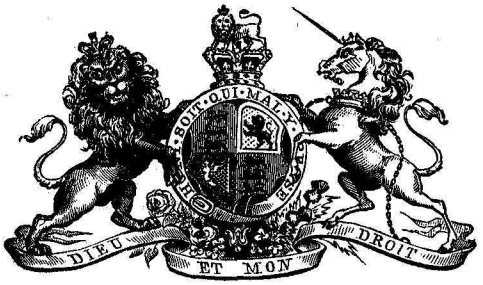

CHAPTER 53.

An Act to Establish and Incorporate a University for the Province of British Columbia.

[*7th March, 1908.*]

WHEREAS it is desirable to establish, in and for the whole Province of British Columbia, one University, for the purpose of providing facilities for Higher Education in all its branches:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short Title.

1. This Act may be cited as the "British Columbia University Act, 1908." Short title.

Incorporation.

2. A University, to be called "The University of British Columbia," consisting of a Chancellor, Convocation, Board of Governors, Senate, and Faculty or Faculties, is hereby established in the Province as a body politic and corporate. Incorporation.

Property Powers.

3. The said corporation may acquire, by gift, purchase, or any other manner, and hold for the purposes of the said University, any and all property, real and personal, of every nature and kind whatsoever; and, subject to the terms of any gift, devise, or bequest of any property to the University, shall have power to mortgage, sell, transfer, or otherwise dispose of all its property, real or personal, and to make and execute all necessary and proper conveyances or transfers for carrying the same into effect. Property powers.

Investments.

4. The said Corporation shall have power to invest for the benefit of the University all or any sums of money belonging to it and available for investment in any of the following securities: the bonds, stocks, debentures or securities of the Dominion of Canada or of any Province thereof; the debentures of any municipality in the Province; or first mortgages of any freehold property in the Province, or the purchase of rental-bearing real estate therein; and shall have full power and authority to take, hold and dispose of any real or personal property therein for the purposes aforesaid, or lease for a period of not more than twenty-one years.

Mortgaged property.

5. The said Corporation shall have power to acquire, take and hold all such property, both real and personal, as shall be bonâ fide mortgaged, hypothecated or pledged to it by way of security, or conveyed to it in satisfaction of debts previously contracted or purchased at judicial sales upon levy for such indebtedness, or otherwise purchased for the purpose of avoiding a loss to the University in respect thereof or to the owners thereof.

Real property of the University not to be expropriated.

6. Real property which shall at any time be 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 lands compulsorily for any purpose whatsoever; 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 to such real property.

Expropriation by University.

7. The University shall have full power and authority, without the consent of the owner thereof or of any person interested therein, to enter upon, take and appropriate all such real property as may be deemed necessary for the purposes of the University, making due compensation therefor to the person or persons entitled thereto:

(*b.*) In the event of no mutual agreement as to amount of compensation being arrived at within the period of sixty days from the date of such entry, then in that event the amount of compensation shall be fixed and determined by two arbitrators, one to be appointed by the University and the other by the party or parties owning the land so taken:

(*c.*) The two arbitrators so appointed shall have power to appoint an umpire:

(*d.*) The provisions of the Arbitration Act shall apply to and govern such arbitration.

Application of Statute of Limitations with reference to real property vested in University.

8. All real property which is now, or which hereafter shall be, vested in the University shall, as far as the application thereof of any Statute of Limitations is concerned, be in the same position as real property vested in the Crown for the public uses of the Province.

Instruction.

9. The University shall, so far as and to the full extent which its resources from time to time permit, provide for: Instruction.

(*a.*) Such instruction in all branches of liberal education as may enable students to become proficient in and qualify for degrees, diplomas and certificates in science, commerce, arts, literature, law, medicine, and all other branches of knowledge:

(*b.*) Such instruction especially, whether theoretical, technical, artistic or otherwise, as may be of service to persons engaged or about to engage in the manufactures, mining, engineering, agricultural, and industrial pursuits of the Province of British Columbia:

(*c.*) Facilities for the prosecution of original research in science, literature, arts, medicine, law and especially the applications of science:

(*d.*) Such fellowships, scholarships, exhibitions, prizes and rewards and pecuniary and other aids as shall facilitate or encourage proficiency in the subjects taught in the University and also original research in every branch:

(*e.*) Such extra-collegiate and extra-university instruction and teaching as may be recommended by the Senate.

