upon the College as recognized by two-thirds

vote of Assembly, at a meeting deemed to be extraordinary.

3. An Adjunct Fellow is one:
- (a) Who desires to participate in the social, cultural and academic life of the College but who is unable to maintain an office at the College
 - (b) Whose obligations are as for College Fellows, except the requirement to maintain an office at the College;
 - (c) Whose entitlement are as for College Fellows, except the provision of an office;
 - (d) Who is elected by Assembly for a five-year term (renewable), upon nomination by the Membership Committee, in light of the following criteria:
 - (i) Commitment to the principle that Colleges are a desirable element within the larger University;
 - (ii) Excellence in teaching and scholarship;
 - (iii) Expressed willingness to accept the obligations set out in (2) above.
 - (e) Who ceases to be an Adjunct Fellow by expiry of term, by resignation, or by reason of actions reflecting gross discredit upon the College as recognized by two-thirds vote of Assembly, at a meeting deemed to be extraordinary.

There can be no more than 10 Adjunct Fellows at any time.

4. A Retired Fellow is anyone:

- (a) Who is a former Senior Fellow and who is no longer engaged in full-time teaching or research; and
- (b) Who becomes a Retired Fellow either at such time as he/she is no longer engaged in full-time teaching or research, or on the date of his/her retirement from all College and/or University appointments;
- (c) Who has no specific obligations to the College;
- (d) Who is entitled to attend Convocation, Assembly and other College functions open to Fellows, and to make use of such amenities as the governing body of the College may from time to time decide. Such amenities may include the use of an office. If a Retired Fellow wishes to apply for an office, he or she shall apply before 31 January and include a brief (two-page) description of an academic project on which he/she intends to work and for which office space at St John's College would be of value. The office would be made available for a term not exceeding two years. The Retired Fellow may reapply, again submitting a proposal for an academic project. In each year, the Membership Committee would determine the number of offices available for the use of Retired Fellows;
- (e) Who is eligible for appointment to College Council under Part IIA, section 1, subsections (h) and (i) of the Statutes; but
- (f) Who shall have no vote in meetings of Assembly;
- (g) Who ceases to be a Retired Fellow upon resignation, or by reason of actions reflecting gross discredit upon the

College as recognized by a two-thirds vote of Assembly, at a meeting deemed to be extraordinary.

F. ELECTIONS

- (1) Except for student representatives, elections for the Chair of Assembly, vacancies on Council and the Assembly Executive, and membership on all other committees of Assembly shall take place annually, in the month of May, to take effect on 1 June in that year.
- (2) Elections to any other office, such as Esquire Bedells, shall take place at the same time if these posts are vacated in that year.
- (3) Assembly Executive shall act as nominating committee, and shall proceed as follows:
 - (a) Nominations, including self-nominations, for all vacant positions shall be solicited from all;
 - (b) Eligibility for election to the position of Chair of Assembly, member of Council or the Assembly Executive shall be restricted to those who have not served a normal term in that capacity for at least three years;
 - (c) The Dean of Studies and the Librarian shall not be elected unless Assembly deliberately requires it. A single nomination shall be presented by the Executive, with a motion that nominations close. If this motion be defeated, nominations shall remain open for a further seven days and an election shall be held;

- (d) All elections shall be by secret, mailed ballot, so that all eligible voters shall have an opportunity, but not an obligation, to vote. A simple procedure shall be devised to re-assign or weigh votes where there are more than two candidates. The Registrar shall be returning officer, and two scrutineers appointed by Assembly. The distribution of votes shall remain secret, and ballots shall be destroyed after the election;
- (e) When a mail ballot is held, electors shall be instructed to vote for any number of candidates not exceeding the number of positions to be filled. The candidates receiving the largest number of votes shall be declared elected. The Chair of Assembly shall have a tie-breaking vote;
- (f) In the case of elections of representatives to Council for different terms, the term of each elected candidate may be determined by random selection. (approved May 1986, April 1998)

APPENDIX A

OFFICE OF THE DEAN OF STUDIES

The Dean of Studies is the senior academic officer of the College, and the chief representative of the Fellows and academic staff in the College Administration.

The College Statutes contain certain provisions regarding the office of Dean of Studies, namely:

1. Method of Appointment
The Dean of Studies shall be appointed by Assembly.

2. Term of Office

The term of office shall normally be for three years but may be renewed.

3. Duties and Powers

(a) To act as Coordinator of formal and informal programs of the College, including student affairs.

(b) To act as Chair of any Standing Committee of Assembly concerning program planning and development.

(c) To perform such functions as are designated by the agreement between the University and the College.

(d) To perform such duties appropriate to the position as Assembly may from time to time prescribe.

The 1970 agreement between the University and the College provides for the following functions to be assumed by the Dean of Studies:

5. The Dean of Studies of each College shall be an ex officio member of whatever committee is established within the Faculty Council of Arts and Science to deal with matters affecting the attendance, progress and academic status of students in the Faculty. In the event that the Head or the Dean of Studies of a college is unable to attend meetings, he shall be entitled to appoint a delegate.

10. The Programme of studies of College students in the General Course shall be approved by the Dean of Studies of the College or his representative.

12. Where it has been agreed that a vacancy exists in a department of the University and that such vacancy should be filled by a person who will be acceptable to the College as a member thereof, the Dean of Studies of the College, after consultation with the Department Head, shall have the right to search for a suitable staff member and to recommend his appointment to the head of the department and the Dean of Arts and Science.

14. Recommendations for the advancement in salary or rank of academic staff who are members of the College will normally be made by the Head of the department to the Dean of Arts and Science. Before acting on such recommendations, however, the Dean of Arts and Science shall consult with the Dean of Studies of the relative College so as to obtain a proper evaluation of the contribution which the staff member is making through his membership and activities in the College.

Paragraph 5 has been interpreted to entail that the Dean of Studies is an ex officio voting member of the Course and Programs Approvals Committee and the Academic Regulations Appeals Committee of the Faculty of Arts.

RESPONSIBILITIES OF THE DEAN OF STUDIES

1. The Dean of Studies is responsible for maintaining liaison between the College Administration and the Fellows and other members of the academic staff.

2. The Dean of Studies is responsible for scholarships and other awards made to students. In this capacity, the Dean is responsible for recommending to the Scholarship

Committee, and thence to Assembly, policy on student awards.

3. The Dean of Studies is responsible for the allocation of space to fellows and students. In this capacity, the Dean is responsible for:
 - (a) Recommending to Assembly policy on the allocation of student carrells;
 - (b) Monitoring the use of student carrells;
 - (c) Advising the Membership Committee of office availability each year; and
 - (d) With the assistance of the Bursar, assigning offices available each year to those persons elected to fellowships in the College.
4. The Dean of Studies is responsible for liaison between the College and University departments of College Fellows in matters concerning promotions, tenure and other matters concerning standing in the fellow's department or school.
5. The Dean of Studies is responsible for all credit or non-credit academic programs in the College not under the auspices of the Faculty of Theology.
6. The Dean of Studies is responsible for recommending, and administering, the Academic Programmes budget of the College, and any College budgets (such as SSHRC grants) for faculty teaching and research.
7. The Dean of Studies is responsible for seeing to it that the distribution of course offerings which has been deemed by

Assembly to be desirable is maintained in the College, so far as possible.

8. The Dean of Studies is responsible for receiving, acknowledging, and forwarding to the Membership Committee, applications for fellowships, and advising applicants on the outcome of their applications.
9. The Dean of Studies is responsible for the advising and registration of those students whom the College is entitled to register, except for those in Theology; and has editorial responsibility for the College Calendar.
10. The Dean of Studies is responsible for maintaining College representation on relevant University bodies as specified in the 1970 agreement and elsewhere, on the understanding that:
 - (a) He/she may designate a representative (provided that the designation is made known to the University), and
 - (b) The Assembly is free, on behalf of the College, to decline representation on any such body for a specific period of time.
11. The Dean of Studies has a principal, but not exclusive, responsibility for initiating the development of new academic programs in the College.
12. The Dean of Studies is responsible for the planning and co-ordination of academic and cultural events sponsored by the College, including academic conferences, visits of Scholars-in-Residence, the annual Marjorie Ward Lecture, presentations by visiting speakers, special lectures and symposia given by College fellows, publications by the St

John's College Press, musical performances and art exhibitions, together with the associated social events.

13. The Dean of Studies is responsible for the annual solicitation of contributions to the College from the Fellows for the operating budget for academic programmes, and allocating monies contributed in response to this annual appeal.
14. The Dean of Studies is ex officio a member of all committees of Assembly. This is to be understood as an entitlement, but not an obligation, to attend meetings of all such committees.
15. The Dean of Studies is ex officio chair of the Programme, Planning and Development Committee of College Assembly (as required by the Statutes), and also chair of the Membership Committee and of the Speakers' Committee.

THE STATUTES OF ST JOHN'S COLLEGE

PART I INTERPRETATION

In these Statutes:

“Bishop” means the Bishop of the Diocese of Rupert’s Land.

“Chancellor” means the Chancellor of St John’s College.

“College” means St John’s College.

“Diocesan Council” means the Council of the Diocese of Rupert’s Land.

“Diocese” means the Diocese of Rupert’s Land.

“Synod” means the Synod of the Diocese of Rupert’s Land.

“University” means The University of Manitoba.

“Vice-Chancellor” means the Warden of St John’s College.

PART II STRUCTURE OF GOVERNANCE

A. COUNCIL

1. Membership
 - (a) The Chancellor.
 - (b) The Vice-Chancellor.
 - (c) The Chancellor of the Diocese.
 - (d) The Metropolitan of the Ecclesiastical Province of Rupert’s Land, except where the Metropolitan is also the Chancellor.
 - (e) The Chair of Assembly.

