

The
VICTORIA UNIVERSITY ACT
1951

As amended by the
VICTORIA UNIVERSITY ACT, 1981

Printed and Published by
The Board of Regents
Victoria University
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Interpretation

1. In this Act,

- (a) "Board" means The Board of Regents of Victoria University;
- (b) "graduates" means graduates of the University of Toronto who were enrolled in Victoria College at the time of their graduation; *amended*
- (c) "student" means any person registered in Victoria College or Emmanuel College for full-time or part-time study in a program that leads to a degree, licentiate or diploma conferred by the University of Toronto or Victoria University;
- (d) "alumni of Emmanuel College" means:
 - (i) All those who have received a degree in Divinity from Victoria University, or who have received a degree in Divinity from Knox College previous to May 1, 1927, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.
 - (ii) All those who have completed a regular course in Theology prescribed for ordination to the ministry in Emmanuel College, or in the Faculty of Theology, of Victoria University, or in Union Theological College.
 - (iii) All those who previous to May 1, 1927, completed in Knox College a regular course prescribed for ordination to the ministry, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.
 - (iv) All ministers of The United Church of Canada who have completed one full year in Theology in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College, or prior to May 1, 1927, in Knox College.

- (e) "teaching staff" means all members of the staff of Victoria and Emmanuel Colleges who hold full-time employment contracts and the academic rank of professor, associate professor, assistant professor or lecturer, senior tutor or tutor, in Victoria University, and those members of the teaching staff of the University of Toronto who have been granted joint appointments as Fellows of Victoria College according to the regulations which may be made from time to time by the Board; *amended*
- (f) "VUSAC" means the Victoria University Students' Administrative Council, being such student government organization as may be recognized by the Board by regulation from time to time.
2. The Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth incorporating the Upper Canada Academy is hereby declared always to have been in full force and effect from the date thereof, notwithstanding anything to the contrary in any legislative enactment or otherwise and it shall remain in full force and effect. *Royal Charter*
3. Victoria University as established by the said Royal Charter and by Acts of the Legislature of the late Province of Canada and of the Province of Ontario is hereby declared always since the date of the Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth to have had continuous existence, notwithstanding anything to the contrary in any legislative enactment or otherwise and it is hereby continued and shall continue as a body corporate to be called and known as Victoria University. *Victoria University continued*
4. (1) The said Victoria University shall be under the management and administration of "The Board of Regents of Victoria University" which is hereby continued as a body corporate under that name. *The Board of Regents*
- (2) The Board shall consist of forty-nine members to be elected or appointed as follows: *s.4 (2,3), re-enacted*
1. Fifteen members elected by vote of the General Council of The United Church of Canada for terms of four years. *Constitution of the Board*
 2. Four *ex officio* members, being the Chancellor of Victoria University, the President of Victoria University, the Principal of Victoria College and the Principal of Emmanuel College.
 3. Eight members, who are graduates, elected by vote of the graduates in Arts and Science of Victoria University for terms of four years.
 4. Five members, who are alumni of Emmanuel College, elected by vote of the alumni of Emmanuel College for terms of four years.
 5. Eight members of the teaching staff holding tenure in Victoria University elected by vote of the teaching staff of Victoria University for terms of four years.
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6. The President of VUSAC, *ex officio*, and five other students elected for one-year or two-year terms by vote of the students of Victoria University, the numbers of those to be elected for one-year or two-year terms respectively to be determined by regulations of the Board from time to time.
7. Three members, who shall not be teaching staff or students, elected by vote of the members elected or appointed under paragraphs 1 to 6 according to the regulations which may be made from time to time by the Board.
- (3) The members of the Board shall hold office until their successors are elected or appointed. *Idem*
- (4) Where a vacancy occurs in the Board, *Vacancies*
- (a) from among the members elected by the General Council of The United Church of Canada, the vacancy shall be filled by the executive of the said General Council; and
- (b) from among the other members of the Board, the vacancy shall be filled by the Board from among the persons qualified under the appropriate paragraph of subsection (2),
- and a person so appointed shall serve for the unexpired term of the person whose membership is vacant.
- (5) No person shall serve as a member of the Board unless he is a Canadian citizen. *Canadian citizenship*
- (6) Any member appointed or elected under subsection (2) is eligible for reappointment or re-election so long as he does not serve continuously for more than eight years, but on the expiration of one year after having served continuously for eight years he again becomes eligible for appointment or election. *Re-appointment and re-electio.*
- (7) For the purposes of subsection (6), the limit of eight continuous years of service on the Board does not include service on the Board prior to the day this subsection comes into force or service on the Board as an *ex officio* member under paragraph 2 of subsection (2). *Calculation of continuous service*
- (8) Notwithstanding paragraphs 1, 3, 4, 5 and 7 of subsection (2), for the purpose of the election of members of the Board, the Board may provide, by by-law, for the election and retirement of any class of members of the Board in rotation. *Election and retirement in rotation*
5. (1) The Board shall have in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act* power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of the University without licence in mortmain and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof. *Power to hold Land. Rev.Stat. c.184*