Visitor.

10. The Lieutenant-Governor of British Columbia shall be the visitor of the University, with authority to do all those acts which pertain to visitors as to such Lieutenant-Governor shall seem meet. Lieutenant-Governor to be Visitor.

Convocation.

11. (*a.*) The first Convocation of the University shall consist of all graduates of any University in His Majesty's Dominions who are actually residing in the Province two years prior to the date fixed for the first meeting of Convocation, and who at least six weeks prior to the said date register themselves as members of such Convocation as hereinafter provided: First Convocation.

(*b.*) Twenty-five members to be selected by the Lieutenant-Governor in Council.

12. After the first Convocation, all Convocations shall be composed of the Chancellor, the Senate, the members of the first Convocation and all persons who shall have become graduates of the University. Subsequent Convocations.

13. (1.) A register shall be kept by the Provincial Secretary, in which he shall enter the names of graduates who are entitled to be members of the first Convocation, upon their producing to him satisfactory proof of their qualification under section 11, and upon the payment of Register of persons entitled to be members of first Convocation.

the fee of two dollars and subject to the provisions of this Act. The register of the name of any person shall be conclusive proof that such person is a member of the Convocation and is entitled to vote as such:

Application of fees.

(2.) The fees paid to the Provincial Secretary under this section shall be transmitted by him to the Treasurer of Convocation, upon appointment of the latter:

Fees to defray expenses of Convocation.

(3.) Convocation shall have power of requiring a fee to be paid by its members to defray necessary expenses of Convocation.

Register to be delivered to Registrar on his appointment.

(4.) The register referred to in this section shall be delivered to the Registrar of the University on his appointment.

Time and place of first meeting of Convocation.

14. The date and place of the first meeting of Convocation shall be fixed by the Lieutenant-Governor in Council, of which not less than three months' notice shall be given in the British Columbia Gazette.

Time and place of meeting of subsequent Convocations.

15. After the first meeting, Convocation shall meet at such times and places and with such notice as may be fixed by Convocation by regulations in that behalf, and also when convened by the Senate.

Extraordinary meetings of Convocation.

16. An extraordinary meeting of Convocation shall be called by the Chancellor on the requisition of ten members; and such requisition shall state the object or objects of the meeting to be called, and no matter shall be discussed at such meeting except the matter or matters for which it was convened.

Notice of extraordinary meeting of Convocation.

17. At least twenty days' notice of every extraordinary meeting of Convocation shall be given in writing to each member whose address is known, and the object or objects of such meeting shall be clearly stated in such notice.

Quorum.

18. No question shall be decided at any meeting of Convocation unless at least fifteen members are present, and all questions shall be decided by a majority of the members present.

Senate to make provision for meetings of Convocation.

19. The Senate, when fully constituted, shall provide a proper place for the meetings of Convocations and the proceedings of any such meeting shall be transmitted to the Senate without delay.

Officers of Convocation.

20. The elective officers of Convocation shall be a Secretary, a Treasurer and an Executive Council of five members, all of whom shall be elected annually, in such manner as Convocation may determine. The Chairman shall be the Chancellor of the University.

Functions of Convocation.

21. The functions of Convocation shall be chiefly elective, but it shall be competent for Convocation to consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate, which shall consider the same and return to Convocation its conclusions thereon.

Board of Governors.

22. There shall be and there is hereby constituted a Board for the University, under the name of "The Board of Governors of the University of British Columbia." Board of Governors.

23. The Board shall consist of the Chancellor, who shall be chairman thereof, and the President of the University, both of whom shall be, ex-officio, members thereof, and nine persons appointed by the Lieutenant-Governor in Council. Members and Chairman of Board of Governors.

24. No person shall be eligible for appointment as a member of the Board unless he is a British subject and a resident of the Province of British Columbia. Qualifications for appointment.

25. In the event of the disability or absence from the Province of the Chairman, the Board of Governors of the University may appoint one of the members of the Board Acting Chairman during such disability or absence. Acting Chairman of the Board.

26. Five members of the Board shall constitute a quorum for the transaction of business. Quorum.

27. Notwithstanding any vacancy in the Board, so long as there are at least six members it shall be competent for the Board to exercise any or all of its powers. Vacancies, effect of.

28. The appointed members of the Board, except those who shall first be appointed after the passing of this Act, shall hold office for six years. Term of office.

