

2018 Bill 19

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Fourth Session, 29th Legislature, 67 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 19**

**AN ACT TO IMPROVE THE  
AFFORDABILITY AND ACCESSIBILITY  
OF POST-SECONDARY EDUCATION**

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THE MINISTER OF ADVANCED EDUCATION

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 19

2018

### AN ACT TO IMPROVE THE AFFORDABILITY AND ACCESSIBILITY OF POST-SECONDARY EDUCATION

(Assented to \_\_\_\_\_, 2018)

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

**Amends SA 2003 cP-19.5**

**1 The *Post-secondary Learning Act* is amended by this Act.**

**2 The preamble is repealed and the following is substituted:**

WHEREAS the Government of Alberta is committed to ensuring that Albertans have the same opportunity to obtain a high-quality post-secondary education, achieve their full potential and contribute to their communities through an adult learning system that is accessible, affordable, high-quality, accountable and coordinated;

WHEREAS an accessible system is one in which all Albertans have an ability to plan a career path and receive post-secondary education regardless of their location or barriers;

WHEREAS an affordable system is one in which finances do not limit any Albertan from accessing post-secondary education;

WHEREAS a high-quality system is one in which students are well prepared for further learning or the workforce and can contribute to Alberta's society, and in which post-secondary programs and research are recognized nationally and internationally;

## Explanatory Notes

**1** Amends chapter P-19.5 of the Statutes of Alberta, 2003.

**2** The preamble presently reads:

*WHEREAS the Government of Alberta recognizes that the creation and transfer of knowledge contributes to Alberta's competitive advantage in a global economy; and*

*WHEREAS the Government of Alberta is committed to ensuring that Albertans have the opportunity to enhance their social, cultural and economic well-being through participation in an accessible, responsive and flexible post-secondary system; and*

*WHEREAS the Government of Alberta is committed to ensuring Albertans have the opportunity to participate in learning opportunities through a co-ordinated and integrated system approach, known as Campus Alberta, wherein post-secondary institutions collaborate to develop and deliver high quality learning opportunities;*

WHEREAS an accountable system is one in which all Albertans have access to clear information about post-secondary providers that are effectively governed, financially sustainable, fiscally responsible and collaborative with their communities, government and each other; and

WHEREAS a coordinated post-secondary system is one in which programs are integrated and diverse, without being duplicative or redundant, and in which the mandates and roles of students, educators, providers and government are clearly articulated and differentiated;

### **3 Section 1 is amended**

**(a) by repealing clauses (a) and (b) and substituting the following:**

- (a) “academic council” means the academic council of a comprehensive community college or polytechnic institution;
- (b) “academic staff association” means an academic staff association of a comprehensive community college, polytechnic institution or university established under section 85;

**(b) by adding the following after clause (c.1):**

- (c.2) “Alberta CPI” means the All-items Consumer Price Index for Alberta published by Statistics Canada;
- (c.3) “apprenticeship program” means an apprenticeship program under the *Apprenticeship and Industry Training Act*;
- (c.4) “apprenticeship technical training” means technical training under the *Apprenticeship and Industry Training Act*;

**(c) by repealing clause (d);**

**(d) by adding the following after clause (f):**

**3** Section 1 presently reads in part:

*1 In this Act,*

- (a) *“academic council” means the academic council of a public college or technical institute established under section 46 or 47.1 or continued under Part 5;*
- (b) *“academic staff association” means an academic staff association of a public college, technical institute or university established under section 85 or continued under Part 5;*
- (d) *“applied degree” means a degree that may be granted by a public college or a technical institute on the completion of a program of study that includes*
  - (i) *course work, and*
  - (ii) *work-related experience*  
*determined by the public college or technical institute that are oriented to a field of practice;*
- (h) *“graduate students association” means a graduate students association of a university established under section 94 or continued under Part 5;*
- (m) *“private college” means any college other than a public college;*

- (f.1) “comprehensive academic and research university” means a comprehensive academic and research university established under section 3 or a university continued under section 125.2 to be a comprehensive academic and research university;
- (f.2) “comprehensive community college” means a comprehensive community college established under section 40 or a public college continued under section 125.3 to be a comprehensive community college;
- (f.3) “domestic student” means a student who is a Canadian citizen, a permanent resident of Canada or a protected person under subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada);

