

The University of Saskatchewan Act, 1995

being

Chapter U-6.1 of the *Statutes of Saskatchewan, 1995* (effective August 1, 1995) as amended by the *Statutes of Saskatchewan, 1997, c.T-22.2; 2002, c.C-11.1; 2004, c.T-18.1; 2005, c.M-36.1 and 44; and 2009, c.31.*

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Chapter U-6.1

An Act respecting the University of Saskatchewan

PART I

Short title and Interpretation

Short title

1 This Act may be cited as *The University of Saskatchewan Act, 1995*.

Interpretation

2 In this Act:

- (a) **“assembly”** means the General Academic Assembly of the University of Saskatchewan established pursuant to section 63;
- (b) **“board”** means the Board of Governors of the University of Saskatchewan continued pursuant to section 41;
- (c) **“bylaws”** means the bylaws of the university and includes the bylaws of the convocation, the bylaws of the senate, the bylaws of the board and the bylaws of the council;
- (d) **“chancellor”** means the chancellor of the university mentioned in section 15;
- (e) **“convocation”** means the convocation of the University of Saskatchewan continued pursuant to section 9;
- (f) **“convocation list”** means the convocation list required pursuant to section 29;
- (g) **“council”** means the University of Saskatchewan Council continued pursuant to section 52;
- (h) **“faculty member”** means a person who is employed on a full-time basis by the university or an affiliated or federated college and who serves as a professor, associate professor, assistant professor, lecturer, full-time special lecturer, full-time instructor, librarian or extension specialist;
- (i) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (j) **“president”** means the president of the university appointed pursuant to clause 49(1)(j);
- (k) **“secretary”** means the secretary of the university appointed pursuant to clause 49(1)(j);
- (l) **“senate”** means the University of Saskatchewan Senate continued pursuant to section 21;
- (m) **“university”** means the University of Saskatchewan continued pursuant to section 3.

PART II
University

University continued

3 The University of Saskatchewan is continued as an autonomous corporation.

1995, c.U-6.1, s.3.

Primary role of university

4(1) The primary role of the university is to provide post-secondary instruction and research in the humanities, sciences, social sciences and other areas of human intellectual, cultural, social and physical development.

(2) The board, senate and council are responsible for determining the manner in which the university shall fulfil its primary role having regard to:

- (a) this Act; and
- (b) the recognized principles of academic freedom.

1995, c.U-6.1, s.4.

General powers related to university's primary role

5 Subject to the other provisions of this Act, for the purpose of fulfilling its primary role, the university may:

- (a) provide instruction and teaching in its colleges and schools;
- (b) examine candidates for degrees, diplomas and certificates from its colleges and schools;
- (c) grant degrees, diplomas and certificates after examination;
- (d) grant honorary degrees;
- (e) conduct research;
- (f) affiliate or federate with other educational institutions; and
- (g) do all of those things that the university considers necessary, incidental or conducive to meeting its primary role.

1995, c.U-6.1, s.5.

Exclusive powers of university

6(1) Subject to the other provisions of this Act, the university has the exclusive power to:

- (a) formulate and implement its academic and research programs, policies and standards;
- (b) formulate and implement its standards for admission and graduation; and
- (c) select, appoint, suspend and remove its officers and employees.

(2) No other educational institution shall use the name "University of Saskatchewan".

- (3) No other educational institution, except The University of Regina, shall grant degrees other than theological degrees.
- (4) Unless authorized by the board, no person shall advertise, represent or hold out in any manner that the university or an officer or employee of the university has approved any commercial article, thing, process, activity, enterprise or undertaking.
- (5) Unless specifically authorized by the Lieutenant Governor in Council or by another Act, no school, college, seminary or other educational institution, other than a school governed by *The Education Act*, shall use "Saskatchewan" as part of its name.

1995, c.U-6.1, s.6.

General powers

7(1) Subject to the other provisions of this Act, the university may:

- (a) acquire by gift, purchase or any other means any real and personal property that the university may require for any of its purposes;
- (b) secure any debts owed to the university and collect and enforce the recovery of debts owed to the university;
- (c) subject to clause (d), sell, mortgage or otherwise dispose of all or part of its real or personal property;
- (d) lease any of its real property for a period not exceeding 21 years or, with the approval of the minister, for any longer period not exceeding 99 years;
- (e) execute any conveyances or transfers that it considers necessary respecting a sale, mortgage, lease or disposition of its property;
- (f) acquire by gift, purchase or any other means, and hold in trust for the Crown:
 - (i) lands having historical interest; and
 - (ii) buildings, monuments or other structures having historical interest and the land on which those buildings, monuments or other structures are situated; and
- (g) do any other thing that the university considers necessary, incidental or conducive to exercising its powers or to meeting its purposes.

(2) Nothing in subsection (1) shall be construed as authorizing the university to sell, mortgage or otherwise dispose of, or to hold in trust, property given, devised or bequeathed to it contrary to the terms of any gift, devise, bequest or trust with respect to the property.

(3) Notwithstanding subsection (2), the board may alter the terms and conditions of gifts, devises and bequests to the university when circumstances within the university program make it impossible or inconvenient to carry out the gift, devise or bequest according to its express terms.

(4) For the purposes of subsection (3), the board may make bylaws specifying new terms and conditions that will as closely as possible carry out the intentions of the donor or testator.

1995, c.U-6.1, s.7.

PART III
Convocation

8 Repealed. 2009, c.31, s.4.

Convocation continued

9 The convocation of the University of Saskatchewan is continued.

1995, c.U-6.1, s.9.

Composition of convocation

10 The convocation is composed of:

- (a) the chancellor;
- (b) the senate;
- (c) all graduates of the university; and
- (d) any other persons or class of persons determined by the senate.

1995, c.U-6.1, s.10.

Powers of convocation

11 The convocation may:

- (a) confer degrees and certificates approved by the council;
- (b) confer honorary degrees approved by the senate; and
- (c) admit graduands to the convocation.

1995, c.U-6.1, s.11.

Meetings of convocation

12 The convocation is to meet to confer degrees and to admit graduands.

1995, c.U-6.1, s.12.

Quorum

13 The quorum to decide questions at meetings of the convocation is 50 members.

1995, c.U-6.1, s.13.

Deciding questions

14(1) All questions are to be decided by a majority of the members of the convocation present at the meeting.

(2) The chancellor or presiding officer is entitled to vote as a member of the convocation.

(3) In the case of an equality of votes, a question is deemed to be decided in the negative.

1995, c.U-6.1, s.14.

PART IV
Chancellor and Senate
 CHANCELLOR

Chancellor

15 The office of chancellor is continued.

1995, c.U-6.1, s.15.

Duties of chancellor

16 The chancellor shall:

- (a) preside at all meetings of the convocation and senate; and
- (b) confer degrees.

1995, c.U-6.1, s.16.

Appointment of chancellor

17(1) The senate shall appoint the chancellor in accordance with this section.

(2) A nomination committee composed of three members of the senate and two members of the board shall nominate a person as chancellor.

(3) The senate may request an alternative nomination from the nomination committee mentioned in subsection (2).

(4) Only persons who have been members of the convocation for at least 10 years before nomination are eligible to be appointed as chancellor.

(5) The chancellor holds office for a term of three years and until his or her successor is appointed.

(6) The chancellor may be appointed to serve office for a second term, but no person may serve more than two consecutive terms as chancellor.

2009, c.31, s.5.

Vice-chancellor

18(1) The president holds office as vice-chancellor.

(2) If the chancellor is absent or is incapable of acting for any reason or if the office of the chancellor is vacant, the vice-chancellor may exercise the powers and shall perform the duties of the chancellor.

1995, c.U-6.1, s.18.

Vacancy in office

19(1) The office of chancellor is vacant if the chancellor dies, resigns or is incapable of acting for any reason.

(2) A declaration by the senate of a vacancy in the office of chancellor that is entered in the senate's minutes is conclusive evidence of the vacancy.

1995, c.U-6.1, s.19.