29. Of the first appointed members of the Board, three shall be appointed and hold office for two years, three for four years, and the remaining three for six years, and all of them until their successors are appointed. Term of office of first appointed members.

30. The appointed members of the Board shall be eligible for reappointment. Reappointment.

31. Any appointed member of the Board may be removed from office at any time by the Lieutenant-Governor in Council. Removal.

32. In the case of a vacancy in the Board caused by death, insanity, resignation, residence without the Province, or otherwise, which shall happen before the term of office for which a member has been appointed has expired, a declaration of the existence of such vacancy shall be entered upon the minutes of the Board, and shall be conclusive evidence thereof. Vacancies.

Filling vacancies.

33. The vacancy shall be filled by the appointment, by the Lieutenant-Governor in Council, of a successor to the member who has died or resigned or otherwise ceased to be a member, who shall hold office for the remainder of the latter's term of office.

Persons ineligible as members of Board.

34. No appointee (other than the President) of the Board of Governors of the University, under the powers conferred by section 39, sub-section (*f.*), shall be eligible to be a member of the Board.

Persons ineligible as members of Board.

35. No employee in the service of the Education Department, nor any Principal or Teacher in any High School, shall be eligible to be a member of the Board.

Persons ineligible as members of Board.

36. No member of the Executive Council, during his term of office, shall be appointed or become a member of the Board.

Member of Board to vacate appointment, if he accepts any office set out in secs. 34, 35, 36.

37. If any member of the Board accepts any of the positions or offices set out in sections 34, 35 and 36, he shall, ipso facto, vacate his appointment as a member of the Board, and a declaration of such vacancy entered on the minutes of the Board shall be conclusive evidence thereof.

Powers of Board, general.

38. The management, administration and control of the property, revenue, business and affairs of the University are hereby vested in the Board.

Powers of Board, specific.

39. Without thereby limiting the general powers by this Act conferred upon or vested in the Board, it is hereby declared that the Board shall have the following powers :—

(*a.*) To make rules and regulations appertaining to the meetings of the Board and its transactions :

(*b.*) From time to time and at all times to have full and exclusive power and authority to exercise, in the name and for the benefit of the University, and as the act and deed of the University, any or all of the powers, authorities and privileges by sections 3, 4, 5, 6 and 7 of this Act conferred upon the University as a body politic and corporate :

(*c.*) To maintain and keep in proper order and condition such real property as it may deem necessary for the use of the University, and to erect and maintain such buildings and structures thereon as in its opinion are proper and necessary :

(*d.*) To lay out and expend such sums as may be deemed necessary for the support and maintenance of the University and for the betterment of existing buildings, and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University, and for the furnishing and equipment of such existing and newly erected buildings :

(*e.*) To lay out and expend such sums as it may deem expedient for the erection, equipment, furnishing and maintenance of residences and dining-halls for the use of the students of the University, whether such students be graduates or undergraduates, and to make such rules and regulations as to the management, government and control thereof as may seem meet:

(*f.*) To appoint the President of the University, Deans of all the Faculties, the Librarian, the Registrar, the Professors, Associate Professors, Assistant Professors, Lecturers, Instructors, and other Teachers in the University, and all such officers, clerks, employees and servants as the Board may deem necessary for the purposes of the University, and to fix their salaries or remuneration, and to define their duties and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board: Provided that no person shall be appointed a member of the teaching staff of the University, or of any Faculty thereof, unless he shall first be nominated for the position to which it is proposed to appoint him by the President of the University: Provided also, that no member of the teaching staff of the University or of any Faculty thereof shall be promoted, and no member of such teaching staff shall be removed, except upon the recommendation of the President of the University; but this proviso shall not apply when there is a vacancy in the office of President:

(*g.*) To provide for the establishment and maintenance of such faculties, departments, chairs, exhibitions, scholarships, prizes and courses of instruction in any subject, except theology, as to the Board may seem meet:

(*h.*) To fix and determine on the recommendation of the Senate the fees to be paid for post-graduate instruction, and for instruction in the faculties of the University to be paid by regular and occasional students, library fees, laboratory fees, and for examinations, degrees and certificates, as may be deemed advisable:

(*i.*) To enter into such arrangements with the governing body of any secondary school as the Board may deem necessary for the purpose of or in connection with the academic work of the University, or of any faculty or department thereof; and the governing body of any such school, which is a High School, a Technical School, or a Public School, shall have authority, with the approval of the Lieutenant-Governor in Council, to make such arrangements with the Board:

(*j.*) To do and perform all other matters and things which may seem good, fit and useful for the well ordering and advancement of the University, the doing of such things not being repugnant to the provisions of this Act or to any law in force in the Province:

(*k.*) To select a seal and arms for the University, and have the sole custody and use of the seal.