**(e) by repealing clause (h) and substituting the following:**

- (h) “graduate students association” means a graduate students association of a university established under section 94 or a graduate students association of a university continued under section 125.2 to be a graduate students association of a university;

**(f) by adding the following after clause (k):**

- (k.01) “polytechnic institution” means a polytechnic institution established under section 40 or a technical institute continued under section 125.4 to be a polytechnic institution;

**(g) by repealing clause (m) and substituting the following:**

- (m) “private post-secondary institution” means a post-secondary institution other than a public post-secondary institution;

**(h) in clause (n) by striking out “diploma, certificate or applied degree” and substituting “diploma or certificate”;**

**(i) by repealing clause (o);**

**(j) by repealing clause (p) and substituting the following:**

- (n) *“program of study” means a group of credit courses that, on completion, leads to the granting of a degree, diploma, certificate or applied degree;*
- (o) *“public college” means a public college established under section 40 or continued under Part 5;*
- (p) *“public post-secondary institution” means Banff Centre, a university, a public college or a technical institute;*
- (r) *“students association” means a students association of a public college, technical institute or university established under section 93 or continued under Part 5;*
- (t) *“technical institute” means a technical institute established under section 40 or continued under Part 5;*
- (u) *“university” means a university established under section 3 or continued under Part 5.*

(p) “public post-secondary institution” means Banff Centre, a university, a comprehensive community college, a polytechnic institution or any other institution established under this Act that is designated by the regulations as a public post-secondary institution;

**(k) by repealing clause (r) and substituting the following:**

(r) “students association” means a students association of a university, comprehensive community college or polytechnic institution established under section 93 or the students association of a university, public college or technical institute continued under section 125.2, 125.3 or 125.4 to be a students association of a university, comprehensive community college or polytechnic institution;

**(l) by repealing clause (t);**

**(m) by adding the following before clause (u):**

(t.1) “undergraduate university” means an undergraduate university established under section 3.1, an undergraduate university established under section 32.1 and a college deemed established under section 32.2 or 32.3 as an undergraduate university;

**(n) by repealing clause (u) and substituting the following:**

(u) “university” means a comprehensive academic and research university or an undergraduate university.

**4 Section 3 is repealed and the following is substituted:**

**Establishment of comprehensive academic and research universities**

**3(1)** The Lieutenant Governor in Council may by order establish a comprehensive academic and research university.

**(2)** An order made under subsection (1) must designate the name of the university so established.



**4** Section 3 presently reads:

*3 The Lieutenant Governor in Council may by order establish a university and shall designate the name of a university so established.*

**Establishment of undergraduate universities**

**3.1(1)** The Lieutenant Governor in Council may by order establish an undergraduate university.

**(2)** An order made under subsection (1) must designate the name of the university so established.

**5 Section 5(1)(a)(iii) is repealed and the following is substituted:**

- (iii) in the case of a comprehensive academic and research university, the senate, until the commencement of the senate's first meeting,

**6 Sections 6, 7 and 8 are repealed and the following is substituted:**

**Election of chancellor**

**6(1)** The senate of a comprehensive academic and research university shall elect a chancellor for the university from among

- (a) the persons nominated by the joint committee established under section 7(1), and
- (b) any other persons who are nominated by members of the senate at the meeting of the senate at which the joint committee presents its nominations to the senate.

**(2)** An undergraduate university is not required to have a chancellor but if the board determines that the university is to have a chancellor, the chancellor shall be elected by the board from among the persons nominated by the joint committee established under section 7(2).

**(3)** A person is not eligible for election as chancellor under this section unless the person is a Canadian citizen or has been lawfully admitted to Canada for permanent residence.

**5** Section 5(1)(a)(iii) presently reads:

*5(1) Notwithstanding anything in this Act and in addition to the powers and duties conferred or imposed on the initial governing authority under section 4(1)(d), the initial governing authority of a university*

*(a) may exercise the powers and perform the duties of*

*(iii) the senate, until the commencement of the senate's first meeting,*

**6** Sections 6, 7 and 8 presently read:

*6(1) The senate of a university shall elect a chancellor for the university from among*

*(a) the persons nominated by the joint committee under section 7(3), and*

*(b) any other persons who are nominated by members of the senate at the meeting of the senate at which the joint committee presents its nominations to the senate.*

