

**BILL Pr21**

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4TH SESSION, 29TH LEGISLATURE, ONTARIO  
23 ELIZABETH II, 1974

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**An Act respecting The University of Western Ontario**

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MR. WALKER

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1974

**An Act respecting  
The University of Western Ontario**

**W**HEREAS The University of Western Ontario hereby <sup>Preamble</sup> applies for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the application;

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

- 1.—(1) In this Act, except as otherwise provided herein, <sup>Interpre-  
tation</sup>
- (a) “academic staff” means those persons employed by the University whose duties are primarily those of performing and administering the teaching and research functions and who are included in the instructor, lecturer and professorial ranks;
  - (b) “academic unit” means a faculty, school, college or other academic division however designated by the University which offers programs leading to a degree;
  - (c) “academic year” means the academic year as determined by the University;
  - (d) “administrative staff” means those employees of the University who are not members of the academic staff;
  - (e) “Board” means The Board of Governors, The University of Western Ontario;
  - (f) “Faculty” means the full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans and such of the part-time members of the academic staff of

the University as the Senate may from time to time determine;

- (g) "membership year" means any twelve-month period or periods established from time to time by the Board and by the Senate, respectively;
- (h) "property" means all property, both real and personal;
- (i) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (j) "Senate" means the Senate of The University of Western Ontario;
- (k) "student" means any person who is registered as a full-time or part-time student in an academic unit of the University, but does not include a student of an affiliated college;
- (l) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

Conflict with  
R.S.O. 1970,  
c. 89

(2) In the event of conflict between any provision of this Act and any provision of *The Corporations Act*, the provision of this Act prevails.

University  
continued

**2.** The University, commonly known as "Western", the Board and Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious  
tests not  
required

**3.** The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the academic or the administrative staffs, employee or student of the University, nor shall any religious observances be imposed.

Proceedings  
by or against  
University

**4.** All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

#### GRANTS

Grants by  
City of  
London

**5.** The City of London may grant annually or from time to time to the University such sum as the City and the

University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

**6.** Grants to the Board for the use of the University Grants by counties, etc. may be made without obtaining the assent of the electors qualified to vote on money by-laws for such grant by,

- (a) the county council of any of the counties of Brant, Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Oxford, Perth and Wellington;
- (b) the council of The Regional Municipality of Haldimand-Norfolk and the council of The Regional Municipality of Waterloo;
- (c) the council of any regional municipality hereafter established within the area described in clause a; and
- (d) the council of any municipality, other than the City of London, in such counties or regional municipalities,

but any such grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

#### PROPERTY

**7.** All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any academic unit or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board. Property in trust vested in Board

**8.**—(1) All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, including any statute limiting or defining the period for the investigation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario. Application of statute of limitations to property

(2) 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 Power to deal with realty and personalty R.S.O. 1970, c. 225

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.

Land vested  
in Board not  
liable to  
expropria-  
tion

**9.** Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

#### THE BOARD OF GOVERNORS

Board  
continued

**10.** The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

Composition  
of Board

**11.—(1)** The Board shall consist of,

R.S.O. 1970.  
c. 284

- (a) The President of the University, the Mayor of the City of London (or an alternate appointed under the provisions of *The Municipal Act*), the Warden of the County of Middlesex (or an alternate appointed under the provisions of *The Municipal Act*), and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty of whom,
  - (i) two shall be members of the Senate at the time of election and be elected by the Senate, and
  - (ii) two shall be elected by the Faculty from among those members of Faculty of the rank of assistant professor or higher who have held academic appointments at the University for at least four academic years;

- (f) three students of whom,
- (i) two shall be undergraduate students at the time of election and be elected by the undergraduate students, and
  - (ii) one graduate student elected by the graduate students,

provided that an undergraduate student shall not be eligible for election unless registered at the University in an academic year prior to the academic year in which such election occurs;

- (g) two members of the full-time administrative staff elected thereby;
- (h) four persons elected by the members appointed or elected under clauses *b*, *c*, *d*, *e*, *f*, and *g*; and
- (i) such Vice-Presidents as are appointed to the Board by the members appointed or elected under clauses *b*, *c*, *d*, *e*, *f*, *g*, and *h*, which appointments may be terminated at any time.

(2) Subject to section 18, the failure to appoint or elect a <sup>Failure to elect or appoint</sup> member as provided in subsection 1 does not invalidate the composition of the Board, and, where a default continues for three months after an appointment or election should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member eligible to fill the vacancy.