- (f) The Dean of Studies.
- (g) The Dean of Theology.
- (h) Six Members appointed by Diocesan Council of whom at least three shall also have been appointed by Diocesan Council as members of Assembly.
- (i) Six members appointed by and from Assembly, of whom at least one shall be a College Fellow and at least one shall be a student.
- (j) Three members appointed by Council from amongst the graduates of the College, former members of the College and members of the community who support the College.

2. Term of Office of Appointed Members

- (a) Members appointed by Diocesan Council -- three years from the date of commencement of term of office or for such lesser period in each case as Diocesan Council may designate.
- (b) Members appointed by Assembly -- three years from the date of commencement of term of office, or for such lesser period in each case as Assembly may designate.
- (c) Members appointed by Council – three years from the date of commencement of term of office, or for such lesser period in each case as Council may designate.
- (d) A member whose term of office has expired through the passage of time shall nevertheless continue in office until a successor has been appointed.

- (e) If an appointed member does not complete the appointed term of office, a successor shall be appointed by the body that appointed the member to complete the term.
- (f) Any appointed member failing to attend two consecutive meetings without the approval of Council shall, ipso facto, cease to be a member of Council.
- (g) Any appointed member may be removed from office by the body that appointed the member.

3. Council Meetings

- (a) Council may, subject to these Statutes, from time to time pass, amend, or repeal by-laws regulating the calling and holding of meetings of Council.
- (b) Subject to the right of the Chancellor to preside at any meeting of Council, Council shall elect a Chair and Vice-Chair of Council for a term of up to three years, from amongst the members appointed by Diocesan Council. In the event that no member appointed by Diocesan Council is willing to stand for Chair and/or Vice-Chair, then Council may elect to either office, other persons from Council.
- (c) Council shall hold at least an annual meeting and a semi-annual meeting in each year on the dates established in its by-laws.
- (d) Notice of the time and place of Council meetings shall be sent not less than fourteen days before the meeting.

4. Duties and Powers of Council

The duties and powers of Council shall be as set out in the Act of Incorporation of St John's College, and shall include the following:

- (a) To determine the overall direction and policies of the College, subject to the responsibility vested in Assembly for academic affairs.
- (b) To maintain a direct formal connection with the Diocese.
- (c) At its annual meeting:
 - i) to consider the annual reports of Assembly, the Warden, and the Dean of Theology, and such other reports as Council may require,
 - ii) to receive as information, the annual budgets of the College as approved by Assembly,
 - iii) to consider and approve the Annual Financial Statements of the College for the preceding fiscal year,
 - iv) to consider the report of the Auditor with respect to the Annual Financial Statements, and
 - v) to appoint Auditors for the next year.
- (d) To secure the management of the property, business, and affairs of the College.
- (e) To delegate to Assembly by by-law any of the duties and powers under sub-paragraph (d) of this Article.

- (f) To consider reports and recommendations from Assembly.
- (g) To oversee the spiritual and material interests of the Anglican Church of Canada at the College.
- (h) To have overall charge of fiscal matters and policies affecting the College.
- (i) To render an Annual Report on behalf of the College to Synod.
- (j) To safeguard the interests of the College as enunciated in the agreement with the University and to approve any changes therein.
- (k) To approve changes in these Statutes in accordance with the procedure in Part X.
- (l) To appoint the Dean of Theology and any Associate Dean of Theology upon the joint nomination of the Bishop and the Warden.
- (m) To appoint the members of the academic staff of the Faculty of Theology upon the nomination of the Warden and after consultation with the Bishop.
- (n) To appoint the Warden upon the nomination of the Bishop and after consultation with the University.
- (o) To appoint the Registrar, the Bursar, and the College Chaplain upon the nomination of the Warden.
- (p) To appoint the Solicitor.

- (q) To authorize the appointment of such other staff as is necessary for the operation of the College.
- (r) To determine the amount of any financial remuneration payable by the College to a College Fellow elected by Assembly.
- (s) To negotiate with other agencies, including the University, all matters material to the financing of the College.
- (t) To delegate to the Warden, or other officer of the College, any of the duties or powers under subparagraph (d), (p), (q), (r), and (s) of this Article.
- (u) To designate, subject to Part IX, the persons or officers who may execute cheques, bills, contracts, instruments, and other documents on behalf of the College.
- (v) To borrow money upon the credit of the College, upon such terms and for such amounts as may be deemed necessary, and to hypothecate, mortgage, or pledge any of the real or personal property of the College, or both, to secure any money so borrowed, and to sell or lease any of the real or personal property of the College.
- (w) To make investments on behalf of the College, and to buy and sell securities, and to purchase, sell, or lease real or personal property on its behalf.
- (x) To grant, confer or award in the Corporate name of the College, degrees, diplomas, and certificates of standing in theology and divinity, upon the nomination of Assembly.

- (y) To enact, amend, or repeal by-laws regulating in any respect the business or affairs of the College
- (z) To deal with any other matter not specifically within the duties and powers of Assembly.

B. ASSEMBLY

1. Membership

- (a) The Chancellor.
- (b) The Vice-Chancellor.
- (c) The Deans and Associate Deans of the College.
- (d) The College Fellows, Visiting Fellows and Research Fellows.
- (e) The College Chaplain.
- (f) The Librarian.
- (g) The Registrar
- (h) The Bursar.
- (i) The President of the Friends of St John's College.
- (j) The Senior Dons of Residence.
- (k) The Senior Stick of the College.
- (l) The Vice-Stick of the College.

- (m) The six members appointed by Diocesan Council to Council.
- (n) Such number of students of the College elected by the students of the College who, taken with the Senior Stick and the Vice-Stick, equal one-third of the number of College Fellows on Assembly in the year immediately preceding the election.
- (o) Such other persons as may be elected to membership by Assembly on the nomination of the Executive of Assembly.

2. Term of Office of Appointed Members

- (a) Members appointed by Diocesan Council -- for the length of their tenure on Council.
- (b) Student members elected by the students -- one year from the date of commencement of term of office.
- (c) If an appointed or elected member does not complete the term of office, a successor shall be appointed or elected by the appropriate body to complete the term.
- (d) Any appointed or elected member may be removed from office by the body that appointed or elected the member.

3. Assembly Meetings

- (a) Assembly may, subject to these Statutes, from time to time pass, amend, or repeal by-laws regulating the calling and holding of meetings of Assembly.

- (b) Assembly may establish its own quorum for meetings, provided that the quorum shall be at least fifty per cent of the Fellows when the item under consideration involves:
 - i) appointment of Deans and Associate Deans, other than the Dean or an Associate Dean of Theology
 - ii) recommendations to the Warden respecting the appointment of College Officers,
 - iii) admission of persons to all categories of Fellowship in the College and the establishment of any limitation of Fellowship membership generally,
 - iv) annual budgets
 - v) recommendations to Council respecting the granting of honorary degrees.
 - vi) the passage, amendment, or repeal of any by-law of Assembly, or
 - vii) recommendations to Council for amendment of these Statutes.

4. Duties and Powers of Assembly

The duties and powers of Assembly, subject to the Act of Incorporation of St John's College, and to Part II, Article A.4 of these Statutes, shall be as follows:

- (a) To create conditions within the College for the achievement of excellence.

- (b) To recommend to the appropriate persons or bodies respecting any matter concerning the property, business, or affairs of the College.
- (c) To have charge of the academic affairs of the College.
- (d) To appoint such Deans or Associate Deans, excepting the Dean or any Associate Dean of Theology, as it deems appropriate to the operation of the College.
- (e) To recommend to the Warden concerning the appointment of the Registrar, the Bursar, and the College Chaplain.
- (f) To appoint a Librarian after consultation with the Warden and the University.
- (g) To elect the Fellows of the College.
- (h) To confer honorary fellowships.
- (i) To approve those programs in the Faculty of Theology which lead to degrees granted or awarded by the College under its statutory powers.
- (j) To nominate to Council the candidates to whom should be granted, awarded, or conferred any degree, diploma, or certificate of standing in theology and divinity.
- (k) To consider the annual reports of the Warden and Dean of Theology.
- (l) To approve, within the fiscal policies established by Council, the annual budgets of the College as

presented by the Warden and to transmit them to Council in time for its annual meeting, as information.

- (m) To generate extra-curricular programs of all kinds in order to make the College a rewarding and stimulating environment and to generate funds for this purpose.
- (n) To appoint the Esquire Bedells.
- (o) To elect annually the Chairman of Assembly.
- (p) To make an annual report to Council.
- (q) To establish, subject to the Agreement with the University and to any rule or regulation of the University, rules and regulations concerning student admission to or membership in the College, including matters of student discipline.
- (r) To establish rules and regulations governing awards, fellowships, scholarships, prizes, exhibitions and bursaries subject to any trust provisions.
- (s) To establish rules and regulations concerning the operation of the College cafeteria and residence.
- (t) To deal with any matter delegated to it by Council or the Warden
- (u) To pass, amend, or repeal by-laws respecting the operation of Assembly and, without restricting the generality of the foregoing, to establish by by-law such standing committees, or by resolution, such ad hoc committees, as may be considered convenient to carry out the duties and powers of Assembly and to delegate

to such committees any of the duties and powers conferred on Assembly pursuant to these Statutes or delegated to it by Council or by the Warden.

5. Assembly Executive

- (a) Membership
 - i) The Chairman of Assembly.
 - ii) The Warden.
 - iii) Four members appointed by and from the members of Assembly of whom at least one must be a student.

- (b) Term of Office of Appointed Members
 - i) Non-student members — three years from date of commencement of term of office subject to earlier removal by the Assembly.
 - ii) Student members — one year from date of commencement of term of office subject to earlier removal by Assembly. A member whose term of office has expired through the passage of time shall nevertheless continue in office until a successor has been appointed.

- (c) Duties and Powers of Executive Committee
 - i) To prepare the agenda for Assembly meetings.
 - ii) To act on behalf of Assembly when it is not practicable to call a meeting of Assembly to consider a matter.
 - iii) To carry out such duties as are delegated to it by Assembly.