*(2) A person is not eligible for election as chancellor unless the person is a Canadian citizen or has been lawfully admitted to Canada for permanent residence.*

*7(1) The senate shall establish a joint committee when*

*(a) a university is established under section 3,*

*(b) a vacancy occurs during the term of office of the chancellor,  
or*

*(c) the expiry of the term of office of the chancellor is imminent.*

**Establishment of a joint committee**

**7(1)** The senate of a comprehensive academic and research university shall establish a joint committee when

- (a) a comprehensive academic and research university is established under section 3, or
- (b) a vacancy occurs during the term of office of the chancellor of the university or the expiry of the term of office of the chancellor is imminent.

**(2)** The board of an undergraduate university shall establish a joint committee,

- (a) if there is no chancellor for the university, when the board determines that the university is to have a chancellor,
- (b) if a vacancy occurs during the term of office of the chancellor of the university, when the board determines that the vacancy is to be filled, or
- (c) if the expiry of the term of office of the chancellor is imminent, when the board determines that a successor is to be elected.

**(3)** A joint committee must consist of

- (a) 3 members of the general faculties council appointed by the general faculties council,
- (b) 3 members of the alumni association appointed by the alumni association,
- (c) in the case of a comprehensive academic and research university, 3 members of the senate appointed by the senate,
- (d) in the case of an undergraduate university, 3 members of the board appointed by the board,
- (e) one member of the students association appointed by the students association or 2 members if the university does not have a graduate students association, and

*(2) A joint committee must consist of*

- (a) 3 members of the general faculties council appointed by the general faculties council,*
- (b) 3 members of the alumni association appointed by the alumni association,*
- (c) 3 members of the senate appointed by the senate,*
- (d) one member of the students association appointed by the students association, and*
- (e) one member of the graduate students association appointed by the graduate students association or, if there is no graduate students association, one graduate student appointed by the graduate students.*

*(3) A joint committee shall nominate for the office of chancellor the number of persons that the senate directs.*

*8(1) A chancellor holds office for a term of 4 years and is not eligible for re-election as chancellor.*

*(2) If the senate is satisfied that a person elected as chancellor is, for any reason, no longer capable of acting as chancellor or of fulfilling the chancellor's duties, the senate may remove that person from office.*

(f) if the university has a graduate students association, one member of the graduate students association appointed by the graduate students association.

(4) A joint committee shall nominate for the office of chancellor of a comprehensive academic and research university the number of persons that the senate directs.

(5) A joint committee shall nominate for the office of chancellor of an undergraduate university the number of persons that the board directs.

**Term of office and removal**

**8(1)** A chancellor holds office for a term of 4 years and is not eligible for re-election as chancellor.

(2) If the senate of a comprehensive academic and research university is satisfied that a person elected as chancellor of the university is, for any reason, no longer capable of acting as chancellor or of fulfilling the chancellor's duties, the senate may remove that person from office.

(3) If the board of an undergraduate university is satisfied that a person elected as chancellor of the university is, for any reason, no longer capable of acting as chancellor or of fulfilling the chancellor's duties, the board may remove that person from office.

**7 The following is added immediately before section 11:**

**Definition**

**10.1** In sections 11 to 15, "university" means a comprehensive academic and research university.

**8 Section 16(3) is amended**

(a) in clause (b) by adding ", if the university has a chancellor" after "university";

(b) in clause (d)

(i) in subclause (i) by adding ", if there is an alumni association" after "association";

**7** Definition.

**8** Section 16(3) presently reads:

*(3) A board shall consist of the following members:*

*(a) a chair of the board appointed by the Lieutenant Governor in Council;*

*(b) the chancellor of the university;*

(ii) **in subclause (ii) by adding** “in the case of a comprehensive academic and research university,” **before** “one”;

(c) **by adding the following after clause (e):**

(f) additional persons appointed by the Lieutenant Governor in Council on the recommendation of the Minister.

**9 Section 17 is repealed and the following is substituted:**

**Power of board to own and operate utility**

**17** In addition to the other powers of a board, a board of a comprehensive academic and research university may own and operate a gas utility as defined in the *Gas Utilities Act* or a public utility as defined in the *Public Utilities Act*.