(3) The members to be elected under subsection 1 shall <sup>Election procedures</sup> be elected in accordance with such procedures as shall be determined and established by the Board, but in the election of members under clause *e*, *f* or *g* of that subsection, the election shall be by secret ballot.

**12.**—(1) Except as provided in this section, each member <sup>Term of office</sup> of the Board shall hold office for four membership years, shall be eligible for reappointment or re-election, as the case may be, and if otherwise eligible shall hold office until a successor is appointed or elected.

(2) Subject to subsection 4, a student elected to the Board <sup>Idem</sup> under clause *f* of subsection 1 of section 11 shall hold office for a term of two membership years.

- Idem** (3) No member shall hold office for more than two consecutive terms, excluding therefrom the balance of an unexpired term for a person appointed or elected thereto under section 15, or a term reduced under subsection 4, but any such member shall again be eligible for reappointment or re-election after a lapse of two years after the expiration of the second of two consecutive terms.
- Staggered terms of office** (4) Prior to the first appointments or elections of members after this Act comes into force, the Board shall provide where necessary for staggered terms of office.
- Saving** (5) This section shall not apply to an *ex officio* member of the Board or to a member appointed under clause *i* of subsection 1 of section 11.
- Eligibility** **13.**—(1) Except as provided in clauses *a*, *e*, *f*, *g* and *i* of subsection 1 of section 11, no person who is a member of the academic staff or administrative staff, or a student of the University or an affiliated college, or who is a member of the governing body, faculty, staff or student body of any other degree-granting institution, is eligible for appointment or election as a member of the Board.
- Canadian citizenship** (2) Subject to subsection 3, no person is eligible as a member of the Board unless he is a Canadian citizen.
- Saving** (3) Subsection 2 does not apply to a person who was a member of the Board on the day before this Act comes into force.
- Membership vacated** **14.**—(1) Where a member of the Board ceases to be eligible for appointment or election to the Board, resigns or becomes incapable of acting as a member, the Board by resolution shall declare such membership vacant.
- Meetings** (2) Where within any membership year a member of the Board, other than an *ex officio* member, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare such membership vacant.
- Idem** (3) Where within any membership year a member of the Board, other than an *ex officio* member, not having been granted leave of absence by the Board, attends less than 25 per cent of the regular meetings of the Board, the Board by resolution shall declare such membership vacant.
- Proof** (4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.

**15.** Where a vacancy on the Board occurs before the <sup>Filling</sup> term of office for which a person has been appointed or elected has expired, <sup>vacancies</sup>

- (a) if the vacancy is that of an appointed member, the vacancy may be filled by the same authority which appointed the person whose membership is vacant; and
- (b) if the vacancy is that of an elected member, the Board in its sole discretion shall determine if the vacancy is to be filled and, if so, the manner and procedure for doing so,

and a person appointed or elected hereunder shall hold office for the remainder of the term of office of the person whose membership is vacant.

**16.**—(1) The Board shall elect a chairman and a vice-<sup>Chairman</sup> chairman from among the members appointed or elected <sup>and vice-</sup> under clauses *b*, *c*, *d*, and *h* of subsection 1 of section 11, and in the case of the absence or illness of the chairman or of there being a vacancy in that office, the vice-chairman shall act as and have all the powers of the chairman.

(2) In the case of absence or illness of the chairman and <sup>Absence</sup> vice-chairman or of there being vacancies in these offices, the Board may appoint one of its members appointed or elected under clauses *b*, *c*, *d* and *h* of subsection 1 of section 11 to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman.

(3) The term of office of the chairman and vice-chairman <sup>Term of</sup> shall be as determined by the Board. <sup>office</sup>

**17.** The quorum of the Board, to be designated by by-law <sup>Quorum</sup> of the Board, shall consist of not fewer than ten members, at least one-half of whom shall consist of members of the Board appointed or elected, as the case may be, under clauses *b*, *c*, *d* and *h* of subsection 1 of section 11.

**18.** The Board may exercise any of its powers as long <sup>Exercise of</sup> as there are at least sixteen members in office, not including <sup>powers</sup> *ex officio* members and members appointed under clause *i* of subsection 1 of section 11.

