

**York University Act, 1959**

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BILL

An Act to incorporate York University

MR. ROWNTREE

TORONTO

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WHEREAS the persons named in section 2 by their petition have represented that they are desirous of establishing in the Province of Ontario, at or near The Municipality of Metropolitan Toronto, an institution to provide facilities for instruction in all branches of higher learning having the rights and powers of a university; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

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

1. In this Act,

- (a) "Board" means Board of Governors of York University;
- (b) "Chancellor" means Chancellor of the University;
- (c) "President" means President of the University;
- (d) "property" includes all property, both real and personal;
- (e) "real property" includes messuages, lands, tenements, and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means Senate of the University;

(g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research; and

(h) "University" means York University.

2. Air Marshal Wilfred Austin Curtis, C.B., C.B.E., D.F.C., LL.D., E.D., James Robbins Kidd, M.A., D.Ed., Thomas Richardson Loudon, B.A.Sc., C.E., V.D., Hon. F.A.I.C., M.E.I.C., Prof. Emeritus Aero.Eng. U. of T., Stanley Harold Deeks, F.I.A., Ph.D., Arthur Donald Margison, B.Eng., P.Eng., Arthur Robinson Hackett, B.A., B.Sc., Edgar Tilden Alberts and such other persons who may hereafter be appointed or elected Chancellor, President or a member of the Board or as a member of the Senate or upon whom the University may confer a degree are hereby created a body corporate with perpetual succession and a common seal under the name of "York University".

3. The objects and purposes of the University are,

(a) the advancement of learning and the dissemination of knowledge; and

(b) the intellectual, social, moral and physical development of its members and the betterment of society.

4. The University shall have power to establish and maintain such faculties, schools, institutes, departments, chairs and courses as shall be deemed meet by the Senate and approved with respect to finances and facilities by the Board.

5. The University shall have power and authority to grant in all branches of learning any and all university degrees and honorary degrees and diplomas.

6.-(1) Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs shall be vested in a board under the name "Board of Governors of York University" and the Board shall have all 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 President and the Vice President;

(b) to fix the numbers, duties, salaries and other emoluments of the officers, agents and servants of the University;

(c) to appoint an Executive Committee and such other committees as it may deem advisable, and to delegate to any such committee any of its powers;

(d) to borrow money for purposes of the University and give security therefor on such terms and in such amounts as it may deem advisable;

(e) to make by-laws and regulations not inconsistent with the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies.

-(2) By-laws shall not require confirmation by the members of the corporation.

7. The persons named in section 2, and such persons as may be appointed by them, shall constitute the provisional Board of Governors which shall act until the Board is reconstituted in accordance with section 8, provided that the total number of members shall not exceed twenty-four.

8. Within twenty-four months from the coming into force of this Act, the Board shall be reconstituted to consist of,

(a) the Chancellor ex officio;

(b) the President ex officio; and

(c) such number of members, not exceeding twenty-four, as may be prescribed by the by-laws of the Board, elected or appointed for a term of four years in the manner prescribed by the by-laws of the Board.

9. No persons on the teaching staff or administrative staff of the University, other than the Chancellor and the President, shall be members of the Board.

10. The Board shall elect a chairman from among its members.

11. After thirty days notice to any member, the Board may, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, declare vacant the seat of such member.

12.-(1) There shall be a Senate of the University composed of,

(a) the Chancellor ex officio;

(b) the President ex officio;

(c) the deans or chairmen of faculty boards ex officio;

(d) two members of the Board of Governors appointed by the Board;

(e) such numbers of other persons representing such faculties, institutions or organizations as the Senate may determine.

-(2) The body possessing the power of election or appointment may fill a vacancy on the Senate for the unexpired portion of any term.

13. The Senate shall be responsible for the educational policy of the University and, with the approval of the Board in so far as the expenditure of funds and establishment of facilities are concerned, may create faculties or departments or establish chairs in any and as many of the arts and sciences as the Senate may determine, 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 by-laws regulating matters in this section referred to and may from time to time amend or replace any of its by-laws, and, without limiting the generality of the foregoing, the Senate shall have power,

(a) to elect the Chancellor;

(b) to control and regulate the system of education of the University ;

(c) to determine the courses of study and suitable standards of admission into the University and qualifications for degrees;

(d) to conduct examinations and appoint examiners;

(e) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;

(f) to confer the degrees of Bachelors, Masters and Doctors in the several arts, sciences and faculties, and all other degrees which may appropriately be conferred by a university;

(g) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum and the election or appointment of its members.

14. -(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

-(2) The Board may appoint a Vice-President who shall act the absence of the President and shall have such other powers and duties as may be conferred on him by the Board.

-(3) The President shall be Vice-Chancellor and chief executive officer of the University and, in the absence of or vacancy in the office of the Chancellor, shall perform the functions of the Chancellor, and, subject to the will of the Board, the President shall have supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and shall also have such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

15. There shall be a Chancellor elected by the Senate, who shall be the titular head of the University, who shall confer all degrees and who shall, subject to the will of the Senate, hold office for three years or until his successor is elected.

16. 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 regulations of any particular denomination or sect be imposed upon them.

17. The University shall have, in addition to the powers, rights and privileges mentioned in section 27 of The Interpretation Act, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property, whether real or personal, whatsoever 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 without licence in mortmain and without limitation as to the period of holding.

18. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the University.

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

20. Real property vested in the University 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 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.

21. 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.

22. 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.

23. The funds of the University not immediately required for its purposes and the proceeds of all property which come to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and reinvested in such investments as the Board shall deem meet.

24. The University, if authorized by by-law of the Board, may,

(a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;

(b) make, draw and endorse promissory notes or bills of exchange;

(c) hypothecate, pledge, charge or mortgage any part or all of the property of the University to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;

(d) 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.

25. The University shall have power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine.

26. The accounts of the University shall be audited at least once a year by a practising auditor.

27. The University shall submit to the Lieutenant-Governor in Council, upon request, the annual report of the University and such other reports as may be so requested from time to time.

28. This Act comes into force on the day it receives Royal Assent.

29. This Act may be cited as The York University Act, 1959.

## BILL

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1st Reading February 17th, 1959

2nd Reading March 4th, 1959

3rd Reading March 16th, 1959

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<http://www.yorku.ca/secretariat/governancedocs/documents/YorkAct1959.html>