

1977 BILL 45

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 45

THE UNIVERSITIES AMENDMENT ACT, 1977

THE MINISTER OF ADVANCED EDUCATION AND
MANPOWER

First Reading

Second Reading

Third Reading

Bill 45

BILL 45

1977

THE UNIVERSITIES AMENDMENT ACT, 1977

(Assented to _____, 1977)

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. The following sections are added after section 4:

4.1. (1) Notwithstanding anything in this Act, with respect to an additional Provincial university established under section 4 after December 1, 1972, the Lieutenant Governor in Council may by regulation

- (a) establish a governing authority for the university as a body corporate and provide for its composition,
- (b) specify the name of the governing authority for the university,
- (c) provide that the governing authority may exercise and perform the powers and duties of
 - (i) a board of governors, and
 - (ii) a general faculties council,
- (d) provide that any or all of the provisions of sections 6 to 14, 23, 32 to 42 or 44 do not apply to the university,
- (e) prescribe the powers and duties that the governing authority may exercise or perform in addition to the powers and duties of a board of governors and a general faculties council, and
- (f) where an interim governing body has been established for the university, dissolve the interim governing body and provide for the transfer of the rights, property, debts and obligations of the interim governing body to the governing authority.

Explanatory Notes

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

2. This amendment provides for the replacement of the interim governing bodies of universities created after December 1, 1972.

(2) Where a governing authority has been established for a university pursuant to subsection (1), any reference to “board of governors”, “board” or “general faculties council” in this or any other Act is deemed to be, with respect to that university, a reference to the governing authority.

4.2. (1) Where the Lieutenant Governor in Council has established a governing authority for a university under section 4.1, the Lieutenant Governor in Council may, with respect to that university, by regulation

- (a) establish two separate bodies and provide for their composition,
- (b) specify the names of the two bodies established under clause (a),
- (c) incorporate one of the bodies as a body corporate and provide that it may exercise and perform the powers and duties of a board of governors,
- (d) provide that the other body may exercise and perform the powers and duties of a general faculties council,
- (e) provide that any or all of the provisions of sections 6 to 14, 23, 32 to 42 or 44 do not apply to the university,
- (f) prescribe the powers and duties that the two bodies established under clause (a) may exercise or perform in addition to those provided for under clauses (c) and (d), and
- (g) dissolve the governing authority established under section 4.1 and provide for the transfer of the rights, property, debts and obligations of the governing authority to the body that has been incorporated under clause (c).

(2) Where two separate governing bodies have been established for a university pursuant to subsection (1),

- (a) any reference to “board of governors” or “board” in this or any other Act is deemed to be, with respect to that university, a reference to the body incorporated pursuant to subsection (1), clause (c), and
- (b) any reference to “general faculties council” in this or any other Act is deemed to be, with respect to that university, a reference to the body that exercises and performs the powers and duties of a general faculties council pursuant to subsection (1), clause (d).

3. *Section 6 is amended*

(a) *by striking out subsection (1) and by substituting the following subsections:*

6. (1) For each university there shall be a chancellor who shall be elected by the senate.

(1.1) A joint committee representing the general faculties council, the alumni association and the senate, with three members appointed by each, may nominate not less than two persons for the office of chancellor.

(1.2) The senate may elect the chancellor from among the persons nominated by the joint committee under subsection (1.1) and such other persons as are nominated at the meeting at which the election is held.

and

(b) *by adding the following subsections:*

(3) The chancellor shall represent the public interest in the university and is the chairman of the senate and an ex officio member of the board.

(4) A person is not eligible for election as chancellor unless he is a Canadian citizen.

4. *Section 8, subsection (1), clause (b) is amended*

(a) *as to subclause (v) by striking out the word “five” and by substituting the word “nine”, and*

(b) *by adding the following subclause after subclause (vii):*

(viii) two non-academic staff members to be appointed by the Minister,

5. *Section 9, subsection (3) is amended by adding after the words “the senate may” the words “, upon the vote of not less than two-thirds of the members present when the vote for removal from office is taken,”.*

3. Section 6(1) presently reads:

6. (1) For each university there shall be a chancellor who shall be elected by the senate on the nomination of a joint committee representing the general faculties council, the alumni association and the senate, with three members to be appointed by each.

4. Appointment of non-academic staff members to the senate. Section 8(1)(b)(v) presently reads:

8. (1) For each university there shall be a senate consisting of

(b) the following appointed members,

(v) five members of the public, to be appointed by the Minister,

5. Section 9(3) presently reads:

(3) Where a senate is satisfied that an appointed or representative member is, for any reason, no longer capable of acting as a member or of fulfilling his duties, the senate may remove the member from office.

6. *Section 13 is amended*

(a) *as to subsection (3)*

- (i) *by striking out the word “When” and by substituting the word “Where”, and*
- (ii) *by striking out the words “shall also,” and by substituting the words “may also”,*

and

(b) *as to subsection (4) by striking out clauses (d) and (e) and by substituting the following clauses:*

(d) *the following members appointed by the Minister:*

- (i) *two alumni of the university nominated by the alumni association,*
- (ii) *one member of the senate nominated from its members who have been appointed under section 8, subsection (1), clause (b), subclause (v) or elected under section 8, subsection (1), clause (c),*
- (iii) *two members of the academic staff of the university nominated by the general faculties council,*
- (iv) *two students nominated by the council of the students’ union, and*
- (v) *if the university has a graduate students’ association, one graduate student nominated by the council of the association,*

and

- (e) *eight additional members representative of the general public appointed by the Lieutenant Governor in Council.*

7. *Section 14, subsection (1) is amended by striking out the words “landed immigrant” and by substituting the words “has been lawfully admitted to Canada for permanent residence”.*

6. Section 13(3) and (4) presently read:

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

(4) The board of each university shall consist of

(a) a chairman of the board appointed by the Lieutenant Governor in Council,

(b) the chancellor of the university,

(c) the president of the university,

(d) 13 other persons appointed by the Lieutenant Governor in Council,

(i) two of whom shall be members of the alumni association of the university, nominated by the association,

(ii) one of whom shall be a member of the senate, nominated by the senate from its members who are not on the staff of the university,

(iii) two of whom shall be members of the academic staff of the university, nominated by the general faculties council, and

(iv) two of whom shall be full members of the students' union, nominated by the council of the students' union,

and

(e) if the university has a graduate students association, one person appointed by the Lieutenant Governor in Council who shall be a full member of the association nominated by the council of the association.

7. Section 14(1) presently reads:

14. (1) A person is not eligible for appointment as a member of a board unless he is a Canadian citizen or landed immigrant.

8. *Section 50, subsection (5) is amended by adding after the words “the Department of Agriculture” the words “, or their respective delegates,”.*

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

8. Section 50(5) presently reads:

(5) The Deputy Minister of the Department of Social Services and Community Health designated by the Minister of Social Services and Community Health and the Director of Veterinary Services of the Department of Agriculture shall at least twice each year inspect the premises in which the animals are sheltered and all areas in which medical research is being carried out and at the end of each year they shall submit a report on their inspections to the Minister of Social Services and Community Health who shall lay the report before the Legislature at its next ensuing session.