

1971 Bill 104

Fourth Session, 16th Legislature, 20 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 104

An Act to amend The Universities Act

THE MINISTER OF EDUCATION

First Reading

Second Reading

Third Reading

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1971

AN ACT TO AMEND THE UNIVERSITIES ACT

(Assented to _____, 1971)

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

1. *The Universities Act is hereby amended.*

2. *Section 4 is amended*

(a) *by adding the following subsection after subsection (4):*

(4.1) The members of the interim governing body are a body corporate under the name given to the interim governing body by the order of the Lieutenant Governor in Council under subsection (4).

(b) *by striking out subsection (6) and by substituting the following:*

(6) An interim governing body appointed under subsection (4) has the authority to exercise the powers vested in the senate, the chancellor, the president, the board and the general faculties council and may exercise those powers either in its own name or in the name of the senate, the chancellor, the president, the board or the general faculties council, as the case may be.

(c) *as to subsection (7) by adding after the word "senate," the words "the chancellor, the president".*

3. *Section 33, subsection (4) is amended by adding after the words "from the staff" the words "and students".*

4. *Section 40, subsection (4) is amended by striking out the words ", by the order,".*

5. *Section 44 is amended by striking out subsection (2) and by substituting the following:*

(2) A member of a senate, a board or an interim governing body appointed under section 4 is not personally liable

Explanatory Notes

1. This Bill amends chapter 378 of the Revised Statutes of Alberta 1970.

2. Section 4(4) to(7) presently read:

(4) Where an additional university is established under subsection (2) the Lieutenant Governor in Council may, after consultation with the Universities Commission and other interested persons, appoint an interim governing body consisting of such persons as the Lieutenant Governor in Council considers necessary.

(5) The term of the interim governing body shall be limited to one year from the date of the order establishing the university under subsection (2), unless extended by order of the Lieutenant Governor in Council.

(6) An interim governing body appointed under subsection (4) has authority to exercise the powers vested in the senate, the board and the general faculties council.

(7) The senate, the board and the general faculties council are respectively bound by an exercise of the powers by the interim governing body.

3. Section 33(4) presently reads:

(4) The ex officio, elected and student members shall appoint the appointed members of the general faculties council from the staff of the university, in such number and for such terms of office as the ex officio, elected and student members determine.

The amendment will permit the addition to a general faculties council of additional representation for the student body.

4. Section 40(4) presently reads:

(4) When the Lieutenant Governor in Council establishes an additional Provincial university under section 3, he shall also, by the order, incorporate a students' union for the university with such name as he considers appropriate.

5. Section 44(2) presently reads:

(2) A member of a senate or a board is not personally liable for any thing done by the senate or the board, as the case may be, or for any thing done by himself in good faith and in the purported exercise of his powers, duties and functions under this Act.

The subsection is re-written to include reference to members of an interim governing body.

for any thing done by the senate, the board or the interim governing body, as the case may be, or for any thing done by himself in good faith and in the purported exercise of his powers, duties and functions under this Act.

6. The following section is added after section 66:

66.1 (1) Subject to subsections (2) and (3), the Minister may from time to time make grants to boards in amounts equal to funds raised by way of gift or public subscription under the fund raising campaign known as "Three Alberta Universities".

(2) Grants under this section shall be made only from funds appropriated by the Legislature for the purpose but shall not exceed in the aggregate \$25,000,000.

(3) The Minister may make a grant under this section

- (a) only where the grants and the funds raised by way of gift or public subscription are to be used for
 - (i) capital purposes, or
 - (ii) library books other than rare book collections, and
- (b) only upon the recommendation of the University Capital Development Committee established under section 66.

7. This Act comes into force on the day upon which it is assented to and upon so coming into force sections 2 and 5 shall be deemed to have been in force at all times on and after June 24, 1970.

6. The new section 66.1 will authorize the payment of grants equal to funds raised in the "Three Alberta Universities" campaign.

7. The amendments in the Bill pertaining to the interim governing body are made retroactive to June 24, 1970, that is, immediately prior to the establishment of the Athabasca University Governing Authority.