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Ontario College of Art & Design University Act, 2002

S.O. 2002, Chapter 8  
Schedule E

**Consolidation Period:** From December 4, 2023 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2023, c. 20, Sched. 13](http://www.ontario.ca/laws/statute/S23020" \l "sched13s1).

Legislative History: [2002, c. 24, Sched. B, s. 43](http://www.ontario.ca/laws/statute/S02024" \l "schedbs43); [2004, c. 8, s. 46, Table and s. 47 (2)](http://www.ontario.ca/laws/statute/S04008" \l "s46s1); [2009, c. 33, Sched. 2, s. 50](http://www.ontario.ca/laws/statute/S09033" \l "sched2s50); [2010, c. 12, s. 22-38](http://www.ontario.ca/laws/statute/S10012" \l "s22); [2017, c. 20, Sched. 8, s. 105](http://www.ontario.ca/laws/statute/S17020" \l "sched8s105); [2019, c. 14, Sched. 5, s. 3](http://www.ontario.ca/laws/statute/S19014" \l "sched5s3s1); [2023, c. 20, Sched. 13](http://www.ontario.ca/laws/statute/S23020" \l "sched13s1).

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Interpretation and Continuation, Objects and Powers of University

Definitions

**1** In this Act,

“board” means the board of governors of the University; (“conseil”)

“property” includes real and personal property; (“biens”)

“senate” means the senate of the University; (“sénat”)

“University” means the Ontario College of Art & Design University continued under section 2. (“Université”) 2002, c. 8, Sched. E, s. 1; 2010, c. 12, s. 24.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 24 (1-3)](http://www.ontario.ca/laws/statute/S10012" \l "s24s1) - 08/06/2010

Continuation of corporation

**2** (1)  The Ontario College of Art & Design is continued as a corporation without share capital under the name Ontario College of Art & Design University in English and Université de l’École d’art et de design de l’Ontario in French and shall consist of the members of its board. 2010, c. 12, s. 25.

Conflicts

(2)  In the event of a conflict between a provision of this Act and a provision of the Not-for-Profit Corporations Act, 2010, the provision of this Act prevails. 2002, c. 8, Sched. E, s. 2 (2); 2017, c. 20, Sched. 8, s. 105.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 25](http://www.ontario.ca/laws/statute/S10012" \l "s25) - 08/06/2010

[2017, c. 20, Sched. 8, s. 105](http://www.ontario.ca/laws/statute/S17020" \l "sched8s105) - 19/10/2021

Objects

**3** The objects of the University are to provide the opportunity and environment for advanced education in art and design at the undergraduate and graduate levels and to support teaching, research and professional practice in these fields. 2010, c. 12, s. 26.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 26](http://www.ontario.ca/laws/statute/S10012" \l "s26) - 08/06/2010

Powers

**4** (1)  The University has all the powers necessary and incidental to its objects. 2002, c. 8, Sched. E, s. 4 (1); 2010, c. 12, s. 27 (1).

Degrees, etc.

(2)  Subject to subsection (3), the University may confer degrees, including honorary degrees, and award certificates and diplomas in any and all branches of learning. 2019, c. 14, Sched. 5, s. 3 (2).

Same

(3)  The authority of the University to confer credentials under subsection (2) shall be exercised in a manner consistent with the objects of the University set out in section 3. 2019, c. 14, Sched. 5, s. 3 (2).

Affiliation

(4)  The University may affiliate or federate with other universities, colleges and institutions of learning, on such terms and for such periods of time as the board may determine. 2002, c. 8, Sched. E, s. 4 (4); 2010, c. 12, s. 27 (5).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 27 (1-5)](http://www.ontario.ca/laws/statute/S10012" \l "s27s1) - 08/06/2010

[2019, c. 14, Sched. 5, s. 3 (1, 2)](http://www.ontario.ca/laws/statute/S19014" \l "sched5s3s1) - 17/06/2020

Board of Governors

Board of governors

**5** (1)  There shall be a board of the University, consisting of,

(a) the president of the University, by virtue of office;

(b) six members, appointed by the Lieutenant Governor in Council, who are neither students nor employees of the University; and

(c) such other members as may be set out in the by-laws of the University so long as at least a majority of the members of the board are persons who are neither students nor employees of the University. 2010, c. 12, s. 29 (1).

By-law respecting elections

(2)  The board shall by by-law determine the manner and procedure for the election of members described in clause (1) (c) and eligibility requirements for election to the board. 2002, c. 8, Sched. E, s. 5 (2).

