



## CHAPTER 188.

### An Act respecting the University of British Columbia.

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

#### *Short Title.*

**1.** This Act may be cited as the “British Columbia University Act.” Short title. 1890, c. 48, s. 35.

#### *The Corporation.*

**2.** A Chancellor, a Vice-Chancellor, and all members of the Senate Incorporation. to consist of persons hereinafter mentioned, and all persons who may hereafter be Chancellors, Vice-Chancellors, and members of such Senate, are hereby declared and established a body politic and corporate, by the name of “The University of British Columbia.” 1891, c. 46, s. 1.

**3.** All property, real and personal, and what nature or kind soever, Corporation may hold real estate, etc. to be hereafter given, devised, or bequeathed to or for the said University, or acquired by purchase, or in any other manner, for the purposes of the said University, shall be taken and used by the said corporation in its corporate name for the purpose and support of the University. The said corporation shall, subject to the provisions of this Act and to the terms of any gift, devise and bequest to the University, have power to sell, grant, convey, assure, demise, or otherwise dispose of, either absolutely or by way of mortgage, any of the property, real or personal, so vested in the said corporation. 1891, c. 46, s. 2.

#### *First Convocation.*

**4.** The following graduates of any University in Her Majesty’s Who shall constitute first convocation. Dominions, who shall have resided in this Province two months previous to the 31st December, 1891, shall constitute the first Convocation

of this University, that is to say: All Bachelors and Masters of Arts, all Bachelors of Law, Licentiates of Law, Doctors of Law, Bachelors and Doctors of Science, Bachelors and Masters of Applied Science, all Bachelors, Licentiates and Doctors of Medicine. 1890, c. 48, s. 5, & 1891, c. 46, s. 23.

Graduates may enter their names as members of convocation in register to be kept.

**5.** A register shall be kept open by the Provincial Secretary at his office until the 31st December, 1891, and no longer, during which time all graduates mentioned in the last preceding section shall be at liberty to enter their names as members of Convocation, upon producing to the said Provincial Secretary satisfactory proof of qualification under the last preceding section, and upon payment of the fee of two dollars; and such evidence shall be conclusive evidence that any person whose name shall appear thereon at the time of his claiming to vote as a member of Convocation is so entitled to vote, and that any person whose name shall not appear is not so entitled to vote. 1890, c. 48, s. 6, & 1891, c. 46, s. 23.

Meeting of convocation to be called.

**6.** Within one month after the closing of said register the Provincial Secretary shall call a meeting of Convocation by notice in writing sent to each member of the Convocation, at which meeting the Provincial Secretary shall preside; and the Convocation so called shall choose three of its members to be its representatives on the Council of the University, who shall hold office for one year and until their successors are appointed, and the Provincial Secretary shall, as soon as possible after the election by Convocation as aforesaid, notify the Chancellor of its election. 1890, c. 48, s. 7.

*The Chancellor.*

Appointment of Chancellor.

**7.** The Chancellor shall be appointed by the Lieutenant-Governor in Council, and shall hold office for three years, or until his successor is appointed, but a retiring Chancellor shall be eligible for re-appointment. 1891, c. 46, s. 3.

Vacancies.

**8.** Whenever a vacancy occurs in the office of Chancellor of the University, either by death, resignation, or otherwise, the Lieutenant-Governor in Council shall nominate and appoint a fit and proper person to be Chancellor, instead of the Chancellor through whose death or retirement such vacancy has occurred. 1891, c. 46, s. 4.

*The Vice-Chancellor.*

Appointment of first Vice-Chancellor.

**9.** The first Vice-Chancellor shall be appointed by the Lieutenant-Governor in Council, and shall hold office for two years, and until his successor is elected by the Senate. 1891, c. 46, s. 5.

Election of subsequent Vice-Chancellor by Senate.

**10.** Every succeeding Vice-Chancellor of the University shall be elected by the members of the Senate from among themselves, and

shall hold office for one year, and until a successor is elected, but a retiring Vice-Chancellor shall be eligible for re-election. 1891, c. 46, s. 6.