Estimates of expenditure.

40. The Board shall not incur any liability or make any expenditure which will have the effect of impairing the financial standing of the University unless an estimate thereof shall have been first submitted to and approved by the Lieutenant-Governor in Council.

Purchase of lands and erection of buildings.

41. The Board shall not incur any liability or make any expenditure for the purchase of lands or the erection of buildings without the approval of the Lieutenant-Governor in Council.

Audit.

42. The accounts of the Board shall be audited at least once a year by the Provincial Auditor, or by some person appointed by the Lieutenant-Governor in Council for that purpose.

Annual report.

43. The Board shall make an annual report of its transactions to the Lieutenant-Governor in Council, in which shall be set forth in detail the receipts and expenditures for the year ending on the preceding thirtieth day of June, and such other particulars as the Lieutenant-Governor in Council may from time to time require.

Borrowing powers.

44. The Board may by resolution authorise its Chairman and the Registrar to borrow from any person, bank or corporation such sum of money as may be required to meet the expenditures of the University until such time as the revenues for the current year are available; and such loan shall be repaid out of, and shall be a first charge upon, such revenues, and may be secured by the promissory note or notes of the Chairman and Registrar, given on behalf of the University.

Borrowing money to erect buildings, etc.

45. (1.) In the event of its being necessary for the University to secure a loan of money for the purpose of purchasing or otherwise acquiring any real property for the uses of the University, or for the purpose of erecting, repairing, adding to, furnishing or equipping any building for the uses of the University, it shall be lawful for the Lieutenant-Governor in Council to sanction the loan.

(2.) The Board is hereby authorised and empowered to make and enter into any agreement which it may deem necessary for carrying out the purposes mentioned in this section, and to make and execute in the name of the University all such agreements, deeds and other instruments as may be deemed necessary to carry into effect the provisions of any such agreement.

Execution of transfers, mortgages, etc.

46. All transfers, mortgages, or other instruments or documents required to be in writing and to which the University is a party, shall be deemed to be properly executed by the University if the corporate name and seal of the University is affixed thereto by the Registrar or acting Registrar, and such corporate name and seal are immediately

followed on the same page by the official signatures of the Registrar or acting Registrar, and the Chairman or acting Chairman of the Board.

47. The property, real and personal, vested in the University, being actually occupied or used by the University in the conduct of any part of its educational system, shall not be liable to taxation for Provincial, Municipal or School purposes, but shall be exempt from every description of taxation. Exemption from taxation.

48. An action shall not be brought against the University or against any member of the Board of Governors on account of anything done or omitted by him in the execution of his office, without first obtaining the written consent of the Attorney-General to the bringing of such action. Actions against the Board.

49. If any question shall arise as to the powers and duties of Convocation, the Chancellor, the President, the Senate, the Faculties, or any officer or servant of the University, the same shall be settled and determined by the Board, whose decision shall be final. Decisions as to powers of Convocation.

50. Women may be members of the Board and the Senate. Women may be members of Board and Senate.

Advisory Boards.

51. The Board may from time to time appoint advisory boards, consisting, either wholly or partly, of persons unconnected with the University, upon such terms and for such purposes as the Board may consider advisable, and may refer to them for advice, and report any subject or matter in the Board's opinion requiring to be so dealt with; and such advice and report shall be duly considered and weighed by any body in the University to which the Board direct such advice to be given or report to be made. Advisory Boards.

The Chancellor.

52. There shall be a Chancellor of the University, who shall be elected by the Members of Convocation in the manner hereinafter provided, and who shall hold office for three years and until his successor is elected, but a retiring Chancellor shall be eligible for re-election. Chancellor.

53. (1.) In the case of a vacancy in the office of Chancellor by death, resignation or any other cause, before the expiration of his term of office, the vacancy shall forthwith be filled at a special election to be held for that purpose, and the person elected shall hold office for the unexpired term of his predecessor. Vacancy in office of Chancellor.

(2.) Every such special election shall be conducted in the manner provided for the ordinary triennial election, and due notice thereof shall be given to every member of the Convocation.

