

No. 140

1st Session, 15th Legislature, Alberta
12 Elizabeth II

BILL 140

A Bill to amend The University Act

HON. MR. MANNING

Explanatory Note

1. This Bill amends The University Act, which is chapter 351 of the Revised Statutes.

2. The present definition of registrar contemplates there being only one registrar. It is revised to make it applicable to two registrars.

3. Section 25 which sets out the powers of the Board of Governors is amended to provide for a President of the University at Calgary. Clause (d) of subsection (1) authorizes a pension plan. This is covered in greater detail in a new section 25a. See clause 4 of this Bill.

BILL

No. 140 of 1964

An Act to amend The University Act

(Assented to _____, 1964)

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* is hereby amended.

2. Section 2 is amended by striking out clause (*h*) and by substituting the following:

(*h*) "registrar" means a registrar of the University or a person designated by the Board to act as a registrar of the University;

3. Section 25 is amended

(a) as to subsection (1)

(i) by striking out clause (*b*) and by substituting the following:

(*b*) subject to subsections (2) and (3), appoint a President of the University at Calgary and vice-presidents, deans of all faculties, the librarians, the bursar, the registrars, the professors, teachers and instructors of and in the University, the director of the Department of Extension, or any of such officers as the Board considers necessary for the proper conduct of the business of the University, together with all such other officers and servants as the Board considers necessary,

(ii) by striking out clause (*d*),

(b) by striking out subsection (3) and (4) and by substituting the following:

(3) No person shall be appointed under clause (*b*) of subsection (1) as a dean of a faculty, or as a member of the teaching staff of the University or of a faculty unless he has first been nominated for the position to which it is proposed to appoint him

(a) by the President of the University in the case of an appointment other than at Calgary, or

4. A new section is added providing for the establishment of a pension plan by the University.

(b) by the President of the University at Calgary in the case of an appointment at Calgary.

(4) Except where there is a vacancy in the office of the appropriate President, a dean of a faculty or a member of the teaching staff of the University or of a faculty shall not be promoted or removed from the office except on the recommendation of

(a) the President of the University in the case of a person employed other than at Calgary, or

(b) the President of the University at Calgary in the case of a person employed at Calgary.

4. The following section is added after section 25:

25a. (1) The Board, with the approval of the Lieutenant Governor in Council, may provide for the creation, alteration or extension of any pension, annuity or other payment for or for the benefit of any person whomsoever, or class of persons whomsoever, as the Board may approve, which pension, annuity or other payment may be under any plan providing for:

(a) contributions from individuals, or from the Board or both;

(b) the creation of a fund to partly or wholly discharge liability to the persons who are the beneficiaries under a plan;

(c) the appointment by the Board of persons and committees for the management of such a plan and the investment and reinvestment of any funds;

(d) the guarantee by the Board of any or all liability to persons who are the beneficiaries under such a plan.

(2) Notwithstanding any other Act, any appointee under clause (c) of subsection (1) has such investment powers with respect to any such fund as the Board may approve.

(3) The interest of any person in any pension, annuity or other payment under a plan established pursuant to this section is not subject to garnishee proceedings or attachment or seizure, or any legal process, except in respect of a charge of failure to account for University, public or staff members' moneys, and is not assignable.

(4) The Lieutenant Governor in Council may, for and in the name of the Province, guarantee the payment by the Board of any or all liability to such persons as are the beneficiaries of any pension, annuity or other payment under a plan established pursuant to this section.

5. Section 31, subsection (1), clause (a), subclauses (xii), (xv) and (xvi) and subsections (2) and (3) presently read:

"31. (1) The Senate shall be composed of twenty-nine members consisting of

(a) the following members, who shall be called "statutory members":

.....
(xii) the Principal of the University of Alberta, Calgary;
.....

(xv) two representatives of the General Faculty Council;

(xvi) one representative of the Deans' Council;

and

.....

(2) The appointed members shall be appointed by the statutory members, and as vacancies occur in the Senate the statutory members shall fill such vacancies by appointment, but the total number of statutory and appointed members shall not, at any time, exceed twenty-nine.

(3) The registrar of the University shall be the secretary of the Senate."

6. Section 34 sets out certain powers of the Senate. The provisions being amended refer to matters done in conjunction with the General Faculty Council. There will now be two General Faculty Councils and the section is amended accordingly.

7. Section 61 which provides for a General Faculty Council for the University with specified powers and duties is replaced. The new sections provide for separate General Faculty Councils for Edmonton and Calgary and for a Co-ordinating Council.

