

1992 BILL 15

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Fourth Session, 22nd Legislature, 41 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 15

**UNIVERSITIES FOUNDATIONS  
AMENDMENT ACT, 1992**

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THE MINISTER OF ADVANCED EDUCATION

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 15

1992

### UNIVERSITIES FOUNDATIONS AMENDMENT ACT, 1992

(Assented to \_\_\_\_\_, 1992)

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

1 *The Universities Foundations Act is amended by this Act.*

2 *The title and chapter number of the Act are repealed and the following is substituted:*

#### ADVANCED EDUCATION FOUNDATIONS ACT CHAPTER A-2.5

3 *Section 1 is amended*

(a) *by renumbering clause (a) as clause (a.2) and by adding the following before clause (a.2):*

(a) “advanced education institution” means the Banff Centre, a public college, a technical institute or a university;

(a.1) “Banff Centre” means The Banff Centre for Continuing Education continued under the *Banff Centre Act*;

(b) *by adding the following after clause (b):*

(b.1) “public college” means a public college established under the *Colleges Act*;

## **Explanatory Notes**

**1** This Bill will amend chapter U-6.5 of the Statutes of Alberta, 1991.

**2** The title and chapter number presently read:

*UNIVERSITIES FOUNDATIONS ACT*  
*CHAPTER U-6.5*

**3** Definitions.

- (b.2) “technical institute” means a technical institute established under the *Technical Institutes Act*;

4 Section 2 is amended by renumbering it as section 2(1) and by adding the following after subsection (1):

- (2) One foundation may be established by regulation for the Banff Centre.
- (3) One foundation may be established by regulation for public colleges.
- (4) One foundation may be established by regulation for technical institutes.

5 Section 3(b) is repealed and the following is substituted:

- (b) to provide grants and real and personal property
- (i) in the case of the foundation established for a university, to the university,
  - (ii) in the case of the foundation established for the Banff Centre, to the Banff Centre,
  - (iii) in the case of the foundation established for public colleges, to a public college, and
  - (iv) in the case of the foundation established for technical institutes, to a technical institute,
- to support and promote the educational or research activities of the advanced education institution.

6 Section 7(2) is repealed and the following is substituted:

- (2) At least 2 of the trustees for the board of a foundation must be appointed,
- (a) in the case of the foundation established for a university, from a list of nominees submitted by the university,
  - (b) in the case of the foundation established for the Banff Centre, from a list of nominees submitted by the Banff Centre,

**4** Establishment of foundations.

**5** Section 3(b) presently reads:

*3 The purposes of a foundation are*

*(b) to provide grants and real and personal property to the university for which it was established to support and promote the educational and research activities of that university.*

**6** Section 7(2) presently reads:

*(2) At least 2 of the trustees for each board must be appointed from a list of nominees submitted by the appropriate university.*

- (c) in the case of the foundation established for public colleges, from a list of nominees submitted and agreed on by all the public colleges, and
- (d) in the case of the foundation established for technical institutes, from a list of nominees submitted and agreed on by all of the technical institutes.

7 *Section 9(1)(a) is amended by striking out “to the university for which the foundation was established” and substituting “to an advanced education institution”.*

8 *Section 12 is repealed and the following is substituted:*

Directions of donors

**12** When providing grants or real or personal property to an advanced education institution, a foundation may consider the directions of persons who have made gifts to the foundation, including a direction that a particular advanced education institution is to benefit from a gift, but a foundation is not bound by the directions.

9 *Section 16 is amended by adding the following after clause (a):*

- (a.1) establishing one foundation for the Banff Centre;
- (a.2) establishing one foundation for public colleges;
- (a.3) establishing one foundation for technical institutes;

10 *This Act comes into force on Proclamation.*

**7** Section 9(1)(a) presently reads:

*9(1) A board of trustees of a foundation may make by-laws*

- (a) respecting the criteria on which grants and real and personal property may be provided to the university for which the foundation was established;*

**8** Section 12 presently reads:

*12 When providing grants or real or personal property to a university, a foundation may consider the general directions of persons who have made gifts to the foundation.*

**9** Section 16(a) presently reads:

*16 The Lieutenant Governor in Council may make regulations*

- (a) establishing a foundation for a university in Alberta;*

**10** Coming into force.