- (c) *the president of the university;*
- (d) *the following members appointed by the Minister:*
  - (i) *2 alumni of the university nominated by the alumni association;*
  - (ii) *one member of the senate nominated by the other members of the senate from among the members appointed under section 11(3)(b)(viii) or elected under section 11(3)(c);*
  - (iii) *2 members of the academic staff of the university, one of whom is nominated by the general faculties council and one of whom is nominated by the academic staff association;*
  - (iv) *2 students nominated by the council of the students association;*
  - (v) *if the university has a graduate students association, one graduate student nominated by the council of the association;*
  - (vi) *one member of the non-academic staff nominated by the non-academic staff association;*
- (e) *not more than 9 members representative of the general public, in addition to the chair, appointed by the Lieutenant Governor in Council.*

**9** Section 17 presently reads:

*17 In addition to the other powers of a board under this Part and Part 4, a board may*

- (a) *make bylaws respecting the physical examination of the students of the university, and*
- (b) *own and operate a gas utility as defined in the Gas Utilities Act or a public utility as defined in the Public Utilities Act.*

**10 Section 23 is amended**

- (a) in clause (a)(v) by adding “, or if none, the officer performing comparable functions” after “librarian”;**
- (b) in clause (b) by striking out “24” and substituting “24(1)”;**
- (c) by repealing clause (c) and substituting the following:**
  - (c) the following student members:
    - (i) 2 students appointed by the council of the students association;
    - (ii) if there is a graduate students association, one student appointed by the council of the association;

**11 Section 24(2) is amended by striking out “On the direction of the general faculties council from time to time the registrar” and substituting “The general faculties council from time to time”.**

**10** Section 23 presently reads in part:

*23 Each university must have a general faculties council consisting of*

- (a) the following persons who are members by virtue of their offices:*
  - (i) the president, who is the chair;*
  - (ii) the vice-presidents;*
  - (iii) the dean of each faculty;*
  - (iv) the director of each school;*
  - (v) the chief librarian;*
  - (vi) the director of extension, or if none, the officer performing comparable functions;*
  - (vii) the registrar;*
- (b) the members elected under section 24 to represent the faculties and the schools that have school councils;*
- (c) the following student members:*
  - (i) 2 students nominated by the council of the students association;*
  - (ii) if there is a graduate students association, one student nominated by the council of the association;*

**11** Section 24(2) presently reads:

*(2) On the direction of the general faculties council from time to time the registrar*

- (a) shall establish the total number of elected members to be on the general faculties council, which shall be twice the number of persons who are members of the general faculties council by virtue of their offices, and*

**12 Section 25 is repealed and the following is substituted:**

**Additional members**

**25** The members of the general faculties council referred to in section 23(a), (b) and (c) shall appoint the members referred to in section 23(d) from the staff and students of the university, in the number and for the terms of office that the elected and student members and persons who are members by virtue of their offices determine.

**13 Section 26(1)(c) is amended by striking out “degree or diploma” and substituting “degree, diploma or certificate”.**

**14 The heading preceding section 33 is repealed and the following is substituted:**

**Establishment of Comprehensive  
Community Colleges as Undergraduate  
Universities or Polytechnic Institutions**

**15 The following is added before section 33:**

**Establishment as undergraduate universities  
or polytechnic institutions**

**32.1(1)** Notwithstanding anything in this Act, the Lieutenant Governor in Council may by order, effective on the date set out

(b) shall determine and assign to each faculty and school the number of members that may be elected by that faculty or school, which so far as is reasonably possible shall be in the same proportion to the total number of elected members as the number of full-time members of the academic staff of the faculty or school is to the total number of full-time members of the academic staff of all the faculties and schools.

**12** Section 25 presently reads:

*25 The members of the general faculties council referred to in section 23(a), (b) and (c) shall appoint the appointed members of the general faculties council from the staff and students of the university, in the number and for the terms of office that the elected and student members and persons who are members by virtue of their offices determine.*

**13** Section 26(1) presently reads in part:

*26(1) Subject to the authority of the board, a general faculties council is responsible for the academic affairs of the university and, without restricting the generality of the foregoing, has the authority to*

*(c) determine all programs of study to which clause (b) does not apply that are to be offered by the university for credit toward the requirements for any degree or diploma;*

**14** The heading preceding section 33 presently reads:

*Universities Exempted from  
Provisions of this Act*

**15** Establishment as undergraduate universities or polytechnic institutions; Mount Royal University, Grant MacEwan University; Alberta College of Art and Design.

in the order, establish an existing comprehensive community college as an undergraduate university or a polytechnic institution, and the university or polytechnic institution so established is deemed to have been established respectively under section 3.1 or 40.

