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Carleton was founded in 1942 by a group of local businessmen and senior civil servants, who formed The Ottawa Association for the Advancement of Learning. These individuals saw higher education as a worthy cause and hoped to broaden the career opportunities and the cultural horizons of ambitious young people by giving them an opportunity to go to university. In 1952 the provincial government confirmed the College's degree-granting privileges and in 1957, the Act was amended to change the name of the institution to Carleton University.

The Act covers the following topics:

## An Act Representing the Ottawa Association for the Advancement of Learning

STATUTES OF ONTARIO, 1952

CHAPTER 117 as amended by 1957, CHAPTER 130; 1968-69, CHAPTER 145

Whereas The Ottawa Association for the Advancement of Learning by its petition has represented that it was incorporated in 1943 by letters patent under The Companies Act, and has prayed for further powers; 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:

**Preamble**  
**R.S.O. 1937,**  
**c.251 Interpretation**

**Corporation**  
**continued under**  
**new name**

1. In this Act,
  1. "Board" means the Board of Governors of the University;
  2. "Chancellor" means Chancellor of the University;
  3. "University" means Carleton University;
  4. "Corporation" means the body corporate of the University;
  5. "Faculty Board" means the teaching staff of each respective faculty or school of the University of the rank of professor, associate professor, assistant professor or lecturer, together with such students of the faculty or school as may be chosen to be members of each Faculty Board according to procedures established by bylaw;
  6. "President" means President of the University;
  7. "property" includes all property, both real and personal;
  8. "real property" includes messuages, lands, tenements and

hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate of interest therein;

9. "Senate" means Senate of the University;
  10. "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. 1952, c.117, s.1; 1957, c.130, s.1; 1968-69, c.145, s.1.
2. The corporation of The Ottawa Association for the Advancement of Learning is hereby continued as a body corporate with perpetual succession and a common seal under the name Carleton University, and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys, and, subject to the provisions of this Act, all Bylaws now in force shall continue in force until amended or repealed by the Board. 1952, c.117, s.2; 1957, c.130, s.1.

### **Corporation continued under new name**

The corporation of The Ottawa Association for the Advancement of Learning is hereby continued as a body corporate with perpetual succession and a common seal under the name Carleton University, and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys, and, subject to the provisions of this Act, all Bylaws now in force shall continue in force until amended or repealed by the Board. 1952, c.117, s.2; 1957, c.130, s.1.

### **Objects and Purposes**

1. The objects and purposes of the University are:
  1. The advancement of learning.
  2. The dissemination of knowledge.
  3. The intellectual, social, moral and physical development of its members, and the betterment of its community.
  4. The establishment and maintenance of a non-sectarian college with University powers, having its seat in or about the City of Ottawa. 1952, c.117, s.3; 1957, c.130, s.1.

### **Faculties and schools**

1. The University shall have power to establish and maintain such faculties, schools, institutes, departments, chairs and courses of instruction as shall be deemed meet by the Board. 1952, c.117, s.4; 1957, c.130, s.1.

### **Granting of degrees**

1. The University shall have power and authority to grant in all branches of learning any and all University degrees and honorary degrees, and diplomas. 1952, c.117, s.5; 1957, c.130, s.1.

## **Religious tests**

1. A religious test shall not be required of any professor, lecturer, teacher, officer or servant of the University, or of any student thereof or therein; nor shall attendance upon or participation in any religious instruction or observances be at any time other than voluntary. 1952, c.117, s.6; 1957, c.130, s.1.

## **Property Rev. Stat.C.184**

1. 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 deed, gift, bequest or devise and to hold and enjoy any estate or property 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 to or in the place thereof, without licence in mortmain and without limitation as to the period of holding. 1952, c.117,s.7; 1957, c.130, s.1.

## **Trust property vested in University**

1. All property heretofore or hereafter granted, conveyed, devised or bequeathed to Carleton University or to Carleton College or to The Ottawa Association for the Advancement of Learning, or to any person in trust for or for the benefit of any of them, 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.  
1957, c.130, s.2.

## **Property not liable to expropriation**

1. Property vested in the University shall not be liable to be entered upon, used or taken by any municipal or other 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 in the Act conferring the power it is made in express terms to apply thereto. 1952, c.117, s.9; 1957, c.130, s.1.

## **Tax exemption**

1. Property vested in the University shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of such taxation, but the interest of every lessee and occupant (other than an officer of the University or a member of the teaching staff or a student or servant of the University or an association or society of graduates or undergraduates or teachers or officers of the University), of real property vested in the University shall be liable to taxation.  
1952, c.117, s.10; 1957, c.130, s.1.

## **Application of statutes of limitations**

1. 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. 1952, c.117, s.11; 1957, c.130, s.1.

## **Application of property to objects**

1. 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. 1952, c.117, s. 12;

1957, c,130, s.1.

## **Investment of funds**

1. The funds of the University not immediately required for its purposes, and the proceeds of all property which comes 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. 1952, c.117, s.13; 1957, c.130, s.1.

## **Borrowing Powers**

1. The University, if authorized by Bylaw of the Board, may,
  1. 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;
  2. make, draw and endorse promissory notes or bills of exchange;
  3. hypothecate, pledge, charge or mortgage any part or all of the property of the University to secure any money so borrowed of the fulfillment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
  4. 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, provided that no expenditure shall be made or liability incurred which has the effect of involving or impairing any endowment of the University.  
1952, c.117, s.14; 1957, c.130, s.1.