Appointment of new chancellor on vacancy

20 If the office of chancellor is vacant, the senate shall appoint a new chancellor in accordance with section 17 for the term mentioned in that section.

2009, c.31, s.6.

SENATE

Senate continued

21 The University of Saskatchewan Senate is continued.

1995, c.U-6.1, s.21.

Meetings of senate

22 The senate shall meet at least twice a year, at times fixed by its bylaws.

1995, c.U-6.1, s.22.

Powers of senate

23 The senate may:

- (a) regulate the conduct of its meetings and proceedings;
- (b) determine the quorum necessary to transact business;
- (c) hear any reports that may be provided for by this Act and the bylaws of the senate;
- (d) consider and take action on all matters reported to it by the board, council or assembly;
- (e) appoint scrutineers for the counting of the votes for the election of the elected members of the senate;
- (f) make bylaws respecting the discipline of students for any reason other than academic dishonesty, including bylaws providing for the admonishing, dismissing, suspending or expelling of students or the imposition of fines on students;
- (g) appoint examiners for, and make bylaws respecting, the conduct of examinations for professional societies or other bodies if the university or any of its agencies is required or authorized by any Act to do so;
- (h) establish any committees of its members that it considers necessary;
- (i) provide for the granting of honorary degrees;
- (j) receive proposals respecting the establishment of any college, school, department or institute and recommend to the board and the council whether or not the proposed college, school, department or institute should be established;
- (k) receive proposals respecting the affiliation or federation of any educational institution with the university and recommend to the board and the council whether or not the proposed affiliation or federation should be made;
- (l) consider and recommend to the board and the council whether or not any college, school, department or institute should be disestablished or any affiliation or federation of the university with another educational institution should be dissolved because of lack of relevance to the province;

- (m) authorize the establishment of an advisory council for any college, school or department and prescribe or alter the composition, duties and powers of an advisory council, whether established before or after the coming into force of this Act;
- (n) discontinue an advisory council for any college, school or department;
- (o) recommend to the board or the council any matters or things that the senate considers necessary to promote the interests of the university or to carry out the purposes of this Act;
- (p) request the board or the council to report to it on any matter over which the senate has authority;
- (q) appoint members to committees composed of members of the senate and members of all or any of the board, council and assembly;
- (r) subject to sections 24 to 28, make bylaws governing the election of members of the senate;
- (r.1) subject to section 17, make bylaws governing the nomination and appointment of the chancellor;
- (s) make bylaws respecting any matter over which it has responsibility; and
- (t) do any other thing that the senate considers necessary, incidental or conducive to exercising its powers, to promoting the best interests of the university or to meeting the purposes of this Act.

1995, c.U-6.1, s.23; 2009, c.31, s.7.

Composition of senate

24(1) The senate is composed of:

- (a) the following persons who are members of the senate by reason of their office:
 - (i) the present and former chancellors;
 - (ii) the president and the vice-president or vice-presidents of the university;
 - (iii) the minister;
 - (iv) the deputy minister of the department over which the minister presides;
 - (v) the chairperson of the Educational Council continued pursuant to *The Education Act*;
 - (vi) the principals of federated or affiliated colleges of the university;
 - (vii) the deans or acting deans of colleges that are established by the university;
 - (viii) any other deans of academic and student affairs and directors who are nominated by the president and approved by the senate;

- (b) 14 members elected by the convocation to represent electoral districts established by the senate pursuant to section 25;
 - (c) 14 members elected by the convocation;
 - (d) six students who are registered in colleges other than the College of Graduate Studies and Research and who are elected by students registered in those colleges;
 - (e) one student who is registered in the College of Graduate Studies and Research and who is elected by students registered in that college; and
 - (f) one representative from each professional society or other organization designated pursuant to subsection (3).
- (2) For the purposes of clause (1)(b), no person is eligible to be elected a member of the senate to represent an electoral district unless that person resides in the electoral district.
- (3) For the purposes of clause (1)(f), the members of the senate mentioned in clauses (1)(b) and (c) may designate professional societies or other organizations that, in the opinion of those members:
- (a) contribute in a significant way to the social, economic and cultural welfare of Saskatchewan; and
 - (b) have a demonstrated interest in furthering the goals of higher education and research at the university.
- (4) At least once every five years, the members of the senate mentioned in clauses (1)(b) and (c) shall:
- (a) review the status of professional societies or other organizations having representatives in the senate to determine whether they should continue to send a representative to be a member of the senate; and
 - (b) consider applications by professional societies or other organizations wishing to have representatives in the senate to determine whether they should be allowed to send a representative to be a member of the senate.
- (5) If the members of the senate mentioned in clauses (1)(b) and (c) determine that a professional society or other organization should no longer send a representative to be a member of the senate, any representative of that professional society or organization continues to be a member of the senate until that representative's term has expired.
- (6) A professional society or other organization that, on the day this section comes into force, sends a representative to be a member of the senate may continue to send a representative to be a member of the senate until the members of the senate mentioned in clauses (1)(b) and (c) determine otherwise pursuant to subsection (4).

Election of district representatives

25 For the purposes of electing members of the senate mentioned in clause 24(1)(b), the senate:

- (a) shall establish 14 electoral districts; and
- (b) may make bylaws:
 - (i) establishing the boundaries of the electoral districts;
 - (ii) amending the boundaries of the electoral districts; and
 - (iii) subject to this Act, respecting the procedures for electing members to represent electoral districts.

1995, c.U-6.1, s.25.

Term of office of senate members

26(1) The members of the senate, other than those mentioned in clause 24(1)(a), (d) or (e):

- (a) hold office for a term of three years; and
 - (b) may be elected or appointed for a second term, but may not serve more than two consecutive terms.
- (2) A member of the senate mentioned in subsection (1) who has held office for two consecutive terms is not eligible for election or appointment to the senate for one year from the date of termination of that member's second term.
- (3) The members of the senate elected pursuant to clause 24(1)(d) or (e):
- (a) hold office from May 1 of the year in which they were elected to April 30 in the following year; and
 - (b) may be elected or appointed for a second term.

1995, c.U-6.1, s.26.

Vacancy in member's office

27(1) The office of a member of the senate is vacant if the member:

- (a) dies;
 - (b) resigns;
 - (c) is incapable of acting for any reason; or
 - (d) in the case of an elected member mentioned in clause 24(1)(b), ceases to reside in the electoral district the member was elected to represent.
- (2) A declaration by the senate of a vacancy in the office of a member that is entered in the senate's minutes is conclusive evidence of the vacancy.

1995, c.U-6.1, s.27.

Filling vacancy of certain members

28(1) If a vacancy occurs among the members of the senate mentioned in clause 24(1)(b) or (c) for any cause other than the expiry of the member's three-year term, the members of the convocation shall fill the vacancy at the time of the next election of members of the senate.

(2) Every member of the senate elected for the purpose of filling a vacancy pursuant to subsection (1) holds office for a term of three years.

(3) If a vacancy occurs among members of the senate who are the representatives of professional societies or other organizations, the relevant professional society or organization shall immediately fill the vacancy by appointing another representative.

(4) Every member appointed for the purpose of filling a vacancy pursuant to subsection (3) holds office for a term of three years.

(5) If a vacancy occurs among the members of the senate mentioned in clause 24(1)(d) or (e), the students of the university shall immediately fill the vacancy by electing another member of the senate.

(6) Every member of the senate elected for the purpose of filling a vacancy pursuant to subsection (5) holds office for the unexpired portion of the term of his or her predecessor.

1995, c.U-6.1, s.28.

Convocation list

29(1) The secretary shall prepare a convocation list consisting of an alphabetical list of names of members of the convocation and their most recent addresses as known to the secretary.

(2) The convocation list is to be used for the purposes of electing the members of the senate.

(3) The convocation list is open for inspection by any member of the convocation during the normal business hours of the secretary.

1995, c.U-6.1, s.29; 2009, c.31, s.8.