PART III
FACULTY AND STUDENT MEMBERSHIP

A. FACULTY MEMBERSHIP

1. There shall be four categories of College faculty membership:

- (a) Honorary Fellow.
- (b) College Fellow.
- (c) Visiting Fellow.
- (d) Research Fellow.

2. Method of Election

- (a) Honorary Fellow -- elected in accordance with the procedure set out in the by-laws of Assembly.
- (b) College Fellow -- elected by Assembly in accordance with the procedure set out in the by-laws of Assembly.
- (c) Visiting Fellow -- elected by Assembly from year to year in accordance with the procedure set out in the by-laws of Assembly.
- (d) Research Fellow -- elected by Assembly from year to year in accordance with the procedure set out in the by-laws of Assembly from amongst persons studying in a Ph.D. or postdoctoral research program.

3. Regulation of Membership

Assembly may, subject to these Statutes, pass, amend, or repeal bylaws regulating the admission of Fellows and the responsibilities, rights and privileges attached to the various categories of Fellowship.

B. STUDENT MEMBERSHIP

Students may be admitted to membership in and continue as members of the College in accordance with rules and regulations governing admission and membership established by Assembly.

PART IV

OFFICERS OF THE COLLEGE

A. THE CHANCELLOR

1. The Bishop shall be the Chancellor.
2. The Chancellor shall be installed in office at a Convocation to be held as early as conveniently may be arranged following the commencement of the Bishop's tenure of office.
3. Before admission to office the following declaration shall be administered to the Chancellor:

Vice-Chancellor: Right Reverend (name) , Bishop of the Diocese of Rupert's Land, do you promise that you will well and truly discharge all the duties that pertain to the office of Chancellor of this College? (and he shall answer:) I so promise.

Vice-Chancellor: In the name of the Council of St John's College, I now invite you, Right Reverend (name), Bishop of the Diocese of Rupert's Land, to assume your rightful office as Chancellor of St John's College, and on behalf of the members of the College I pledge to you our loyalty.

4. The Chancellor shall act on behalf of Council at College Convocations.

B. THE VICE-CHANCELLOR AND PRO-CHANCELLOR

1. The Warden of the College shall be the Vice-Chancellor.
2. In the absence of the Chancellor or during a vacancy of that office, the duties of the office shall be performed by the Vice-Chancellor.
3. In the absence of the Chancellor and the Vice-Chancellor, the Council may appoint a member of the Council pro-Chancellor to discharge the duties incident to the Office of Chancellor and Vice-Chancellor.
4. The Vice-Chancellor and the pro-Chancellor on entering office shall make the declaration required of the Chancellor, *mutatis mutandis*.

C. THE WARDEN

1. Qualifications
The Warden of the College shall normally be a Priest in Holy Orders of the Anglican Communion, and may or may not be the holder of an academic appointment at the University.
2. Term of Office
The term of office of the Warden shall normally be five years, subject to renewal.
3. Method of Appointment of the Warden
 - (a) The Warden shall be appointed by Council upon the recommendation of the Chancellor and after consultation with the University.

- (b) Assembly shall establish a Committee called the Search Committee to assist the Chancellor with his search for a Warden.
 - (c) At Least one member of the Search Committee shall be a member appointed by Diocesan Council to Council.
 - (d) Before making the nomination of Warden to Council, the Chancellor shall consult with the Search Committee.
4. Powers and Duties of the Warden
- (a) To be the Head and Chief Executive Officer of the College with overall responsibility for the academic, administrative, and spiritual life of the College.
 - (b) To ensure that the aims of the College and the objects of the Founder of the College as set out in the Constitution of the College are implemented.
 - (c) To have overall responsibility for the training of persons for the ministry of the Anglican Church.
 - (d) To prepare, with the assistance of the Bursar, such budgets concerning the operation of the College as the Warden deems necessary or which Council may require.
 - (e) To prepare, with the assistance of the Bursar, the annual budgets of the College and to submit them to Assembly for approval.
 - (f) To consult with such persons or bodies as the Warden deems appropriate with respect to the preparation of budgets, including any committee established by

Assembly for the purpose of assisting in budget preparation.

- (g) To receive from the Dean of Theology a draft budget with respect to the operation of the Faculty of Theology.
- (h) To submit to Council a statement of Assets and Liabilities, and of Income and Expenditure for the preceding fiscal year, certified by the Auditors.
- (i) To present to Council and to Assembly an Annual Report on the state of the College.
- (j) To consult with Assembly before making any recommendations to Council respecting the appointment of the Registrar, the Bursar, and the College Chaplain.
- (k) To consult with the Dean of Theology before making any recommendation to Council respecting the appointment of an Associate Dean of Theology or of a member to the academic staff of the Faculty of Theology.
- (l) To present to Assembly for recommendation to Council the petition of any candidate who has qualified for a degree or diploma in a course or program.
- (m) To preside at College Convocations.
- (n) To perform such other duties as may from time to time be prescribed by Council.

D. THE DEAN OF STUDIES

1. Method of Appointment
The Dean of Studies shall be appointed by Assembly.
2. Term of Office
The term of office shall normally be for three years but may be renewed.
3. Duties and Powers
 - (a) To act as Coordinator of formal and informal programs of the College, including student affairs.
 - (b) To act as Chair of any Standing Committee of Assembly concerning program planning and development.
 - (c) To perform such functions as are designated by the agreement between the University and the College.
 - (d) To perform such duties appropriate to the position as Assembly may from time to time prescribe.

E. THE DEAN OF THEOLOGY

1. Method of Appointment
The Dean of Theology shall be appointed by Council upon the joint nomination of the Bishop and the Warden.
2. Qualifications
The Dean of Theology shall be a Priest in Holy Orders of the Anglican Communion.
3. Term of Office
The term of office shall normally be five years but may be renewed.

4. Duties and Powers

- (a) To organize, supervise, and promote the training and education of students registered in the Faculty of Theology.
- (b) To be Chair of the Advisory Council of the Faculty of Theology.
- (c) To advise the Warden on all matters of personnel concerning the Faculty of Theology, including recommendations with respect to academic appointments within the Faculty.
- (d) To be responsible to the Warden for the performance of all members of the academic staff of the Faculty of Theology.
- (e) To prepare a draft annual budget for the Faculty of Theology and to submit it to the Warden.
- (f) To prepare an annual report on the state of the Faculty of Theology and to submit it to the Warden for transmittal to Council and Assembly.
- (g) To perform such other duties as are appropriate to the position as Council or the Warden may from time to time prescribe.

F. ASSOCIATE AND OTHER DEANS

1. Assembly may appoint such other Deans or Associate Deans, other than Associate Deans of Theology, as it deems advisable, and may establish the title of such Deans and prescribe their qualifications, term of office, duties and powers.

2. Council may appoint Associate Deans in the Faculty of Theology upon the recommendation of the Warden and after consultation with the Bishop.

G. THE REGISTRAR

1. Method of Appointment

The Registrar shall be appointed by Council upon the nomination of the Warden.

2. Duties and Powers

(a) To be the Secretary of the College and, in connection therewith, to conduct the correspondence of Council, to record the minutes of Council, to prepare and send out all notices of meetings of Council together with any documents required to be sent along with such notices, to be the repository of the Official Minutes of Council and Assembly, and to perform such other duties of a secretarial nature as Council may from time to time prescribe.

(b) To register the students, prepare the timetables of lectures, supervise the College examinations, and generally assist in all matters connected with the academic work of the College.

(c) To certify to Assembly that every candidate for a degree taken in course has passed the examinations required for such degree, and has paid all University and College fees.

(d) To provide to Assembly such information as from time to time requested by Assembly.

- (e) To perform such other duties as Council may from time to time prescribe.

H. THE BURSAR

1. Method of Appointment

The Bursar shall be appointed by Council upon the nomination of the Warden.

2. Duties and Powers

(a) To act as the Executive Assistant to the Warden.

(b) To receive and disburse all monies on account of the College and to keep proper receipts therefor. All money received on account of the College except as hereinafter provided, shall be deposited forthwith in such Chartered Bank or Banks as may be designated by Council. By special authority of Council, monies may from time to time be deposited in a savings account in a trust or loan company duly authorized to receive deposits. All disbursements, except petty cash payments, shall be made by cheque drawn on such bank or banks or savings accounts. Council may authorize the keeping of such petty cash accounts as it may deem advisable. All cheques drawn on behalf of the College shall be signed by such person or persons as Council may from time to time designate.

(c) To keep a regular set of books in such form as shall be approved by Council and to submit to the Auditors all books of account and supporting documents as they may require.

(d) To assist the Warden with the preparation of the budgets of the College.

- (e) To keep a complete register of all lands, mortgages, debentures and other securities, and of all valuable papers belonging to the College, and to deposit all debentures and other securities for safekeeping with the bankers of the College, or as the Council may direct, and to furnish to the Warden for submission to the Annual Meeting of Council a list of all investments duly certified by the Auditors.
- (f) To keep the property of the College insured in such companies and for such amounts as Council shall direct, and to ensure that all taxes and rates are duly paid.
- (g) To oversee the work of the College's support staff, and those employed in its food services and residences.
- (h) To ensure that all buildings are kept in good order and repair.
- (i) To prepare and submit all statements relating to the affairs of the College as may be requested by Council, the Warden, or the Auditors.
- (j) To be bonded in such amount as Council shall determine from time to time.
- (k) To perform such other duties as Council or the Warden may from time to time prescribe.

I. THE LIBRARIAN

1. Method of Appointment

The Librarian shall be appointed by Assembly after consultation with the Warden and the University.

2. Duties and Powers
 - (a) To be responsible for the development, use, and maintenance of the College Library resources and facilities.
 - (b) To be a member of any Library Committee of Assembly.
 - (c) To perform such other duties as the Warden may from time to time prescribe.