Chancellor to be Chairman of Convocation.

54. The Chancellor shall be Chairman of Convocation, and all degrees shall be conferred by him.

Absence of Chancellor.

55. In the absence of the Chancellor from any meeting, the President of the University, for the purpose of such meeting, shall have and exercise all the powers of the Chancellor.

The Senate.

Composition of Senate.

56. The Senate of the University shall be composed of:—

(*a.*) The Minister of Education, the Chancellor and the President of the University, who shall be Chairman thereof:

(*b.*) The Deans and Professors of each of the Faculties:

(*c.*) Three members to be appointed by the Lieutenant-Governor in Council:

(*d.*) The Superintendent of Education, the Principals of the Normal Schools:

(*e.*) One member elected by the High School Principals and Assistants who are actually engaged in teaching:

(*f.*) One member elected by the Provincial Teachers' Institute organised under sub-section (*e*) of section (7) of the "Public Schools Act":

(*g.*) One member to be elected by the governing body of every affiliated college or school in this Province:

(*h.*) Fifteen members to be elected by Convocation from the members thereof.

Term of office.

57. All appointments and elections of members to the Senate shall be for a period of three years and until their successors are appointed or elected. Should a vacancy arise from any cause in the case of an appointed member, such vacancy shall be filled by the body possessing the power of appointment, subject to this Act. In the case of a vacancy of an elective member, such vacancy shall be filled by the Senate. The person appointed or elected to fill such vacancy shall hold office for the remainder of the term.

Powers of Senate.

58. It shall be the duty of the Senate and it shall have power :—

(*a.*) To provide for the regulation and conduct of its meetings and proceedings, including the determining of the quorum necessary for the transaction of business:

(*b.*) To provide for the government, management and carrying out of the curriculum, instruction and education afforded by the University:

(*c.*) To provide for the granting of and to grant degrees, including honorary degrees and certificates of proficiency, except in theology:

(*d.*) To provide for the establishment of exhibitions, scholarships and prizes:

(*e.*) To provide for the establishment of any faculty, department, chair or course of instruction in the University:

(*f.*) To consider all courses of study in any and all the faculties and departments of the University and to fix and determine the time tables for the lectures and other instruction in the University which affect more than one faculty:

(*g.*) To make regulations for the appointment of examiners by the Faculties, and for the conduct and results of the examinations in all faculties:

(*h.*) To make rules and regulations for the management and conduct of the library:

(*i.*) To provide for the preparation and publication of a calendar:

(*j.*) To provide for affiliation with any college established in Canada for the promotion of art or science or for instruction in law, medicine, engineering, agriculture, or any other useful branch of learning, and for the dissolution of such affiliation or the modification or alteration of the terms thereof:

(*k.*) To make such recommendations to the Board of Governors as may be deemed proper for promoting the interests of the University or for carrying out the objects and provisions of this Act:

(*l.*) To deal with all matters reported by the Faculties as affecting their respective Faculties and to consider and take action upon all such matters as shall be reported to it by the Board of Governors:

(*m.*) To appoint scrutineers for the counting of the votes for Chancellor and for the elective members of the Senate:

(*n.*) To make or alter any statute touching any matter whatsoever regarding the University and not inconsistent with the provisions of this Act or with any law in force in the Province.

Approval of statutes of Senate.

59. A certified copy of every statute or other enactment of the Senate, providing for any of the matters or things mentioned in clauses (*d*) and (*e*) of the next preceding section, shall, within ten days of the passing thereof, be transmitted to the Board of Governors, and no such statute or enactment shall have force or effect until it has been approved by said Board.

Verification of statutes.

60. All statutes of the Senate shall have the corporate seal of the University affixed thereto, and they shall be binding in accordance with the true intent and meaning thereof.

Election of Chancellor and Members of the Senate.

First election of Chancellor and Senate.

61. The date of the first election under this Act of the Chancellor and of the elective members of the Senate shall be fixed by the Lieutenant-

Governor in Council, of which not less than three months' notice shall be given in the British Columbia Gazette, and at least five weeks prior to such date the Provincial Secretary shall send a list of all members of the first Convocation to each member thereof.

Voting papers.

62. The votes at any election by Convocation shall be given for the Chancellor and the members of the Senate respectively by voting papers in the form of the schedule to this Act or to the like effect, being delivered to the Provincial Secretary at the first election, and to the Registrar of the University at any subsequent election, at such time and place as may be prescribed by the Lieutenant-Governor in Council or by statute of the Senate respectively.