Term

(3)  The term of office for each member of the board, other than the president, shall be not more than three years, as determined by by-law, and each member is eligible for reappointment or re-election. 2002, c. 8, Sched. E, s. 5 (3).

Limitation

(4)  A person may not be a member of the board for more than six consecutive years, but is eligible for reappointment or re-election after one year’s absence from the board. 2002, c. 8, Sched. E, s. 5 (4).

Exception, chair

(4.1)  The board may determine by board resolution that the six-year limit set out in subsection (4) does not apply to a member who is serving as chair of the board, and the member shall immediately be eligible for reappointment or re-election to another term of office, provided that the member continues to serve as chair. 2023, c. 20, Sched. 13, s. 1.

Same

(4.2)  A member who continues to serve as chair pursuant to subsection (4.1) may not be a member of the board for more than eight consecutive years and subsequently is not eligible for reappointment or re-election to the board. 2023, c. 20, Sched. 13, s. 1.

Vacancies

(5)  A vacancy on the board occurs if,

(a) a member resigns or ceases to be eligible for appointment or election to the board;

(b) a member is incapable of continuing to act as a member and the board by resolution declares the membership to be vacated;

(c) the board by resolution declares a membership to be vacated for failure to attend sufficient meetings, as provided in the by-laws of the University; or

(d) a majority of the persons entitled under the by-laws of the University to vote for the election of a member vote or sign a petition in favour of removing the member from office. 2002, c. 8, Sched. E, s. 5 (5); 2010, c. 12, s. 29 (2).

Same

(6)  If a vacancy on the board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in a timely fashion, as provided in the by-laws, in the same manner and by the same body as the member whose membership is vacant was appointed or elected and the new member shall hold office for the remainder of the unexpired portion of the term of the member he or she is replacing. 2002, c. 8, Sched. E, s. 5 (6).

Quorum

(7)  A quorum of the board consists of a majority of its members and that majority must include,

(a) at least half of the members who are students or employees of the University; and

(b) at least half of the members who are not students or employees of the University. 2002, c. 8, Sched. E, s. 5 (7); 2010, c. 12, s. 29 (3).

Chair, vice-chair

(8)  The board shall annually elect a chair and vice-chair from among its members who are not students or employees of the University and shall fill any vacancy in the office of chair or vice-chair from among such members. 2002, c. 8, Sched. E, s. 5 (8); 2010, c. 12, s. 29 (4).

Duties

(9)  The chair shall preside over the meetings of the board and, if the chair is unable to act or if the position is vacant, the vice-chair shall act in his or her place and, if both the chair and vice-chair are unable to act, the board may appoint a member who is not a student or employee of the University to act temporarily in their place. 2002, c. 8, Sched. E, s. 5 (9); 2010, c. 12, s. 29 (5).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 29 (1-5)](http://www.ontario.ca/laws/statute/S10012" \l "s29s1) - 08/06/2010

[2023, c. 20, Sched. 13, s. 1](http://www.ontario.ca/laws/statute/S23020" \l "sched13s1) - 04/12/2023

Powers and duties of board

**6** (1)  The board is responsible for governing and managing the affairs of the University and has the necessary powers to do so, including the power,

(a) to determine the mission, vision and values of the University in a manner that is consistent with the objects of the University set out in section 3;

(a.1) to appoint and remove a chancellor;

(b) to appoint and remove the president;

(b.1) to appoint, promote, suspend and remove members of the teaching faculty, academic staff and non-teaching employees of the University, subject to subsection (1.1);

(b.2) to fix the number, duties and salaries and other benefits of the teaching faculty, academic staff and non-teaching employees of the University;

(b.3) to approve the annual budget of the University and to monitor its implementation;

(c) to appoint committees and assign or delegate to them such duties and responsibilities as may be provided in the by-laws of the University, including authorizing them to act on behalf of the board in the matters specified in the by-law;

(d) to establish advisory bodies;

(e) to establish administrative and operational policies and procedures, including organizational structures, staffing requirements, qualifications and duties of staff and conditions of employment;

(f) to establish and collect fees and charges for tuition and other services that may be offered by the University or that may be approved by the board on behalf of any organization or group of the University;

(g) to regulate the conduct of students, staff and all persons who use the property of the University, including denying any person access to the property;

(h) to define, for the purposes of this Act and the by-laws, the following terms: student, staff, employee, manager, teaching faculty and academic staff;

(i) to conclusively determine which body within the University has jurisdiction over any matter;

(j) to consider, co-ordinate and implement long-range administrative and operational plans, including the physical development of the University;

(k) to determine the manner and procedure for electing members described in clause 5 (1) (c) to the board, including establishing constituencies and voting practices; and

(l) to make by-laws, resolutions and rules for the conduct of its affairs. 2002, c. 8, Sched. E, s. 6 (1); 2010, c. 12, s. 30 (1-4).