Eligibility to vote

30 Only members of the convocation whose names appear in the convocation list are eligible to vote at an election of a member of the senate.

1995, c.U-6.1, s.30; 2009, c.31, s.9.

Rectifying the convocation list

31(1) A person whose name appears or who alleges that his or her or another person's name ought to appear in the convocation list may complain in writing to the secretary that:

- (a) his or her name or the name of a person that ought to appear in the convocation list has been omitted from the convocation list;

- (b) an error has been made in the name of a person as it appears in the convocation list; or
 - (c) the name of a person whose name ought not to be entered appears in the convocation list.
- (2) A complaint pursuant to this section must be made to the secretary at least 21 clear days before the date of any election in order for any action respecting the complaint to be effective for that election.
- (3) After providing any notice that the secretary considers necessary to all parties who appear to the secretary to be interested, the secretary shall examine the complaint and make any decision that the secretary considers proper.
- (4) Any interested party may appeal a decision of the secretary pursuant to subsection (3) to the chancellor.

1995, c.U-6.1, s.31.

Nominations

32(1) No person is eligible to be elected as a member of the senate unless that person has been nominated in accordance with this Act.

- (2) To be valid, a nomination must:
- (a) be in writing;
 - (b) be signed by at least three members of the convocation;
 - (c) be endorsed with the written consent of the person being nominated.

1995, c.U-6.1, s.32; 2009, c.31, s.10.

Submitting nominations

33(1) A nomination must be received by the office of the secretary no later than four weeks prior to the date of the election for which the nomination is being made.

- (2) On receiving each nomination, the secretary shall:
- (a) endorse on the nomination the exact time of its receipt; and
 - (b) immediately acknowledge the receipt of the nomination paper by sending to each person duly nominated a written notice of his or her nomination.

1995, c.U-6.1, s.33.

34 Repealed. 2009, c.31, s.11.

Elections of senate members from electoral districts

35(1) Only one member of the senate is to be elected from each electoral district established for the purposes of clause 24(1)(b).

- (2) Only the members of the convocation residing in the electoral district are eligible to vote for the member of the senate to represent the electoral district.
- (3) If only one person is duly nominated for the office of member of the senate from an electoral district, the secretary shall declare that person to be elected as a member of the senate.

1995, c.U-6.1, s.35.

Declaration of elections of senate members representing convocation

36 If the number of persons duly nominated for the office of member of the senate to represent the convocation is equal to the number of members to be elected by the convocation pursuant to clause 24(1)(c), the secretary shall declare those persons to be elected as members of the senate.

1995, c.U-6.1, s.36.

Bylaws respecting senate elections

37 The senate may make bylaws for the following purposes:

- (a) prescribing dates for the election of the members of the senate;
- (b) subject to this Act, prescribing the procedures for the election of the members of the senate;
- (c) respecting appeals and complaints arising out of elections of the members of the senate.

2009, c.31, s.12.

Declaration of election

38 On completing the scrutiny, counting and recording of the votes, the secretary shall:

- (a) declare the results of the election; and
- (b) immediately transmit to each person elected a statement of the results of the election.

1995, c.U-6.1, s.38.

Determination of elected person in case of equality of votes

39 In the case of an equality in the number of votes given for two or more persons for a member or members of the senate, the secretary shall immediately, in the presence of the scrutineers, determine by lot the person or persons who are to be declared elected.

1995, c.U-6.1, s.39; 2009, c.31, s.13.

Report of elections

40 The secretary shall report to the senate the result of the election at its next meeting.

1995, c.U-6.1, s.40.

PART V
Board of Governors
 BOARD

Board continued

41 The Board of Governors of the University of Saskatchewan is continued.

1995, c.U-6.1, s.41.

Composition of board

42 The board is composed of:

- (a) the following persons who are members by reason of their office:
 - (i) the chancellor;
 - (ii) the president;
 - (iii) the president of the students' union;
- (b) five members appointed by the Lieutenant Governor in Council;
- (c) two members elected by the senate; and
- (d) one faculty member who is elected by members of the assembly who are faculty members.

1995, c.U-6.1, s.42; 2005, c.44, s.2.

Secretary to board

43 The secretary is the secretary to the board.

1995, c.U-6.1, s.43.

Chairperson of board

44(1) The members of the board shall appoint one of their number as chairperson and another as vice-chairperson.

(2) If the chairperson of the board is absent or incapable of acting for any reason, the vice-chairperson may exercise the powers and shall perform the duties of the chairperson.

1995, c.U-6.1, s.44.

Term of office

45(1) Members of the board mentioned in clauses 42(b) to (d) hold office for a term of three years and until their successors are appointed or elected.

(2) Members of the board mentioned in clause 42(b) may be reappointed to the board, but may not serve more than three consecutive terms.

(3) Members of the board mentioned in clauses 42(c) and (d) may be re-elected to the board, but may not serve more than two consecutive terms.

(4) A member of the board who has held office for the maximum number of consecutive terms mentioned in subsection (2) or (3), as the case may be, is not eligible for appointment or election to the board for one year from the date of expiry of that member's last term.

2009, c.31, s.14.

Vacancy in office

46(1) If a vacancy occurs on the board among members:

- (a) mentioned in clause 42(b), the Lieutenant Governor in Council may appoint another person as a member of the board; or
 - (b) mentioned in subclause 42(a)(iii) or clause 42(c) or (d), the body that elected the member may elect another person as a member of the board.
- (2) A person elected or appointed pursuant to subsection (1) to fill the vacancy holds office for a term of three years.

1995, c.U-6.1, s.46.

Quorum

47 The quorum to transact business at meetings of the board is six members.

1995, c.U-6.1, s.47.

RESPONSIBILITIES AND POWERS OF THE BOARD

Responsibilities of the board

48 The board is responsible for overseeing and directing all matters respecting the management, administration and control of the university's property, revenues and financial affairs, other than those matters that are specifically vested in the minister pursuant to this or any other Act.

1995, c.U-6.1, s.48.

Powers of the board

49(1) The board may:

- (a) regulate the conduct of its meetings and proceedings;
- (b) maintain and keep in proper order and condition the real and personal property of the university;
- (c) subject to the prior approval of the minister, construct any buildings and structures on the university's property that, in its opinion, are necessary and proper;
- (d) maintain any buildings and structures mentioned in clause (c);
- (e) maintain the university and its furnishings, and, for that purpose, may purchase major bulk items or materials, goods or services of a non-specialized nature and transportation equipment through an appropriate agency of the Government of Saskatchewan or through the minister;
- (f) maintain residences and dining halls for the use of its officers, employees, faculty members and students;
- (g) make bylaws respecting the management, government and control of residences and dining halls;
- (h) establish and maintain advisory councils that the senate has authorized;

- (i) provide for the establishment of scholarships, fellowships, bursaries and exhibitions if authorized by the council;
 - (j) subject to sections 50 and 51, appoint the president, the vice-president or vice-presidents, the secretary, the faculty members and any other officers and employees that are required to be appointed by this Act or that it considers necessary for the purposes of the university, fix their salaries or remuneration and define their duties and terms of office or employment;
 - (k) provide for the establishment of any college, school, department, chair, endowed chair or institute if authorized by the council;
 - (l) provide for the disestablishment of any college, school, department, chair, endowed chair or institute:
 - (i) if authorized by the council on academic grounds; or
 - (ii) subject to subsections (2) and (3), if the board considers it necessary because of financial exigency;
 - (m) affiliate or federate with any educational institution if authorized by the council;
 - (n) dissolve any affiliation or federation with any educational institution:
 - (i) if authorized by the council on academic grounds; or
 - (ii) if the board considers it necessary because of financial exigency;
 - (o) establish a pension plan or other benefit programs for any or all classes of the university's officers and employees;
 - (p) fix the fees to be paid for instruction in the university's colleges, the fees to be paid by students, the library fee, the laboratory fees, fees for examination, degrees and certificates and other fees that the board considers advisable;
 - (q) pay to each member of the board, except the president or an employee of the Government of Saskatchewan, a sum to be determined by the board for each day that the member attends a meeting of the board or any committee of the board;
 - (r) establish any committees of its members that it considers necessary;
 - (s) delegate any of its powers to any committees of the board or to any officers of the board;
 - (t) appoint members to committees composed of members of the board and members of all or any of the senate, council and assembly;
 - (u) make bylaws respecting any matter over which it has responsibility; and
 - (v) do any other thing that the board considers necessary, incidental or conducive to exercising its powers, to promoting the best interests of the university or to meeting the purposes of this Act.
- (2) Before exercising its power pursuant to subclause (1)(l)(ii), the board shall consult with the council.