J. THE COLLEGE CHAPLAIN

1. Method of Appointment

The College Chaplain shall be appointed by Council upon the nomination of the warden and upon licensing by the Bishop.
2. Qualifications

The College Chaplain shall be a Priest in Holy Orders of the Anglican Communion; and may or may not hold an academic appointment in the College or in the University.
3. Duties and Powers

To perform such duties concerning worship, pastoral life, and religious education in the College as may be assigned to the College Chaplain by the Warden on the advice of any advisory committee established by Assembly for that purpose.

K. THE ESQUIRE BEDELLS

1. Method of Appointment
The Esquire Bedells shall be appointed by Assembly.
Vacancies shall be filled by and from Assembly.
2. Duties and Powers
To attend upon the Chancellor or the Vice-Chancellor and
marshall the procession on public occasions.

L. THE SOLICITOR

1. Method of Appointment
The Solicitor shall be appointed by Council.
2. Duties and Powers
To carry out such legal work as is from time to time
entrusted to the Solicitor by Council.

M. THE AUDITORS

1. Method of Appointment
The Auditors shall be appointed annually by Council.
2. Qualifications
The Auditor shall be a Chartered Accountant or a firm of
Chartered Accountants carrying on business in the City of
Winnipeg.
3. Duties and Powers
 - (a) To make an annual audit of the books and accounts of
the College.
 - (b) To carry forward the audit to the end of each fiscal year
and to report on the Balance Sheet as at the close of

the fiscal year and on the Statement of Income and Expenditure for the year completed.

- (c) To submit such further reports and perform such additional services as Council may from time to time prescribe.

PART V THE FACULTY OF THEOLOGY

A. ESTABLISHMENT

There shall be established within the College a faculty called the Faculty of Theology for any one or more of the following:

1. Train and educate persons for the ordained ministry of the Anglican Church, and for discharging the duties of catechists and teachers in parishes or missions.
2. Be an educational and theological resource to the Anglican Church of Canada.
3. Provide continuing theological training and education to those already ordained.
4. Provide programs for lay people.

B. FACULTY MEMBERSHIP

1. The Dean of Theology and any Associate Dean shall be appointed by such method, for such term of office, with such qualifications, and with such duties and powers as are set out respectively in Part IV, Articles E and F of these Statutes.

2. Other faculty members shall be appointed as set out in Part II, Article A.4.(m) and Part IV, Article C.4.(k) of these Statutes.
3. Associate members of the academic staff of the Faculty of Theology may be appointed on a sessional basis from time to time in the same manner as other members of the academic staff of the Faculty, for the purpose of assisting in programs or teaching. Although such members are expected to partake in the ongoing life of the College they shall not be Fellows of the College with the rights and privileges thereto appertaining and shall have no vote at meetings of the Advisory Council of the Faculty of Theology.

C. FACULTY OF THEOLOGY ADVISORY COUNCIL

I. Establishment and Function

There shall be established within the Faculty of Theology a Faculty Advisory Council to provide advice to the Dean of the Faculty on all aspects involving the operation of the Faculty.

2. Membership

- (a) The Dean of the Faculty, as Chair.
- (b) Any Associate Dean of the Faculty.
- (c) Members of the academic staff of the Faculty.
- (d) Associate members of the academic staff of the Faculty (nonvoting).
- (e) The Bishop or the delegate of the Bishop.
- (f) The Warden.

- (g) Two members appointed by Council upon the nomination of the Dean of Theology.
 - (h) Two members appointed by Assembly upon the nomination of the Dean of Theology.
 - (i) A member elected by and from students registered in the Faculty of Theology.
 - (j) Such others as may be appointed from time to time by Council to serve for a designated period.
3. Term of Office of Appointed Members
The term of office of appointed members shall be three years, provided, however, that no appointed member shall serve more than three consecutive terms as a member of the Advisory Council.
4. Deemed Vacancy
A person shall cease to be a member of the Faculty of Theology Advisory Council upon ceasing to be a member of either the Faculty of Theology or of the constituency for which the person was appointed a representative.
5. Rules of Procedure
The Council may establish such rules of procedure regulating its operations as it deems necessary and may delegate any or all of its duties and powers to a committee, including a committee composed solely of the Dean, Associate Deans, and all or any members of the academic staff of the Faculty.

PART VI
DEGREES, DIPLOMAS, CERTIFICATES AND HONORARY
FELLOWSHIPS

**A. DEGREES, DIPLOMAS AND CERTIFICATES GRANTED,
CONFERRED OR AWARDED**

Council may grant, confer or award the following degrees,
diplomas and certificates:

- I. Degrees and diplomas in course
 - (a) The College Testamur.
 - (b) The Bachelor of Ministry.
 - (c) The Bachelor of Theology.
 - (d) The Master of Divinity.
 - (e) The Diploma in Religious Education.
 - (f) The Bachelor of Religious Education.
 - (g) The Bachelor of Divinity (General Synod).
 - (h) The Doctor of Divinity (General Synod).
2. Honorary Degrees
 - (a) The Doctor of Divinity (honoris causa or jure dignitatis)
 - (b) The Doctor of Canon Law (honoris causa)
3. Certificates in Course as approved by Assembly.

B. HONORARY FELLOWSHIPS

Assembly may confer Honorary Fellowships pursuant to the by-laws of Assembly.

C. PROCESS LEADING TO GRANT, CONFERRAL OR AWARD

1. Degrees Diplomas and Certificates in Course
Degrees, diplomas and certificates in Course shall be granted, conferred or awarded by Council upon the recommendation of Assembly.
2. Honorary Degrees
 - (a) There shall be a Committee for assessing nominations for Honorary Degrees called the "Committee on Honorary Degrees" consisting of the Chancellor, the Vice-Chancellor, and four members appointed annually by and from Assembly provided that if any appointed member is unable to serve, the Vice-Chancellor may appoint another member of Assembly to fill the vacancy.
 - (b) The Committee on Honorary Degrees shall forward to Assembly, together with appropriate background information, the name of any person upon whom it recommends that an Honorary Degree be conferred.
 - (c) Assembly shall vote on the recommendation by secret ballot and the Degree shall not be recommended to Council unless three-quarters of the members present and voting cast ballots in favour of the recommendation.

- (d) Provided that notice of a recommendation from Assembly as to the conferral of an Honorary Degree has been given in the circular calling any meeting of Council, Council may by the same majority as required by Assembly, authorize the conferral of an Honorary Degree.
- (e) An Honorary Degree may not be conferred in absentia except in exceptional circumstances and with the approval of the Chancellor.
- (f) Any graduate of the College holding the office of Bishop in the Anglican Church of Canada, or in any church in full communion therewith, shall be eligible for the Degree of Doctor of Divinity *jure dignitatis*.
- (g) Normally, not more than three Honorary Degrees shall be conferred in any one academic year.
- (h) Members of Council and Assembly shall be consulted once a year for nominations to be screened by the Committee on Honorary Degrees.

D. FORMALITIES OF PRESENTATION OF DEGREES, DIPLOMAS, CERTIFICATES AND HONORARY FELLOWSHIPS

Candidates for degrees, diplomas, certificates and honorary fellowships shall be presented by a College Officer to the Chancellor or Vice-Chancellor and shall be admitted to their respective degrees, diplomas, certificates, or honorary fellowship by the Chancellor or Vice-Chancellor.

The actual form of presentment of degrees, diplomas and certificates should be approved by Council with the recommendation of Assembly and the formal presentment and admission of honorary fellows should be approved by Assembly in their by-laws.

1. Presentment of Degree or Diploma Course Candidates

The Candidate shall be presented by a College Officer to the Chancellor or Vice-Chancellor with the following words:

“Right Reverend Chancellor, I present to you the Petition of the Council that you [confer the degree of Bachelor of Ministry, Bachelor of Theology, Bachelor of Religious Education, Master of Divinity upon] or award the College Testamur, Diploma of Religious Education to] (name(s)), he/she/they having completed the examinations and having gained the necessary standing as prescribed.”

2. Presentment of Honorary Degree Candidates

The Candidate shall be presented to the Chancellor with the following words:

“Right Reverend The Chancellor, I present to you the Petition of Council that you [confer upon] (name) [the Degree of Doctor of Divinity/Doctor of Canon Law – honoris causa/jure dignitatis].

3. Admission of Candidates for Degrees and Diplomas

After presentment, the Chancellor shall then admit the Candidate with the following words:

“By virtue of the powers vested in me as Chancellor of St John’s College I [award you the Testamur of this College], [confer upon you the Degree of _____]. [award you the Diploma of _____], and admit you to the standing of an alumnus of St John’s College with all the rights and privileges pertaining thereto, and charge you to use them to the Glory of God and the Edification of His Church. In the name of the Father, and of the Son, and other Holy Ghost Amen.”

E. ACADEMIC DRESS

Assembly shall from time to time prescribe the academic dress to be worn by recipients of Degrees, Licentiates, Diplomas, and Honorary Fellowships granted or conferred by the College.

PART VII THE CHAPEL

A. ESTABLISHMENT

There shall be established and maintained within the College a Chapel called The Chapel of St John The Evangelist

B. THE OPERATION OF THE CHAPEL

1. Use and Upkeep

The Warden shall have overall responsibility for the holding of services in the Chapel, the manner in which they are conducted, and for all other matters relating to the use and upkeep of the Chapel, provided, however, that the Warden may delegate particular responsibility to the College Chaplain or to others as the Warden sees fit.

2. Alterations

Any material alteration to the fabric of the Chapel facility shall be approved by Council and is subject to the Canons which apply to all places of worship in the Diocese.

3. Chapel Advisory Committee

There may be established by Assembly a Chapel Advisory Committee for the purpose of advising the Warden and the College Chaplain concerning the use and operation of the Chapel as well as any other matters concerning the pastoral or spiritual activities within the College. Membership of this Committee shall include the Warden, the College Chaplain, the Dean of Divinity, any Associate Deans of Divinity, at least one other Fellow of the College, and at least two students of the College, together with such other persons as may be appointed by Assembly upon the nomination of the Warden.