Voting papers may be delivered by mail.

63. Any voting papers delivered, or if sent by mail, received, before ten o'clock in the forenoon of the day fixed for election, shall be deemed to be delivered for the purpose of such election.

Election Register.

64. For any election after the first election, the Registrar of the University shall in every year in which an election is to take place prepare an alphabetical list, to be called the Election Register, of the names and known addresses of all graduates who are entitled to vote at such election, and such register shall be open to inspection at all reasonable hours by all members entitled to vote.

Copy of Election Register to be sent to each member of Convocation.

65. At least five weeks prior to the date fixed for the election of the Chancellor or members of the Senate, the Registrar shall send a copy of the Election Register to each member of Convocation whose address is known.

Only persons entered in Election Register entitled to vote.

66. Any person whose name does not appear in the Election Register shall not be entitled to vote at such election.

Correction of errors in Register.

67. If any person whose name appears, or ought to appear, in any Election Register complains in writing to the Registrar of the University, not later than twenty clear days before the date of any election, that his name or that of any person which ought to appear therein has been omitted from such register, or of any error in such name as it appears therein, or that the name of any person whose name ought not to be entered in the register appears therein, the Registrar, after such notice as he may deem necessary to all parties concerned, shall forthwith examine into the complaint and render such decision as to him seems proper.

Appeal against decision of Registrar.

68. The decision of the Registrar shall be subject to appeal to the President of the University.

Nomination.

69. No person shall be elected as Chancellor or as a member of the Senate unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void.

70. (1.) For the election of Chancellor and members of the Senate the nomination shall be in writing by a nomination paper, which shall be signed in the case of Chancellor by at least seven persons entitled to vote, and in the case of a member of the Senate by at least three persons entitled to vote. Nomination to be in writing.

(2.) The Registrar shall forthwith send a written notice of his nomination to each person duly nominated.

71. The nomination papers shall be delivered at the office of the Registrar, or, if sent by mail, shall be received by him not later than three weeks prior to the date of the election, and if not so delivered and received, shall be invalid and not acted upon. Delivery of nomination papers.

72. Any person who is nominated for the office of Chancellor or as a member of the Senate may refuse to become a candidate for the office for which he shall have been nominated, and he shall be deemed not to have been nominated, and his name shall not be included in the list of candidates, if he shall notify the Registrar in writing of his refusal within four days after the day upon which the time for nominations shall have expired. Refusal of nomination.

73. In the event of only one candidate being nominated for Chancellor, or only so many candidates being nominated for the Senate as are required to be elected, such candidate or candidates shall be deemed to have been elected, and in such cases no voting papers shall be required to be sent out. Case of only one candidate being nominated.

74. The Registrar shall report to the Senate at its next meeting the results of any such election. Reporting results of election.

75. In case a poll is necessary it shall be the duty of the Registrar to send to each member of the Convocation, whose residence is known, an alphabetical list of the candidates duly nominated, accompanied by one copy of the form of voting paper in the schedule of this Act, applicable to the election or elections then next to be held, and such list and form shall be sent two weeks prior to the date fixed for the election. Voting papers.

76. For the first election two persons, to be appointed by the Provincial Secretary for that purpose, shall be scrutineers. For any election after the first election, it shall be the duty of the Senate to make such appointments. Scrutineers.

77. At ten o'clock of the forenoon of the day fixed for the election, the voting papers shall be opened by the Registrar of the University in the presence of the scrutineers. The Registrar shall examine and count the votes and keep a record thereof in a proper book to be provided by the Senate. Counting votes.

Persons who may be present when votes counted.

78. Any person entitled to vote at the election may be present at the opening of the voting papers, and the counting and recording of the votes.

Placing more than one name on voting paper for Chancellor.

79. In the event of any elector placing more than one name on his voting paper for Chancellor, the vote shall be invalid, and if more names than the number to be elected appear on the voting paper for members of the Senate the votes shall be counted as votes for the persons whose names appear thereon in consecutive order, beginning with the first until the required number is reached, and all other votes thereon shall be invalid and not be counted.

Declaration of results.

80. Upon completion of the scrutiny and counting of the votes, the scrutineers shall declare the result of the election, setting forth the number of votes cast for every person who has been nominated, and shall without delay report the same in writing under their hands to the Senate.