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(3) A decision of the board pursuant to subclause (1)(l)(ii) is not to be implemented until:

- (a) the board has reported the decision to the council; and
- (b) the council has advised the board respecting the effect of the decision on the academic program of the university or 60 days have passed from the date the board reported the decision to the council, whichever is the earlier.

1995, c.U-6.1, s.49.

Term of employment

50 If no term of employment is stated by the board, the term of employment for any person appointed pursuant to clause 49(1)(j) is deemed to be during the pleasure of the board.

1995, c.U-6.1, s.50.

Power of appointment

51 For the purposes of clause 49(1)(j):

- (a) no person is to be appointed as a faculty member unless that person has been nominated for the position by the president; and
- (b) no faculty member is to be promoted or removed from office except on the recommendation of the president.

1995, c.U-6.1, s.51.

PART VI
Council
COUNCIL

Council continued

52 The University of Saskatchewan Council is continued.

1995, c.U-6.1, s.52.

Composition of council

53(1) In this section:

- (a) **“member of a college”** means a faculty member whose primary responsibilities are within the college;
- (b) **Repealed.** 2009, c.31, s.15.
- (c) **“student member of the college”** means a full-time student registered in the college.

(2) The council is composed of:

- (a) the following persons who are members of the council by reason of their office:
 - (i) the president;
 - (ii) the vice-president designated by the president as the vice-president responsible for academic affairs;

- (b) one faculty member representing each college and affiliated and federated college who is a member of the college and who has been elected by the members of the college;
- (c) one representative, in addition to the member mentioned in clause (b), representing each college and affiliated and federated college who is either:
 - (i) the dean of the college, or a member of the college, who has been elected by the members of the college; or
 - (ii) if there is no election, the dean of the college;
- (d) one librarian elected by the librarians employed by the university;
- (e) one librarian, in addition to the member mentioned in clause (d), who is either:
 - (i) a librarian, including the University Librarian, elected by the librarians employed by the university; or
 - (ii) if there is no election, the University Librarian;
- (f) **Repealed.** 2009, c.31, s.15.
- (g) **Repealed.** 2009, c.31, s.15.
- (h) one student representing each college and each affiliated and federated college who is a student member of the college and who has been elected by the student members of the college; and
- (i) 54 faculty members who have been elected by faculty members.

1995, c.U-6.1, s.53; 2009, c.31, s.15.

Certain persons entitled to attend meetings

54 The following persons are entitled to attend and participate in meetings of the council but, unless they are members of the council, are not entitled to vote:

- (a) the secretary;
- (b) any vice-president;
- (c) the registrar;
- (d) any dean;
- (e) any director;
- (f) the University Librarian;
- (g) the president of any college or affiliated or federated college;
- (h) the president and academic vice-president of the students' union;
- (i) the president and academic vice-president of the graduate students' association;
- (j) two members of the senate elected for the purpose by the senate.

1995, c.U-6.1, s.54.

Secretary

55 Unless the council decides otherwise, the secretary is the secretary to the council.

1995, c.U-6.1, s.55.

Chairperson of council

56(1) The members of the council shall appoint one of their number as chairperson and another as vice-chairperson.

(2) If the chairperson of the council is absent or is incapable of acting for any reason, the vice-chairperson may exercise the powers and shall perform the duties of the chairperson.

1995, c.U-6.1, s.56.

Elections of members

57(1) The secretary shall oversee the election of members of the council mentioned in clauses 53(2)(b) to (g) and (i).

(2) The academic vice-president of the students' union shall oversee the election of the members of the council mentioned in clause 53(2)(h), other than the member to be elected to represent the College of Graduate Studies and Research.

(3) The students' union or its successor may make bylaws governing the election of:

(a) the members of council mentioned in clause 53(2)(h), other than the member to be elected to represent the College of Graduate Studies and Research; and

(b) the members of the assembly mentioned in clause 64(1)(g).

(4) The academic vice-president of the graduate students' association shall oversee the election of the member of the council mentioned in clause 53(2)(h) to be elected to represent the College of Graduate Studies and Research.

(5) The graduate students' association or its successor may make bylaws governing the election of the member of the council mentioned in clause 53(2)(h) to represent the College of Graduate Studies and Research.

1995, c.U-6.1, s.57.

Term

58(1) Subject to subsection (2), members of the council who are mentioned in:

(a) clauses 53(2)(b) to (g) and (i) hold office for a term of three years;

(b) clause 53(2)(h) hold office for a term of one year.

(2) In the case of the first election of members of the council mentioned in clause 53(2)(i) after the coming into force of this Act or after the dissolution of the council as directed by the assembly:

(a) one-third of the members elected hold office for a term of three years;

(b) one-third of the members elected hold office for a term of two years;

(c) one-third of the members elected hold office for a term of one year.

1995, c.U-6.1, s.58.

Vacancy

59(1) If a vacancy occurs among the members of the council mentioned in clauses 53(2)(b) to (g) and (i) within 27 months of that member being elected, the body that elected that member shall elect another person to fill the vacancy.

(2) If a vacancy occurs among the members of the council mentioned in clause 53(2)(h) within 90 days of that member being elected, the body that elected that member shall elect another person to fill the vacancy.

(3) An election pursuant to this section must be held within 90 days of the vacancy.

(4) A person elected to fill the vacancy of a member holds office for the remainder of the term of the member who vacated his or her office.

1995, c.U-6.1, s.59.

RESPONSIBILITIES AND POWERS OF COUNCIL

Responsibilities of council

60 The council is responsible for overseeing and directing the university's academic affairs.

1995, c.U-6.1, s.60.

Powers of council

61(1) The council may:

- (a) regulate the conduct of its meetings and proceedings;
- (b) determine the quorum necessary to transact business;
- (c) grant academic degrees, diplomas and certificates of proficiency;
- (d) grant scholarships, prizes, fellowships, bursaries and exhibitions;
- (e) where it considers it appropriate on academic grounds, authorize the board to provide for:
 - (i) the establishment of any college, school, department, chair, endowed chair or institute;
 - (ii) the disestablishment of any college, school, department, chair, endowed chair or institute;
 - (iii) affiliation or federation with any educational institution; or
 - (iv) the dissolution of any affiliation or federation with any educational institution;
- (f) prescribe curricula, programs of instruction and courses of study in colleges, schools or departments;
- (g) prescribe methods and rules for evaluating student performance, including prescribing examination timetables and the conduct of examinations;
- (h) discipline students for academic dishonesty, including admonishing, dismissing, suspending or expelling students or imposing fines;

- (i) prescribe academic and other qualifications required for admission as a student;
 - (j) hear appeals by students or former students concerning academic decisions affecting them;
 - (k) prescribe dates for beginning and ending lectures;
 - (l) prescribe and limit the number of students who may be admitted to a college or a program of study;
 - (m) review library policies;
 - (n) review the physical and budgetary plans for the university and make recommendations respecting those matters to the president or the board;
 - (o) make recommendations to the president, the board or the senate respecting any matters that the council considers to be in the interests of the university;
 - (p) subject to subsection (2), establish any committees that it considers necessary;
 - (q) subject to subsection (2), delegate any of its powers to any committee of the council;
 - (r) exercise any powers that the board or the senate may delegate to it;
 - (s) appoint members to committees composed of members of the council and members of all or any of the senate, the board and the assembly;
 - (t) make bylaws governing the election of members of council mentioned in clauses 53(2)(b) to (g) and (i);
 - (u) make bylaws respecting any matter over which it has responsibility; and
 - (v) do any other thing that the council considers necessary, incidental or conducive to exercising its powers, to promoting the best interests of the university or to meeting the purposes of this Act.
- (2) A committee of members of the council established pursuant to subsection (1) to deal with matters set out in clauses (1)(h) and (j) must contain members of council who are students.