**11.** The ordinary annual election of Vice-Chancellor shall take place at the first meeting of the Senate in any academic year in which such election may be required, and the Registrar (to be appointed by the Senate as hereinafter provided) shall, at least one month before the said meeting, notify all members of the Senate that the election is to be held. 1891, c. 46, s. 7. When it shall take place.

**12.** In case of death, resignation, or other vacancy in the office of Vice-Chancellor before the expiration of the term of office then current, the members of the Senate shall, at a meeting to be holden by them for that purpose as soon as conveniently may be, and of which notice shall be given in the manner aforesaid, proceed to the election of another Vice-Chancellor for the remainder of such term, in the manner hereinbefore provided. 1891, c. 46, s. 8. Vacancy.

*The Senate.*

**13.** The Senate shall be composed of the Chancellor, the Vice-Chancellor, seven members to be elected by Convocation in the manner hereinafter provided, and the following other members, viz.: Three members to be appointed by the Lieutenant-Governor in Council; one representative member from each of the four cities of Victoria, Vancouver, New Westminster, and Nanaimo, to be appointed by the respective Municipal Councils of the said four cities; the Speaker of the Provincial Legislative Assembly for the time being; one member elected by the Teachers' Institute or Institutes organized under the authority of sub-section (7) of section 8 of the "Public School Act;" one representative member from the Medical Council of British Columbia; one representative member from the Law Society of British Columbia; one representative member from each of the colleges or schools which may hereafter become affiliated with the University; the Principal and Professors of the University, and the Superintendent of Education for the time being: Provided, that for every additional twenty members of Convocation over and above the number of members of the first Convocation, one additional member of the Senate shall be elected annually by Convocation in excess of the seven as hereinbefore provided, until the total number of members of the Senate elected by Convocation shall have reached twelve. 1891, c. 46, s. 9. The Senate—of whom composed.

**14.** All members of the Senate, except the Chancellor, the Speaker of the Provincial Legislative Assembly for the time being, and the Superintendent of Education for the time being, shall hold office for one year, and shall be eligible for re-election or re-appointment; Term of office.

Provided, however, that all members of the Senate who have been appointed or elected under the "British Columbia University Act, 1890," and all members who shall be elected in the first instance under this Act, shall hold office until the Thursday following the third Tuesday in May, 1893, and until the election or appointment of their successors, except as hereinbefore provided. 1891, c. 46, s. 10.

Vacancies.

**15.** Whenever a vacancy occurs in the Senate, through the retirement of any member of the Senate, for any cause whatever, it shall be competent for those by whom such retiring member was elected or appointed, to elect or appoint, respectively, a successor for the remainder of such term. 1891, c. 46, s. 11.

First meeting.

**16.** The first meeting of the Senate shall be held within one month after the first regular election by Convocation under this Act, in the year in which this Act shall become law, and such first meeting shall be at the call of the Chancellor of the University. 1891, c. 46, s. 12.

Duties of Senate.

**17.** The Senate for the time being shall have the entire management of and superintendence over all the affairs, concerns, and property of the University, and in all cases unprovided for by this Act it shall be lawful for the Senate to act in such manner as shall appear to it best calculated to promote the purpose intended to be promoted by the University. It shall have full power to prescribe examinations and confer degrees, and to appoint, at such salaries as it shall think fit, and at pleasure to dismiss, all professors, tutors, lecturers, teachers, and other necessary officers, assistants, and servants of the University. No religious test shall be required of any professor, tutor, lecturer, teacher, student, officer, or servant of the University, nor shall religious observances, according to the forms of any particular religious denomination or otherwise, be imposed on them or any of them. 1891, c. 46, s. 13.

Alteration of statutes.

**18.** The Senate may, from time to time, make or alter any statute or statutes touching any matter whatsoever regarding the University, not otherwise expressly provided for by this Act, such statutes and alterations not being repugnant to the laws of British Columbia, or to the general objects and provisions of this Act. 1891, c. 46, s. 14.

Statutes to be in writing and under seal.

**19.** All statutes of the Senate shall be reduced to writing and the common seal of the University affixed thereto, and when they have been approved by the Visitor, hereinafter provided for, they shall be binding on all persons being members or officers of the University, and on all candidates for degrees to be conferred by the University, and on all others whom they may concern. 1891, c. 46, s. 15.

