



THE UNIVERSITY OF OTTAWA ACT 1965

An Act respecting Université d'Ottawa

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

PART I

1.—(1) The corporation of "The College of Bytown", which corporation had its name changed to "The College of Ottawa" and further changed to "Université d'Ottawa", is hereby continued under the name of "Université Saint Paul" in the French language and "Saint Paul University" in the English language and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

Name
Université
d'Ottawa
changed to
Saint Paul
University

(2) Where before the passing of this Act the name "University of Ottawa" or "The University of Ottawa" or "Ottawa University" was used by Université d'Ottawa, such name shall for all purposes be taken to have meant Université d'Ottawa.

Former
names
used by
University

(3) Saint Paul University, formerly Université d'Ottawa, has and shall be deemed always to have had, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy without licence in mortmain and without limitation as to the period of holding any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof.

Property,
power to
acquire
and hold
R.S.O. 1960,
c. 191

PART II

2. In this Part,

Inter-
pre-
tation

(a) "Board" means the Board of Governors of the University of Ottawa;

- (b) "Chancellor" means the Chancellor of the University;
- (c) "property" includes real and personal property;
- (d) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (e) "Rector" means the Rector of the University;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes the professors and associate professors, the assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (h) "University" means the University of Ottawa.

University
incorporated

3. The persons named in section 9, and such other persons who may hereafter become members of the Board, are hereby created a body corporate with perpetual succession and a common seal to be known in the French language under the name of "Université d'Ottawa" and in the English language under the name of "University of Ottawa".

Objects of
University

4. The objects and purposes of the University are,

- (a) to promote the advancement of learning and the dissemination of knowledge;
- (b) to further, in accordance with Christian principles, the intellectual, spiritual, moral, physical and social development of, as well as a community spirit among, its undergraduates, graduates and teaching staff, and to promote the betterment of society;
- (c) to further bilingualism and biculturalism and to preserve and develop French culture in Ontario.

Religious
test not
required

5. No religious test shall be required of any professor, lecturer, teacher, officer, servant or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them.

Faculties
and schools

6. The University may establish and maintain faculties, schools, institutes, departments, chairs and courses.

7. The University may grant in all branches of learning any ^{Degrees} and all university degrees, honorary degrees, diplomas and certificates.

8. The management, discipline and control of the Uni-^{Management}versity shall be free from the restrictions and control of any ^{of University} outside body, whether lay or religious, and no religious test shall be required of any member of the Board, but such management, discipline and control shall be based upon Christian principles.

9. There shall be a board of governors of the University ^{Composition} of not more than thirty-two members, consisting of, ^{of Board}

(a) The Rector;

(b) the following twelve persons:

George A. Addy,
Jean-Victor Allard,
Paul Desmarais,
Louis-Paul Dugal,
Mr. Justice Gérald Fauteux,
Lawrence Freiman,
James P. Gilmore,
Aurèle Gratton,
Ascanio J. Major,
Leo McCarthy,
J. Barry O'Brien,
Marcel Vincent;

(c) four persons appointed by the Lieutenant Governor in Council who, in the first instance, shall be,

John J. Deutsch,
Roger Duhamel,
Cecil Morrison,
Roger Séguin;

(d) two persons appointed by the Senate from among those of its members elected under clause *d* of subsection 1 of section 15;

(e) two persons appointed by the Alumni Association from among its own members;

(f) eight persons appointed by the Council of Administration of Saint Paul University who, in the first instance, shall be,

Jules Bélanger, O.M.I.,
 Arthur Caron, O.M.I.,
 Gerald Cousineau, O.M.I.,
 Sylvio Ducharme, O.M.I.,
 Jean-Charles Laframboise, O.M.I.,
 René Lavigne, O.M.I.,
 Rodrigue Normandin, O.M.I.,
 Léo-Paul Pigeon, O.M.I.;

(g) such other persons appointed by the Board for such terms as the Board may determine by by-law.

Board,
 term of
 office,
 method of
 appoint-
 ment

10.—(1) No members of the Board, except the Rector, shall be appointed for terms exceeding three years, and all members mentioned in clauses *b* and *g* of section 9 shall be appointed in rotation in such manner as the Board may determine by by-law.

Idem

(2) The Board shall by by-law prescribe the terms of office and the method of retirement of the persons named in clause *b* of section 9, and the terms of office and the method of appointment, replacement and retirement of their successors, and of the persons provided for in clause *g* of section 9.

Re-appoint-
 ment

(3) All members of the Board are eligible for re-appointment.

Removal

(4) After thirty days notice to any member, the Board, by a resolution passed at a meeting at which at least two-thirds of the members of the Board are present, may declare vacant the seat of such member.

Filling of
 vacancies

(5) Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant.