1995, c.U-6.1, s.61.

Decisions of council

- 62(1)** Within 10 days of every meeting of the council, the secretary shall give each dean and department head a written copy of all motions passed by the council at the meeting.
- (2) On receipt of the written copy of a motion pursuant to subsection (1), every dean and department head shall post the written copy in a conspicuous place that is readily accessible to students and faculty members.

(3) Notwithstanding any other provision of this Act, the following decisions of the council are to be reported to the senate at its next meeting and are not to be implemented until either the senate confirms the decision or 12 months have passed following the end of the fiscal year in which the decision was made, whichever is the earlier:

- (a) a decision to change academic and other qualifications required for admission as a student;
- (b) a decision to change the number of students who may be admitted to a college or a program of study;
- (c) a decision to authorize the disestablishment of any college, school, department, chair, institute or endowed chair;
- (d) a decision to authorize the dissolution of any affiliation or federation.

1995, c.U-6.1, s.63.

PART VII Assembly

Assembly established

63 The General Academic Assembly of the University of Saskatchewan is established.

1995, c.U-6.1, s.64.

Composition of assembly

64(1) The assembly is composed of:

- (a) the president;
- (b) the vice-presidents;
- (c) the secretary;
- (d) the registrar;
- (e) all deans and directors employed by the university or an affiliated or federated college;
- (f) all faculty members; and
- (g) a number, set pursuant to subsection (2), of full-time students who are to be elected by the full-time students.

(2) The number of members of the assembly mentioned in clause (1)(g) is the greater of:

- (a) 35; and
- (b) the number set by the members of the assembly, not to exceed 10% of the total number of members of the assembly.

(3) A member of the assembly mentioned in clause (1)(g) holds office for a term of one year.

1995, c.U-6.1, s.64.

Secretary

65 Unless the assembly decides otherwise, the secretary is the secretary to the assembly.

1995, c.U-6.1, s.65.

Chairperson of assembly

66(1) The president is the chairperson of the assembly and another member of the assembly designated by the president is the vice-chairperson.

(2) If the chairperson of the assembly is absent or is incapable of acting for any reason or if the office of the president is vacant, the vice-chairperson may exercise the powers and shall perform the duties of the chairperson.

1995, c.U-6.1, s.66.

Meetings of the assembly

67(1) The assembly shall meet annually at the time and place set by the bylaws of the assembly.

(2) The chairperson of the assembly shall call a meeting of the assembly when requested to do so in writing by:

- (a) 50 members of the assembly for the purposes of requiring the council to reconsider a decision pursuant to section 71; or
- (b) 100 members of the assembly for the purposes of deciding whether to direct that the council be dissolved pursuant to section 72.

1995, c.U-6.1, s.67.

Quorum

68(1) Subject to subsection (2), the quorum to transact business of the assembly is 150 members of the assembly.

(2) Subject to subsection 72(6), the assembly may vary the number of members of the assembly required for a quorum.

1995, c.U-6.1, s.68.

Powers of assembly

69 The assembly may:

- (a) regulate the conduct of its meetings and proceedings;
- (b) deal with and report on any matters that are referred to it by the senate, the board or the council;
- (c) make recommendations to the senate, the board or the council on any matters falling within the responsibilities of the senate, the board or the council that the assembly considers appropriate;
- (d) make bylaws respecting any matter over which it has responsibility;
- (e) exercise any powers that the senate, the board or the council may delegate to it; and
- (f) appoint members to committees composed of members of the assembly and members of all or any of the senate, the board and the council.

1995, c.U-6.1, s.70.

Report of president

70(1) At each annual meeting of the assembly, the president shall present a report respecting the state of the university and any other matters that the president considers appropriate.

(2) If the assembly approves a motion making a recommendation of a matter to the senate, the board or the council:

(a) the senate, the board or the council shall consider the recommendation at its next meeting; and

(b) the president shall report to the assembly the response of the senate, the board or the council to the recommendation at the first meeting of the assembly following the senate, board or council meeting at which the recommendation was considered.

1995, c.U-6.1, s.71.

Power to require council to reconsider

71(1) At a special meeting called for the purpose, the assembly may require the council to reconsider its decision to authorize the board to provide for any of the following on academic grounds:

(a) the establishment of any college, department or institute;

(b) the disestablishment of any college, department or institute;

(c) affiliation or federation with any educational institution; or

(d) the dissolution of any affiliation or federation with any educational institution.

(2) The chairperson of the assembly shall set a date for a special meeting for the purposes of this section within 20 days of the day that the chairperson receives a request for the special meeting pursuant to subsection 67(2).

(3) Notwithstanding any other provision of this Act, a request for a special meeting pursuant to this section is valid only if it is delivered to the chairperson of the assembly within 90 days of the date of the council's decision that is the subject of the request.

(4) The chairperson shall give not less than 15 days' written notice to members of the assembly of a special meeting called for the purposes of this section.

(5) The chairperson may determine the manner in which the written notice mentioned in subsection (4) may be given.

(6) In the written notice mentioned in subsection (4), the chairperson shall:

(a) identify the decision of the council that is the subject of the special meeting; and

(b) set out that the purpose of the special meeting is to request a reconsideration of the decision mentioned in clause (a).

(7) A request pursuant to this section to have the council reconsider a decision has no effect unless the motion approving the request is approved by at least two-thirds of the members of the assembly who are present and vote at the special meeting.

(8) If the assembly approves a request in accordance with subsection (7), the council shall reconsider the decision that is the subject of the request at the next meeting of the council.

(9) The decision of the council that is the subject of a request by the assembly is deemed to be revoked unless that decision is confirmed by at least two-thirds of the members of the council who are present and vote at the meeting of the council.

1995, c.U-6.1, s.71.

Power to dissolve council

72(1) At a special meeting called for the purpose, the assembly may pass a motion directing that the members of the assembly vote to determine whether or not to direct that the council be dissolved and that elections for a new council be held.

(2) The chairperson of the assembly shall set a date for a special meeting for the purposes of this section within 45 days of the day that the chairperson receives a request for the special meeting pursuant to subsection 67(2).

(3) The chairperson shall give not less than 30 days' written notice to members of the assembly of a special meeting called for the purposes of this section.

(4) The chairperson may determine the manner in which the written notice mentioned in subsection (3) may be given.

(5) In the written notice mentioned in subsection (3), the chairperson shall set out that the purpose of the special meeting is to decide whether or not to have the members of the assembly vote to direct that the council be dissolved and that elections for a new council be held.

(6) The quorum required to approve a motion directing that the members of the assembly agree that the council be dissolved is 25% of the members of the assembly.

(7) A motion pursuant to this section directing the members of the assembly to vote to determine whether or not to direct that the council be dissolved and that elections for a new council be held has no effect unless the motion approving the request is approved by at least two-thirds of the members of the assembly who are present and vote at the special meeting.

(8) If the assembly approves a motion mentioned in subsection (7):

(a) the chairperson shall send to each member of the assembly a ballot that conforms to subsection (9);

(b) the members of the assembly shall deliver their marked ballots to the secretary within 30 days of the date they were sent by the chairperson of the assembly; and

(c) the secretary shall count the ballots on the day following the day fixed by the assembly for the return of the ballots and report the result to the chairperson of the assembly.

