

# University Act

## AN ACT RESPECTING LAKEHEAD UNIVERSITY

Statutes of Ontario, 1965  
CHAPTER 54

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TRUST PROPERTY VESTED IN BOARD  
VACANCY IN OFFICE OF CHANCELLOR  
VICE-PRESIDENT

**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,

**Interpretation**

- (a) "Board" means the Board of Governors of Lakehead University;
- (b) "Chancellor" means the Chancellor of the University;
- (c) "President" means the President of the University;
- (d) "property" includes real and personal property;
- (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 the 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;
- (h) "University" means Lakehead University. 1965 c. 54, s.1.

**2.** The Lakehead College of Arts, Science and Technology, hereafter to be known as "Lakehead University", the Board and faculties are hereby continued and, subject to the provisions of this Act, have, hold, possess and enjoy respectively all the rights, powers and privileges that they had at the time of the passing of this Act or that are conferred upon them by this Act. 1965, c. 54, s. 2.

**College  
created a  
University**

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**3.** The objects and purposes of the University are,

**Objects  
and**

- (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. 1965, c. 54, s. 3.

**purposes of University**

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4. The University may establish and maintain faculties, schools, institutes, departments, chairs and courses. 1965, c. 54, s. 4.

**Faculties, schools, etc.**

5. The University may grant in all branches of learning any and all university degrees, diplomas and certificates. 1965, c. 54, s. 5.

**Degrees**

6. The Board of Governors of The Lakehead College of Arts, Science and Technology is hereby continued as a body corporate by the name "Board of Governors of Lakehead University". 1965, s. 54, s. 6.

**Board body corporate**

7. The members of The Board of Governors of the Lakehead College of Arts, Science and Technology cease to hold office on the day this Act comes into force, and thereafter the Board shall consist of not more than thirty members as follows:

**Composition of Board**

- 1. President

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- 2. The following twenty-four persons:

John Henry Charnock, Esq., Fort William,  
John Edwin Johnston Fahlgren, Esq., Cochenour,  
Morson Scarth Fotheringham, Esq., Atikokan,  
Kenneth Andrew Miners, Esq., Fort William,  
David Irving Nattress, Esq., Port Arthur,  
Ernest Gilmour Pallister, Esq., Port Arthur,  
Robert James Prettie, Esq., Port Arthur,  
Andrew Lewis Kenneth Switzer, Esq., Longlac,

Murray William Babe, Esq., Fort William,  
John Murray Fleming, Esq., Port Arthur,  
Ernest Lorne Goodall, Esq., Port Arthur,  
Thomas Sidney Jones, Esq., Dryden,

Bernard Shaffer, Esq., Fort William,  
Burnley Wordlow Stevens, Esq., Fort William,  
Frederick Leslie Stevens, Esq., Port Arthur,  
William Gordon Tamblyn, Esq., Fort William,

Melville William Bartley, Esq., Port Arthur,  
Donald Charles Clark, Esq., Port Arthur,  
Robert John Flatt, Esq., Fort William,  
Thomas Joseph Kane, Esq., Fort William,  
James Roberts Machan, Esq., Fort William,  
John Norman Paterson, Esq., Fort William,  
Gavin Henry Young, Esq., Port Arthur,  
Roy Stewart Young, Esq., Fort William.

3. Three persons named by the Lieutenant Governor in Council.
4. One member appointed by the council of The Corporation of the City of Fort William for a term not to exceed three years.
5. One member appointed by the council of The Corporation of the City of Port Arthur for a term not to exceed three years. 1965, c. 54, s. 7.

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8. --- (1) Of the persons named in paragraph 2 of section 7, the first eight persons shall hold office for a period of three years, the next eight shall hold office for a period of two years and the remaining eight shall hold office for a period of one year, and, as the term of any such person expires, the vacancy shall be filled by election by the Board, and such election shall be for such a term as the Board may determine by by-law, and so on from time to time.

**Terms of office**

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(2) Of the persons first named by the Lieutenant Governor in Council, the first person named shall hold office for a period of three years, the second person named shall hold office for a period of two years and the third person named shall hold office for a period of one year, and, as the term of any such person expires, the vacancy shall be filled by the Lieutenant Governor in Council, and such appointment shall be for a period of three years, and so on from time to time.

**Idem**

(3) 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

**Filling of vacancies**

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. 1965, c. 54, s. 8.

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9. All members of the board are eligible for re-appointment or re-election.

**Eligibility for re-appointment, etc.**

10. The Board shall elect a chairman from among its members for such period as may be determined by the Board. 1965, c. 54, s. 10.

**Chairman**

11. After thirty days notice to any member of the Board, the Board may, by resolution passed at a meeting of the Board by at least two-thirds of the total members of the Board, declare vacant the seat of such member. 1965, c. 54, s. 11.

**Declaration of vacancies**

12. Except as to such matter by this Act specifically assigned to the Senate, the government, conduct, management and control of the University of its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has 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,

**Management of University vested in Board**

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(a) to appoint and remove the President and the vice-presidents, if any;

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(b) to appoint, promote and remove the heads of all faculties and schools, the senior administrative officers of the University, the teaching staff of the University, and all such other officers and employees as the Board deems necessary or expedient for the purpose 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 President;

(c) to fix the number, duties, salaries and other emoluments of the officers, agents and employees of the University;

(d) to appoint an executive committee and such other committees as it deems advisable, and to delegate to any such committee any of its powers;

- (e) to establish such advisory bodies as it sees fit;
- (f) 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;
- (g) to make, draw and endorse promissory notes or bills of exchange;
- (h) to hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any money so borrowed or for the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (i) to issue bonds, debentures and obligations on such terms and conditions as it may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as it 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;
- (j) to provide for the retirement and superannuation of persons mentioned in clause a and b;
- (k) to provide for payments by way of gratuities, retiring allowances, superannuation allowances, pensions, annuities, life insurance or health insurance, or any combination thereof payable to, in respect of, or for the benefit of the persons mentioned in clauses a and b for any class or classes thereof out of a fund or funds comprising contributions made by such persons or any class or classes thereof, or by the Board, or both, or otherwise;
- (l) to expend such sums as may be required for the purposes of funds which are established for the payment of gratuities, retirement allowances, pensions, life insurance or health insurance for the benefit of the persons mentioned in clauses a and b;

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to make by-laws respecting the meetings of the Board, including the

- (m) determination of a quorum necessary for the transaction of business, fixing fees to be paid by students for instruction, examinations, certificates, diplomas and any ancillary activities. 1965, c. **54**, s. **12**.