PART VIII

FRIENDS OF ST JOHN'S COLLEGE

A. ESTABLISHMENT

There shall be an association known as The Friends of St John's College.

B. PURPOSE

The purpose of the association shall be to promote the interests of St John's College and to act as a clearing house for alumni news and dissemination of information about the College through the medium of a newsletter or some similar publication.

C. MEMBERSHIP

The membership of the association shall consist of graduates of the College, other former Johnnians, and members of the community interested in the College.

D. MEETINGS

There shall be an annual meeting in May, at which the officers of the association shall be elected, and such other meetings as may be desirable

PART IX

CORPORATE SEAL AND EXECUTION OF DOCUMENTS

A. CUSTODY OF SEAL

The Seal shall be in the custody of the Vice-Chancellor.

B. AUTHORITY RESPECTING USE OF SEAL

The Seal shall be affixed to documents only by authority of Council.

C. USE OF SEAL RESPECTING DIPLOMAS AND ACADEMIC CERTIFICATES

Diplomas and academic certificates which require the Corporate Seal shall be executed by the Chancellor or the Vice-Chancellor, and by the Registrar, or, in the absence of the Registrar, such other Officer of the College as Council may designate.

D. USE OF SEAL RESPECTING DEEDS, ETC.

Deeds, transfers and mortgages under the Real Property Act, conveyances, contracts, and other like documents which require the Corporate Seal including powers of

attorney to execute the acceptance and transfer of all or any shares, stocks, bonds, debentures, debenture stock and other securities from time to time standing in the name of the College, shall be executed by any two of the following: the Chancellor, the Vice- Chancellor, the Pro-Chancellor, the Bursar, and the Registrar, one of which must be the Chancellor, the Vice-Chancellor or the Pro-Chancellor.

E. SOLICITOR'S DUTIES

Every document prepared by a Solicitor on behalf of the College shall be endorsed as approved by the Solicitor before execution.

**PART X
AMENDMENT OF STATUTES**

A. POWER TO AMEND

These Statutes may be enacted, suspended, amended or repealed by Synod only with the assent of the Bishop.

B. AMENDING PROCEDURE

Subject to the plenary power of Synod and the Bishop to alter these Statutes on their own motion, the following is the process by which the College may recommend to the Synod and the Bishop alterations to these Statutes:

1. The text of a Resolution for the enactment, suspension, amendment or repeal of any Statute shall first be sent to the members of Assembly along with notice calling the meeting of Assembly.

2. If Assembly by a majority of three-fourths of the members present and voting approves the Resolution, with or without amendment, then the text of the Resolution, together with any supporting material authorized by Assembly, shall be forwarded by the Secretary to Council for consideration.
3. The text of the Resolution adopted by Assembly, together with any supporting material authorized by Assembly, shall be sent to the members of Council along with the notice calling the meeting of Council next following the meeting of Assembly at which the Resolution was approved.
4. If Council by a majority of three-fourths of the members present and voting approves the Resolution, with or without amendment the Secretary shall forward the text of the resulting Resolution together with any supporting material authorized by Council, to the Bishop and to the Secretary of Synod for consideration and approval.

PART XI MISCELLANEOUS

A. Where any disagreement arises as to the powers or duties of Council Assembly, the Chancellor, the Warden, or any other officer or servant of the College, or of any body therein, it shall be settled and determined by Council.

B. In these Statutes, where the context requires, the singular shall include the plural.

As approved by Diocesan Council 30 October 1987 (II.B.3(b)) and by Diocesan Council 15 December 1992

ST JOHN'S COLLEGE COUNCIL BY-LAWS

(Incorporating amendments up to June 2008)

A. Council Meetings

Council normally shall meet at least four times each academic year, and shall:

- (1) at its annual meeting, normally to be held in the period of 15 May to 15 June, receive the Annual Reports of the Assembly, the committees of Council, the Warden and the Dean of Theology. At the same Meeting, the annual budgets of the College, as approved by Assembly, shall be received.
- (2) at the continuation of its annual meeting to be held concurrent with its annual convocation meeting, consider and approve the Annual Financial Statements of the College for the preceding fiscal year; consider the report of the Auditor with respect to the Annual Financial Statements; appoint the Auditors for the next year; and appoint the College Solicitor.
- (3) at its annual Convocation meeting, normally held in the period 15 September to 15 October, consider nominations for degrees, diplomas or certificates of standing in Theology and Divinity”

B. Quorum and Voting Procedures

At any meeting ten members shall be deemed to constitute a quorum.

C. Terms of Members

Terms of membership of Council will commence on July 1st of the year of appointment and end on June 30th of the terminal year of appointment.

D. Standing Committees of Council

There shall be the following standing committees of Council:

- (1) Executive Committee
- (2) Finance and Administration Committee

Standing committees are responsible to, and normally shall report at each meeting of Council. A quorum for committees shall be a simple majority of the committee membership. Each committee shall appoint its own chairman and recording secretary. The Chancellor and Vice-Chancellor shall, by right of office, be members of all standing committees.

- (1) Council Executive
 - I) There shall be an Executive Committee of six members. Membership shall consist of the Chancellor; the Vice-Chancellor; the Dean of Studies; the Dean of Theology; the Chair of Assembly; and the Chair of Council who will act as Chair. The function of the Council Executive Committee shall be:
 - (a) to prepare the agenda of Council;
 - (b) to act on matters between Council meetings when necessary, subject to the final approval of Council;
 - (c) when directed by Council, to act as a nominating committee for committees of Council.
 - II) The Power and Duties of the Chair of Council
 - (a) To chair regular meetings of Council;

- (b) To consult, as necessary with the Warden concerning the implementation of Council decisions and policies;
 - (c) To work with the Warden and Registrar in anticipating and formulating subjects for Council's attention;
 - (d) To represent, or share in representing, the College, as appropriate, in discussions with other bodies such as the University and the Diocese.
- III) The Power and Duties of the Vice-Chair of Council
- (a) To chair meetings in the absence of the Chair, and to assume other duties as dictated by the absence or incapacity of the Chair.

(2) Finance and Administration Committee

The Finance and Administration Committee is a joint committee of Council and Assembly. It shall consist of nine members, in addition to the Chancellor and Vice-Chancellor.

Membership shall include the Bursar, the Dean of Studies, the Dean of Theology, three members elected by and from Assembly and three members elected by but not necessarily from Council, for a three-year or lesser term. The terms of the Assembly representatives shall be staggered such that one Fellow shall be elected in each year. In the event of a resignation or retirement by a Fellow, Assembly shall elect a replacement to complete the term of that Fellow.

The chair shall be appointed by the members of the committee and the Assistant Bursar shall act as recording secretary.

The duties of the Committee shall include:

1. reviewing and recommending the annual College budget to Assembly
2. overseeing college investments, including reviewing at least quarterly, the financial statements of the College, and of the Trust Funds
3. recommending to Council the appointment of the Investment Manager(s) and monitoring the performance of the Manager(s).
4. recommending to Council the budget parameters for the annual operating budget
5. recommending the audited statements to Council for approval
6. recommending to Council the appointment of the Auditor
7. recommending capital expenditures to Council
8. recommending to Council on employment policies referred to it by the Warden
9. receiving reports on the state of buildings, equipment and services from the Administration and making recommendations to Assembly and Council, as appropriate, regarding upkeep and replacement
10. recommending to Assembly new facilities and projects requiring financial support

11. recommending to Assembly and Council, as appropriate, the purpose, terms and conditions of trust endowments, excluding those in support of scholarships, bursaries or awards
12. recommending to Council and Assembly on any other matters which are referred to it by those bodies.

E. Delegation of Powers

The powers under Section 11, A (4) (q) and (s) be delegated to the Warden:

- (q) To authorize the appointment of such other staff as is necessary for the operation of the College.
- (s) To negotiate with other agencies, including the University, all matters material to the financing of the College.

F. Indemnity of Directors and Officers

Subject to the Corporations Act (Manitoba), the College shall indemnify a member of Council or officer of the College, a former member of the Council or officer of the College or a person who acts or acted at the College's request as a director or officer of a body corporate of which the College is or was a shareholder or creditor, and his or her heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by him or her in respect of any civil, criminal or administrative action or proceeding to which he or she is made a party by reason of being or having been a member of the Council or officer of the College or director or officer of a body corporate if,

- (a) he or she acted honestly and in good faith with a view to the best interests of the College; and
- (b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, he or she had reasonable grounds for believing that his or her conduct was lawful.

G. Amendment of these By-Laws

These by-laws may be amended by a two-thirds majority vote at any two Council meetings, notice of the proposed amendment having been included in the notice of at least the second meeting.

AGREEMENT BETWEEN
ST JOHN'S COLLEGE
AND
THE UNIVERSITY OF MANITOBA

THIS AGREEMENT made in triplicate as of the 11th day of June,
1970.