- (9) The ballot paper mentioned in clause (8)(a) is to be in the following form:
- “A motion requiring a vote on the dissolution of the council was passed by the General Academic Assembly on the _____ of _____ .
- “Indicate on this ballot by marking ‘X’ whether you support or oppose the dissolution of the council:
- “I support the dissolution of the council _____ .
- “I oppose the dissolution of the council _____ ”.
- (10) Any ballot that is not delivered to the secretary within the time mentioned in clause (8)(b) is not valid.
- (11) If more than 50% of the members of the assembly who mark and deliver valid ballots vote in favour of the dissolution of the council:
- (a) the council is dissolved as at the day the chairperson receives the report pursuant to clause (8)(c);
 - (b) elections for a new council are to be held within 40 days of the day mentioned in clause (a); and
 - (c) until the new council is elected, the senate may exercise the powers and shall fulfil the responsibilities of the council.

1995, c.U-6.1, s.72.

PART VIII Officers of the University

President

- 73(1) The president is responsible for supervising and directing:
- (a) the academic work of the university, its faculty members and student body and its officers and employees employed in connection with that work; and
 - (b) the business affairs of the university and its officers and employees employed in connection with those affairs.
- (2) The president may exercise any powers and shall perform any other duties that are conferred on or assigned to the president by the board.
- (3) The president shall:
- (a) call meetings of the board, council and assembly in accordance with their respective bylaws and this Act;
 - (b) make recommendations to the board respecting the appointment, promotion or removal of any faculty member or any of its officers or employees, but the president shall consult an advisory committee set up for that purpose under the bylaws of the board before recommending the appointment of a faculty member or of an academic officer;
 - (c) report on any matter that may be referred to the president by the senate, board or council; and
 - (d) report annually to the senate on the state of the university.

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- (4) The president may:
- (a) subject to subsection (5), suspend any faculty member or any officer or employee of the university; and
 - (b) summon meetings of the faculty members when the president considers it necessary to do so and take the chair at those meetings.
- (5) If the president suspends any faculty member or any officer or employee of the university, the president shall immediately forward a report of the matter and a statement of reasons for the suspension to the board.

1995, c.U-6.1, s.73.

Vice-president and acting president and their duties

- 74(1)** The vice-president or vice-presidents may exercise the powers and shall fulfil the duties that may be determined by the board or the president.
- (2) The board shall appoint, by annual resolution, an officer of the university to be acting president to exercise the powers and perform the duties of the president when the president is ill or absent or unable to act for any reason or if the office of president is vacant.

1995, c.U-6.1, s.74.

Deans

- 75** The dean of each college of the university is the chief executive officer of the college and has, subject to the authority of the president, general supervision over and direction of the work of the college and of the teaching and training of the students of the college.

1995, c.U-6.1, s.75.

Heads of departments

- 76(1)** The head of each department of a college has general supervision over and direction of the work of the department and shall assign teaching duties to the members of the department, following consultation with the department, in committee.
- (2) The head of each department of a college is responsible to the dean for the satisfactory performance of the work of the department.

1995, c.U-6.1, s.76.

Secretary

- 77(1)** The secretary is responsible to the board through the president for the exercise of the secretary's powers and the fulfilment of the secretary's duties.
- (2) The secretary shall:
- (a) perform all duties assigned to the secretary pursuant to this Act;
 - (b) keep all records necessary to the office of the secretary; and
 - (c) perform any other duties that the senate, the board, the council or the assembly may require.

(3) The board may appoint another person to be acting secretary during the absence or inability to act of the secretary.

(4) If the secretary is absent or unable to act, the acting secretary may exercise the powers and shall perform the duties of the secretary.

1995, c.U-6.1, s.77.

Controller

78(1) The controller of the university is responsible to any officer of the university that the board may designate.

(2) The controller is the chief accounting and business officer of the university.

(3) Under the direction of the board, the controller shall perform:

- (a) all the duties that are assigned to the controller pursuant to this Act; and
- (b) any other duties that the board may require.

(4) The board may appoint another person to be acting controller during the absence or inability to act of the controller.

(5) If the controller is absent or unable to act, the acting controller may exercise the powers and shall perform the duties of the controller.

1995, c.U-6.1, s.78.

PART IX Miscellaneous GENERAL

Suspension of student

79(1) In this section, “**student**” includes a former student.

(2) Subject to subsections (3) to (11), the president may suspend a student when, in the opinion of the president, the suspension is necessary to:

- (a) avoid disruption to any aspect of the activities of the university or any unit of the university;
- (b) protect the interests of other students, faculty members or employees of the university or members of the board or the senate; or
- (c) protect the property of the university.

(3) The president shall not suspend a student without giving the student an opportunity to be heard.

(4) Notwithstanding subsection (3), if the president considers it necessary to immediately suspend a student for any reason mentioned in subsection (2), the president may suspend a student without giving the student an opportunity to be heard, but shall give the student an opportunity to be heard within 15 days of the suspension.

- (5) The president may suspend a student from:
- (a) participating in any or all aspects of the university;
 - (b) participating in a course, a program or a study; or
 - (c) using any or all of the university's facilities.
- (6) When suspending a student, the president may prohibit the student from entering on all of the university's property or any part of the university's property specified by the president.
- (7) The president shall serve a copy of the order suspending a student by any means that the president considers will bring the order to the attention of the student.
- (8) A suspension continues until the earlier of:
- (a) the expiry of the time specified by the president; and
 - (b) an order lifting the suspension is made pursuant to subsection (10).
- (9) A student who has been suspended by the president may appeal the suspension to:
- (a) in the case of a suspension for conduct that involves academic dishonesty, the body established by the council for the purposes of clauses 61(1)(h) and (j);
 - (b) in any other case, to the body established by the senate for the purposes of clause 23(f).
- (10) The body to whom an appeal is made pursuant to subsection (9) shall hear the appeal and may, by order, confirm the suspension or lift the suspension.
- (11) The body to whom an appeal is made pursuant to subsection (9) shall notify the president of its decision.
- (12) If a student has been suspended, the suspension has not expired or been lifted and the president has prohibited the student from entering on the university's property pursuant to subsection (6), the student is a trespasser on university property if the student enters on the university's property.
- (13) The president may delegate the power to suspend to a dean of a college with respect to students of the college.
- (14) If the president has delegated the power to suspend to a dean, an exercise of the power to suspend by the dean is deemed to be the exercise of the power by the president.

Immunity

80 No action lies or shall be instituted against the board, any member of the board, the senate, any member of the senate or officer or employee of the university where the board, member of the board, member of the senate, officer or employee is acting pursuant to the authority of this Act or the bylaws, for any loss or damage suffered by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the bylaws or in the carrying out or supposed carrying out of any duty imposed by this Act or the bylaws.

1995, c.U-6.1, s.80.

Immunity from activities of students

81 No action lies or shall be instituted against the university, the board, any member of the board, the senate, any member of the senate or any officer or employee of the university respecting any act or omission of any student or of any students, whether or not they are organized as a student body, arising out of any association or activity organized, managed or controlled, in whole or in part, by students of the university or of any affiliated or federated college.

1995, c.U-6.1, s.81.

Property exempt from expropriation

82(1) No property of the university is subject to expropriation.

(2) Notwithstanding subsection (1), property of the university is subject to expropriation pursuant to an Act if that Act expressly authorizes the expropriation of the university's property.

1995, c.U-6.1, s.82.

Power to expropriate

83(1) Without the consent of the owner of any real property or of any person interested in the real property, the university may enter on, take and expropriate any real property that the university considers necessary for its purposes.

(2) If the university expropriates any real property pursuant to subsection (1), it shall compensate those persons who are entitled to compensation.

(3) *The Expropriation Procedure Act* applies to the expropriation of real property by the university.

1995, c.U-6.1, s.83.

Property exempt from taxation

84(1) Notwithstanding any other Act, all property of the university is exempt from all provincial, municipal, school or other local government taxation.

(2) Notwithstanding any other Act, all undertakings, projects, plans or activities of the following are exempt from all municipal taxation:

- (a) the university;
- (b) any of the university's colleges or departments;
- (c) any affiliated or federated college located on or adjacent to the university;
or
- (d) a student organization that is associated with the university, any of its colleges, departments or affiliated or federated colleges and that is approved by the board for the purposes of this section.

