

No. 111

4th Session, 14th Legislature, Alberta
10 Elizabeth II

BILL 111

A Bill to amend The University Act

HON. MR. MANNING

Printed by L. S. WALL, Printer to the Queen's Most Excellent Majesty,
Edmonton, Alberta, 1962

Explanatory Note

2. A new section is added to provide that in view of the unique character of the University it should be in the same position as the Crown with respect to compliance with certain municipal laws.

3. The powers of expropriation contained in the Act are revised to make The Expropriation Procedure Act applicable thereto. Section 25, subsection (1), clause (h) and subsections (6), (7) and (8) presently read:

"25. (1) Without limiting the general powers conferred upon or vested in the Board by this Act, it is hereby declared that the Board may

.....
(h) without the consent of the owner thereof or any person interested therein, enter upon, take, use and appropriate all such real property as the Board deems necessary for the purposes of the University,

BILL

No. 111 of 1962

An Act to amend The University Act

(Assented to _____, 1962)

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

1. *The University Act*, being chapter 351 of the Revised Statutes, is hereby amended.

2. The following new section is added immediately after section 7:

7a. (1) The provisions of any other Act, or regulations or orders thereunder, or of any municipal by-law or resolution that require, in the use or development of land,

(a) compliance with any rules, controls, standards or regulations contained in any building code or similar by-law, zoning by-law, interim development by-law, development scheme, general plan, or resolution or regulation of a like nature, or

(b) approval or permission to be given by any municipal or other authority before such use or development is commenced,

do not apply to any use or development of any real property owned by or leased to the University.

(2) For the purposes of this section "development" means

(a) the carrying out of any construction or excavation or other operations in, on, over or under land, or

(b) the making of any change in the use of any land, buildings or premises.

3. Section 25 is amended

(a) as to subsection (1) by striking out clause (h) and by substituting the following:

(h) acquire by expropriation, such real property as the Board deems necessary for the purposes of the University,

(b) by striking out subsections (6), (7) and (8) and by substituting the following:

(6) The Board shall make due compensation to the owners, occupiers and all persons interested in real property entered upon, taken, used or appropriated under clause (h) of subsection (1).

(7) If the amount of such compensation is not mutually agreed upon within sixty days from the date of the entry upon the property, it shall be determined by two arbitrators, one to be appointed by the Board and the other by the party or parties to whom the compensation is payable.

(8) The two arbitrators so appointed may appoint an umpire, and The Arbitration Act applies to the arbitration."

4. The Senate of the University is increased from 25 to 29 members by the addition of
the Principal of the University at Calgary,
the Provosts at Edmonton and Calgary, and
the President of the Students' Union at Calgary.

5. Commencement of Act.

(6) The Board shall make due compensation to the owners, occupiers and all persons interested in real property expropriated under clause (h) of subsection (1).

(7) An expropriation under clause (h) of subsection (1) shall be made in accordance with Part III of *The Expropriation Procedure Act*.

4. Section 31 is amended

- (a) as to subsection (1)
 - (i) by striking out the words "twenty-five" and by substituting the words "twenty-nine",
 - (ii) by striking out subclause (ix) of clause (a) and by substituting the following:
 - (ix) the Principal of the Southern Alberta Institute of Technology and Art;
 - (iii) by striking out subclauses (xii), (xiii) and (xiv) of clause (a) and by substituting the following:
 - (xii) the Principal of the University of Alberta, Calgary;
 - (xiii) the Provost of the University at Edmonton and the Provost of the University at Calgary;
 - (xiv) the President of the Students' Union at Edmonton and the President of the Students' Union at Calgary;
 - (xv) two representatives of the General Faculty Council;
 - (xvi) one representative of the Deans' Council;
- (b) as to subsection (2) by striking out the words "twenty-five" and by substituting the words "twenty-nine".

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

No. 111

FOURTH SESSION

FOURTEENTH LEGISLATURE

10 ELIZABETH II

1962

BILL

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Received and read the

First time

Second time

Third time

HON. MR. MANNING
