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c 272 Ministry of Colleges and Universities Act

Ontario

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CHAPTER 272

Ministry of Colleges and Universities Act

1. In this Act,

Interpretation

(a) "Minister" means the Minister of Colleges and Universities;

(b) "Ministry" means the Ministry of Colleges and Universities. 1972, c. 1, s. 12 (2).

2.—(1) The Ministry of Colleges and Universities is continued. 1972, c. 1, s. 12 (3), *revised*.

Ministry continued

(2) The Minister shall preside over and have charge of the Ministry and is responsible for the administration of this and such other Acts and the regulations made thereunder as are assigned to him by the provisions thereof or by the Lieutenant Governor in Council. 1971, c. 66, s. 2 (2); 1972, c. 1, s. 1.

Duties of Minister

3.—(1) The Lieutenant Governor in Council may appoint a Deputy Minister of the Ministry. 1971, c. 66, s. 3 (1); 1972, c. 1, s. 1.

Deputy Minister

(2) Such officers, clerks and servants may be appointed under the *Public Service Act* as are considered necessary from time to time for the proper conduct of the business of the Ministry. 1971, c. 66; s. 3 (2); 1972, c. 1, s. 1.

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(3) The Lieutenant Governor in Council may appoint such advisory committees or other consulting bodies as are considered necessary from time to time. 1971, c. 66, s. 3 (3).

Advisory bodies

4. The Minister may determine the amount of any capital expenditure of a university or a college of applied arts and technology or of Ryerson Polytechnical Institute or the Ontario College of Art that may be financed through The Ontario Universities Capital Aid Corporation, and debentures may be purchased from a university or a college of applied arts and technology or from Ryerson Polytechnical Institute or the Ontario College of Art by the Corporation only on the recommendation of the Minister. 1973, c. 86, s. 1, *part, revised*.

Capital expenditures financed through The Ontario Universities Capital Aid Corporation

Colleges of
applied arts
and
technology

5.—(1) Subject to the approval of the Lieutenant Governor in Council, the Minister may establish, name, maintain, conduct and govern colleges of applied arts and technology that offer programs of instruction in one or more fields of vocational, technological, general and recreational education and training in day or evening courses and for full-time or part-time students.

Council of
Regents

(2) The Minister shall be assisted in the planning, establishment and co-ordination of programs of instruction and services for such colleges by a council to be known as the Ontario Council of Regents for Colleges of Applied Arts and Technology composed of such members as may be appointed by the Lieutenant Governor in Council.

Boards of
governors,
advisory
committees

(3) There shall be a board of governors for each college of applied arts and technology, which shall be a corporation with such name as the Minister may designate and shall be composed of such members and have such powers and duties, in addition to those under the *Corporations Act* as varied by the regulations, as may be provided by the regulations, and each board shall be assisted by an advisory committee for each branch of a program of instruction offered in the college other than programs of instruction referred to in subsection (5).

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Agreements

(4) For the purposes of subsection (1) and subject to the approval of the Minister, a board of governors may enter into an agreement with any organization representing one or more branches of industry or commerce or with any professional organization.

Idem

(5) Subject to the approval of the Minister, a board of governors of a college may enter into an agreement with a university for the establishment, maintenance and conduct by the university in the college of programs of instruction leading to degrees, certificates or diplomas awarded by the university.

Cost of
establish-
ment and
maintenance

(6) The cost of the establishment, maintenance and conduct of a college shall be payable out of moneys appropriated therefor by the Legislature and out of moneys received from Canada for the purposes of technical education or other programs of instruction of the college, moneys contributed by organizations that have entered into agreements with the board of governors of the college, fees paid by students and moneys received from other sources.

Regulations

(7) The Minister, subject to the approval of the Lieutenant Governor in Council, may make regulations with respect to colleges of applied arts and technology,

- (a) providing for the composition of the Ontario Council of Regents for Colleges of Applied Arts and Technology;
- (b) providing for the composition of the boards of governors on a suitably representative basis and of the advisory committees thereof and for the appointment of the members of such boards and committees;
- (c) prescribing the powers and duties of boards of governors and advisory committees, the manner of calling and conducting the meetings thereof and the procedure for the election or appointment of chairmen and officers;
- (d) prescribing the type, content and duration of programs of instruction to be offered;
- (e) prescribing the requirements for admission to any program of instruction, and prescribing the terms and conditions upon which students may remain in, or be discharged from, any program of instruction;
- (f) for the granting of certificates and diplomas of standing following successful completion of any program of instruction;
- (g) prescribing the qualifications and conditions of service of members of the teaching staffs of such colleges;
- (h) providing for the payment of travelling allowances or expenses to members of the Ontario Council of Regents for Colleges of Applied Arts and Technology, boards of governors and advisory committees, and of the officers and employees of such colleges;
- (i) providing for a payment of a *per diem* allowance to the members, except the chairman, of the Ontario Council of Regents for Colleges of Applied Arts and Technology;
- (j) requiring students to pay registration, tuition and laboratory fees in respect of any program of instruction, and fixing the amounts and manner of payment thereof;
- (k) providing for the admission of persons from outside Ontario, and prescribing fees payable by such persons in respect of any program of instruction and the manner of payment thereof.

Application of regulations (8) No regulation made under subsection (7) applies to a university or to programs of instruction given by a university in such colleges.

Remuneration of chairman (9) The chairman of the Ontario Council of Regents for Colleges of Applied Arts and Technology shall be paid such remuneration and shall be entitled to such other benefits as may be determined by the Lieutenant Governor in Council. 1971, c. 66, s. 6 (1-9).