- (2) The real and personal property vested in the Board and any lands and premises leased to or occupied by the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Board and every occupant other than the Board of real property vested in the Board shall be liable to taxation. *Exemption from taxation*
- (3) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of Victoria University who, or being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which, is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office for the Registry Division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation. *Idem*
6. All real and personal property now vested in Victoria University or in The Board of Regents of Victoria University shall be and it is hereby vested in the Board. *Vesting of property*
7. The Board shall, *Duties of Board*
- (a) make such regulations as may be necessary or advisable for the holding of nominations and elections for membership on the Board;
- (b) keep proper books of account of the financial affairs of Victoria University;
- (c) present an annual report of the life and work of the University and its Colleges, accompanied by a duly audited financial statement, to The United Church of Canada.
8. (1) The Board shall have power: *Powers of Board*
- (a) To elect its own Chairman, Vice-Chairman, Treasurer and Secretary; to prescribe their respective duties, powers and authority, and to determine the tenure of each such office. Should a vacancy in any office occur at any time, the Board shall, at its next meeting, elect a new occupant of such office. The Secretary may or may not be a member of the Board.

- (b) To make by-laws, rules and regulations,
- (i) pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board and for the appointment of such committees as it may deem necessary, and for conferring on any such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board, and
 - (ii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of Victoria University which are not contrary to this Act or are not by this Act assigned to any other body.
- (c) To appoint a Chancellor, a President (who shall also be Vice-Chancellor), and a Registrar of Victoria University, a Principal of Victoria College, a Principal of Emmanuel College, a Bursar, a Librarian, professors, lecturers, instructors, tutors, and all officers, agents and servants of the University and its Colleges and to remove the same and to determine their salaries, duties and tenure of office which, unless otherwise provided, shall be at the pleasure of the Board, provided, however, that the members of the teaching staff of Emmanuel College shall be appointed or removed only by a majority vote of the members of the Board and also by a majority vote of those members of the Board elected by the General Council of The United Church of Canada present at a meeting duly called for the purpose. The appointment of the Principal and teaching staff of Emmanuel College shall be subject to confirmation by the General Council of The United Church of Canada or by a duly authorized board or committee of the General Council. *s, 8 (c)
amended*
- (d) In case of a vacancy in the office of President or of the absence, illness or other incapacity of the President, to appoint an Acting President. *s, 8 (d),
re-enacted*
- (e) To make regulations respecting and providing for the retirement and superannuation of any of the persons mentioned in clause (c) or the payment of a gratuity to any of them upon retirement and to provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or from contributions from such persons or partly by both or in whole or in part from the general funds of Victoria University.
- (f) Subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Board and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet.
- ...

- (g) To lay out and expend such sums as the Board may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of Victoria University or the students thereof; provided, however, that the Senate and the Council of the College concerned shall be invited to inspect all plans of buildings and may make suggestions with regard thereto, and that before any such suggestions are rejected there be consultation between the Senate and the Board.
 - (h) To exercise all the powers for establishing faculties, departments, chairs and courses of instruction in Victoria University and its Colleges as have been conferred on Victoria University or the Board or Senate thereof by the said Royal Charter or by any Act of the Legislature of the late Province of Canada or of the Province of Ontario.
 - (i) To receive and administer all gifts, legacies, devises, grants, subscriptions or donations for Victoria University and its Colleges subject to the powers of the Senate under clause (e) of section 10.
 - (j) To impose tuition and other fees on the students of Victoria University.
- (2) The meetings of the Board shall be open and prior notice of the meetings shall be given in such manner as the Board, by by-law, shall determine, but when
- (a) confidential, financial or legal matters are being discussed, the Board may meet *in camera*; and
 - (b) the personal affairs of any individual are being discussed, the Board shall meet *in camera* unless both the Board and the individual agree otherwise.
- (3) The Board shall publish its by-laws from time to time in such manner as it may consider proper.
9. (1) There shall be a Senate of Victoria University which shall consist of the following:
- 1. The Chancellor.
 - 2. The Vice-Chancellor.
 - 3. Six members of the Board appointed by the Board from among those members who are not teaching staff or students.
 - 4. All members of the teaching staff of Victoria College and Emmanuel College.
 - 5. All retired members of the teaching staff of Victoria College and Emmanuel College who hold the rank of emeritus professor.

s.8
amended
Meetings

Publication
of by-laws

s, 9 (1),
re-enacted
Senate

...