BETWEEN:

THE UNIVERSITY OF MANITOBA,
a corporation incorporated
by act of the legislature of the Province of Manitoba
(hereinafter referred to as the "university")

OF THE FIRST PART

-and-

ST. JOHN'S COLLEGE, corporation incorporated
by act of the legislature of the Province of Manitoba
(hereinafter referred to as "St. John's")

OF THE SECOND PART

-and-

ST. PAUL'S COLLEGE a corporation incorporated
by act of the legislature of the Province of Manitoba (hereinafter
referred to "St. Paul's")

OF THE THIRD PART

WHEREAS St. John's and St. Paul's are Colleges affiliated with
the University under the provisions of Section 56 of The University
Act;

AND WHEREAS the Colleges respectively own and occupy buildings situated on lands comprising part of the campus of the University leased by them from the University under the leases hereinafter referred to;

AND WHEREAS a committee designated the Committee on College Structure was appointed by The Council on Higher Learning of Manitoba to examine the basic principles upon which a community of colleges might be established on the campus of the University and the report of said Committee (herein referred to as the "Funt Report") was issued May, 1967;

AND WHEREAS the University and the Colleges respectively accepted the basic principles of the Funt Report;

AND WHEREAS to enable early implementation of the concept of the Funt Report pending the settlement of the terms of a more formal agreement between the parties, a Memorandum of Arrangement (herein called the "Arrangement") was executed by St. John's on March 27, 1968, by St. Paul's on March 28, 1968, and thereafter by the University;

AND WHEREAS the terms of the Arrangement have governed the relationship between the University and the Colleges since April 1, 1968;

AND WHEREAS the parties have now agreed upon the terms of a formal agreement to implement the basic principles of the Funt Report as interpreted or varied by the terms of the Arrangement;

NOW THEREFORE THIS AGREEMENT WITNESSETH

1. In this agreement

- (a) “academic programme” means the programme referred to in sub-paragraph (b) of paragraph 3 as approved by the University;
- (b) “Board of Governors” means the Board of Governors of the University;
- (c) “College” means either St. John’s or St. Paul’s according to the context and “Colleges”; means both of said Colleges;
- (d) “College member” means a member of the academic staff of the University who has been admitted to membership in St. John’s or St. Paul’s, as the case may be;
- (e) “College student” means a student of the University who has registered at the University, who has stated he wishes to be classified as a student of St. John’s or St. Paul’s and who has been accepted by the relative College;
- (f) “Dean of Arts and Science” means the person who holds that office in the University and any person to whom the duties of that office have been delegated, and, in the event that the University shall establish both a Faculty of Arts and a Faculty of Science in substitution for the present Faculty of Arts and Science, means in respect of matters pertaining to the Faculty of Arts, the Dean of that faculty, of matters pertaining to the Faculty of Science, the Dean of that faculty, and of matters pertaining to both said faculties, the Deans of said faculties acting jointly;
- (g) “Faculty of Arts and Science” means that Faculty of the University, and in the event that the University shall establish both a Faculty of Arts and a Faculty of Science means, in respect of matters pertaining to the Faculty of Arts, that Faculty, of matters pertaining to the Faculty of Science, that Faculty, and of matters pertaining to both of said Faculties, both those Faculties;

(h) “Faculty Council of Arts and Science” means that Faculty Council of the University and in the event that the University shall establish a Faculty of Arts and a Faculty of Science, means both the Faculty Council of Arts and the Faculty Council of Science so established;

2. The community of colleges established April 1, 1968 on the campus of the University by the Arrangement and comprising, in the first instance, St. John’s and St. Paul’s and the University, is hereby continued in effect.

PRINCIPLES

3. The following principles are agreed upon as governing the basic relationship between the Colleges and the University, or any of them:

(a) Instruction in the Arts and Sciences shall be offered by the University and the Colleges to students through the Faculty of Arts and Science of the University, and in the provision of such instruction the basic unit of academic organisation and instruction within the Faculty of Arts and Science shall be the Department.

(b) Each College shall select, with the approval of Department Heads (where there are such) and of the Dean of Arts and Science, both areas of emphasis in its academic programme based on long-term commitment in particular departments, and ancillary courses to meet the educational needs of its students.

(c) Insofar as resources permit, the University, at its cost and expense and through the relative Department of the University and through its academic staff, will conduct in each College the academic programme selected by that College and approved as provided in subparagraph (b) of this paragraph 3, with such modifications thereof as are approved from time to time by the

University and the College; provided that the University shall not be required to give instruction to more than about 1,000 College students in either College.

(d) The University will assign to each College, in the manner hereinafter provided such academic staff suitably distributed as to academic rank may from time to time be reasonably required to conduct the academic programme in the College to the same standard as is maintained by the University in similar courses conducted in its own buildings.

(e) The University has appointed to its staff the members of each College engaged at April 1, 1968 in an administrative capacity or in teaching at the same academic rank, if any, held in, and at not less than the salary paid by, each College on December 31, 1967.

(f) Insofar as resources permit, the University and the Colleges will endeavour to maintain within each College (a) a balanced and flexible programme of studies, and (b) a teaching staff having an equitable distribution of ranks.

(g) A member of the academic staff of the University shall not be a member of a College except with his consent, that of the College authorities, and the relative Department Head.

(h) A member of a College who is a member of a Department of the University shall have the same rights and privileges as other staff members of the University, including, without limitation, eligibility for appointment or election to appropriate bodies in the University system of government.

(i) When a member of the academic staff of the University has been granted membership in a College, the University will make every effort to enable him to exercise his teaching functions within

the College. Due regard shall be paid however, to the total teaching responsibilities of the Department and to exigencies arising from the timetable and from availability of classroom and lecture room space and no guarantee can be given that an academic staff member of a College will have all of his classes within the College building.

(j) In the interests of the economic use of resources, the scheduling of Arts and Science courses and the arrangement of sections of classes taught in the Colleges will be the responsibility of the office of the Dean of Arts and Science. Before commencing work on the timetable, however, the Dean of Arts and Science will consult with the Dean of Studies of the relative Colleges with a view to alleviating, as far as circumstances permit, any difficulties which the timetable would cause in the College.

(k) In so far as resources permit a College student shall have the opportunity to take in the College of which he is a member such of his courses as are available in the College.

(l) The identity of each College in the University structure shall be preserved and the means to ensure it provided, except that in matters of finance affecting a College the University shall be entitled to take into account its resources and its other responsibilities as a University.

(m) The basic principles of the Funt Report shall be applied in respect of all matters affecting the relationship between the Colleges and the University, or any of them, not in this agreement expressly or by necessary implication provided for.

GOVERNMENT AND INSTITUTIONS

4. Each College shall continue to maintain its corporate entity, structure, and its powers (except that instruction in Arts and Science is to be offered to College students within the departmental system of the Faculty of Arts and Science); have its own government; appoint its own Head and its own officers. Appointment to offices associated with the administration of the University (including the Head of College) shall follow consultation between the appropriate University and College authorities. Appointment to other offices proper to the College shall be at the discretion of the College authorities.

5. The Head of each College shall be an ex officio member of the Arts Council and the Science Council of the University; of the Faculty Council of Arts and Science; and of the Senate of the University. The Dean of Studies of each College shall be an ex officio member of whatever Committee is established within the Faculty Council of Arts and Science to deal with matters affecting the attendance, progress and academic status of students in the Faculty. In the event that the Head or the Dean of Studies of a College is unable to attend meetings, he shall be entitled to appoint a delegate.

6. Each College shall have full control of its internal discipline, but matters of discipline affecting both a College and the University shall be dealt with by agreement between the College concerned and the University.

7. There shall be an Inter-College Council, comprising the Head of each College and the President of the University, which shall monitor the general relationships between the University and the Colleges, having regard to the interests of the University and of the Colleges, and which, without limitation, shall deal with and attempt to resolve all difficulties arising out of matters not covered by this agreement or out of differences in the interpretation or application of the terms of this agreement and shall make

recommendations to the parties hereto. It shall meet semi-annually, and may meet at any time on request of any member.

8. Every College student shall be eligible for membership in the University of Manitoba Students' Union. The University will ensure that College students as members of the University of Manitoba Students' Union shall have self-government within such Union in respect of student facilities and activities carried on in the College building.

PROCEDURES

9. Registration of students who wish to become members of a College shall be initiated in the College.

10. The programme of studies of College students in the General Course shall be approved by the Deans of Studies of the College or his representative. The right of a student to select any course that satisfies the requirements of the Faculties of Arts and Science shall be respected.

11. Any course taught within a College not for University credit shall be the sole responsibility of the College and shall be provided for by the College out of the revenues other than those coming to the College through the budget of the University.

12. Where it has been agreed that a vacancy exists in a Department of the University and that such vacancy should be filled by a person who will be acceptable to the College as a member thereof, the Dean of Studies of the College, after consultation with the Department Head shall have the right to search for a suitable staff member and to recommend his appointment to the Head of the Department and the Dean of Arts and Science. If such a recommendation is not made by the

College within a reasonable time after the vacancy occurs the Dean of Arts and Science, after notice to the College, may make a recommendation to the Board of Governors to fill the vacancy in the Department. A person not acceptable to a College shall not be a College member.

13. The form of appointment to a Department of the University shall be processed according to usual University procedures. When an appointment has been approved by the Board of Governors, the Head of the College will be informed and will issue his own letter or document confirming the individual's membership in the College.

14. Recommendations for the advancement in salary or rank of academic staff who are members of the College will normally be made by the Head of the Department to the Dean of Arts and Science. Before acting on such recommendations, however, the Dean of Arts and Science shall consult with the Dean of Studies of the relative College so as to obtain a proper evaluation of the contribution which the staff member is making through his membership and activities in the College.

15. Termination of the College membership of a faculty member shall be at the discretion of the College with consultation of the University, but termination of his appointment with the University shall be at the discretion of the University with consultation of the College.

16. The annual budget of each of the Colleges to be financed by or through the University shall be prepared in a form prescribed by the University; shall include all the capital and operating requirements of the College other than those relating to matters referred to in paragraph 11 hereof and to provision, maintenance and operation of Chapels, residences and food services, and, subject to the approval of the President of the University, shall be

included in that of the University for purposes of submission to the Universities Grants Commission.

17. Each such budget shall show separately the amount for library costs and the amount for administration costs for inclusion, but separately in the library and administration sections of the budgets of the University. In the preparation of each such budget there shall be consultation between those responsible for the preparation and submission thereof and full information in respect thereof shall be given at the time of its final submission.

18. In the event that the Universities Grants Commission declines to pay the University the entire amount requested in its budget, then the amount by which the total of a College or the Colleges may be reduced shall be determined in an equitable manner between the parties hereto.

19. Monies allocated to the budget of a College shall be credited to it in the accounting records of the University and shall be disbursed by the University as directed by the Head of the College or his duly authorised representative.

Certain facilities and services were considered essential to the preservation of the identity of particular institutions and specific recommendations on these will be made in subsequent sections.