**19.** A member of the Board or of a committee created <sup>Interest in</sup> by it who is in any way interested in a proposed contract <sup>work of the</sup> with the University shall declare his interest at any meeting <sup>Board</sup> at which the proposed contract is considered, shall with-

draw from the meeting during any discussion of such contract and shall not vote thereon.

Management  
of the  
University

**20.** Except in such matters as are assigned by this Act to the Senate or other body, the government, conduct, management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers to be for the good of the University and consistent with the public interest.

Powers of  
the Board

**21.** Without limiting the generality of section 20, the Board may,

- (a) appoint the President and Vice-Chancellor, but before so acting, the Board shall request a recommendation from a committee, to be convened by the chairman of the Board, composed of five members of the Board named by it, and five persons named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five persons to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;
- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Chief Librarian, the Registrar, the Secretary of the Senate, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures established by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, and determine their functions, duties and powers, but the policies and procedures followed in respect

of persons appointed under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;

- (*e*) expend such sums as may be required to establish funds for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (*f*) establish procedures pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (*g*) appoint by resolution or by-law a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;
- (*h*) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (*i*) provide such means for health services and health examination for students as the Board may see fit;
- (*j*) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (*k*) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (*l*) borrow from time to time such sums of money as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;

- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary;
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

Idem

**22.** On the recommendation of the Senate, the Board may,

- (a) establish or terminate academic units, departments, chairs and programs of instruction in the University or elsewhere, but the Senate shall determine the curricula of all programs of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;
- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institution of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentic-  
ation of  
by-laws, etc.

**23.** Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of  
accounts  
R.S.O. 1970,  
c. 373

**24.**—(1) The Board shall appoint one or more auditors licensed under *The Public Accountancy Act* to audit the accounts and transactions of the Board at least once a year.

(2) The Board shall make a financial report annually <sup>Annual report</sup> to the Minister of Colleges and Universities in such form and containing such information as the Minister may require.

(3) The Minister shall submit the report to the Lieutenant <sup>Tabling</sup> Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

(4) The Board shall make available to the academic staff, <sup>Idem</sup> administrative staff and students, an annual report including an annual financial report in such form and manner as the Board may determine.

**25.** Where any question arises as to the powers or duties <sup>Questions as to powers</sup> of the President and Vice-Chancellor, a Vice-President, a member of the Faculty or any senior administrative officer of the University, the Board after consultation with the Senate shall settle and determine the matter in accordance with this Act, and the decision of the Board shall be final.

#### SENATE

**26.**—(1) There shall be a Senate of the University <sup>Senate, how composed</sup> composed of,

- (a) the following *ex officio* members,
  - (i) the Chancellor,
  - (ii) the Vice-Chancellor,
  - (iii) such Vice-Presidents as the Senate may determine,
  - (iv) the Deans of the academic units given Faculty representation under clause *b*,
  - (v) the Director of Summer School and Extension,
  - (vi) the Chief Librarian,
  - (vii) the Registrar, and
  - (viii) the Secretary of Senate,

of whom the Chancellor, the Director of Summer School and Extension, the Chief Librarian, the Registrar and the Secretary of the Senate shall be non-voting members;

(b) members of the Faculty, elected in the following numbers,

- (i) Faculty of Graduate Studies —four members,
- (ii) Faculty of Arts —four members,
- (iii) Faculty of Medicine —four members,
- (iv) Faculty of Science —four members,
- (v) Faculty of Social Science —four members,
- (vi) Faculty of Dentistry —one member,
- (vii) Faculty of Education —one member,
- (viii) Faculty of Engineering  
Science —one member,
- (ix) Faculty of Law —one member,
- (x) Faculty of Music —one member,
- (xi) Faculty of Nursing —one member,
- (xii) Faculty of Physical  
Education —one member,
- (xiii) School of Business  
Administration —one member,
- (xiv) School of Library and  
Information Science —one member,
- (xv) Subject to approval by  
two-thirds of the members  
of Senate, any other  
academic unit that may be  
established hereafter —one member;

(c) two members of the Board appointed by the Board from among its members appointed or elected under clauses *b*, *c*, *d* and *h* of subsection 1 of section 11;

(d) two members from each affiliated college, one of whom shall be the academic head of that college and the other a person elected as provided in section 27, who shall have voice in all matters but shall not vote on resolutions, recommendations or requests submitted to the Board where such

matters do not directly involve the affiliated colleges as shall be determined by the Senate;

- (e) fifteen students of whom,
  - (i) twelve shall be undergraduate students of the University and its affiliated colleges and be elected by such undergraduate students, and
  - (ii) three shall be graduate students elected by the graduate students; and
- (f) five persons from the general community, one of whom shall be active in or associated with the field of secondary school education, consisting of,
  - (i) the President of the Alumni Association of the University or a person designated by such President, and two members of the Association appointed by the Association, and
  - (ii) two persons appointed by the Senate.

