

Bill No. 41 of 1935.

A BILL TO AMEND THE UNIVERSITY ACT.

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NOTE.

The University Act contains restrictions on the powers of the Board with regard to dealing with the property of the University: sections 2, 3 and 4 of this Bill confine those restrictions to real property vested in the Board and used for University purposes: land acquired by the University as ultimate heir will not be subject to those restrictions.

Section 5 of the Bill is designed to restrict the liability of the University for damages to the cases in which a Department of the Government and its officers would be liable and not otherwise.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 41 of 1935.

An Act to amend The University Act.

(Assented to \_\_\_\_\_, 1935.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** This Act may be cited as "*The University Act Amendment Act, 1935.*"

**2.** *The University Act*, being chapter 56 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 6 thereof by striking out the proviso at the end thereof and by substituting therefor the following:

"Provided, however, that none of the real property so vested in the Board, which is for the time being used for University purposes, shall be sold or encumbered, nor shall the same be leased for a longer period than five years except with the approval of the Lieutenant Governor in Council."

**3.** The said Act is further amended as to section 7 thereof by striking out the words "The real property vested in the Board", where the same occur therein, and by substituting therefor the words "The real property vested in the Board and used for University purposes".

**4.** The said Act is further amended as to section 25 thereof, by striking out paragraph (j) thereof and by substituting therefor the following:

"(j) With the approval of the Lieutenant Governor in Council to sell or mortgage or lease any real property vested in the Board which is for the time being used for University purposes subject to the terms of any trust upon which the same is held: without any such approval, to lease at such rent and upon such terms and conditions as may seem proper to the Board any of the property last mentioned for any term not exceeding five years; and without any such approval, to sell or mortgage or lease at such price or at such rent and upon such terms and conditions as may seem proper to the Board any other real property vested in the Board, subject to the terms of any trust upon which the same is held;".

5. The said Act is further amended by inserting therein, immediately after section 87 thereof, the following new section:

“88. Neither the University nor the Board nor the Senate nor any member of the Board or the Senate nor any officer or servant of the University shall be liable in respect of any nonfeasance or misfeasance in relation to the carrying on of the functions or activities of the University or in relation to any activity of the staff or of the student body in any case in which there would be no liability if the University were a department of the Government of the Province as an agency of the Crown, and no action shall be brought in respect of any such nonfeasance or misfeasance without the consent in writing of the Attorney General first had and obtained.”

6. This Act shall come into force on the day upon which it is assented to.

No. 41.

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FIFTH SESSION  
SEVENTH LEGISLATURE  
25 GEORGE V  
1935

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**B I L L**

An Act to amend The University Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. BAKER

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EDMONTON:  
W. D. MCLEAN, KING'S PRINTER  
1935