Limitation

(1.1)  The board shall not appoint, promote, suspend or remove a member of the teaching faculty, academic staff or a non-teaching employee of the University, except on the recommendation of the president of the University who shall be governed by the terms of any applicable commitments and practices of the University. 2010, c. 12, s. 30 (5).

Standard of conduct

(2)  Every member of the board shall exercise the powers and carry out the duties of his or her office diligently, honestly, in good faith, in the best interests of the University and in accordance with any other criteria set out in the by-laws of the University. 2002, c. 8, Sched. E, s. 6 (2); 2010, c. 12, s. 30 (6).

Conflict of interest

(3)  A member of the board or of a committee created by it who has a conflict of interest, as defined in the by-laws or conflict of interest guidelines of the University, as the case may be, in a matter in which the University is concerned shall declare his or her interest as soon as possible and no later than at the first meeting at which the matter is to be considered and, if required by the by-laws or guidelines, shall withdraw from the meeting during the discussion of the matter and shall not vote on the matter. 2002, c. 8, Sched. E, s. 6 (3); 2010, c. 12, s. 30 (7).

Exception, employee

(4)  Despite subsection (3), a member of the board who is also an employee of the University may take part in discussing and voting on issues concerning general conditions of employment for University employees, unless the discussion and voting deals with the circumstances of the particular employee as an isolated issue, separate and apart from consideration of other employees. 2002, c. 8, Sched. E, s. 6 (4); 2010, c. 12, s. 30 (8).

Exception, student

(5)  Despite subsection (3), a member of the board who is also a student may take part in discussing and voting on issues concerning students generally, unless such discussion and voting deals with the circumstances of the particular student as an isolated issue, separate and apart from consideration of other students. 2002, c. 8, Sched. E, s. 6 (5).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 30 (1-8)](http://www.ontario.ca/laws/statute/S10012" \l "s30s1) - 08/06/2010

Senate

Senate composition

**7** (1)  There shall be a senate of the University, consisting of not more than 60 members, including the following members:

1. The following persons who are members by virtue of their office:

i. the president of the University,

ii. the vice-president, academic of the University,

iii. the vice president, research and graduate studies of the University,

iv. the chancellor of the University,

v. the dean of each faculty or, if a program is not part of a faculty, the associate dean or chair of the program,

vi. the University registrar, and

vii. the University director of library services or chief librarian.

2. Such number of students elected by the students of the University from among themselves as set out in the senate by-laws.

3. Such number of persons on the teaching faculty, elected by the teaching faculty from among themselves, as set out in senate by-laws, which number shall be at least twice the total number of all other members of the senate.

4. One person, other than the president of the University, appointed by the board from among the board members.

5. Such other persons as may be determined by senate by-law. 2010, c. 12, s. 31.

By-laws respecting elections

(2)  The senate shall by by-law determine,

(a) the procedures to be followed in the election of members of the senate;

(b) the eligibility requirements for the election or appointment, as the case may be, to the senate of members described in paragraphs 2, 3, 4 and 5 of subsection (1);

(c) the number of persons to be elected or appointed, as the case may be, to the senate under paragraphs 2, 3 and 5 of subsection (1); and

(d) the constituencies for each of the groups referred to in paragraphs 2, 3 and 4 of subsection (1). 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Senate election

**7.1**The senate shall conduct the election of its elected members and shall determine any dispute as to the eligibility of a candidate at such election or as to a person’s entitlement to vote at the election. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Term of office

**7.2**The term of office for an elected or appointed member of the senate shall be,

(a) not more than three years, as determined by the by-laws of the senate; or

(b) if a by-law referred to in clause (a) is not made, one year. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Loss of eligibility

**7.3**(1)  If, during his or her term of office, a member of the senate elected or appointed under paragraph 2, 3, 4 or 5 of subsection 7 (1) ceases to be eligible for election or appointment to the senate under the same paragraph, he or she thereby ceases to be a member of the senate. 2010, c. 12, s. 31.

