

Assented to May 8th, 1923.

An Act respecting the University of Western
Ontario.

WHEREAS the University of Western Ontario (here-^{Preamble.}inafter called the University) has by its petition represented that it was incorporated under the name of "The Western University of London, Ontario" by an Act passed in the 41st year of the reign of Her late Majesty, Queen Victoria, chapter 70, called the Principal Act (or Act of 1878) as amended by the Act passed in the 45th year of the said reign, chapter 89 (called the Act of 1882), wherein the name was changed to "The Western University and College of London, Ontario," as amended by the Act passed in the 55th year of the reign of Her late Majesty, Queen Victoria, chapter 107 (called the Act of 1892 but never brought into force), wherein the name was changed to "The Western University and London University College," as further amended by the Act passed in the 6th year of the reign of His late Majesty, Edward VII, chapter 140 (called the Act of 1906), and as still further amended by the Act passed in the 8th year of the reign of His late Majesty, Edward VII, chapter 145 (called the Act of 1908), wherein the name of the University was changed to "The Western University of London, Ontario," and whereas the University has by its petition prayed that a new Act may be substituted so as to enable the University to receive aid both from the Corporation of the City of London (hereinafter called the City) and from other municipalities and counties of Ontario as hereinafter mentioned; to change the name of the University from that of the Act of 1908; to provide for the appointment of an official visitor; to enlarge the functions of the Board of Governors, and to change the composition and to enlarge the functions of the Senate of the University; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University of Western Ontario Act, 1923.* Short title.

Incorporation.

2. The University shall be a corporation as hereinafter constituted, with perpetual succession and a common seal, and shall be called "The University of Western Ontario."

Grants by City.

3. The City may grant annually or from time to time to the Board of Governors for the use of the University such a sum or sums as may be agreed upon by the City and the University, and it shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws for any such grant or payment, provided, however, that any grant in excess of \$75,000 in any one year shall first receive the assent of the said electors.

Grants by Counties.

4. The County Council or the Council of any municipality in the constituency of the University of Western Ontario, that is to say, in the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington and Waterloo, may make grants in aid of the University for any purpose they deem prudent either for lands, buildings, administration expenses or general annual maintenance, or for the establishment or upkeep of any faculty, department, chair, fellowship, scholarship (resident or travelling), exhibition or prize in the University; or for the development of extension work (lectures, correspondence, demonstrations, clinics, etc.) or for the increase of library facilities; or for a university press; or for museums or art galleries; or for experimental areas or facilities for research work; or to assist any historical, artistic, literary or scientific society, conference, convention or association organized to promote the work of the University; and, except as hereinafter provided, it shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws for any such grant or payment,

(a) Grants may be made in aid of the physical education or athletic or military training of students attending the University or in aid of similar training for pupils attending any school or college affiliated for the purpose with the University or for the holding of exhibitions or competitions or offering prizes in connection with such training.

(b) Grants may be made for endowing scholarships or awarding prizes in the University for competition among the pupils of the collegiate institutes, high, continuation or common schools or of any other educational body in any county or municipality in the counties heretofore mentioned in this Section.

- (c) Grants may be made to establish provision permanently for defraying the expenses of the attendance at the University of such of the pupils of any collegiate institute, high or continuation school of any county or municipality in Western Ontario who are individually unable to meet the necessary expenses thereof and in the opinion of the Head Master or Principal thought to possess attainments sufficient to warrant their attendance and who also meet the educational requirements of the University.
- (d) Such grants may be made from time to time by the Councils of one or more counties or municipalities either jointly or severally, and may be either by one payment or by an annual payment for a specified number of years, upon such terms and conditions as may be agreed upon between the Council or Councils of the county or counties or municipality or municipalities concerned and the University; and such Council or Councils may pass such a by-law or by-laws as may be deemed necessary to provide the money for any or all of the aforesaid grants.
- (e) By-laws passed under this section authorizing grants and requiring the issue of debentures in excess of the sum of twenty thousand dollars shall receive the assent of the electors qualified to vote on money by-laws.

