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c 114 The Ministry of Colleges and Universities Amendment Act, 1972

Ontario

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CHAPTER 114

An Act to amend The Ministry of Colleges and Universities Act, 1971

*Assented to June 30th, 1972
Session Prorogued December 15th, 1972*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Ministry of Colleges and Universities Act, 1971*, being chapter 66, is amended by adding thereto the following subsection: s. 6,
amended

(11) Any provision in a collective agreement that is in conflict with a provision of a regulation made under subsection 7 as it affects the employees of a bargaining unit covered by the collective agreement prevails over the provision of the regulation. Where
collective
agreement in
conflict with
regulation

2. The said Act is amended by renumbering section 6a as enacted by the Statutes of Ontario, 1972, chapter 1, section 12, as section 6b and by adding thereto the following section: s. 6a,
renumbered;
s. 6b,
enacted

6a.—(1) In this section,

Interpre-
tation

- (a) "employee" means a person employed by a board of governors of a college of applied arts and technology but does not include,
- (i) a person employed in a managerial or confidential capacity,
 - (ii) a person who is a member of the architectural, dental, engineering, legal or medical profession, entitled to practise in Ontario and employed in a professional capacity,
 - (iii) a person who is employed on a casual or temporary basis unless he has been so employed continuously for a period of six months, or more, or

(iv) a person engaged and employed outside Ontario;

(b) "employer" means the Crown in right of Ontario.

Application
of 1972, c. 67

(2) Except where inconsistent with this section, the provisions of *The Crown Employees Collective Bargaining Act, 1972* apply *mutatis mutandis* to the employer, to all boards of governors of colleges of applied arts and technology and to all employees as if such provisions were enacted in and formed part of this section.

Employer
representa-
tive

(3) The employer shall be represented in the case of boards of governors of colleges of applied arts and technology by one or more persons appointed by the Ontario Council of Regents for Colleges of Applied Arts and Technology.

s. 6c.
enacted

3. The said Act is amended by adding thereto the following section:

Regulations

6c. 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 subclasses 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.

4.--(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent. Commence-
ment

(2) Sections 1 and 2 come into force on a day to be named by the Lieutenant Governor by his proclamation. Idem

5. This Act may be cited as *The Ministry of Colleges and Universities Amendment Act, 1972*. Short title