## **Government of University vested in Board**

1. (1) The government, conduct, management and control of the University and of its work, affairs and business, and of its property and revenues, and all other matters shall be vested in a Board of Governors which shall have all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including the power to make Bylaws in respect thereof.**Bylaws**  
(2) Bylaws of the Board shall not require confirmation by the members of the Corporation.**Powers of the Board**  
(3) Included in the powers of the Board shall be power of appointment of,
  1. the Chancellor;
  2. the President;
  3. deans of faculties and members of the teaching staff; and
  4. all other officers, employees and servants of the University, but no person shall be appointed as a dean of a faculty, or as a member of the teaching staff of the University or of any faculty or school thereof unless he has been first nominated by the President, and no dean of a faculty or member of the teaching staff of the University or of any faculty or school thereof shall be promoted or removed from office except upon the recommendation of the President, but this provision shall not apply where there is a vacancy in the office of President. 1952, c.117, s.15; 1957, c.130, s.1.

## **Board of Governors**

1. (1) The Board shall be composed of the Chancellor, ex officio, the President, ex officio, and thirty elected members. 1957,c.130, s.3.(2) The members of the Board now in office shall continue in office until their successors are elected according to the Bylaws. 1952, c.117, s.16 (2).

## **Quorum**

1. Notwithstanding any vacancies on the Board, as long as there are at least twelve members, the Board may exercise its powers, and unless otherwise fixed by Bylaw of the Board, seven members shall constitute a quorum. 1952, c.117, s.17.

## **Special Bylaws**

1. Without limiting the general powers conferred upon or vested in the Board, the Board may make Bylaws:
  1. respecting membership in the Corporation;
  2. respecting the election of members of the Board and its officers, their terms of office, and meetings and attendance at meetings, and fixing the quorum of the Board;
  3. providing for the appointment of committees by the Board and for conferring authority upon any of such committees to act for the Board with respect to any matter or class or classes of matters;
  4. providing for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the University as shall be deemed meet by the Board, and fixing their respective memberships, powers and duties. 1952, c.117, s.18; 1957, c.130, s.1.

## **Chancellor**

1. (1) There shall be a Chancellor of the University who shall be appointed by the Board and who, subject to the will of the Board, shall hold office for a term of three years or until his successor is appointed. **Idem**  
(2) The Chancellor shall be the titular head of the University and shall confer all degrees.**Degrees**  
(3) In the absence of the Chancellor and Vice-Chancellor, the Senate shall appoint one of its members to confer degrees. 1952, c. 117, s.19; 1957, c.130, s.1.

## **President**

1. (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. **Idem**  
(2) 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.  
**Vacancy in office**  
(3) If there is a vacancy in the office of President, the Board may appoint a member of any faculty or school to act and perform the functions and duties of President pro tempore. 1952, c.117, s.20; 1957, c.130, s.1.

## **Senate**

1. (1) There shall be a Senate of the University consisting of such persons chosen in such a manner and at such times as are determined by Bylaw, provided that at least one-half the total number of persons comprising the Senate shall be elected by the Faculty Boards of the University from the members of the Faculty Boards, in such manner as such Bylaws may specify.**No ineligible member or invalid act by reason of age**  
(2) No person shall be ineligible to be a member of a Faculty Board or of the Senate or of the Board of Governors by reason only of his being under twenty-one years of age, and no act of any such bodies of the University shall be invalid by reason only of a member or members of such bodies being under twenty-one years of age. 1968-69, c.145, s.2.
2. Unless otherwise determined by Bylaw of the Board, the Senate shall,
  1. consider and determine all courses of study, including requirements for admission;
  2. recommend the establishment of additional faculties, schools, departments, chairs, or courses of instruction in the University;
  3. receive and consider recommendations respecting academic matters from the Faculty Boards of the University;
  4. conduct examinations and appoint examiners;
  5. grant degrees and honorary degrees, and diplomas;
  6. award University scholarships, medals and prizes;
  7. make rules and regulations respecting the conduct and activities of the students of the University;
  8. publish the University calendars;
  9. make such recommendations as may be deemed proper for achieving the objects and purposes of the University.

### **Members of the Corporation**

1. (1) Persons who on the day this Act comes into force are members of The Ottawa Association for the Advancement of Learning shall continue to be members of the Corporation according to the Bylaws.**Recommendations to Board**  
(2) The members of the Corporation, jointly or severally, may make recommendations to the Board on matters pertaining to the achievement of the objects and purposes of the University. 1952, c.117, s.23; 1957, c.130, s.1.

### **Audit**

1. The accounts of the University shall be audited at least once a year by a practising auditor. 1952,c.117, s.24; 1957,c.130,s.l.

### **Reports to Lieutenant-Governor**

1. The University shall submit to the Lieutenant-Governor in Council, upon request, the annual report of the University, and such other reports as maybe so requested from time to time. 1952,c.117, s.25; 1957, c.130, s.1.

### **Commencement**

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

**Short Title**

1. This Act may be cited as The Carleton University Act, 1952.