PROVISION FOR AND STATUS OF FACULTY

A member College as envisaged herein, should, in principle, be assured of a balanced staff. It is particularly important that the staff not be concentrated solely at the junior level, but that an appropriate mixture of junior and senior appointments be reflected in the College staffing. The members of staff should be related to the growth patterns outlined previously in section III.

As has been suggested in the Preamble, each College should be guaranteed adequate participation in the appointment and promotion of staff. It is visualised that the Colleges would do a substantial part of the search for their own staff members. Final decision in these matters should be in the hands of a committee of three, composed of the Dean of Arts and Science, The Head of the Department, and the Senior Academic representative of the College.²

To ensure adequate participation of the Colleges in the decision making processes of the University certain modifications in representation are recommended. These modifications should be made with a view to establishing a Faculty Council of Arts and Science that will be fully co-ordinate with other Faculty Councils in its relation with the Senate. This end can be achieved by co-ordinating Departmental and Collegiate structures through a series of forums or courts in which the voices of the Colleges, or of College staff members will be heard. Thus:

- (a) at the departmental level, every member of the teaching staff, college or non-college, would be a member of the one University-wide department;
- (b) College staff would similarly be members of the Arts Council or of the Science Council, depending on their departmental membership;
- (c) They would also be members of the Faculty Council of Arts and Science;
- (d) It is to be understood that the Head of a Department may be a member of any of the Colleges in the University system;

(e) College staff would be eligible, as members of the Arts Council or the Science Council, for election to the central Executive Committee of the Faculty of Arts and Science. Furthermore, a revision in the composition of the Executive Council of the Faculty

20. The University shall render to each College monthly a statement of the expenditures made in the preceding month out of the monies referred to in Paragraph 19 and shall render to the Head of each College annually on a confidential basis a statement of the salaries and the teaching and research responsibilities of each College member.

21. Classroom space and other facilities of the Colleges shall be available for the use of the University without payment of rent, with the consent of the relative College, whenever space demands require it or need arises.

LEASES

22. The lease dated May 1, 1957 between St. John's and the University, and the lease dated May 1, 1957 between St. Paul's College Limited (the predecessor of St. Paul's) and the University, are each hereby amended as follows:

(a) By adding the following to subparagraph (m) of paragraph 2 of each such lease:

“(m) (i) To keep the buildings of the Lessee insured against all insurable risks usually insured against (other than flood damage) in such amounts as the University shall reasonably require, and to furnish to the University certified copies of such insurance.

(m) (ii) To carry public liability insurance with the same insurance companies as insure the Lessor against public liability and with the same coverage as the Lessor has under its liability policies so that the same insurers shall be involved in any claim made against either or both where it is uncertain which of the parties to this lease may be liable.”

(b) By adding the following to subparagraph (h) of paragraph 6 of each such lease.

“Provided that in the event that on or after April 19, 1968, the Universities Grants Commission and the Government of the Province of Manitoba, or either of them, shall provide monies for altering or enlarging any of the buildings of the Lessee or for constructing new buildings on the demised premises or for otherwise in any manner improving the demised premises or any buildings or improvements thereon, then (i) if the value of the buildings, structures and improvements situated on the demised premises when this subparagraph (b) is applied shall have been increased thereby, there shall be deducted from the amount to be paid to the Lessee pursuant to this subparagraph (b) such portion of the value of all buildings, structures and improvements then situated upon the demised premises as is fairly applicable to the alterations, enlargements, constructions or improvements made with the monies so provided and (ii) if the agreement dated as of June 11, 1970, between the University of Manitoba, St. John’s College and St. Paul’s College is terminated, then during the period that this lease or any renewal thereof remains in effect, the buildings, the monies for the construction of which have been so provided, shall be used only for the purposes set out in section (ii) of subparagraph (a) of paragraph 2 of this lease namely for conducting courses of study leading to a certificate, diploma or degree of the University in compliance with the requirements of the Senate of the University, and to the extent that such buildings

are not in full and actual use by the College for those purposes they may be used by the University for its teaching purposes.

In all other respects, each such lease shall remain in effect according to its terms.

23. The conduct of courses of study pursuant to this agreement shall be deemed to be the conduct of courses of study complying pro tem with the provisions of subparagraph (a) of paragraph 2 of each such lease, and for the purposes of paragraph 4 of each such lease the University shall be deemed to be giving all courses in Arts and Science conducted in the Colleges.

GENERAL

24. For the purpose of determining liability of the parties for acts or neglect of employees of the parties hereto, or any of them, the following shall govern:

Every employee on the payroll of the University and not on the payroll of a College, shall be deemed in the performance of his work to be under the sole control and authority of the University.

Every employee on the payroll of a College and not on the payroll of the University, shall be deemed in the performance of his work to be under the sole control and authority of the College on whose payroll he is.

In the case of an employee on the payrolls of both the University and a College, the facts of the situation shall determine liability

25. The Colleges and the University shall each secure a waiver of subrogation against the others in all policies of insurance carried by them respectively.

26. Any College of or affiliated with the University may be admitted to membership in the community of colleges constituted by this agreement on the terms and conditions hereof, mutatis mutandis, or on such other terms and conditions as may be agreed upon by the parties.

27. This agreement shall be effective as and from June 11, 1970 and the Arrangement shall terminate as of that date.

28. The parties hereto may from time to time by writing in that behalf amend any of the provisions of this agreement.

29. Each party hereto shall have the right to terminate this agreement (other than paragraph 22 hereof) by giving to the other parties prior to March 31 in any year notice in writing that this agreement is to be at an end at midnight on March 31 in the succeeding year and such event this agreement (other than paragraph 22 hereof) shall come to an end at such time without affecting the rights and obligations of the parties respectively under the leases herein before referred to as hereby amended.

30. It is the intent of this agreement that each College is entitled to sufficient facilities to fulfill its responsibilities within the University, but the growth and development of the College is a joint responsibility shared by the College and the University. The initiative and recommendations should come from the College within the context of the total University and should be commensurate with the needs and resources of the University.

31. This agreement shall be binding upon the parties hereto and enure to the benefit of the assigns of the University and the approved assigns of the Colleges respectively.

IN WITNESS WHEREOF the parties hereto have caused their corporate seals to be hereunto affixed, attested by the signatures

of their respective proper of officers in that behalf as of the day and year first above written.

THE UNIVERSITY OF MANITOBA

By: M.J. Arpin, Chairman. Board of Governors

W.J. Condo, Vice-President and Comptroller

ST. JOHN'S COLLEGE

By: D.R.C. Bedson, Chairman of College Council

J.R. Brown, Warden and Vice-Chancellor

ST. PAUL'S COLLEGE

By: John E. Page, S.J., President

C.H. Kanavy, S.J., Secretary

2 Careful consideration must be given to the many possibilities of conflict between the needs and valid interests of a Department, and the needs and valid interests of a College. It is quite possible for a College and a Department Head to propose two possible appointees between whom a decision must be made. In arriving at this decision, the total academic strength of the Department and of the University Faculty in general must be maintained.

AGREEMENT BETWEEN
ST JOHN'S COLLEGE
AND
THE UNIVERSITY OF MANITOBA,
AMENDING THAT OF JUNE 11, 1970

THIS AGREEMENT made in triplicate as of the 20th May and
amended July, 1970

BETWEEN:

THE UNIVERSITY OF MANITOBA,
a corporation incorporated
by act of the legislature of the Province of Manitoba, (hereinafter
referred to as the "University")

OF THE FIRST PART

ST. JOHN'S COLLEGE, a corporation incorporated
by act of the legislature of the Province of Manitoba
(here in after referred to as 'St. John's')

OF THE SECOND PART

ST. PAUL'S COLLEGE a corporation incorporated
by act of the legislature of the Province of Manitoba
(hereinafter referred to as "St. Paul's")

OF THE THIRD PART

WHEREAS the parties hereto entered into an agreement dated as
of June 11, 1970 (hereinafter referred to as the "Agreement");

AND WHEREAS questions have been raised by the Universities Grants Commission as to the adequacy of the provisions therein dealing with use and ownership of new buildings and structures and additions thereto constructed on lands leased by the Colleges or either of them from the University through monies provided by the Universities Grants Commission and/or the Province of Manitoba.

AND WHEREAS the parties have agreed to execute these presents;

NOW THEREFORE THIS AGREEMENT WITNESSETH

1. Words of definition in this agreement shall have the meanings attributed to them by the Agreement and in the leases referred to in the Agreement.

2. Subparagraph (b) of paragraph 22 of the Agreement is revoked and the following is substituted therefor:

“22 (b) By adding the following to subparagraph (b) of paragraph 6 of each such lease:

Provided that in the event that on or after April 19 1963 the Universities Grants Commission and the Government of the Province of Manitoba, or either of them, shall provide monies for altering or enlarging any of the buildings of the Lessee, or for constructing new buildings on the demised premises, or for otherwise in any manner improving the demised premises, or any buildings or improvements thereon, then

(i) if the value of the buildings, structures and improvements situated on the demised premises when this subparagraph (b) is applied shall have been increased thereby, there shall be

deducted from the amount to be paid to the Lessee pursuant to this subparagraph (b) such portion of the value of all buildings, structures, additions of buildings and structures and improvements, excepting thereout any buildings, structures, additions to buildings and structures that have become the property of the Lessor pursuant to the immediately following paragraph (ii), then situate upon the demised premises as is fairly applicable to the alterations, enlargements, constructions or improvements made with the monies so provided; and

(ii) if the Lessee terminates the agreement dated as of June 11, 1970 between the University, St. John's College and St. Paul's College, with respect to the

Lessee, pursuant to and insofar as is permitted by paragraph 29 of the said agreement, as amended, then, unless otherwise agreed upon in writing between the Lessor and the Lessee, with the concurrence of the Universities Grants Commission, upon the date the said termination becomes effective buildings and structures additions to buildings and structures situated on the demised premises, the monies for the construction of which have been provided by the Universities Grants Commission and/or the Government of the Province of Manitoba (which buildings, structures and additions are hereinafter referred to as "new college buildings") shall become the exclusive property of the Lessor, without the Lessee being entitled to any compensation therefor and with the following rights to the Lessor, namely:

(a) To use the leasehold lands upon which the new college buildings are situated, and the lands necessarily used in connection therewith, as the site thereof during the remainder of the term of the lease thereof and of any renewal thereof.