Majority of votes.

**20.** All questions which come before the Senate shall be decided by a majority of votes, but in case of equality of votes, the maxim "præsumitur pro negante" shall prevail. 1891, c. 46, s. 16.

**21.** No question shall be decided at any meeting unless at least Quorum. nine members of the Senate are present, nor shall any meeting be legal unless held at the time and convened in the manner provided for by this Act or by statute of the Senate. 1891, c. 46, s. 17.

**22.** At every meeting of the Senate the Chancellor, or, in his Chairman. absence, the Vice-Chancellor, shall preside as chairman, or, in the absence of both, a chairman may be chosen by a majority of the members present 1891, c. 46, s. 18.

**23.** The regulations of the Senate with respect to the literary and Regulations as to standard of qualification. scientific attainments of persons obtaining degrees or certificates of honour, and their examination shall, in so far as circumstances will, in the opinion of the Senate, permit, be similar to those in force for like purposes in the other Universities of the Dominion, to the end that the standard of qualification in the University of British Columbia may not be inferior to that adopted for a like degree or certificate of honour in the said Universities. 1891, c. 46, s. 19.

**24.** The Senate may, from time to time, affiliate any incorporated Affiliation of other colleges. college or colleges with the University, on being satisfied of such college or colleges being in operation and possessed of the requisite buildings and a sufficient staff of professors and other teaching officers, to entitle such college or colleges, in its judgment, to affiliation. 1891, c. 46, s. 20.

**25.** Any college, school, or other institution affiliated with the Removal from affiliation. University under this Act, may be removed from such affiliation by statute of the Senate passed in that behalf. 1891, c. 46, s. 21.

**26.** Every incorporated theological college hereafter affiliated with Affiliated theological colleges to confer degrees of B.D. and D.D. the University may, notwithstanding such affiliation, have power to confer the degrees of Bachelor of Divinity and Doctor of Divinity, provided that candidates for such degrees must be graduates in arts of the University of British Columbia, or of some other University recognised for that purpose by the Senate. 1891, c. 46, s. 22.

*Convocation.*

**27.** Convocation shall be composed of the members of the first Convocation. Convocation, as constituted under sections 4 and 5 of this Act, and all persons who shall become graduates of the University. 1891, c. 46, s. 23.

**28.** The regular annual meeting of Convocation shall be held on Annual meeting of Convocation. the third Tuesday in May, and at this meeting Convocation shall make such rules and by-laws for conducting its business and proceedings as may be required, and shall elect the officers of Convocation, as hereinafter provided, and its representative members of the Senate; but Convocation may hold any other meetings at such times and in such places as it may decide by resolution. 1891, c. 46, s. 24.

- Call of the Senate. **29.** Convocation shall also meet at the call of the Senate. 1891, c. 46, s. 25.
- Meeting on requisition of 10 members. **30.** The Chairman of Convocation shall call an extraordinary meeting of Convocation on requisition of ten members, but such requisition shall state the object or objects of the meeting to be called, and no matter shall be discussed at such extraordinary meeting except the matter or matters for the discussion of which it was convened. 1891, c. 46, s. 26.
- Notice of special meetings. **31.** At least ten days' notice of every special meeting of Convocation shall be given in writing to each member whose address is known, and the object or objects of such meeting shall be clearly stated in such notice. 1891, c. 46, s. 27.
- Senate to provide a place for meetings. **32.** The Senate, when fully constituted, shall provide a proper place for the meetings of Convocations, and the proceedings of any such meeting shall be transmitted to the Senate without delay. 1891, c. 46, s. 28.
- Quorum. **33.** No question shall be decided at any meeting of Convocation unless twenty-five members at least are present. 1891, c. 46, s. 29.
- Officers. **34.** The officers of Convocation shall be a Chairman, a Clerk or Secretary, and an Executive Committee of five members, all of whom shall be elected annually, in such manner as Convocation may determine. 1891, c. 46, s. 30.
- Functions. **35.** The functions of Convocation shall be chiefly elective, but it shall be competent for it to consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate, which shall consider the same and return to Convocation its conclusions thereon. 1891, c. 46, s. 31.
- Fee. **36.** Convocation shall have the power of requiring a fee to be paid by its members to defray necessary expenses of Convocation. 1891, c. 46, s. 32.

