

UNOFFICIAL CONSOLIDATION OF THE UNIVERSITY OF WESTERN ONTARIO ACT

This document provides an unofficial consolidation of The University of Western Ontario Act, 1982 with the 1988 and 2016 amendments, the changes made in 1997 under the provisions of Section 24.(2), and administrative changes regarding faculty names.

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Preamble Whereas The University of Western Ontario hereby 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:

Interpretation

1. (1) In this Act,
 - (a) "academic staff" means those persons employed by the University whose duties are primarily those of performing and administering 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;

Application of statute of limitations to property

6.(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.

Power to deal with realty and personalty R.S.O. 1980,c. 219

(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 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 expropriation

7. Real property vested in the Board shall not be subject to expropriation by any person possessing the power to expropriate land or interests in land, except a municipal corporation, unless the Act conferring the power to expropriate on such person makes express reference to such real property.

THE BOARD OF GOVERNORS

Board continued

8. The Board shall have the same powers and authority as if it were a corporation created by statute.

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(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,

but an undergraduate student to be eligible for election must have completed one academic year at the University as a full-time student or the equivalent thereof as a part-time student;

(g) two members of the full-time administrative staff elected thereby;

(h) four persons elected by the members of the Board, but the President and Vice-Presidents shall not vote in such elections; and

(i) such Vice-Presidents, not exceeding three in number, as are appointed members by the Board to serve at the pleasure of the Board, but the Vice-Presidents appointed hereunder shall not vote in such appointments or the terminations thereof¹⁵.

Failure to elect or appoint

(2) Subject to section 16, the failure to appoint or elect a 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.

Election procedures

(3) The members to be elected under subsection (1) shall be elected in accordance with such procedures as shall be determined and established by the Board, but in the election of members under clauses (e), (f), and (g) of that subsection, the election shall be by secret ballot.

Term of office

10.(1) Except as provided in this section, each member 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.

Idem

(2) Subject to subsection (5), a student elected to the Board under clause 9(1)(f) 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 13, or a term reduced under subsection (5), 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

Chairman and
vice- chairman

14.(1) The Board shall

the Board or committee may declare, by a resolution carried by two-thirds of the members present at the meeting, that a conflict of interest exists and a member of the Board thus found to be in conflict shall,

(a) refrain from taking part in any discussion or vote related to the matter; and

(b) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

Management of the University

18. 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

19. Without limiting the generality of section 18, 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

(g) establish procedures pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to such committees or to individuals as necessary, including an executive committee that may act in the name of and on behalf of the Board between regular meetings of the Board;

(h) 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 documents and instruments in writing and to affix the corporate seal of the Board thereto;

(i) 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, and of any fee, charge or fine the payment of which is made mandatory by the Board upon a student to register or to remain registered in the University;

(j) provide such means for health services and health examinations for students as the Board may see fit;

(k) establish and enforce regulations for the use of its buildings, grounds and ancillary operations, and for the orderly conduct of persons entering upon the lands and premises of the University;

(l) 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;

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(vii) the Secretary of Senate who shall be a non-voting member;

(b) members of the Faculty, elected in the following numbers:³

(i) School of Graduate and Postdoctoral Studies¹⁰ – ten members¹²

(ii) Faculty of Arts and Humanities⁶ – five members

(iii) Schulich School of Medicine & Dentistry⁷ – five members¹³

(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 19(a) and shall be consulted before the termination of any appointment so made;

(i) establish and determine procedures for election to the Senate including the right to designate voting constituencies within an academic unit; and

(j) make recommendations and give advice to the Board on the matters mentioned in clauses 19(b) and (c) and section 20.

Powers of Senate

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30. The Senate may,

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(a) confer degrees and award diplomas and certificates in any branch of learning,