5. Section 31 is amended

- (a) as to subsection (1)
 - (i) by striking out the word "twenty-nine" and by substituting the word "thirty-two",
 - (ii) by striking out subclause (xii) of clause (a) and by substituting the following:
 - (xii) the President of the University at Calgary;
 - (iii) by striking out subclauses (xv) and (xvi) of clause (a) and by substituting the following:
 - (xv) two representatives of the General Faculty Council, Edmonton and two representatives of the General Faculty Council, Calgary;
 - (xvi) one representative of the Deans' Council, Edmonton and one representative of the Deans' Council, Calgary;
- (b) as to subsection (2) by striking out the word "twenty-nine" and by substituting the word "thirty-two",
- (c) as to subsection (3) by adding after the word "University" the words "at Edmonton".

6. Section 34, subsection (2), clauses (d) and (e) are amended by adding before the words "General Faculty Council" the word "appropriate".

7. Section 61 is struck out and the following sections are substituted:

61. (1) There shall be a General Faculty Council, Edmonton which, unless otherwise provided by the Board, shall be composed of the President of the University, the vice-president at Edmonton, the deans and the full professors of all the faculties of the University at Edmonton, the registrar at Edmonton, the librarian at Edmonton, the director of the Department of Extension, and such heads of departments of instruction at Edmonton as are not included in the foregoing list.

(2) There shall be a General Faculty Council, Calgary which, unless otherwise provided by the Board, shall be composed of the President of the University at Calgary, the vice-president at Calgary, if any, the deans and the full professors of all the faculties of the University at Calgary, the librarian at Calgary, the registrar at Calgary, the head of the Department of Extension at Calgary, and such heads of departments of instruction at Calgary as are not included in the foregoing list.

(3) Subject to the control of the Board, the General Faculty Council, Edmonton with respect to the University at Edmonton, and the General Faculty Council, Calgary

with respect to the University at Calgary, shall perform the following duties and have the following powers:

- (a) to exercise any of the powers granted to faculty councils that the General Faculty Council considers it desirable to exercise;
- (b) to consider and make decisions on the reports of the faculty councils as to the courses of study in the faculties;
- (c) to consider and determine all courses of study to which clause (b) does not apply;
- (d) to fix and determine the time-tables for examinations, lectures and other instruction in the different faculties;
- (e) to consider and make decisions on the reports of the faculty councils as to the appointment of examiners and the conduct and the results of the examinations in the faculties;
- (f) to provide for the granting of, and to recommend to convocation the conferring of, degrees in course;
- (g) to provide for the preparation and publication of the University calendar and of the calendars of those affiliated institutions or colleges that desire their calendars to be inserted in the University calendar;
- (h) to hear and determine appeals from decisions of the faculty councils upon applications by memorials by students and others;
- (i) to consider all matters reported to it by the council of any faculty, and to communicate its opinion or action thereon to the faculty council concerned;
- (j) to determine the date for the beginning and ending of lectures in the University and also the beginning and ending of each University term;
- (k) to make rules and regulations for the management and conduct of the library;
- (l) to recommend to the Board the establishment of faculties, departments, chairs, and courses of instruction in the University in any subject that the council thinks fit.

Co-ordinating Council

61a. (1) There shall be a Co-ordinating Council, which unless otherwise provided by the Board, shall be composed of the President of the University, the President of the University at Calgary, the vice-presidents, the deans of all faculties and two other members who shall be nominees of the General Faculty Council, Calgary.

(2) The Co-ordinating Council shall, subject to the control of the Board, perform the following duties and has the following powers:

- (a) to recommend to the Board the affiliation with the University of any institution or college established in the Province for the promotion of any useful branch or branches of knowledge together with the terms of such affiliation;
- (b) to recommend to the Board the dissolution of any such affiliation or the modification or altering of the terms thereof;
- (c) to arrange with
 - (i) the Law Society of Alberta,
 - (ii) the College of Physicians and Surgeons of the Province of Alberta,
 - (iii) the Alberta Dental Association,
 - (iv) the Alberta Association of Architects,
 - (v) the Veterinary Association of Alberta,
 - (vi) the Alberta Land Surveyors Association,
 - (vii) the Alberta Pharmaceutical Association,
 - (viii) the Institute of Chartered Accountants of Alberta,
 - (ix) the Association of Registered Nurses of Alberta,
 - (x) The Association of Professional Engineers of Alberta,
 - (xi) The Association of Chartered Physiotherapists of Alberta, and
 - (xii) the Alberta Institute of Agrologists, for the conducting of examinations for candidates and others applying for registration upon the roll of, or for admission to, any such society, college or association;
- (d) to appoint examiners on the nomination of the appropriate faculty council to conduct the examinations arranged pursuant to clause (c);
- (e) to report the results of examinations conducted pursuant to clause (c) to the governing body of the society, college or association concerned;
- (f) to waive any or all examinations or parts thereof in the case of a candidate applying for registration or admission under clause (c) if in its opinion the qualifications of the candidate are equal to or better than the standard currently required by the society, college or association for registration or admission;
- (g) to report to the governing body of the society, college or association concerned, its findings respecting the qualifications of a candidate in whose case examination has been waived pursuant to clause (f);
- (h) to consider programs of graduate studies and make

8. Section 63, clause (a) presently reads:

"63. Each faculty council shall consist of
(a) the president of the University,
.....".