5. His Honour the Lieutenant-Governor of the Province of Ontario shall be the Official Visitor of the University. ^{Official Visitor.}

6. Convocation of the University may consist of the Chancellor and the Vice Chancellor, the Board of Governors, the Senate, the Officers, Faculties and under-graduates of the University and of affiliated colleges and schools; and the graduates of the University; and the official head (Warden or Mayor) of each county and incorporated city in the University constituency as provided in Section 4. ^{Convocation.}

7.—(1) The Board of Governors shall be constituted as follows:—During such time as the City shall pay to the Board of Governors the annual grant or grants as provided in Section 3 of this Act the Council of the City shall from time to time appoint four Governors; the Lieutenant-Governor in Council of the Province of Ontario shall from time to time appoint four Governors and the Governors so appointed shall elect four Governors. The Chancellor, the President of the University, the Mayor of the City and the Warden of the ^{Board of Governors.}

County of Middlesex shall be ex-officio members of the Board of Governors. All Governors shall hold office for four years. Five Governors shall constitute a quorum. No person shall be eligible to serve as a member of the Board of Governors unless he is a British subject and a resident in the Province of Ontario. Any retiring Governor shall be eligible for re-appointment or re-election as the case may be while all members of the Board shall hold office until such time as their successors are appointed.

Officers.

(2) The Board of Governors shall elect a Chairman and a Vice-Chairman and may, from time to time, enact statutes governing the University or repeal or amend the same.

Powers.

(3) Unless and until other or different provisions are made by the Board of Governors by statute:—

- (a) Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and control of the property, revenues, business and affairs thereof, shall be vested in the Board.
- (b) The Board shall appoint and fix the salaries and tenure of office of the President of the University, the professors, teachers and instructors, a secretary, a librarian, a bursar and a registrar, and all other officers, assistants, clerks and employees as the Board may think necessary; and shall be empowered to make provision for group insurance, annuities, retiring allowances or pensions for any or all of the members of the administrative or teaching staffs or other employees of the University.
- (c) All the property of the University shall be vested in the Board and may be converted into revenue-producing securities as the Board may provide, but shall be subject to the terms of any trust effecting any monies or properties now, or hereinafter to become, the property of the University.
- (d) Any person may, subject to the approval of the Board, endow a chair, or found a scholarship or make a bequest, donation, or gift to the general funds of the University, for buildings, maintenance, endowment or extension work, or for any other purpose approved

by the Board, and may transfer for this purpose to the Board any real or personal property or interest therein.

- (e) The Board shall have power to sell, purchase, receive, accept, acquire or hold all land or other property given to or acquired for the University, and to borrow money on the same, either by way of mortgage or by issuing bonds, debentures or other securities, in the name and for the benefit of the University. The Board shall have all the rights, powers and privileges in dealing with real or personal property as are possessed by an individual person.
- (f) The Board may expropriate any land which is actually required for the occupation and use of the University for University purposes, paying such compensation therefor as may be agreed upon or in case of failure to agree as may be determined by arbitration under the provisions of *The Consolidated Municipal Act, 1922*.
- (g) All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario."
- (h) The Board may establish such faculties, departments or chairs in any subject (except Theology) as may be recommended by the Senate and to the Board may seem meet, and shall fix all tuition and other fees payable by students in the faculties whose instructors are paid by the Board; and also shall fix all graduation fees.
- (i) The accounts of the Board shall be audited at least once a year by an auditor or auditors appointed by the Board.

(4) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes, so long as the same is actually used and occupied for the purposes of the University. ^{Exemption from all Taxes.}

(5) No succession duty shall be leviable or payable on property devised or bequeathed to the University; or on the amount of any unpaid subscription or gift made to or for any fund or purpose of the University. ^{Succession Duty.}

Religious
observances

(6) No religious test shall be required of any professor, lecturer, teacher, officer or servant, or of any student of the University, nor shall any religious observances according to the forms of any particular denomination or sect be imposed on them.

Senate:
mode of
Election.