**(2)** An order under subsection (1) must designate the name of the university or polytechnic institution, as the case may be, and the name of its board of governors.

**(3)** Where an order is made under subsection (1) to establish a comprehensive community college as an undergraduate university or polytechnic institution, as the case may be,

- (a) the board of governors of the comprehensive community college is continued under the name set out in the order, and is deemed established as the board of governors of the undergraduate university or polytechnic institution, as the case may be, with the powers and duties of a board of an undergraduate university or polytechnic institution, as the case may be, and with the same members until the membership is changed in accordance with section 16 or 43, as the case may be, or the terms of office of the members expire,
- (b) the academic council of the comprehensive community college becomes,
  - (i) in the case of the establishment of the comprehensive community college as an undergraduate university, the general faculties council of the undergraduate university, with the powers and duties of a general faculties council of an undergraduate university, and with the same members until the membership is changed in accordance with section 23 or the terms of office of the members expire, or
  - (ii) in the case of the establishment of the comprehensive community college as a polytechnic institution, the academic council of the polytechnic institution, with the same members until the terms of office of the members expire,



- (c) the academic staff association of the comprehensive community college is continued and becomes the academic staff association of the undergraduate university or polytechnic institution, as the case may be, with the powers and duties of an academic staff association of an undergraduate university or polytechnic institution, as the case may be, and with the same executive membership until the terms of office of the members expire, and
- (d) the students association of the comprehensive community college is continued and becomes the students association of the undergraduate university or polytechnic institution, as the case may be, with the powers and duties of a students association of an undergraduate university or polytechnic institution, as the case may be, and with the same council membership until the terms of office of the members expire.

**Mount Royal University, Grant MacEwan University**

**32.2(1)** On the coming into force of this subsection, Mount Royal University and Grant MacEwan University are deemed established as undergraduate universities under section 3.1 under the names Mount Royal University and Grant MacEwan University.

**(2)** On the coming into force of this subsection, the corporations known as The Board of Governors of Mount Royal University and The Board of Governors of Grant MacEwan University are continued and deemed established under section 16 as corporations under those names, with the powers and duties of a board of an undergraduate university and with the same members until the membership is changed in accordance with section 16 or the terms of office of the members expire.

**(3)** On the coming into force of this subsection, The Mount Royal University Faculty Association and The Faculty Association of Grant MacEwan University are continued under their same names and deemed to be the academic staff associations of the respective undergraduate universities referred to in subsection (1), with the powers and duties of an academic staff association of an undergraduate university.





(4) On the coming into force of this subsection, the academic councils of Mount Royal University and Grant MacEwan University become general faculties councils of the respective undergraduate universities, with the powers and duties of a general faculties council of an undergraduate university and with the same members until the membership is changed in accordance with section 23 or the terms of office of the members expire.

(5) On the coming into force of this subsection, the students associations of Mount Royal University and Grant MacEwan University are continued under their same names as the students associations of the respective undergraduate universities referred to in subsection (1), with the powers and duties of a students association of an undergraduate university.

#### **Alberta College of Art and Design**

**32.3(1)** On the coming into force of this subsection, Alberta College of Art and Design is deemed to be established as an undergraduate university under section 3.1 under the name Alberta University of the Arts.

(2) On the coming into force of this subsection, the corporation known as The Board of Governors of Alberta College of Art and Design is continued under the name The Board of Governors of Alberta University of the Arts and deemed to have been established under section 16(1), with the powers and duties of a board of an undergraduate university and with the same members until the membership is changed in accordance with section 16 or the terms of office of the members expire.

(3) On the coming into force of this subsection, the Alberta College of Art and Design Faculty Association is continued under the name Alberta University of the Arts Faculty Association and deemed to have been established under section 85, with the powers and duties of an academic staff association of an undergraduate university.

(4) On the coming into force of this subsection, the academic council of Alberta College of Art and Design becomes the general faculties council of Alberta University of the Arts, with the powers and duties of a general faculties council of an undergraduate university and with the same members until the



membership is changed, subject to subsection (5), in accordance with section 23 or the terms of office of the members expire.