Exception, student graduation

(2)  Despite subsection (1), if a student member of the senate graduates during his term of office, he or she may continue to sit as a member of the senate until the next anniversary of the day of his or her election. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Renewal of term

**7.4**(1)  A member of the senate is eligible for re-election or reappointment. 2010, c. 12, s. 31.

Limitation

(2)  A person elected or appointed to the senate may not be a member of the senate for more than two consecutive terms, but is eligible for reappointment or re-election after one year’s absence from the senate. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Vacancies

**7.5**(1)  A vacancy on the senate occurs if,

(a) a member resigns or ceases to be eligible for appointment or election to the senate before the end of his or her term;

(b) a member is incapable to continue to act as a member and the senate by resolution declares the membership to be vacated; or

(c) such circumstances as may be specified in a by-law of the senate exist. 2010, c. 12, s. 31.

Same

(2)  If a vacancy occurs on the senate, the senate shall,

(a) determine, in accordance with its by-laws, whether or not to fill the vacancy; and

(b) if the vacancy is to be filled, fill the vacancy within the time period, and according to the procedures, provided in the by-laws of the senate. 2010, c. 12, s. 31.

Completion of term

(3)  The person who fills a vacancy on the senate under subsection (2) shall hold office for the remainder of the term of the member he or she is replacing. 2010, c. 12, s. 31.

Renewal of term

(4)  Despite subsection 7.4 (2), a person elected or appointed to the senate under subsection (2) may be reappointed or re-elected upon the expiry of the term that he or she was elected or appointed to complete, but is eligible for further reappointment or re-election only after one year’s absence from the senate. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Powers of senate

**7.6**The senate has, subject to the approval of the board with respect to the expenditure of funds, the power to determine and regulate the educational policy of the University and, without limiting the generality of the foregoing, has the power,

(a) to make recommendations to the board with respect to the establishment, change or termination of programs and courses of study, schools, faculties, divisions and departments;

(b) to make recommendations to the board on the allocation or use of University resources for academic purposes;

(c) to advise the president of the University on the staffing needs of the academic departments;

(d) to appoint the faculty deans, associate deans and the program chairs as may be required from time to time;

(e) to determine the curricula of all programs and courses of study, the standards of admission to the University and continued registration therein, and the qualifications for degrees, diplomas and certificates of the University;

(f) to conduct examinations, appoint examiners and decide all matters relating thereto;

(g) to hear and determine appeals from the decisions of the faculty councils on examinations and on applications for admission;

(h) to award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;

(i) to authorize the chancellor, the vice-chancellor or such other person as may be determined by the senate, to confer degrees, honorary degrees, diplomas and certificates on behalf of the University in accordance with section 4;

(j) to create councils and committees to exercise its powers;

(k) to make by-laws for the conduct of its affairs, including by-laws respecting the conduct of the election of its members. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

Chancellor and President

Chancellor

**7.7**(1)  The board may, in its discretion, decide to appoint a chancellor of the University. 2010, c. 12, s. 31.

Appointment committee

(2)  If the board decides to appoint a chancellor, it shall establish an appointment committee to make recommendations as to the person to be appointed chancellor. 2010, c. 12, s. 31.

Same

(3)  The appointment committee shall be composed of such members of the board and senate as may be determined by the by-laws of the board. 2010, c. 12, s. 31.

Appointment

(4)  The board shall take into consideration the recommendation of the appointment committee when appointing a chancellor. 2010, c. 12, s. 31.

Term of office

(5)  If appointed, the chancellor shall hold office for four years. 2010, c. 12, s. 31.

Reappointment

(6)  The chancellor may be reappointed for a further term but shall not be reappointed for more than two consecutive terms. 2010, c. 12, s. 31.

Vice-chancellor

(7)  If a chancellor is appointed under subsection (1), the president shall be the vice-chancellor of the University. 2010, c. 12, s. 31.

Duties

(8)  The chancellor is the titular head of the University and, when authorized by the senate to do so, shall confer all degrees, honorary degrees, certificates and diplomas on behalf of the University. 2010, c. 12, s. 31.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 31](http://www.ontario.ca/laws/statute/S10012" \l "s31) - 08/06/2010

President

**8** (1)  There shall be a president of the University appointed by the board in such manner and for such term as the board shall determine. 2002, c. 8, Sched. E, s. 8 (1); 2010, c. 12, s. 32 (1).