9. Section 64, clause (d) presently reads:

"64. The faculty councils, subject to the control of the Board, shall perform the following duties and have the following powers:
.....
(d) to nominate examiners for such professional societies or associations as have representation on the respective councils, and to report such nominations to the General Faculty Council;
.....".

10. Section 65 presently reads:

"65. There shall be a Deans' Council, consisting of the president of the University and the deans of the different faculties, which has, subject to the control of the Board, the following duties and powers:
(a) to advise the president of the University in academic matters;
(b) to act as an executive body for the General Faculty Council;
(c) to authorize lecturing and teaching in the University by others than duly appointed members of the staff;
(d) to exercise disciplinary jurisdiction, including the power to impose fines, with respect to the students in attendance at the University, or to delegate its disciplinary authority in any particular case or by any general regulation to any council, person or body of persons;
(e) such other duties and powers as may be assigned to it by the Board.".

- recommendations to either or both General Faculty Councils as it may consider appropriate;
- (i) to consider any other matter that is academic in character and which requires, or would be assisted by co-operative decisions of both General Faculty Councils and to make recommendations to either or both Councils as it may consider appropriate.
- (3) Notwithstanding the provisions of any other Act, a society, college or association referred to in clause (c) of subsection (2),
- (a) may enter into an arrangement with the Co-ordinating Council for the conduct of its examinations as provided in clause (e) of subsection (2), and
 - (b) is bound by the report of the Co-ordinating Council as to the qualifications of any candidate whether the report is made after examination pursuant to clause (e) of subsection (2) or is made without examination pursuant to clause (f) of subsection (2).
- (4) The terms of an affiliation between the University and an institution or college referred to in clause (a) of subsection (2) may include the right of the institution or college to present students for examination leading to degrees in the University, and such students on the passing of such examinations as the University requires are entitled to receive degrees from the University.

8. Section 63 is amended by striking out clause (a) and by substituting the following:

- (a) the President of the University in the case of a faculty at Edmonton or the President of the University at Calgary in the case of a faculty in Calgary,

9. Section 64, clause (d) is amended by striking out the words "General Faculty Council" and by substituting the words "Co-ordinating Council".

10. Section 65 is amended

- (a) by renumbering the section as subsection (1),
- (b) as to the renumbered subsection (1)
 - (i) by adding after the words "Deans' Council," the word "Edmonton",
 - (ii) by adding after the words "different faculties" the words "at Edmonton",
 - (iii) by adding after the words "General Faculty Council" in clause (b) the word "Edmonton",
- (c) by adding the following subsection after the renumbered subsection (1):
 - (2) There shall be a Deans' Council, Calgary,

11. Section 67 sets out the powers and duties of the President of the University. The new section 67a provides for the assignment of certain of those powers and duties to the President at Calgary.

12. Section 70 is revised to provide for two registrars.

13. Commencement of Act.

consisting of the President of the University at Calgary and the deans of the different faculties at Calgary, which has, subject to the control of the Board, the following duties and powers:

- (a) to advise the president of the University at Calgary in academic matters;
- (b) to act as an executive body for the General Faculty Council, Calgary;
- (c) to authorize lecturing and teaching in the University by others than duly appointed members of the staff;
- (d) to exercise disciplinary jurisdiction, including the power to impose fines, with respect to the students in attendance at the University, or to delegate its disciplinary authority in any particular case or by any general regulation to any council, person or body of persons;
- (e) such other duties and powers as may be assigned to it by the Board.

11. The following section is added after section 67:

67a. Notwithstanding section 67 or anything in this Act, the Board may confer upon the President of the University at Calgary, such of the powers and duties of the President of the University with respect to the University at Calgary as the Board may from time to time consider fit, and upon such conferring and to the extent thereof and for such time as the same remains in effect the President of the University ceases to have those powers and duties with respect to the University at Calgary.

12. Section 70 is struck out and the following is substituted:

70. There shall be

- (a) a registrar of the University at Edmonton, and
- (b) a registrar of the University at Calgary,

who have the powers and who shall perform the duties that are assigned to them by the Board or by the President of the University.

13. This Act comes into force on the first day of July, 1964.

No. 140

FIRST SESSION

FIFTEENTH LEGISLATURE

12 ELIZABETH II

1964

BILL

An Act to amend The University Act

Received and read the

First time

Second time

Third time

HON. MR. MANNING