6. Ten members who are graduates elected for terms of four years by vote of the graduates in Arts and Science of Victoria University.
 7. Six members who are alumni of Emmanuel College elected for terms of four years by vote of the alumni of Emmanuel College.
 8. The President of VUSAC, *ex-officio*, and other students of Victoria University to the total number of 15 per cent of the non-student members of the Senate at any one time, elected for one-year or two-year terms by vote of the students of Victoria University, the numbers of those to be elected for one-year and two-year terms respectively to be determined by regulations of the Board from time to time.
 9. One representative appointed by Albert College.
- (2) The said members of the Senate shall hold office until their successors are elected.
10. The Senate shall have power,
 - (a) To provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business.
 - (b) Subject to *The University of Toronto Act, 1971*, to provide for the granting of and to grant degrees, including honorary degrees in the several colleges and faculties which are or may from time to time be established and to determine the courses of study and qualifications for degrees.
 - (c) To make such regulations as may be deemed necessary and proper for the nomination and election of members to the Senate.
 - (d) To make regulations and deal with all such matters of a strictly educational nature as have not in this Act been assigned to either of the Colleges.
 - (e) To provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards.
 - (f) To summon and provide for the holding of Convocation, for the conferring of degrees and for such other purposes as may be determined by the Senate.
 - (g) To deal with such other matters and affairs as may from time to time be committed to it by the Board.
 11. (1) The Chancellor shall preside at the meetings of the Senate and of Convocation of Victoria University and shall confer degrees.

*Powers of
Senate*

1971, c.56 s.1.

*Duties of
officers*

- (2) The Vice-Chancellor shall, in the absence of the Chancellor, preside at the meetings of the Senate and of Convocation of Victoria University and confer degrees. *Idem.*
- (3) The President shall be charged with the general oversight of the University as a whole and shall be the Chief Administrative Officer of the Board. *s, 11 (3,4), re-enacted Idem.*
- (4) The Principal of each College shall have general supervision of the life and work of his College and shall be Chairman and Chief Administrative Officer of the Council of his College. *Idem*
- (5) The Registrar shall be the Secretary of the Senate and shall keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in each College. He shall register the students in each of the Colleges under the authority of the Councils. He shall also conduct the elections of the representatives of the graduates and alumni on the Board and on the Senate of Victoria University. The Registrar shall also perform such other duties as may be assigned to him by the Senate or the Board. *Idem*
- (6) Each of the above officers shall also perform such other duties and functions as may be assigned to him by the Board and shall in all matters pertaining to his office act under the direction and control of the Board. *Idem*
12. The Faculty of Arts formerly established in Victoria University and known as Victoria College in the University of Toronto is hereby continued and shall also be known as Victoria College of Victoria University. *Victoria College*
13. (1) There shall be a Council of Victoria College which shall consist of the following: *s, 13 (1), re-enacted*
1. The President of Victoria University. *Council of Victoria College*
 2. The Principal of Victoria College.
 3. The Registrar of Victoria University.
 4. The Librarian of Victoria University.
 5. The Dean of Men and the Dean of Women.
 6. All members of the teaching staff of Victoria College.
 7. Students of Victoria College to the number of 20 per cent of the non-student members of the Council, elected annually by vote of the students of Victoria College.
- (2) The Council of Victoria College shall have the following powers and duties: *Powers and duties of Council*
- (a) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business.

