

1973 Bill 18

Second Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 18

The Colleges Amendment Act, 1973

THE MINISTER OF ADVANCED EDUCATION

First Reading

Second Reading

Third Reading

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BILL 18

1973

THE COLLEGES AMENDMENT ACT, 1973

(Assented to _____, 1973)

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

1. *The Colleges Act is hereby amended.*
2. *Section 2 is amended*
 - (a) *by striking out clause (g),*
 - (b) *as to clause (j), by striking out the word "junior",*
 - (c) *by striking out clause (k) and by substituting the following:*
 - (k) "provincially-owned institution" means an agricultural and vocational college, a technical institute, vocational training institution or other post-secondary educational institution owned by the Government and operated as part of a department of the Government;
3. *The word "Commission" is struck out wherever it occurs in the following provisions and in each case the word "Minister" is substituted:*
 - section 22;
 - section 26, clauses (a) and (b);
 - section 27, clause (a);
 - section 35, clause (a);
 - section 40, subsections (1) and (2);
 - section 43, clause (b);
 - section 44, subsections (1), (2) and (3);
 - section 48, subsection (2);
 - section 49, clause (b);
 - section 53, subsection (1).

Explanatory Notes

1. This Bill will amend chapter 56 of the Revised Statutes of Alberta 1970.

2. Section 2, clauses (g), (j) and (k) presently read:

- (g) "Commission" means the Alberta Colleges Commission established by this Act;
- (j) "private junior college" means a college in Alberta, other than a public college, that is in affiliation with a university and provides instruction in courses acceptable to that university as constituting a full year's work toward a degree;
- (k) "provincially-owned institution" means
 - (i) an agricultural and vocational college established under The Agricultural and Vocational Colleges Act, or
 - (ii) a technical institute, vocational training institution or other post-secondary educational school or institution owned by the Government and operated as part of a department of the Government;

3. Upon the Proclamation of this Act the Alberta Colleges Commission will be dissolved.

4. Part 1, being sections 3 to 17, is struck out and the following Part is substituted:

PART 1

THE COLLEGE SYSTEM — ADMINISTRATION

3. The Minister may delegate to any person or body of persons any of the powers, duties and functions conferred or imposed on him pursuant to this Act.

4. The Minister may

- (a) require each college board to submit to him such reports and other information as he requires;
- (b) regulate or prohibit
 - (i) the extension, expansion or establishment of any service, facility or program of study by a member of the college system so as to reduce or avoid an undesirable or unnecessary duplication of a similar service, facility or program of study already provided by another member of the college system, or
 - (ii) the establishment of a new school, faculty or department by any member of the college system.

5. Section 19, subsection (2), clauses (a), (b) and (c) are amended by striking out the word “junior” wherever it appears.

4. Powers of the Minister.

5. Section 19, subsection (2) presently reads:

(2) An order may be made under this section for the purpose of having a private junior college established as a public college but in that case no order shall be made unless an agreement has been made between the Minister and the owner of the private junior college providing for

- (a) the consent of the owner of the private junior college to the making of the order,
- (b) the specifying of the assets and liabilities of the owner of the private junior college that are to be transferred to or assumed by the college board of the public college upon the effective date of the order, and
- (c) any other matters in connection with or incidental to the establishment of the private junior college as a public college that the parties consider necessary for that purpose.

6. *Section 20 is amended by striking out subsection (4).*

7. *Section 21 is struck out.*

8. *Sections 23 and 24 are struck out and the following section is substituted:*

23. The Minister may review, approve, amend or disapprove requests of college boards with respect to expenditures for

- (a) new buildings,
- (b) major alterations or additions to existing buildings,
- (c) the leasing of buildings,
- (d) major alterations to leased buildings,
- (e) the acquisition of land,
- (f) the furnishing and equipping of buildings, whether owned or leased,
- (g) landscaping, paving and the provision of utilities services, and
- (h) other facilities of a capital nature.

9. *Section 25 is struck out and the following section is substituted:*

25. Members of the college system may be affiliated with Alberta universities if the Minister first approves of the affiliation.