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clauses *b*, *d* and *e* of subsection 1. <sup>Regulation to vary number of members</sup>

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish. <sup>Officers</sup>

(4) Where the Senate grants leave of absence to any member, the Senate may provide, in such manner as it determines, for an alternate member who shall have all the powers of a member of the Senate. <sup>Alternates</sup>

**27.**—(1) The election of a member of Senate under clause *b* or *d* of subsection 1 of section 26 shall be by secret ballot of the members of the academic unit or affiliated college to be represented who hold the rank of assistant professor or higher, but in all other respects such an election shall be in accordance with the manner and procedures established and determined by the Senate. <sup>Election of members</sup>

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 26 unless he is a member of the academic unit or affiliated college to be <sup>Idem</sup>

represented, holds the rank of assistant professor or higher and has held an academic appointment in the University or affiliated college for at least two academic years.

**Idem** (3) The election of a member of Senate under clause *e* of subsection 1 of section 26 shall be by secret ballot and for a term of one membership year, but in all other respects such an election shall be in accordance with the manner and procedures established and determined by the Senate.

**Disputes** (4) The Senate shall rule on any dispute which may arise as to eligibility to vote or to hold office under subsections 1, 2 and 3 and its decision shall be final.

**Term of office** (5) A member of the Senate, other than an *ex officio* member or a member elected under clause *e* of subsection 1 of section 26, shall hold office for a term of two membership years and is not eligible to be appointed or elected for more than two consecutive terms, excluding therefrom the balance of an unexpired term for a person appointed or elected under section 29 or a term reduced under subsection 6, but is eligible for reappointment or re-election after a lapse of two years after the expiration of the second of two consecutive terms.

**Idem** (6) Prior to the first appointments or elections of members after this Act comes into force, the Senate shall provide where necessary for staggered terms of office.

**Vacating office** **28.**—(1) Where an appointed or elected member of the Senate resigns, becomes incapable of acting as a member or ceases to be eligible for appointment or election, the Senate shall by resolution declare such membership vacant, save that a student member who graduates during his term of office may complete such term.

**Idem** (2) Where within any membership year a member of the Senate, other than an *ex officio* member, not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare such membership vacant.

**Idem** (3) Where within any membership year a member of the Senate, other than an *ex officio* member, not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare such membership vacant.

(4) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein. <sup>Resolution final</sup>

**29.** Where a vacancy on the Senate occurs before the term of office for which a person has been appointed or elected has expired, <sup>Filling vacancies</sup>

- (a) if the vacancy is that of an appointed member, the vacancy may be filled by the same authority which appointed the person whose membership is vacant; and
- (b) if the vacancy is that of an elected member, the Senate in its sole discretion shall determine if the vacancy is to be filled and, if so, the manner and procedure for doing so,

and a person appointed or elected hereunder shall hold office for the remainder of the term of office of the person whose membership is vacant.

**30.**—(1) The Senate shall meet at least four times an academic year and at such other times as the Senate from time to time may prescribe. <sup>Meetings of the Senate</sup>

(2) A special meeting of the Senate shall be called on the written notice of any seven members thereof and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice. <sup>Special meetings</sup>

**31.** The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall, <sup>Duties of Senate</sup>

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners, and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;

- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any affiliated college having a faculty of theology;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, and the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and in section 22.