*Election by Convocation of Members of the Senate.*

- Nomination of Members of Senate by Convocation. **37.** Any three members of Convocation may nominate a candidate for the office of member of the Senate, and the nomination paper or papers shall be sent to the Registrar at least one month before the date herein fixed for the annual meeting of Convocation at which the election is to be held. 1891, c. 46, s. 33.
- Registrar to send voting papers. **38.** At least three weeks before the meeting of Convocation at which the election is to be held, the Registrar shall send by mail to each member of Convocation whose address is known, the form of

voting paper in the Schedule to this Act, with the list of names of all candidates duly nominated, arranged in alphabetical order, and the voting for members of the Senate shall be limited to the persons who have been so nominated 1891, c. 46, s. 34.

**39.** The votes at an election by Convocation for members of the Senate shall be given by closed voting papers, in the form in the Schedule to this Act, or to the like effect, to be delivered to the Registrar of the University before the hour fixed by the chairman of Convocation for the close of such election, and any voting paper received by the Registrar, by mail or otherwise, after the issue of the said ballot papers, and before the time fixed, as hereinbefore provided, for the close of such election, shall be deemed as delivered to him for the purpose of said election. 1891, c. 46, s. 35.

How voting shall be carried out.

**40.** At the hour fixed as aforesaid for the close of the election, the voting papers shall be opened by the Registrar of the University, in presence of scrutineers appointed for that purpose by the meeting, who shall examine and count the votes, and the Registrar shall declare the result of the election at the meeting, and shall keep a record thereof in a book provided for that purpose by the Senate. 1891, c. 46, s. 36.

Registrar to open voting papers.

**41.** The persons who have the highest number of votes for members of the Senate shall be declared elected members thereof, their number being limited as hereinbefore provided. 1891, c. 46, s. 37.

Whoshall be elected.

**42.** In case of an equality of votes for two or more persons, which leaves the election of one or more members of the Senate undecided, then the scrutineers shall forthwith, for each such undecided election, put into the ballot box a number of papers with the names of the candidates having such equality of votes written thereon, one for each candidate, and the Registrar shall draw from the ballot box, in the presence of the scrutineers, one or more of the papers, sufficient to make up the required number, and the persons whose names are on the papers so drawn shall be declared members of the Senate. 1891, c. 46, s. 38.

Equality of votes.

**43.** In the event of any elector placing more than the required number of names on his voting paper, the first name or names only, not exceeding the required number, shall be taken. 1891, c. 46, s. 39.

More than one name on voting paper.

**44.** In the event of only so many candidates being nominated for the Senate as are required to be elected, such candidates shall be deemed to have been elected members of the Senate, and in such cases no voting papers shall be issued. 1891, c. 46, s. 40.

Where only requisite number nominated.

**45.** The first regular election of members of the Senate under this Act shall be held on the first Tuesday in June in the year in which

First election.

this Act becomes law, and at this first election the Clerk or Secretary of Convocation shall perform the duties hereinbefore assigned to the Registrar of the University in the matter of elections. 1891, c. 46, s. 41.

*The Visitor.*

The Visitor.

**46.** The Lieutenant-Governor of British Columbia shall be the Visitor of the University, with authority to do all those acts which pertain to Visitors, as often as to such Lieutenant-Governor may seem meet. 1891, c. 46, s. 42.

*The Registrar.*

The Registrar.

**47.** A Registrar of the University shall be appointed by the Senate, and it shall be his duty to keep all necessary records and accounts, and to perform such other duties as may be required of him by the Senate. 1891, c. 46, s. 43.

*Faculties.*

**48.** There shall be in the University four Faculties, viz. :—

Faculty of Arts and Science.

(a.) A Faculty of Arts and Science, which shall embrace all branches of a liberal education necessary for the degrees of Bachelor of Arts and Master of Arts, and such other degrees as may be determined by the Senate of the University :

Faculty of Medicine.