Quorum

(6) Fourteen members of the Board constitute a quorum.

Chairman,
 vice-
 chairman

(7) The Board shall elect from among its members a chairman and a vice-chairman.

Powers of
 Board

11. Except in such matters as are assigned by this Act to the Senate and the boards of federated and affiliated colleges and universities, the government, conduct, management and control of the University and of its property, revenues, business and affairs are vested in the Board, and

the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the Rector and the Vice-Rectors;
- (b) to appoint, promote and remove the heads of all faculties and schools, all officers of the University and of the faculties, the teaching staff of the University and all such other officers, clerks, employees, agents and servants as the Board deems necessary or expedient for the purposes of the University, but no person shall be appointed, promoted or removed as head of a faculty or school, as a senior administrative officer or as a member of the teaching staff of the University except on the recommendation of the Rector;
- (c) to fix the number, duties, salaries and other emoluments of officers, members of the teaching staff, agents and servants of the University;
- (d) to appoint an executive committee and such other committees of the Board as it deems advisable, and to delegate to any such committee any of its powers;
- (e) to borrow money on the credit of the University in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (f) to make, draw and endorse promissory notes or bills of exchange;
- (g) to hypothecate, pledge or charge any or all the property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (h) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations;

(i) to provide for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the University, including a joint committee of the Senate and the Board to discuss matters of mutual concern, as the Board deems advisable, and to fix their respective memberships, powers and duties;

(j) to make by-laws, rules and regulations in respect of all such matters as may seem necessary or advisable for the government, management, conduct and control of the University.

Chancellor **12.**—(1) There shall be a Chancellor of the University who shall be appointed by the Board with the concurrence of the Senate and who shall hold office for four years and is eligible for re-appointment.

Chancellor to be titular head, etc. (2) The Chancellor shall be the titular head of the University and be accorded the place of honour at commencement exercises and other functions, and, if present, he shall preside at examinations.

Rector to be Vice-Chancellor (3) The Rector is Vice-Chancellor of the University and, in the absence of or vacancy in the office of the Chancellor, shall perform the functions of the Chancellor.

Degrees (4) In the absence of the Chancellor and the Vice-Chancellor, the Senate shall appoint one of its number to confer degrees.

Rector, appointment and tenure **13.**—(1) There shall be a Rector of the University who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

Vice-Rector and other officers (2) The Board shall appoint at least two Vice-Rectors and may appoint any other officers who shall have such powers and duties as may be conferred on them by the Board on the recommendation of the Rector, and one Vice-Rector shall act as Rector when the Rector is absent or if there is a vacancy in the office of Rector and, while so acting, he has all the rights, privileges, powers and duties of the Rector.

Rector to be chief executive (3) The Rector is the chief executive officer of the University and chairman of the Senate and has supervision over and direction of the academic work and general administration of the University, the teaching staff, officers, servants and students thereof, and has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

14. The Secretary shall,Duties of
Secretary

- (a) be the Secretary of the Board and of the Senate;
- (b) maintain and keep the register or roll of graduates of the University and of those persons who receive honorary degrees;
- (c) sign all University diplomas after the Rector; and
- (d) perform such other duties as may be assigned to him by the Rector or by the Board.

15.—(1) There shall be a Senate of the University com-^{Senate}posed of,

- (a) the Chancellor;
- (b) the Rector, the Vice-Rectors and the Secretary;
- (c) the dean and the secretary of each faculty, including those of the federated universities, or, in the absence of the dean, the vice-dean;
- (d) one professor or associate professor on the teaching staff of each faculty, including those of the federated universities, elected by the council of each faculty for a term of three years;
- (e) the director of each special school operated by the University but not conducted by any of its organized faculties;
- (f) the head of each federated college and university;
- (g) subject to clause *b* of subsection 1 of section 29 being implemented, the head and the Dean of Studies of St. Patrick's College of the University of Ottawa;
- (h) such other members as the Senate may determine by by-law.

(2) All elected or appointed members of the Senate are eligible for re-election or re-appointment. ^{Members eligible for re-election}

16.—(1) The Rector or, in his absence, the first Vice-Rector or, in the absence of both, the second Vice-Rector shall preside at all meetings of the Senate. ^{Rector or Vice-Rector to preside at meetings}

Questions
to be
decided by
vote

(2) All questions before the Senate shall be decided by a majority of the votes of the members present, including the vote of the Rector or other presiding member of the Senate, and, in the case of an equal division of such votes, the Rector or, in his absence, the presiding member at such meeting has an additional or casting vote.

Quorum

(3) A majority of all the members of the Senate constitutes a quorum.

Meetings

(4) The Senate shall meet from time to time, when convened by the Rector, and at such other times as the members of the Senate appoint and at such place in the City of Ottawa as the Rector may choose.