Idem

**32.** The Senate may,

- (a) confer degrees and award diplomas and certificates in any branch of learning, taught in the University or in any affiliated college, including theology;
- (b) confer honorary degrees in any branch of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

## THE ASSEMBLY OF THE UNIVERSITY

**33.**—(1) There shall be an advisory body called “The Assembly  
of the  
University Assembly of the University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board appointed by it;
- (d) five members of the Senate appointed by it;
- (e) the Vice-Presidents, the Registrar, and the Secretary of the Senate who shall be the Secretary of the Assembly;
- (f) the Deans of all academic units of the University;
- (g) the academic head of each affiliated college and two other persons appointed by it;
- (h) ten members appointed by the University Students’ Council, two members appointed by the Society of Graduate Students and one member appointed by the Masters of Business Administration Association;
- (i) the President and the other members of the executive of the Alumni Association of the University;
- (j) five persons appointed by the council of the City of London, two persons appointed by the Board of Education of the City of London, and one person appointed by the Separate School Board of the City of London;
- (k) the Warden, or one member of the county council appointed by it, of each of the counties named in section 6, and the chairman, or one member of the council appointed by it, of each of the councils of The Regional Municipality of Haldimand-Norfolk and The Regional Municipality of Waterloo;
- (l) one member of the municipal council of each city, other than the City of London, in the counties and regional municipalities named in section 6 appointed by it;

- (m) ten members of the Ontario Secondary Schools Headmasters' Council (South Western Region) appointed by it;
- (n) one member from each of the colleges of applied arts and technology in the counties and regional municipalities named in section 6 appointed by each college;
- (o) the members of Parliament representing the electoral districts of London East, London West, and Middlesex;
- (p) the members of the Legislative Assembly representing the electoral districts of London North, London South, Middlesex North, Middlesex South, and the electoral districts abutting those districts;
- (q) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (r) such other persons as the Board and the Senate may by joint action appoint.

Term of office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of Board and Senate open to public

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

#### MEETINGS AND BY-LAWS

Meetings of Board and Senate open to public

**34.**—(1) Subject to subsection 2, the meetings of the Board and of the Senate shall be open to the public and prior notice of such meetings shall be given to the members and to the public in such manner as the Board and the Senate by by-law shall respectively determine, and no person shall be excluded therefrom except for improper conduct but, where confidential matters of the University are being considered, that part of the meeting may be held *in camera*.

(2) Where matters of a personal nature concerning an <sup>Exception</sup> individual may be disclosed at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless such individual requests that such part of the meeting be open to the public.

(3) The by-laws of the Board and of the Senate shall <sup>Examination of by-laws</sup> be open to examination by members of the University community and by the public during normal business hours.

(4) The Board and the Senate shall publish their by-laws <sup>Publication of by-laws</sup> from time to time in such manner as they may respectively consider proper.

#### CHANCELLOR

**35.**—(1) There shall be a Chancellor of the University <sup>Chancellor, election of</sup> who shall be elected by an electoral board consisting of,

- (a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and
- (b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the <sup>Quorum</sup> chairman of the Board and the Vice-Chancellor, constitute a quorum.

(3) No person shall occupy the office of Chancellor who is a <sup>Who ineligible</sup> member of the academic or administrative staff of the University or an employee of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college.

**36.** The term of office of the Chancellor shall be for <sup>Term of office</sup> four years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election.

**37.** Where a vacancy in the office of Chancellor occurs, <sup>Vacancy in office</sup> the vacancy shall be filled by the election of a successor in the manner set out in section 35, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election.

Where  
Chancellor  
becomes  
ineligible

**38.** Where the Chancellor ceases to be eligible for such office, or becomes incapable of acting, or the office becomes otherwise vacant, a declaration of the existence of a vacancy in the office of Chancellor by the Senate and the Board entered in the minutes of the Senate and of the Board is conclusive evidence of the vacancy.

Duties

**39.** The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-  
Chancellor

**40.**—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

Duties

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Vice-  
Chancellor  
to act in  
absence of  
Chancellor

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Idem

(4) In the absence of both Chancellor and Vice-Chancellor or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official  
Visitor

**41.** The Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

**42.** The Board and the Senate shall review this Act within ten years from the date of its enactment.

Former  
members  
continue  
until new  
Board and  
Senate  
constituted

**43.** The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and Senate are elected or appointed in accordance with this Act.

**44.** *The University of Western Ontario Act, 1967*, being <sup>Repeal</sup> chapter 134, is repealed.

**45.** This Act comes into force on the day it receives <sup>Commence-</sup> Royal Assent.  
<sub>ment</sub>

**46.** This Act may be cited as *The University of Western* <sup>Short title</sup>  
*Ontario Act, 1974.*

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**BILL Pr21**

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An Act respecting  
The University of Western Ontario

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*1st Reading*

April 4th, 1974

*2nd Reading*

April 26th, 1974

*3rd Reading*

April 26th, 1974

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MR. WALKER

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