(b.) A Faculty of Medicine, which shall embrace all branches of medical and surgical training necessary for the degrees of Bachelor of Medicine, Doctor of Medicine, Master of Surgery, and such other degrees as may be determined by the Senate :

Faculty of Law.

(c.) A Faculty of Law, which shall embrace all branches of the knowledge and practice of law necessary for the degree of Bachelor of Laws, and such other degrees as may be determined by the Senate :

Faculty of Applied Science and Engineering.

(d.) A Faculty of Applied Science and Engineering, leading to the degree of Bachelor of Applied Science, and such other degrees or diplomas as may be determined by the Senate. 1891, c. 46, s. 44.

Senate may grant degrees in each faculty.

**49.** The Senate may exercise its powers of holding examinations and granting degrees in all these faculties, but may at first afford instruction in the Faculty of Arts and Science only, and may thereafter, from time to time, as it may deem expedient, establish courses of instruction in the other faculties of the University. 1891, c. 46, s. 45.

*Boards of Faculties.*

Board of each Faculty.

**50.** The teaching staff in each Faculty shall constitute the Board of such Faculty, and the Principal of the University shall be ex-officio a member of the Board of each Faculty. 1891, c. 46, s. 46.

**51.** The Board of each Faculty shall have full authority over all students in relation to the lectures and other instruction by the professors or other instructors in such faculty. 1891, c. 46, s. 47. Authority over students.

*The Council.*

**52.** The Council of the University shall be composed of the members of the Boards of the various Faculties in common meeting assembled, the Principal of the University presiding. 1891, c. 46, s. 48. The Council.

**53.** The Council shall have full control of the library and museums of the University, and shall conduct and supervise the work of instruction and provide for the maintenance of order and discipline, subject to the statutes and regulations of the Senate. 1891, c. 46, s. 49. Powers of Council.

*Endowments.*

**54.** Any person, body politic or corporate, may, with the approval of the Senate, found one or more professorships, lectureships, fellowships, scholarships, exhibitions, prizes, or other rewards in the University, by providing a sufficient endowment in land or other property, and surrendering or conveying the same to the Corporation of the University for such purposes, and every such endowment of lands or other property shall be vested in the Corporation of the University for the purpose or purposes for which it was given. 1891, c. 46, s. 50. Professorships, etc.

*The University to be Non-Sectarian.*

**55.** The University established under the provisions of this Act shall be conducted upon strictly secular and non-sectarian principles. No religious dogma or creed shall be taught. 1891, c. 46, s. 51. Non-sectarian.

*Education of Women.*

**56.** The Senate shall make full provision for the education of women in the University in such manner as it shall deem most fitting: Provided however, that no woman shall, by reason of her sex, be deprived of any advantages or privileges accorded to other students of the University. 1891, c. 46, s. 52. Education of women.

*B. C. University Act, 1890.*

**57.** Nothing in this Act shall be taken to nullify anything that has been done in accordance with the provisions of the "British Columbia University Act, 1890," and all that has been done under that Act shall be valid, legal, and binding on all whom it may concern, save and except that all those persons who have been appointed or elected to the Council of the University under the said "British Columbia University Act, 1890," shall be deemed to have been appointed or elected as members, and are hereby declared members of the Senate of the University, as constituted by this Act, and they shall hold office as hereinbefore provided. 1891, c. 46, s. 53. Validating proceedings under and pursuant to "B. C. University Act, 1890."

SCHEDULE.

(Sec. 39.)

UNIVERSITY OF BRITISH COLUMBIA.

*Form of Voting Paper.*

Election of Members of Senate.

18 .

I, \_\_\_\_\_, resident at \_\_\_\_\_, do hereby declare :

(1.) That I am a member of Convocation of the University of British Columbia ;

(2.) That the signature hereto affixed is my proper handwriting ;

(3.) That I vote for the following person (*or* persons) to be a member (*or* members) of the Senate of the University of British Columbia, viz.:

\_\_\_\_\_, of \_\_\_\_\_ etc.,

\_\_\_\_\_, of \_\_\_\_\_ etc.,

\_\_\_\_\_, of \_\_\_\_\_ etc.;

(4.) That I have not in this election signed any other voting paper as a member of Convocation.

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VICTORIA, B.C.:

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