(5) Notwithstanding section 24(2)(a), the number of elected members of the general faculties council of Alberta University of the Arts must be greater than the number of persons who are members of the general faculties council of Alberta University of the Arts by virtue of their offices.

(6) On the coming into force of this subsection, the students association of Alberta College of Art and Design is continued under the name Alberta University of the Arts Students' Association and deemed to have been established under section 93, with the powers and duties of a students association of an undergraduate university.

(7) Notwithstanding section 102.8(2), Alberta University of the Arts may offer graduate level programs.

**16(1) Sections 33 to 35 are repealed.**

**(2) Notwithstanding the repeal of sections 33 to 35, those sections continue to apply in respect of Athabasca University.**

**16** Sections 33 to 35 presently read:

*33(1) Notwithstanding anything in this Act, with respect to a university established under section 3 of this Act after the coming into force of that section, or under the corresponding provision of a predecessor to this Act after December 1, 1972, the Lieutenant Governor in Council may by regulation*

- (a) establish a governing authority for the university as a corporation and provide for its composition,*
- (b) specify the name of the governing authority for the university,*
- (c) provide that the governing authority may exercise the powers and perform the duties of*
  - (i) a board, and*
  - (ii) a general faculties council,*
- (d) provide that any or all of the provisions of sections 5(2), 6 to 16, 21, 22 to 32, 54 to 58, 83 to 98, 107(1) and 119 do not apply to the university,*



- (e) prescribe the powers and duties that the governing authority may exercise or perform in addition to the powers and duties of a board and a general faculties council, and*
- (f) if an initial governing authority has been established for the university, dissolve the initial governing authority and provide for the transfer of the rights, property, debts and obligations of the initial governing authority to the governing authority.*

*(2) When a governing authority has been established for a university pursuant to subsection (1), any reference to “board of governors”, “board” or “general faculties council” in this or any other Act is deemed to be, with respect to that university, a reference to the governing authority.*

*34 If the Lieutenant Governor in Council has established a governing authority for a university under section 33, the Lieutenant Governor in Council may, with respect to that university, by regulation*

- (a) establish 2 separate bodies and provide for their composition;*
- (b) specify the names of the 2 bodies established under clause (a);*
- (c) incorporate one of the bodies as a corporation and provide that it may exercise the powers and perform the duties of a board;*
- (d) provide that the other body may exercise the powers and perform the duties of a general faculties council;*
- (e) provide that any or all of the provisions of sections 5(2), 6 to 16, 21, 22 to 32, 54 to 58, 83 to 98, 107(1) and 119 do not apply to the university;*
- (f) prescribe the powers and duties that the 2 bodies established under clause (a) may exercise or perform in addition to those provided for under clauses (c) and (d);*
- (g) dissolve the governing authority established under section 33 and provide for the transfer of the rights, property, debts and*

**17 Section 36(3) is amended**

- (a) by striking out** “a university established under section 3”  
**and substituting** “a comprehensive academic and research university or an undergraduate university”;
- (b) by repealing clause (b.1);**
- (c) in clause (d) by striking out** “private college” **and substituting** “private post-secondary institution”.

**18 Section 36.1 is repealed.**



*obligations of the governing authority to the body that has been incorporated under clause (c).*

*35 When 2 separate bodies have been established for a university pursuant to section 34,*

- (a) any reference to “board of governors” or “board” in this or any other Act is deemed to be, with respect to that university, a reference to the body incorporated pursuant to section 34(c), and*
- (b) any reference to “general faculties council” in this or any other Act is deemed to be, with respect to that university, a reference to the body that exercises and performs the powers and duties of a general faculties council pursuant to section 34(d).*

**17** Section 36(3) presently reads in part:

- (3) No organization that is or purports to be an educational institution, other than a university established under section 3, may use the word “university” or any derivation or abbreviation of it in its name or in any advertising relating to it unless that body*
- (b.1) is a public post-secondary institution that is, by order under section 36.1, specifically authorized to use the word “university” or the derivation or abbreviation of that word in its name,*
- (d) is a private college that has been designated as an institution that may grant a degree and has the Minister’s written approval to use the word “university” or any derivation or abbreviation of the word.*