(b) To maintain and use all steam lines, condensate return lines, water lines, sewer lines, gas lines, electric lines and electric

equipment located on the demised premises which, at the time the new college buildings become the property of the Lessor pursuant to this section (ii) are used in connection with the use of such new college buildings; provided, however, that the Lessor shall provide and install meters to determine the consumption of steam, water, gas and electricity in the new college buildings and reimburse the Lessee for the cost of what has been recorded by said meters if the Lessee has been charged therefor by the suppliers thereof.

(c) Right of ingress to and egress from the new college buildings by the Lessor, its officers, servants, agents, and students over and upon the demised premises by such ways and means as may be reasonably available, provided that the Lessee, its officers servants, agents and students, shall at all times have right of ingress to and egress from all portions of the demised premises over the portions thereof upon which the new college buildings are situated.”

3. Paragraph 29 of the Agreement is revoked and the following is substituted therefor:

“29. The University shall have the right to terminate this agreement (other than paragraph 22 hereof) with respect to itself and one or both of the other parties and either of the Colleges shall have the right to terminate this agreement (other than paragraph 22 hereof) with respect to itself and the University, in any case by giving to the other parties prior to March 31 in any year notice in writing that this agreement is so to be terminated on March 31 in the succeeding year and in such event this agreement (other than paragraph 22 hereof) shall be so terminated at such time with respect to the parties affected without affecting the rights and obligations of the parties respectively under the leases herein before referred to as hereby and in the agreement amended.”

IN WITNESS WHEREOF the parties hereto have caused their corporate seals to be hereunto affixed, attested by the signatures of their respective proper officers in that behalf, as of the day and year first above written.

THE UNIVERSITY OF MANITOBA

By: M. J. Arpin, Chairman Board of Governors
W.J. Condo, Vice-President and Comptroller

ST. JOHN'S COLLEGE

By: D.R.C. Bedson, Chairman of College Council
J.R. Brown, Warden and Vice-Chancellor

ST. PAUL'S COLLEGE

By: John E. Page, S.J., President
C.H. Kanavy, S.J., Secretary

AN ACT TO INCORPORATE ST JOHN'S COLLEGE

Chapter 39 of the Statutes of Manitoba, 1871.
Assented to May 3rd, 1871. As amended 1882, 1936.
Re-enacted 1990 as Chapter 171.

WHEREAS it has been represented to the Legislature of this Province, that the Right Reverend Robert Machray, Doctor of Divinity and Bishop of the Diocese of Rupert's Land, has established a College in connection with the Church of England, within this Province, under the style and title of St John's College; and whereas, it would tend greatly to advance and extend the usefulness of the said College, and to promote the purposes for which it has been established that it should be incorporated:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of Manitoba, enacts as follows

There shall be, and there is hereby constituted and established within this Province, a body politic and corporate, under the name of St John's College which Corporation shall consist of the Bishop of Rupert's Land for the time being, and the Council of the said College, not less than three in number, which members of Council have been or shall be named in the first instance by the Right Reverend Robert Machray, Bishop of Rupert's Land as aforesaid, and shall in the event of the death of any of them, removal or disqualification from office, or resignation of any of them, be replaced from time to time by other persons in such manner as is set forth and appointed in the Constitution and Statutes of the said College; provided always that the Bishop of Rupert's Land for the time being, shall, ex officio, be a member of the said Council and President thereof under the name of Chancellor.

Such Corporation shall have perpetual succession, and may have a common seal, with power to change, alter, break and renew the same, when, and so often as they shall think proper, and the said Corporation may, under the same name, contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted in all courts and places whatsoever in this Province, and shall have full power to make and establish such rules, orders and regulations, not being contrary to the laws of this country, nor to this Act, nor to the Constitution and Statutes of the said College, as they shall deem useful or necessary, as well concerning the system of education in, and for the conduct and government of the said College, and of a preparatory Collegiate connected with, or dependent on the same and of the Corporation thereof, of and for the superintendence, advantage and improvement of all the property, moveable, or immoveable, belonging to, or which shall hereafter belong to the said Corporation; and shall have power to take under any legal title whatsoever, and to hold for the said College, all land and property moveable and immoveable, which may be hereafter sold, ceded, exchanged, given, bequeathed or granted to the said Corporation; or to sell, alienate, convey, mortgage, let or lease the same, if need be- provided also, that the said College may acquire any other real estate, or any interest therein, by gift, devise, or bequest, and, provided also, that the proceeds of such property as shall have been disposed of may be invested in the public securities of the Dominion of Canada, or other approved securities for the use of the College, and the said Corporation shall further have the right of appointing an attorney or attorneys for the management of its affairs, and all the rights necessarily incident to a body corporate.

All the property which shall, at any time, belong to the said Corporation, as well as the revenues thereof, shall at all times be exclusively applied and appropriated to the advancement of education in the said College, or in a preparatory Collegiate

School connected with, or dependent on the same, and to no other object, institution or establishment whatever.

It shall be the duty of the said Corporation, at all times when they may be called upon by the Lieutenant-Governor in Council of this Province, to render an account in writing of their property, in which shall be set forth in particular, the income by them derived from property held under this Act, and the source from which the same has been derived, also the number of members of the said Corporation, the number of teachers employed in the various branches of instruction, and the course of instruction pursued.

This Act shall be deemed a Public Act.

The said College in its corporate name shall have power to grant degrees, including honorary degrees, diplomas and certificates of standing in theology and divinity. (S.M. 1936, c. 47, s. 71)

The College was opened on the 1st day of November 1866, by the first Warden, the Venerable John McLean, MA, Archdeacon of Assiniboia, and Rector of St John's Parish. A "Constitution and Statutes" were granted to the College on the 2nd of March 1867, by the Right Reverend Robert Machray, Lord Bishop of Rupert's Land.

CONSTITUTION AND STATUTES OF ST JOHN'S COLLEGE, RUPERT'S LAND

2 March 1867

WHEREAS we, Robert, by Divine permission Bishop of Rupert's Land, having especially in view the glory of God and the edification of his Church in the training of fit persons for the sacred ministry of the Divine Word and Sacraments, have been deeply impressed with the urgent necessity of an Educational Institution in this our Diocese of Rupert's Land, of a higher kind than the common school: We, therefore, by this instrument establish such an Institution to be known as St John's College, and we declare the objects for which this Institution shall be conducted and carried on to be as follows:-

Firstly - To train fit persons for the Sacred Ministry, and for discharging the duties of Catechists and Teachers in parishes or missions within this Diocese of the United Church of England and Ireland.

Secondly - To provide instruction in the higher branches of education usually taught in Colleges, for such students as may be desirous of the same, and thought fit for usefully prosecuting them.

Thirdly - To combine with these primary objects such kindred efforts, including a Preparatory Collegiate School, as may be found desirable and expedient.

Fourthly - To perform such acts, matters and things as are incidental or otherwise conducive to the attainment of the before-mentioned objects or any of them.

And whereas in the present Missionary condition of this Diocese it is neither practicable nor desirable to have that division of labour that is found necessary in settled countries, we further declare that we intend this Institution to be a Centre for Diocesan and Missionary effort, and expect all who take office in it, in the present circumstances of this country, to make themselves helpful in every possible way to us and to our successors, Bishops of Rupert's Land. For this purpose we have at present united with the Headship of this Institution the Rectory of St John's parish, in which our Cathedral Church stands, and for the services of which our Cathedral Church is by us allowed to be used: and we hereby enjoin on all in the Holy Orders that hold office in this Institution to be ever willing and ready to assist the Bishop of Rupert's Land in his charge of souls, and to supply any deficiency of Ministerial service, either by assisting the Rector of St John's parish, taking charge of a particular church, parish, or district, or doing occasional duty as may be expedient.

And whereas it is our intention that the teaching and government of this Institution shall always be in conformity with the discipline and doctrine of the United Church of England and Ireland, or of that branch of it which may for purposes of self-government be constituted by the members of the United Church of England and Ireland within this Diocese: We hereby provide that when the affairs of this Diocese of Rupert's Land shall be legally committed to a Synod of the Diocese, then this Institution shall be governed according to such statutes or by such governing body or bodies as said Synod shall with the consent of the Bishop of Rupert's Land appoint. And whereas we see no immediate prospect of the action of such a legal Synod, and it is necessary that statutes shall be drawn up for the due government of the Institution, and for the proper carrying out of its objects as before named: We therefore hereby enact the following statutes for these purposes, reserving to ourselves and to our successors the power of altering, amending, withdrawing, or adding to them, as we or any

of us may see fit such power to cease when the Synod aforementioned shall be able to take into its own hands the management of the Institution- but so as that the Statutes then in force shall continue to be binding till the Synod, with the consent of the Bishop of Rupert's Land for the time being, shall have otherwise determined.

(The original "Statutes of St John's College "followed here, and their purpose was stated to be "for the government of the College established by this instrument.")

In testimony whereof we have caused our Episcopal Seal to be hereunto affixed. Dated at Bishop's Court, this second day of March in the year of our Lord One Thousand Eight Hundred and Sixty-Seven, and in the second year of our Consecration.
Signed R. Rupert's Land

The final Statutes proceeding from Bishop Machray were issued in February 1876, "to be in force till the Diocesan Synod of Rupert's Land in connection with the Province of Rupert's Land, as established by the Provincial Synod of the Church of England in Rupert's Land, shall have, with the consent of the Bishop of Rupert's Land for the time being, in any respect otherwise determined." The Statutes were amended, repealed or replaced by the Synod of the Diocese of Rupert's Land in 1888, 1907, 1932, 1957, 1981, 1987, 1992, and 2002.