1995, c.U-6.1, s.84.

FINANCIAL

Investment powers

85 The university may:

- (a) invest any of its moneys in any security or class of securities authorized for the investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of the investments in any manner, on any terms and in any amount that the university considers expedient.

1995, c.U-6.1, s.85.

Fiscal year

86 The university's fiscal year is the period commencing on May 1 in one year and ending on April 30 of the following year.

1995, c.U-6.1, s.86.

Accounts of board

87 The board shall maintain its accounts and prepare its financial statements in a form approved by the minister.

1995, c.U-6.1, s.87.

Estimates of board

88(1) The board shall submit to the minister, on or before November 15 in each year, an estimate of all expenditures the board intends to make during the university's next fiscal year.

(2) The estimates shall set out the details of expenditures in any form that the minister may prescribe.

1995, c.U-6.1, s.88.

Annual reports

89(1) On or before the November 15 following the end of each of its fiscal years, the university shall submit to the minister a report:

- (a) setting out the financial statements for its previous fiscal year; and
- (b) setting out any other information that the minister or the Lieutenant Governor in Council requires.

(2) The minister, in accordance with *The Tabling of Documents Act, 1991*, shall lay before the Legislative Assembly each report received by him or her pursuant to subsection (1).

1995, c.U-6.1, s.89.

Special reports

90 When requested by the minister, and within the time requested by the minister, the university shall provide the minister with any reports and other information that the minister considers necessary to carry out the minister's responsibilities in relation to the university.

1995, c.U-6.1, s.90.

Audit

91 The Provincial Auditor or any other auditor or auditors appointed by the Lieutenant Governor in Council shall audit the records, accounts and financial statements of the university annually and at any other time that the Lieutenant Governor in Council may require.

1995, c.U-6.1, s.91.

BORROWING, SECURITIES AND FINANCIAL MATTERS**Limits on acquiring land or constructing buildings**

92 Where the purchase price or sale price of real property included in one transaction entered into by the university exceeds:

- (a) \$100,000, the university shall obtain the approval of the minister before completing the purchase or sale;
- (b) \$500,000, the university shall obtain the approval of the Lieutenant Governor in Council before completing the purchase or sale.

1995, c.U-6.1, s.92.

Prior approval of the minister if financial status would be impaired

93 The board shall not incur any liability or make any expenditure that will, in the opinion of the minister, impair the financial status of the university unless an estimate of the liability or expenditure has first been approved in writing by the minister.

1995, c.U-6.1, s.93.

Borrowing

94(1) Subject to section 93, the board may, by resolution, authorize the borrowing of those sums of moneys that the board considers may be required to meet the expenditures of the university until the revenues for the current year are available.

(2) The university may execute, in any manner that the board may determine, any cheques, promissory notes or other instruments that may be necessary or desirable in connection with the borrowing of moneys and the obtaining of advances pursuant to this section.

1995, c.U-6.1, s.94.

Issue of securities

95(1) Subject to the approval of Lieutenant Governor in Council, the board may, by resolution, authorize the borrowing of moneys by the issue and sale of securities of the university for one or more of the following purposes:

- (a) acquiring any real property;
 - (b) constructing, repairing, maintaining, adding to, furnishing or equipping any building;
 - (c) repaying or refunding, from time to time, the whole or any part of any loan raised or securities issued by the university;
 - (d) paying any other liability or indebtedness of the university;
 - (e) carrying out any of the powers of the university, providing in whole or in part for expenditures of the university, reimbursing the university for any expenditures made, and repaying in whole or in part any temporary borrowing of the university.
- (2) The board may determine:
- (a) the form of the securities;
 - (b) the principal amount of, and the rate of interest and any redemption premium payable under, the securities;
 - (c) the currency of any country in which the principal, interest and redemption premium of the securities are payable; and
 - (d) the time and place and the amounts of and the manner in which the principal, interest and redemption premium of the securities are payable.
- (3) The securities may be made redeemable in advance of maturity, in whole or in part, at that time, at that price and on any notice that the board may determine in the resolution authorizing the issue of the securities.
- (4) The board, by resolution or minute, may provide that:
- (a) the seal of the university may be engraved, lithographed, printed or otherwise mechanically reproduced on any securities to which it is to be affixed; and
 - (b) any signature on any securities and on the coupons, if any, attached to those securities may be engraved, lithographed, printed or otherwise mechanically reproduced on those securities.

- (5) Where the seal of the university or any signature is mechanically reproduced pursuant to subsection (4):
- (a) the seal of the university is of the same force and effect as if it were manually affixed; and
 - (b) notwithstanding that any person whose signature is reproduced has ceased to hold office before the date of issue of the security, the signature is for all purposes valid and binding on the university.
- (6) Subject to the approval of the Lieutenant Governor in Council, the board may provide for the creation, management and application of sinking funds or other means of securing the repayment of any loan raised or securities issued by the university, including the redemption by call of any securities issued subject to redemption in advance of maturity.
- (7) For the purposes specified in subsection (1), the board may borrow moneys from time to time by the issue of securities of the university in the principal amounts that will realize the net sum required by the university for the purposes of the borrowing.
- (8) A recital or declaration in the resolution of the board authorizing the issue of the securities to the effect that it is necessary to issue securities in the principal amount authorized to realize the net sum required for the purposes of the university is conclusive evidence of the fact.
- (9) Subject to the approval of the Lieutenant Governor in Council, the board may sell any securities it has issued on those terms and conditions and prices that the board considers advisable.
- (10) Subject to the approval of the Lieutenant Governor in Council, the board may borrow, for the purposes of the university, by way of temporary loans from any bank, trust company licensed pursuant to *The Trust and Loan Corporations Act, 1997*, credit union or other person any sums of money that the board considers necessary on any terms that the board may determine.
- (11) A temporary borrowing pursuant to subsection (10) may be:
- (a) by way of bank overdraft or line of credit;
 - (b) by the pledging as security for the temporary borrowing of any securities of the university pending their sale or in place of their sale; or
 - (c) by any other means that the board may determine.
- (12) The university may execute, in any manner that the board may determine, any cheques, promissory notes or other instruments that may be necessary or desirable in connection with the borrowing of moneys and the obtaining of advances by way of temporary loans pursuant to subsection (10).

Government guarantees

96(1) The Lieutenant Governor in Council, on any terms and conditions the Lieutenant Governor in Council considers advisable, may guarantee the payment of the following:

- (a) the principal, interest and premium, if any, of any securities issued by the university;
 - (b) any loans, temporary or otherwise, raised by the university.
- (2) Any guarantee made pursuant to subsection (1) is to be in a form and contain any provisions that the Lieutenant Governor in Council may approve.
- (3) The Minister of Finance, or any other officer of the Ministry of Finance who may be designated by the Lieutenant Governor in Council, shall sign a guarantee made pursuant to subsection (1) and, on being so signed, the Government of Saskatchewan is liable, according to the tenor of the guarantee, for the payment of:
- (a) the principal, interest and premium, if any, of the securities; or
 - (b) the loans.
- (4) Any guarantee signed in accordance with subsection (3) is conclusive evidence of compliance with this section.
- (5) The Lieutenant Governor in Council may make any arrangements that may be necessary for supplying the moneys required to implement any guarantee made pursuant to this section and to advance the amount necessary for that purpose out of the general revenue fund.

1995, c.U-6.1, s.96; 2009, c.31, s.16.

Charge on revenues

97 All interest and instalments of principal and all sinking fund and other debt service charges with respect to borrowing pursuant to this Act or the securities mentioned in section 95 are a first charge on the university's revenues.

1995, c.U-6.1, s.97.

Execution of documents

98 All transfers, mortgages and other instruments or documents to which the university is a party are deemed to be properly executed by the university if:

- (a) the corporate name and seal of the university are affixed to the instruments or documents by the secretary or by another officer of the university authorized to do so by the board; and
- (b) the official signatures of the secretary and the chairperson or vice-chairperson of the board, or any two officers of the university designated by the board for the purpose, immediately follow on the same page the corporate name and seal of the university.