Casting vote.

81. In case of an equality of votes between two or more persons, leaving the election of the Chancellor or of one or more members of the Senate undecided, the election shall be determined by the Senate giving the casting vote or votes necessary to decide it at its next meeting.

Faculties.

Faculties.

82. There shall be such faculties of the University as may be constituted by the Board of Governors and the Senate, and the Dean shall be Chairman of the Faculty of which he is Dean.

Powers of Faculties.

83. The powers and duties of the Faculties provided for by the preceding section shall be:—

(*a.*) To make rules and regulations governing their proceedings, including the determining of the quorum necessary for the transaction of business:

(*b.*) Subject to the provisions of this Act, and to the approval of the Senate, to make rules and regulations for the government, direction and management of their respective Faculties and the affairs and business thereof:

(*c.*) To fix and determine the courses of study in their respective Faculties, subject to the approval of the Senate:

(*d.*) To authorise, subject to approval of Senate, such lecturing and teaching in their respective faculties by others than the duly appointed members of the teaching staff thereof, and to prevent all lecturing and teaching not so authorised:

(*e.*) Subject to the approval of and confirmation by the Senate, to appoint examiners for and to conduct the examination of the courses in their respective Faculties, and to determine the results of such examinations:

(*f.*) To deal with and, subject to an appeal to the Senate, to decide upon all applications and memorials by students and others in connection with their respective faculties:

(*g.*) Faculties shall have disciplinary jurisdiction over, and entire responsibility for, the conduct of all students in their respective Faculties in respect to all matters arising or occurring in or upon such buildings and grounds as shall be assigned for their separate use:

(*h.*) If there be any question as to the proper body to exercise jurisdiction in any matter of discipline which may arise, the same shall be determined by the Senate, whose decision shall be final:

(*i.*) To consider and report to the Senate upon such matters affecting their respective Faculties as to them may seem meet:

(*j.*) Generally to deal with all such matters as may be assigned to them by the Board or by the Senate, provided that in the latter case such matters fall within the powers conferred upon the Senate by this Act.

Coming into force of rules made by Faculties.

84. A copy of every general rule or regulation made by the Faculties shall be transmitted to the Senate, and no such general rule or regulation shall have any force or effect until it has been approved by said Senate.

Advisory functions of Faculties.

85. The Faculties may advise the President in all matters affecting the academic interests of the University, but the powers of the President shall not be subject to their control.

The President.

President of the University.

86. There shall be a President of the University who shall be the Chief Executive Officer thereof, and shall have general supervision of and direction over the academic work of the University and the teaching staff thereof and the officers and servants employed in or in connection with such work, including the Registrar of the University, and shall have such other powers and perform such other duties as from time to time may be conferred upon or assigned to him by the Board.

Offices to be held by the President.

87. The President shall be ex-officio a member of all Faculties, Dean of the Faculty of Arts, Chairman of the Senate, and in the absence of the Chancellor he shall be Chairman of Convocation and confer degrees.

Powers of the President.

88. It shall be the duty of the President and he shall have power:—

(*a.*) To suspend any member of the teaching staff of the University and any officer or servant thereof. When he shall exercise such power he shall forthwith report his action to the Board of Governors with a statement of his reasons therefor:

(*b.*) To make recommendations to the Board of Governors respecting all appointments to and promotions in and removals from the teaching staff of the University, or any of the officers and servants thereof:

(*c.*) To summon meetings of any Faculty whenever he may deem it necessary to do so, and at his discretion convene joint meetings of all the Faculties or any two or more of them.

Enumerated powers not to limit general powers of President.

89. The enumeration of the express powers mentioned in sub-sections (*a*) to (*c*), inclusive, shall not be taken to limit the general powers conferred by section 86.

Reports by President.

90. The President shall report annually to the Board and the Senate upon the progress and efficiency of the academic work of the University, and as to progress and requirements, and make such recommendation thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate.

The Registrar.

Registrar of University.

91. There shall be a Registrar of the University, to be appointed by the Board of Governors, and it shall be his duty to keep all necessary records and accounts, and to perform such other duties as may be required of him by the Senate, or Board of Governors.

Term of office.

92. The Registrar shall hold office during the pleasure of the Board of Governors, and in the event of disability or absence from the Province of the Registrar, the said Board may appoint some other person to act as Registrar during such disability or absence.