Powers of
Senate

17. The Senate is responsible for the educational policy of the University and, subject to the approval of the Board in so far as the expenditure of funds is concerned, may create, maintain and discontinue such faculties, departments, schools or institutes or establish such chairs as it may determine, may enact by-laws and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

- (a) to control, regulate and determine the educational policy of the University according to Christian principles and its bilingual tradition and character;
- (b) to determine the courses of study and standards of admissions to the University and continued membership therein, and qualifications for degrees and diplomas;
- (c) to deal with all matters arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (d) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all branches of learning that may appropriately be conferred by a university;
- (e) to confer honorary degrees in any branch of higher learning with the concurrence of the Board;
- (f) to create committees to exercise its powers.

Government
of faculty

18.—(1) Every faculty established by the University shall be governed by a council, which shall consist of the Dean, the Associate Dean, if any, the Vice-Dean, the Secretary and such other members as may be determined by the Senate.

(2) The councils of the faculties may appoint examiners and make by-laws for the good and efficient management of the affairs of the faculty, provided that no such by-law is valid until approved by the Senate with regard to matters of a purely academic nature and by the Board with regard to all other matters. Powers of councils of faculties

19. The Board may by by-law, confirmed by the Senate, provide that any college, seminary or university may become federated or affiliated with the University on such terms and for such periods of time as the Senate and the Board may determine. Powers of affiliation

20. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy without licence in mortmain and without limitation as to the period of holding any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof. Property R.S.O. 1960, c. 191

21. The property vested in the University and any lands and premises leased to and occupied by the University are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University. Tax exemption

22. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. Property of University not liable to be expropriated

23. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. Application of statute of limitations

24. The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. Application of property

25. The funds of the University not immediately required for its purposes and the proceeds of all property that come to Investment of funds

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Property

R.S.O. 1960,
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Application
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Investment
of funds

the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board deems meet.

Audit

26. The accounts of the Board shall be audited at least once a year.

Annual report

27. Upon the request of the Lieutenant Governor in Council, the Board shall submit to him its annual report and shall submit such other reports as he may request from time to time.

PART III

Saint Paul University federated

28. Saint Paul University, upon the coming into force of this Act, shall become federated with the University of Ottawa, subject to such terms and conditions as may be agreed upon by the two corporations.

St. Patrick's College

29.—(1) St. Patrick's College, upon the coming into force of this Act, has the option of,

(a) becoming either federated or affiliated with the University of Ottawa, subject to such terms and conditions as may be agreed upon by the institutions concerned; or

(b) becoming an integral part of the University of Ottawa, to be known as St. Patrick's College of the University of Ottawa, upon such terms and conditions as may be mutually agreed upon between the University of Ottawa and the administrators of St. Patrick's College as it presently exists, which terms and conditions shall be incorporated in the by-laws of the University of Ottawa with the specific object of ensuring the preservation and development on the present campus of St. Patrick's College of the presently established sections of the Faculty of Arts and of the School of Social Welfare.

Effect on University undertakings

(2) Nothing in clause *b* of subsection 1 shall be construed to imply that the University of Ottawa is prevented from undertaking any other academic activities on the campus of St. Patrick's College of the University of Ottawa, provided such other activities are not inconsistent with the terms and conditions mentioned in subsection 1 as incorporated in the by-laws of the University of Ottawa.

Existing affiliations

30. Any other college or institution affiliated with Saint Paul University upon the coming into force of this Act has

the right under this Act of continuing its affiliation with the University of Ottawa through Saint Paul University or of negotiating separate affiliation or federation agreements with the University of Ottawa, or both, as in its discretion it deems meet.

31. The University of Ottawa shall grant to all students past and present of Saint Paul University full recognition towards their respective university degrees for all credits and marks awarded by Saint Paul University before this Act came into force, and shall grant degrees in its own name to all of those students who are recommended for degrees by Saint Paul University during the fall convocation for the year 1965.

Students' credits and marks recognized, 1965 degrees

32. The University of Ottawa and Saint Paul University, in order to give effect to the intent and purpose of this Act, may make and accept as between themselves such transfers of property upon such terms and for such consideration, including nominal consideration, and subject to such conditions and security for payment, as may be mutually agreed upon.

Transfer of property between universities

33. Until the University of Ottawa has organized its Senate, the Senate of Saint Paul University has power to carry out in the name of and on behalf of the Senate of the University of Ottawa its duties, functions and powers as mentioned in section 17, but such power shall not in any event be exercised by the Senate of Saint Paul University after the 31st day of October, 1965.

Saint Paul Senate to act temporarily for University

PART IV

34. This Act comes into force on the 1st day of July, 1965.

Commencement

35. This Act may be cited as *The University of Ottawa Act, 1965*.

Short title

3rd Reading

June 21st, 1965