**13.** There shall be a Senate of the University composed of,

**Senate**

- (a) the President, the Academic Vice-President, if any, the Librarian and the Registrar of the University;
- (b) the deans of all faculties;
- (c) the heads or chairmen of teaching departments; and
- (d) such other members of the teaching staff elected or appointed in such manner as the Senate may determine. 1965, c. **54**, s. **13**.

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**14.** The Senate is responsible for the educational policy of the University, and, with the approval of the Board is so far as the expenditure of funds and the establishment of facilities are concerned, may create 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,

**Powers of Senate**

- (a) to control, regulate and determine the educational policy of the University;
- (b) to determine the courses of study and standards of admissions to the University and continued membership therein, and the qualifications for degrees and diplomas;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with all matter arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;

- (e) 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;
- (f) to confer honorary degrees in any department of learning;
- (g) to create faculty councils or committees and committees generally to exercise its powers. 1965, c. 54, s. 14.

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**15.** -(1) There shall be a President 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.

**President**

(2) The Board may appoint one or more vice-presidents who shall have such powers and duties as may be conferred on him or them by the Board on the recommendation of the President, and one vice-president shall act as President when the President is absent or if there is a vacancy in the office of the President and, while so acting, he has all the powers and duties of the President.

**Vice-president**

(3) The President is Vice-Chancellor and chief executive officer of the University and chairman of the Senate, and, when the Chancellor is absent or if there is a vacancy in the office of the Chancellor, he shall perform the functions of the Chancellor, and, subject to the will of the Board, the President has supervision over and direction of the academic work and general administration of the University and the teaching staff, officers and employees 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. 1965, c. 54, s. 15.

**President to be chief executive officer, etc.**

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**16.** -(1) There shall be a Chancellor who shall be the titular head of the University, who shall confer all degrees, diplomas and certificates and who shall hold office for three years and until his successor is elected.

**Chancellor**

(2) The Chancellor shall be elected by an electoral board consisting of the President, twelve members appointed by the Board and twelve members appointed by the Senate.

**Election by electoral board**

(3) The President shall act as chairman of the electoral board.

**Chairman of electoral board**



(4) Should a vacancy occur in the office of Chancellor before the term of office has expired, the President shall convene an electoral board, and the new Chancellor shall hold office for a three-year term.

**Vacancy  
in office of  
Chancellor**

(5) The Chancellor is eligible for re-election. 1965, c. 54, s. 16.

**Eligibility  
for re-election**

17. No religious test shall be required of any professor, lecturer, teacher, officer, employee or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them. 1965, c. 54, s. 17.

**Religious  
tests  
not required**

18. The Teachers' Superannuation Act applies to teachers who are on the teaching staff of the University on the day this Act comes into force in the same manner as if the University were specified by name in subclause v of clause d of section 1 of that Act. 1965, c. 54, s. 18.

**Superannuation  
R.S.O.  
1960, c. 392**

Property R.S.O. 1960, c. 191

19. The Board has, in addition to the powers, right 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 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 without licence in mortmain and without limitation as to the period of holding. 1965, c. 54, s. 19.

**Property  
R.S.O.  
1990,  
c.191**

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20. All property hereto fore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of The Lakehead College of Arts, Science and Technology or 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, is vested in the Board. 1965, c. 54, s. 20. Tax exemption

**Trust property  
vested  
in Board**

21. The property vested in the Board and any lands and premises leased to and occupied by the Board or 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. 1965, c. 54, s. 21.

**Tax  
exemption**

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22. Real property vested in the Board 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

**Property  
of  
University  
not liable**

shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. 1965, c. 54, s. 22.

Application of status of limitations

to be  
expropriated

**23.** All property vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been to be real property vested in the Crown for the public uses of Ontario. 1965, c. 54, s. 23.

Application  
of statute  
of  
limitations

**24.** The property and the income, revenues, issues and profits of all property of the Board shall be applied solely to achieving the objects and purposes of the University. 1965, c. 54, s. 24.

Application  
of property

**25.** The funds of the Board not immediately required for its purposes and the proceeds of all property that come to 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. 1965, c. 54, s. 25.

Investment  
of funds

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**26.** The Board has power to affiliate the University with, or take into affiliation or federation with the University, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine. 1965, c. 54, s. 26.

Powers  
of  
affiliation

**27.** The accounts of the Board shall be audited at least once a year. 1965, c. 54, s. 27.

Audit

**28.** 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. 1965, c. 54, s. 28.

Annual  
report

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- 29.** The following are repeated:
1. The Lakehead College of Arts, Science and Technology Act, 1956.
  2. The Lakehead College of Arts, Science and Technology Amendment Act, 1961-62.

Repeal  
**1965. c. 36**

**1961-62.  
c. 69**

**30.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commencement

**31.** This Act may be cited as The Lakehead University Act, 1965.

<http://secretariat.lakeheadu.ca/university-act/#>