1995, c.U-6.1, s.98.

TRAFFIC CONTROL

Interpretation of sections 99 to 101

99 In this section and sections 100 and 101:

- (a) “**bylaw**” means a bylaw made pursuant to section 100;
- (b) “**university campus**” includes any lands administered and controlled by the university situated in, or in the vicinity of, the city of Saskatoon;
- (c) “**vehicle**” means a vehicle within the meaning of *The Traffic Safety Act*.

1995, c.U-6.1, s.99; 2004, c.T-18.1, s.297.

Traffic control and traffic signs

100(1) Notwithstanding *The Cities Act* or *The Municipalities Act*, the board may make bylaws:

- (a) respecting traffic control and control of pedestrians on the university campus; and
 - (b) respecting the construction and maintenance of signs that the board considers necessary to control, warn, guide, inform and direct traffic and pedestrians on any street or other public place on the university campus.
- (2) The board shall submit a copy of every bylaw to the Highway Traffic Board.
- (3) If a bylaw is inconsistent with *The Traffic Safety Act*, the bylaw has no effect unless it has been approved by the Highway Traffic Board.
- (4) The board shall publish a copy of every bylaw in the Gazette within 30 days of the bylaw being enacted.
- (5) No person shall be convicted of an offence against a bylaw that is not published in the Gazette unless it is shown that reasonable steps had been taken by the time of the offence to bring the substance of the bylaw to the notice of the public, of persons likely to be affected by it or of the person charged.
- (6) Without restricting the generality of subsection (1), the board may make bylaws respecting the university campus that do all or any of the following:
- (a) prohibit, restrict, control or regulate:
 - (i) the parking of all or any class of vehicles on all or any streets;
 - (ii) the parking on all or any streets, or within a specified distance from any building, of vehicles used for carrying or transporting inflammable, explosive or dangerous goods or any classification of dangerous goods, whether the vehicles are loaded or unloaded;
 - (b) establish, control or regulate parking stands or places for vehicles or any class of vehicles on any street or on any lands acquired by the university for parking purposes or designated in the bylaw as parking stands or places;

- (c) establish a schedule of fees or charges to be paid by persons using established parking stands or places, and, for that purpose, may vary the fees or charges according to the location of the parking stands or places or the class of vehicles for which the parking stands or places are intended, or as the board may otherwise determine, but the board may, in its discretion, grant free use of all or any parking stands or places for all or any class of vehicles for any period or during the hours specified in the bylaw;
 - (d) establish, control or regulate a parking meter system or provide in any other manner for the collection of fees or charges payable by persons using parking stands or places;
 - (e) exempt vehicles operated by or carrying a physically disabled person, as defined in the bylaw, from any provision of a bylaw passed pursuant to this section for regulating the parking, standing or stopping of vehicles on any street;
 - (f) authorize employees of the university or members of the police force of the City of Saskatoon to move or remove any vehicle that is unlawfully parked, placed, left or kept on any street, public parking place, other public place or university-owned property, to impound or store the vehicle and to release it to the owner on payment of the cost of removal and impounding or storage within a period of 30 days after the date of the removal of the vehicle, or within any longer time that may be specified in the bylaw;
 - (g) provide for the recovery of the costs incurred pursuant to clause (f), if not paid within the specified period, from the owner of the vehicle by action in a court of competent jurisdiction or by sale of the vehicle at public auction, and provide that vehicles impounded for 30 days or more may be dealt with as lost or unclaimed personal property;
 - (h) prescribe the fines payable for violation of a bylaw and the consequences for failure to pay a fine that has been imposed;
 - (i) prescribe the procedures for enforcing bylaws, including directing that hearings respecting bylaw enforcement may be brought before a presiding justice of the peace or a judge of the provincial court.
- (7) In subclause (6)(a)(ii), “**dangerous goods**” means any product, substance or organism included by its nature or by the regulations in the schedule to the *Transportation of Dangerous Goods Act* (Canada).
- (8) All fines imposed pursuant to this section are the property of the university and are to be deposited into the general fee fund.

Liability of owner or person in charge of vehicle

101(1) In this section:

- (a) **“authorized person”** means a person who is in charge of a vehicle with the express or implied consent of the owner of the vehicle;
 - (b) **“owner”** means, with respect to any vehicle, the person to whom a current certificate of registration or registration permit for a vehicle is issued;
 - (c) **“unauthorized person”** means a person who is in charge of a vehicle without the express or implied consent of the owner of the vehicle.
- (2) Where a vehicle is involved in the commission of an offence against a bylaw and that is committed by the person in charge of the vehicle, the owner of the vehicle is liable for the offence unless the owner proves to the satisfaction of the convicting presiding justice of the peace or judge of the provincial court that, at the time of the offence, the vehicle:
- (a) was not being operated and had not been parked or left by the owner; and
 - (b) was not being operated and had not been parked or left by any authorized person in charge of the vehicle.
- (3) Where, at the time of the commission of any offence against a bylaw involving a vehicle, the vehicle was not being operated and had not been parked or left by the owner or by any authorized person in charge of the vehicle, the unauthorized person in charge of the vehicle is liable for the offence unless the unauthorized person in charge of the vehicle proves to the satisfaction of the convicting presiding justice of the peace or judge of the provincial court that, at the time of the offence, the vehicle:
- (a) was not being operated and had not been parked or left by that unauthorized person in charge of the vehicle; and
 - (b) was not being operated and had not been parked or left by any person in charge of the vehicle with the express or implied consent of that unauthorized person in charge of the vehicle.
- (4) Notwithstanding subsection (2), where, at the time of the offence, the vehicle was not being operated by the owner and had not been parked or left by the owner, the owner is not liable to imprisonment.
- (5) Notwithstanding subsection (3), where, at the time of the offence, the vehicle was not being operated by the unauthorized person in charge of the vehicle and had not been parked or left by that unauthorized person, that unauthorized person in charge of the vehicle is not liable to imprisonment.

REGULATIONS

Regulations

102 The Lieutenant Governor in Council may make regulations prescribing any matter or thing that the Lieutenant Governor in Council considers necessary to fulfil the purposes of this Act.

1995, c.U-6.1, s.102.

PART X

Transitional, Repeal and Coming into Force**Property of university continued**

103(1) All of the real and personal property held by The University of Saskatchewan as defined by *The University Act, 1968*, and which is located in Saskatoon or environs or was, prior to the repeal of that Act, administered or programmed from the Saskatoon campus of that university, remains the property of the university.

(2) When any dispute arises or ambiguity exists as a result of this section it shall be adjudicated by the minister.

1995, c.U-6.1, s.103.

References to university in other Acts

104 Where the university is referred to in any other Act, the Lieutenant Governor in Council may define for the purposes of that Act the expression "University of Saskatchewan" as meaning or including The University of Regina.

1995, c.U-6.1, s.104.

Continuance of senate bylaws

105 Insofar as they do not conflict with the provisions of this Act, the bylaws of the senate as it was constituted pursuant to *The University of Saskatchewan Act*, shall continue to apply to the senate until they are amended or repealed by the senate.

1995, c.U-6.1, s.105.

Powers of council until first elections under this Act

106(1) The council constituted pursuant to *The University of Saskatchewan Act* and the standing committees of the council, as they exist on the day this Act comes into force, are continued and may exercise the powers set out in section 61 and are subject to the restrictions imposed by section 62 until the first council is elected pursuant to this Act.

(2) Subject to sections 57 and 58, the coordinating committee of the council continued pursuant to subsection (1) shall make bylaws governing the election of the members of the council mentioned in clauses 53(2)(b) to (g) and (i).

(3) Any bylaws made pursuant to subsection (2) continue until they are amended or repealed by the council.

1995, c.U-6.1, s.106.

R.S.S. 1978, c.U-6 repealed

107 *The University of Saskatchewan Act* is repealed.

1995, c.U-6.1, s.107.