10. *Section 38, subsection (4) is amended by striking out the words "the Commission but".*

6. Section 20, subsection (4) presently reads:

(4) Where an order under subsection (1) declares an agricultural and vocational college to be a member of the college system, the order may also specify the provisions of The Agricultural and Vocational Colleges Act that do not apply to that provincially-owned institution.

7. Section 21 presently reads:

21. (1) Subject to the appropriation of funds therefor by the Legislature, the Provincial Treasurer shall pay to the Commission in each fiscal year of the Government

- (a) a sum to be determined pursuant to regulations made by the Lieutenant Governor in Council for the support of the current budgets of the college boards for the year, and
- (b) funds for the capital purposes of the college system.

(2) The Provincial Treasurer may make payments to the Commission under subsection (1) in instalments in such amounts and at such times as he may direct.

8. Sections 23 and 24 presently read:

23. The Commission may in its discretion distribute to the respective college boards the moneys advanced to it pursuant to section 21, subsection (1), clause (a) at such times and in such manner as it may direct.

24. (1) The Commission may review, approve, amend or disapprove requests of college boards with respect to the expenditures for

- (a) new buildings,
- (b) major alterations or additions to existing buildings,
- (c) the leasing of buildings,
- (d) major alterations to leased buildings,
- (e) the acquisition of land,
- (f) the furnishing and equipping of buildings whether owned or leased,
- (g) landscaping, paving and the provision of utilities services, and
- (h) other facilities of a capital nature, as described in submissions to the Commission from college boards.

(2) The Commission may prepare and recommend to the Lieutenant Governor in Council a plan or plans relating to matters referred to in subsection (1) extending over a period of years.

(3) The Commission, from funds advanced to it by the Provincial Treasurer for the capital purposes of the college system, may in respect of proposals which have been approved by the Commission under subsection (1), make payments to, or on behalf of, a college board in respect of expenditures which have been made or are about to be made.

(4) The payments made under subsection (3) may be limited in total in accordance with regulations made by the Lieutenant Governor in Council on the recommendation of the Commission.

9. Section 25 presently reads:

25. Members of the college system may be affiliated with Alberta universities subject to regulations established by the Commission following consultation and agreement with the Universities Co-ordinating Council.

10. Section 38, subsection (4) presently reads:

(4) A college board may with the approval of the Lieutenant Governor in Council and the Commission but subject to the terms of any trust upon which it may be held,

- (a) sell or mortgage any estate or interest in land held by it, or
- (b) lease for a longer period than five years any land held by it that is, at that time, being used for the purposes of the college.

11. Section 53 is amended by striking out subsection (2) and by substituting the following:

(2) Where the Minister is satisfied that the dissolution is in the public interest, the Minister may recommend to the Lieutenant Governor in Council that the college board be dissolved.

12. The heading to Part 4 is amended by striking out the word "JUNIOR".

13. Section 56 is struck out.

14. Section 57 is amended by striking out the word "junior" wherever it occurs in subsection (1) and subsection (4).

15. Upon the commencement of this section

- (a) all rights, property, liabilities and obligations of the Alberta Colleges Commission become the rights, property, liabilities and obligations of the Crown in right of Alberta;*
- (b) any reference whatsoever to the Alberta Colleges Commission shall be deemed to be a reference to the Crown in right of Alberta.*

16. This Act comes into force on a date or dates to be fixed by Proclamation.

11. Section 53, subsection (2) presently reads:

(2) Where the Commission is satisfied that the dissolution is in the public interest, the Commission may recommend to the Minister that the college board be dissolved.

12. The heading presently reads:

ASSISTANCE TO PRIVATE JUNIOR COLLEGES

13. Section 56 presently reads:

56. (1) Subject to the appropriation of funds therefor by the Legislature, there shall be paid to each private junior college in each year a sum to be determined pursuant to regulations made by the Lieutenant Governor in Council.

(2) Payments under this section may be made in instalments at such times during the year and in such manner as may be determined by the Provincial Treasurer.

14. Removes references to "junior".

15. Transitional provision.