Grants to historical institutions 6. The Lieutenant Governor in Council may make regulations providing for the apportionment and distribution of moneys appropriated by the Legislature for the maintenance, development and promotion of historical institutions, and providing for the conditions governing the payment thereof. 1972, c. 1, s. 12 (5); 1972, c. 114, s. 2, *part*.

Regulations 7. Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations,

- (a) prescribing the terms and conditions under which awards or grants provided out of the moneys appropriated by the Legislature may be made to students enrolled in post-secondary institutions, prescribing the amounts of such awards and the methods of calculation thereof and the persons eligible therefor, defining the types, classes and sub-classes of awards and grants, fixing the maximum amount that may be awarded or granted to any applicant and authorizing the Minister to determine the amount, up to the maximum that may be awarded or granted, to an applicant;
- (b) providing for the recovery of all or any of the moneys awarded or granted to any student enrolled or purporting to be enrolled in a post-secondary institution who was not eligible for the award or grant or who fails to comply with any of the terms and conditions under which such moneys were awarded or granted;
- (c) providing for the apportionment and distribution of moneys appropriated or raised by the Legislature for university, college and other post-secondary educational purposes;
- (d) prescribing the conditions governing the payment of legislative grants;

- (e) defining "enrolment" and "student" for the purpose of legislative grants to post-secondary educational institutions recognized by the Minister for the purpose of such grants, and requiring that "enrolment" be subject to the approval of the Minister;
- (f) prescribing forms and providing for their use;
- (g) authorizing the Deputy Minister of Colleges and Universities or any officer of the Ministry to exercise the power to approve loans under section 8. 1972, c. 114, s. 3; 1973, c. 86, s. 2.

8.—(1) Upon the recommendation of the Minister, the Lieutenant Governor in Council may, upon such terms as he considers proper, agree to guarantee and may guarantee the payment of any loan and the interest thereon made by a chartered bank to which the *Bank Act* (Canada) applies, or by a credit union, as defined in the *Credit Unions and Caisses Populaires Act* to a student of a university, college of applied arts and technology or other post-secondary institution in Ontario where,

Guarantee of loans

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- (a) the loan is made to such student pursuant to an application made by the student in the form prescribed by the regulations; and
- (b) the loan is approved by the Minister or by a person authorized for such purpose by the regulations. 1973, c. 86, s. 3, *part*; 1980, c. 6, s. 7 (1).

(2) The form and manner of the guarantee shall be such as the Lieutenant Governor in Council approves, and the guarantee shall be signed by the Treasurer of Ontario or such other officers as are designated by the Lieutenant Governor in Council, and, upon being so signed, the Province of Ontario is liable for the payment of the loan and interest thereon guaranteed according to the terms of the guarantee, and any guarantee so signed is evidence that the terms of this section have been complied with.

Form of guarantee

(3) The Lieutenant Governor in Council may make arrangements for supplying the money necessary to fulfil the requirements of any guarantee and to advance the amount necessary for that purpose out of the public funds of the Province of Ontario. 1973, c. 86, s. 3, *part*.

Payment of guarantee

9.—(1) Where a loan is made under section 8, the Minister shall pay to a chartered bank or credit union in respect of

Minister to pay interest

each guaranteed student loan that a student borrower is obliged to repay to that bank or credit union interest thereon at the rate and for the period prescribed by the regulations and no interest is payable by a student on such guaranteed student loan in respect of such period. 1975, c. 29, s. 1, *part*; 1980, c. 6, s. 7 (2).

Regulations

(2) The Lieutenant Governor in Council may make regulations,

- (a) prescribing the rate of interest payable by the Minister or a student borrower to a bank or credit union on a guaranteed student loan;
- (b) prescribing the period that may lapse after which the principal amount of a guaranteed student loan and interest thereon shall commence to be payable by the student borrower;
- (c) respecting the subrogation of Her Majesty in right of Ontario to the rights of a bank or credit union with respect to a guaranteed student loan;
- (d) prescribing procedures to be followed by a bank or credit union with respect to a guaranteed student loan;
- (e) prescribing the provisions to be included in agreements between borrowers and banks or credit unions related to guaranteed student loans;
- (f) providing for the alteration of agreements between borrowers and banks or credit unions and prescribing the conditions and consequences of such alterations;
- (g) providing for the assignment or transfer by banks or credit unions of agreements between borrowers and banks or credit unions and prescribing the conditions and consequences of such assignments or transfers;
- (h) prescribing, in the event of default in the repayment of a guaranteed student loan, the measures to be taken by a bank or credit union and the procedures to be followed for the collection of the amount of the loan outstanding and accrued interest;
- (i) prescribing the method of determining the amount of any loss sustained by a bank or credit union as a result of a guaranteed student loan;
- (j) prescribing the procedure to be followed by a bank or credit union in making a claim against the Minister;

- (k) prescribing the maximum number of years that may elapse after which the principal amount of a guaranteed student loan and interest thereon shall commence to be payable by the borrower;
- (l) providing for reports to be made to the Minister for the purposes of this Act, and prescribing the kind of information to be included in those reports. 1975, c. 29, s. 1, *part*; 1980, c. 6, s. 7 (3, 4).

10. The expenses of the Ministry shall be paid out of the ^{Expenses} moneys appropriated therefor by the Legislature. 1971, c. 66, s. 7; 1972, c. 1, s. 1.