8.—(1) There shall be a Senate of the University, the members of which shall from time to time be appointed or elected as follows:—

- (a) Two members shall be appointed by each faculty of the University and by each affiliated college or school, provided that in the case of a faculty of the University one of its members shall be the Dean.
- (b) Two members shall be appointed by the Board of Governors from their own number.
- (c) A total of three members may be appointed by the Council and one member may be appointed by each of the School Boards of the City.
- (d) One member may be appointed by the Council of each incorporated city in the following counties: Brant, Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Norfolk, Oxford, Perth, Wellington and Waterloo.
- (e) One member may be appointed by the County Council of each of the aforesaid counties.
- (f) The principals of the continuation schools, high schools and collegiate institutes in the aforesaid counties may elect four members from their own number, provided that no representative so elected is a member of a governing body of any other Canadian university.
- (g) One member may be elected by the graduates of each faculty of the University and one by the graduates of each affiliated college or school.
- (h) The Chancellor, the Vice-Chancellor, the President, the Registrar, the Director of the Extension Department, the Director of Summer School, and Extramural Work, and the

director, dean or executive head of any other such distinctive branch of the University's educational activities as may be recognized by statute of the Senate, shall be members ex-officio.

(2) Each appointed or elected Senator shall hold office ^{Term of office.} for two years or until such time as his successor is appointed. The Senator's term of office shall begin with the spring convocation.

(3) Any retiring Senator shall be eligible for re-appoint- ^{Retiring Senators.} ment or re-election as the case may be.

(4) The Senate may appoint the Vice-Chancellor of the ^{Vice-Chancellor} University to hold office for three years or until his successor is appointed.

(5) The Senate shall be responsible for the educational ^{Senate and educational policy.} policy of the University and with the approval of the Board of Governors may create faculties or departments, or establish chairs in any and as many of the Arts and Sciences as the Senate may determine, and may confer degrees in any subject taught in the University or in any affiliated college or school; may confer honorary degrees in any department of learning; may create faculty councils to act as executive committees for the Senate to regulate the admission of students, courses of study and requirements for graduation; may enact statutes regulating the matters in this Section referred to, and may from time to time amend or repeal any of its statutes.

(6) It shall be the duty of the Senate to ascertain from ^{Powers and duties of Senate.} time to time, by survey or otherwise, the educational needs of the University constituency; to consult with the educational authorities of each county or municipality with the view to rendering them any assistance in the power of the University; to provide University extension services wherever possible for all classes, rural and urban; to co-operate with any and all associations or other agencies having for their objects the dissemination of knowledge, the improvement of vocations, the establishment of better living conditions, the improvement of public health, or the development of a more intelligent citizenship; and to organize and promote branch university associations or similar organizations for the purpose of advancing any or all of the objects aforesaid as may be deemed meet.

9. Every three years beginning with the first spring con- ^{Chancellor} vocation the Chancellor shall be elected by a majority of the

members of the Board of Governors and of the Senate present at a joint meeting of the Board of Governors and of the Senate held for the purpose.

Affiliation **10.—(1)** On recommendation of the Senate the Board of Governors may provide for the affiliation of any college or school in Canada established for teaching divinity, arts, science, law, medicine, music, engineering, agriculture, or any other useful branch of learning and may make provision for the dissolution or suspension of any such affiliation.

Theological Options for Arts degree. (2) The Theological options for an Arts degree shall not be less than those available in the University at the time of the passing of this Act.

Honorary degrees in Divinity. (3) Honorary degrees in Divinity shall be conferred without fees upon the recommendation of any Theological college or school in affiliation with the University.

Degrees in Divinity. (4) Degrees in Divinity obtained by examination may be conferred by the Senate of the University on the recommendation of any affiliated Theological college or school on the payment to the University of the fees therefor.

Undenominational Government. **11.** The government of the University shall be undenominational and shall be under public, municipal or provincial control, or any or all of them; but should the University cease to be undenominational or the government thereof be transferred to private control, the status, privileges and powers granted under this Act, shall be automatically revoked and the University charter shall revert as provided for in Section 12.5

Acts and parts of Acts repealed **12.—(1)** All previous Acts or enactments referring to the University are hereby repealed except Sections 1 and 3 of the Principal Act passed in 1878 and Sections 1, 2, 3, 4, 5 and 6 of the Act of 1906, which shall be suspended.
41 V. c. 70, 6
Ed. VII. c. 145.

Reversion of charter. (2) Should the University charter revert as provided for by Section 11 of this Act then and in that case all the property, real and personal, of the University shall be vested in a Board of Trustees to be appointed by the Lieutenant-Governor in Council for such uses and purposes as the Lieutenant-Governor in Council may direct.

Commencement of Act. **13.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.