Powers and duties

(2)  The president is the chief executive officer of the University and has supervision over and direction of the academic and general administration of the University, its students, managers, teaching faculty and academic staff and other employees, and such other powers and duties as may be conferred upon or assigned to him or her by the board. 2002, c. 8, Sched. E, s. 8 (2); 2010, c. 12, s. 32 (2).

Vice-president

(3)  The board may, on the recommendation of the president, appoint one or more vice-presidents and other managers who shall have such powers and duties as may be conferred on them by the board. 2002, c. 8, Sched. E, s. 8 (3).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 32 (1, 2)](http://www.ontario.ca/laws/statute/S10012" \l "s32s1) - 08/06/2010

Administration

Meetings

**9** (1)  Subject to subsection (2), meetings of the board and meetings of its permanent committees shall be open to the public and prior notice of such meetings shall be given to the members and to the public in the manner provided in the by-laws of the University. 2002, c. 8, Sched. E, s. 9 (1); 2010, c. 12, s. 34.

Exclusion

(2)  The board may exclude any person from part of a meeting during which a confidential matter or a matter of a personal nature concerning an individual is being considered. 2002, c. 8, Sched. E, s. 9 (2).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 34](http://www.ontario.ca/laws/statute/S10012" \l "s34) - 08/06/2010

By-laws

**10** (1)  The by-laws of the University shall be open to examination by members of the public during normal business hours. 2002, c. 8, Sched. E, s. 10 (1); 2010, c. 12, s. 35 (1).

Publication

(2)  The University shall publish its by-laws in such manner and at such time as it considers proper. 2002, c. 8, Sched. E, s. 10 (2); 2010, c. 12, s. 35 (2).

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 35 (1, 2)](http://www.ontario.ca/laws/statute/S10012" \l "s35s1) - 08/06/2010

Property

**11** (1)  The University may purchase or otherwise acquire, take by gift, devise or bequest and hold such property as the board considers necessary for the objects of the University, and may mortgage, sell or otherwise dispose of the same as the board, in its absolute discretion, considers appropriate. 2002, c. 8, Sched. E, s. 11 (1); 2010, c. 12, s. 36 (1).

Vesting

(2)  All property granted, conveyed, devised or bequeathed to the Ontario College of Art or to the Council of the Ontario College of Art, before or after this Act comes into force, and all property held in trust by the Ontario College of Art or by the Council of the Ontario College of Art, before or after this Act comes into force, is vested in the University, subject to any trusts or conditions affecting the property. 2002, c. 8, Sched. E, s. 11 (2); 2010, c. 12, s. 36 (2).

Exemption from taxation

(3)  Land vested in the University and land and premises leased to and occupied by the University are exempt from provincial and municipal taxes and development charges, so long as the vested land or leased land and premises are actually used and occupied for the objects of the University. 2002, c. 8, Sched. E, s. 11 (3); 2010, c. 12, s. 36 (3).

Protection from expropriation

(4)  Land vested in the University is not liable to be entered upon, used or taken by any person or corporation, and no power to expropriate land conferred after this Act comes into force shall extend to such land unless the statute conferring the power expressly provides otherwise. 2002, c. 8, Sched. E, s. 11 (4); 2010, c. 12, s. 36 (4).

Deemed vesting in Crown

(5)  All property vested in the University shall be deemed to be vested in the Crown for the public uses of Ontario for the purposes of the Real Property Limitations Act. 2002, c. 24, Sched. B, s. 43; 2010, c. 12, s. 36 (5).

Use of property

(6)  The property and the revenue of the University shall be applied solely to achieving the objects of the University. 2002, c. 8, Sched. E, s. 11 (6); 2010, c. 12, s. 36 (6).

(7)  Repealed: 2009, c. 33, Sched. 2, s. 50.

Investments

(8)  The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the board, subject to any trusts or conditions affecting them, may be invested and reinvested in such investments as the board, in its absolute discretion, considers appropriate and, except where a trust instrument otherwise directs, such funds may be combined with trust monies belonging to various trusts in the care of the board into a common trust fund. 2002, c. 8, Sched. E, s. 11 (8); 2010, c. 12, s. 36 (7).

Borrowing

(9)  The University, if authorized by its by-laws, may, on such terms and in such amounts as the board may approve,

(a) borrow money and give security on money borrowed; and

(b) issue or give bonds, debentures and obligations as security. 2002, c. 8, Sched. E, s. 11 (9); 2010, c. 12, s. 36 (8).