Acting Registrar.

93. The acting Registrar shall, during such disability or absence, perform the duties and have all the powers of the Registrar.

Affiliation of Normal Schools.

Affiliation of Normal School with University.

94. Any Normal School organised by the Department of Education for the instruction and training of teachers in the science of education and the art of teaching may be affiliated with the University, upon such terms and conditions, not repugnant to any law or system of education in force in the Province, as the Senate may think fit, provided that the terms and conditions of the affiliation of any such Normal School shall be subject to the approval of the Lieutenant-Governor in Council.

The University to be Non-sectarian.

The University to be Non-sectarian.

95. The University shall be strictly non-sectarian in principle, and no religious creed or dogma shall be taught:

(*a.*) No religious test shall be required of any professor, teacher, lecturer, or student or servant of the University, nor shall

religious observances, according to the forms of any particular religious denomination or otherwise, be imposed on them or any of them, but the Senate may make regulations touching the moral conduct of the students:

(*b.*) Nothing herein contained shall interfere with the right of any affiliated College to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same to be observed as a part of its own discipline.

Affiliated Theological Colleges.

Degrees conferred by affiliated Theological Colleges.

96. Every incorporated theological college hereafter affiliated with the University may, notwithstanding such affiliation, have power to confer the degree of Bachelor of Divinity, provided that such candidate for such degree must be a graduate of some one faculty of the University of British Columbia or of some other University recognised for that purpose by the University of British Columbia.

Education of Women.

Education of women.

97. The Senate shall make all provision for the education of women in the University, in such manner as it shall deem most fitting; provided, however, that no woman by reason of her sex shall be deprived of any advantage or privilege accorded to male students of the University.

Attendance and Enrolment of Students.

Attendance and enrolment of students.

98. All students proceeding to any degree (except in cases for which special provision shall be made) shall be enrolled in the University.

Senate may admit candidates who have not been students of the University.

99. Persons who have not received their instruction in the University, or in any affiliated College or Institution, may be admitted as candidates for examination for standing or for any degrees, honours, scholarships or certificates of proficiency authorised to be granted or conferred by the University, on such conditions as the Senate may from time to time determine.

Requirements for examinations.

100. No student enrolled in any affiliated College or Institution shall be permitted to present himself for any University examination subsequent to that of matriculation, without producing a certificate that he has complied with the requirements of such affiliated College or Institution affecting his admission to such examination.

Senate may grant certain standing to persons holding certain certificates.

101. The Senate, under such conditions as it may from time to time determine, may, upon application in that behalf, allow to persons holding certificates of having passed other examinations, such standing thereon as it may think fit.

Instruction in Arts.

Instruction in arts.

102. Instruction in arts in the University (except post-graduate instruction) shall be free to all regular students matriculated in the University, and who enter their names with the Registrar of the University, also to students enrolled in an affiliated Normal School; but this provision shall not include exemption from laboratory fees.

Endowments.

Endowments.

103. Any person or Corporation may, with the approval of the Senate, found one or more professorships, lectureships, fellowships, scholarships, exhibitions, prizes or other rewards in the University, by providing a sufficient endowment in land or other property and conveying the same to the University for such purposes, and every such endowment of lands or other property shall be vested in the University for the purpose or purposes for which it is given.

Repealing clause.

104. Chapter 188 of the Revised Statutes of 1897, being "An Act respecting the University of British Columbia," is hereby repealed.

SCHEDULE 1.

(*Sections 75, 77.*)

VOTING PAPER.

(*Name of Place and Date.*)

To the Registrar of the
University of British Columbia :

SIR,—I hereby notify you that I vote for the following person as Chancellor for the University of British Columbia, namely:
and for the following persons as members of the Senate of such University, namely:

Name of Voter.

.....

(*Statement for information of voter which may be detached.*)

The offices to be filled are:
Names of persons whose offices are expiring:
Names of persons nominated:
Date of election:

Directions.

Votes shall be given by voting papers inclosed in envelopes marked on the outside "ballot papers," which shall be delivered, or if sent by mail shall be received before ten o'clock of the forenoon of the day fixed for the election, and every voting paper which is not so delivered or received as aforesaid shall be invalid.

.....
Registrar.

.....
Address.

VICTORIA, B. C.:
Printed by RICHARD WOLFENDEN, I.S.O., V.D., Printer to the King's Most Excellent Majesty.
1908.