- (b) Subject to the provisions of this Act and of *The University of Toronto Act, 1971*, and to the approval of the Board, to prescribe and regulate the courses of study, to exercise direction, guidance and oversight of the work and life of the College; and to make such rules and regulations as may from time to time be required for the good of the College. *s, 13 (2) (b), amended*
- (c) To transact such business as may arise that concerns the Council as a whole.
- (d) To determine what students, possessing the academic qualifications prescribed from time to time by The Governing Council of the University of Toronto, shall be enrolled in Victoria College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source and upon which the action of the College is required. *s, 13 (2) (d), amended*
- (e) To conduct all examinations held by Victoria College.
- (f) To consider and report to the Board and to the Senate or to either of them upon such matters affecting Victoria College as to the Council may seem meet.
14. The Faculty of Theology, formerly established in Victoria University and which was united with Union Theological College to form Emmanuel College, is hereby continued and shall be known as Emmanuel College of Victoria University. *Emmanuel College.*
15. (1) There shall be a Council of Emmanuel College which shall consist of the following: *2, 15 (1), re-enacted*
1. The President of Victoria University. *Council of Emmanuel*
 2. The Principal of Emmanuel College. *College*
 3. The Registrar of Victoria University.
 4. The Librarian of Victoria University.
 5. The Librarian of Emmanuel College.
 6. All members of the teaching staff of Emmanuel College.
 7. The six members elected by the alumni of Emmanuel College as members of the Senate of Victoria University.
 8. The five members elected by the alumni of Emmanuel College to be members of the Board.
 9. Six students of Emmanuel College elected annually by a vote of the students of Emmanuel College.
 10. Such other classes of members as the Council may recommend, and the Board approves, the number of such persons, not exceeding five, to be elected in accordance with the regulations that may be made from time to time by the Board.

(2) The Council of Emmanuel College shall have the following powers and duties:

Powers and duties of Council

- (a) To determine the theological curriculum in harmony with the general principles laid down by the General Council of The United Church of Canada.
- (b) To prepare courses of study for degrees in Divinity and submit the same to the Senate of Victoria University for its approval.
- (c) To determine what students shall be enrolled in Emmanuel College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source.
- (d) To arrange for the teaching and examining of the students and to grant diplomas, certify to presbytery the students who have completed their course of study for ordination, and report to the Senate of Victoria University the standing of students in courses leading to degrees in Divinity.
- (e) Subject to this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the College and to make such rules and regulations as may from time to time be required for the good of the College.
- (f) To make rules and regulations for governing its own proceedings, including the determining of the quorum for the transaction of business.
- (g) To determine, subject to the final ratification of the Senate of Victoria University and of the Board, what schools or colleges, if any, of The United Church of Canada, whose purpose is to train students for Christian service, may become affiliated with the College and the terms of such affiliation.
- (h) To consider and report to the Board and to the Senate, or to either of them, upon any matters affecting the College as to the Council may seem meet.

s, 15 (2) (f), re-enacted

16. (1) There shall be a committee to be called the Caput which shall be composed of the President, the Principal of Victoria College and the Principal of Emmanuel College.

Caput

(2) Subject to subsection (5), the Caput has disciplinary jurisdiction over the conduct of the students of Victoria University and its Colleges in all matters arising or occurring in or upon the grounds and buildings of Victoria University, including residences.

*s.16 (2), re-enacted
Disciplinary jurisdiction of Caput*

- (3) The disciplinary jurisdiction of the Caput includes the power to impose fines and to suspend or expel students from membership in Victoria University and to exclude students from any or all of the privileges of membership in Victoria University either temporarily or permanently. *Idem*
- (4) For the purposes of subsection 9 (1) of *The University of Toronto Act, 1971*, the Caput shall be deemed to be a council to which the Caput of the University of Toronto may delegate its authority. *Delegation of power to Caput 1971, c.56*
- (5) The Board has and shall be deemed always to have had authority, *Powers of Board*
- (a) to make disciplinary regulations with respect to the academic conduct of the students of Victoria University and its Colleges;
- (b) to delegate its authority in such matters to such tribunals as it may establish from time to time; and
- (c) to enter into agreements with the University of Toronto respecting the exercise of disciplinary jurisdiction related to the academic conduct of the students of Victoria University and its Colleges.
17. The affiliation of Albert College with Victoria University is hereby continued. *Affiliation of Albert College*
18. The members of The Board of Regents of Victoria University, the Senate of Victoria University, the Council of Victoria College and the Council of Emmanuel College, as constituted immediately prior to the coming into force of this Act, are hereby continued in office and shall constitute the Board, Senate and Councils, respectively, until the members thereof are elected or appointed in accordance with this Act. *Transition*
19. The Victoria University Act, 1928 and the Victoria University Act 1944, are repealed.

NOTE: The Victoria University Act, 1951, came into force on the fourteenth day of March, 1951.

The Victoria University Act, 1981, came into force on the eleventh day of December 1981.

Office Consolidation

This edition is prepared for purposes of convenience only, and for accurate reference recourse should be had to the statutes.