**Section Amendments with date in force (d/m/y)**

[2002, c. 24, Sched. B, s. 43](http://www.ontario.ca/laws/statute/S02024" \l "schedbs43) - 01/01/2004

[2009, c. 33, Sched. 2, s. 50](http://www.ontario.ca/laws/statute/S09033" \l "sched2s50) - 15/12/2009

[2010, c. 12, s. 36 (1-8)](http://www.ontario.ca/laws/statute/S10012" \l "s36s1) - 08/06/2010

Audits and reports

**12** (1)  The board shall appoint one or more public accountants licensed under the Public Accounting Act, 2004 to audit the accounts, trust funds and transactions of the University at least once a year. 2002, c. 8, Sched. E, s. 12 (1); 2004, c. 8, ss. 46, 47 (2); 2010, c. 12, s. 37 (1).

Financial report

(2)  The University shall make a financial report annually to the Minister of Training, Colleges and Universities in such form and containing such information as the Minister may require. 2002, c. 8, Sched. E, s. 12 (2); 2010, c. 12, s. 37 (2).

Other reports

(3)  The University shall submit to the Minister of Training, Colleges and Universities all other reports as the Minister may require. 2002, c. 8, Sched. E, s. 12 (3); 2010, c. 12, s. 37 (3).

**Section Amendments with date in force (d/m/y)**

[2004, c. 8, s. 46, Table, s. 47 (2)](http://www.ontario.ca/laws/statute/S04008" \l "s46s1) - 01/11/2005

[2010, c. 12, s. 37 (1-3)](http://www.ontario.ca/laws/statute/S10012" \l "s37s1) - 08/06/2010

Transition

Transition

Recognition of credits and marks

**13** (1)  The University shall grant to all its students and former students full recognition for all credits and marks awarded by the Ontario College of Art and the Ontario College of Art & Design before the coming into force of this section. 2010, c. 12, s. 38.

First Senate

(2)  Despite anything in this Act, the persons who were members of the academic council of the Ontario College of Art & Design on the day immediately before the day section 31 of the Post-secondary Education Statute Law Amendment Act, 2010 comes into force shall, on and after that day, constitute the first senate of the University. 2010, c. 12, s. 38.

Duties of first senate

(3)  The first senate of the University shall no later than July 1 after the day section 31of the Post-secondary Education Statute Law Amendment Act, 2010 comes into force appoint or elect new members of the senate as are necessary in order to ensure that the senate is constituted in accordance with the requirements of this Act. 2010, c. 12, s. 38.

Same

(4)  Despite subsection (3), if the period between the date that section 31 of the Post-secondary Education Statute Law Amendment Act, 2010 comes into force and the July 1 following that date is less than 12 months, the date referred to in subsection (3) shall be the next following July 1. 2010, c. 12, s. 38.

Rotating membership of senate

(5)  The senate may determine that each new member of the senate appointed or elected under subsection (3) or (4), as the case may be, shall hold office for one year, two years or three years and the term of office for each new member so appointed or elected may vary from one member to the next, as the senate deems appropriate to ensure an effective succession of senate members. 2010, c. 12, s. 38.

Reappointment, etc., to senate

(6)  Membership on the academic council before section 31 of the Post-secondary Education Statute Law Amendment Act, 2010 comes into force shall be considered when determining whether a member of the first senate of the University has exceeded the limitation period specified in subsection 7.4 (2) for purposes of re-election or reappointment. 2010, c. 12, s. 38.

First senate by-laws

(7)  The by-laws made by the board that relate to the academic council immediately before section 31of the Post-secondary Education Statute Law Amendment Act, 2010 comes into force shall, in so far as they are not inconsistent with this Act, be deemed to be the by-laws of the senate until re-enacted, amended or repealed by the senate. 2010, c. 12, s. 38.

**Section Amendments with date in force (d/m/y)**

[2010, c. 12, s. 38](http://www.ontario.ca/laws/statute/S10012" \l "s38) - 08/06/2010

**14** Omitted (amends or repeals other Acts). 2002, c. 8, Sched. E, s. 14.

**15** Omitted (provides for coming into force of provisions of this Act). 2002, c. 8, Sched. E, s. 15.

**16** Omitted (enacts short title of this Act). 2002, c. 8, Sched. E, s. 16.

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