**18** Section 36.1 presently reads:

*36.1(1) A public post-secondary institution that is, by regulation made under section 102.2(2), assigned to the Baccalaureate and Applied Studies Institutions sector may, by application in writing to the Minister, request that the name of the institution be changed to a name that includes the word “university” or a derivation or abbreviation of that word.*

**19 Section 37 is amended by striking out “board of a university” wherever it occurs and substituting “board of a comprehensive academic and research university”.**

**20 Section 38(2) is amended by striking out “private college” and substituting “private post-secondary institution”.**

**21 The Part 2 heading is repealed and the following is substituted:**

**Part 2  
Comprehensive Community Colleges  
and Polytechnic Institutions**

*(2) If the Minister considers it appropriate that the name of the institution referred to in subsection (1) be changed in the manner requested, the Minister may recommend to the Lieutenant Governor in Council that an order be made under subsection (3).*

*(3) On the recommendation of the Minister under subsection (2), the Lieutenant Governor in Council may by order change the name of the institution to a name that includes the word “university” or a derivation or abbreviation of that word.*

**19** Section 37 presently reads:

*37(1) The board of a university may, in accordance with the regulations, demand, obtain and use unclaimed bodies of deceased persons for anatomical or scientific study or research at the university.*

*(2) A person who fails to comply with a demand made by the board of a university in accordance with the regulations is guilty of an offence.*

**20** Section 38(2) presently reads:

*(2) Subsection (1) does not take away or impair any right of a private college or institution affiliated with a university*

*(a) to make any provision with regard to religious instruction and religious worship for its own students that it considers proper, and*

*(b) to require the observance of those provisions as part of its own discipline.*

**21** The heading to Part 2 presently reads:

*Part 2  
Colleges and  
Technical Institutes*

**22 Section 39 is repealed and the following is substituted:**

**Definition**

**39** In this Part, “board” means the board of governors of a comprehensive community college or a polytechnic institution.

**23 Section 40 is repealed and the following is substituted:**

**Establishment of comprehensive community colleges and polytechnic institutions**

**40** The Lieutenant Governor in Council may by order establish a comprehensive community college or polytechnic institution and shall designate the name of each comprehensive community college or polytechnic institution so established.

**24 Section 44(2)(b)(ii) is repealed and the following is substituted:**

- (ii) 2 students nominated by the council of the students association, and

**22** Section 39 presently reads:

*39 In this Part,*

- (a) “board” means the board of governors of a public college or a technical institute;*
- (b) “vocational college” means any of the following public colleges:*
  - (i) NorQuest College;*
  - (ii) Northern Lakes College;*
  - (iii) Portage College;*
  - (iv) Bow Valley College.*

**23** Section 40 presently reads:

*40 The Lieutenant Governor in Council may by order establish a public college or technical institute and shall designate the name of each public college or technical institute so established.*

**24** Section 44(2)(b) presently reads:

- (2) The board of a public college shall consist of the following members:*
  - (b) the following persons appointed by the Minister:*
    - (i) one academic staff member nominated by the academic staff association,*
    - (ii) one student nominated by the council of the students association, and*
    - (iii) one member of the non-academic staff who is not engaged in the administration of the public college nominated by the non-academic staff association;*

**25 Section 45 is repealed and the following is substituted:**

**Programs boards must provide**

**45(1)** The board of a polytechnic institution shall provide, with respect to one or more trades under the *Apprenticeship and Industry Training Act*, the apprenticeship technical training required by the Minister responsible for that Act.

**(2)** The board of a polytechnic institution or comprehensive community college shall establish a process for the review and approval of proposed programs of study to be submitted to the Minister.

**26 Section 46(1)(d) is repealed and the following is substituted:**

- (d) not more than 10 students, appointed by the council of the students association;

**27 Section 47(1)(a)(i) is amended by striking out “programs” and substituting “technical training”.**

**28 Section 47.1(4) is amended by adding “in Council” after “Lieutenant Governor”.**

**25** Section 45 presently reads:

*45(1) The board of a technical institute shall provide courses or programs of instruction or training that have been determined to be required with respect to a trade designated pursuant to the Apprenticeship and Industry Training Act by the Minister responsible for that Act.*

*(2) Subject to the regulations, the board of a vocational college shall provide programs of instruction or training that assist adult learners to acquire foundations of basic skills.*

*(3) The board of a technical institute or public college shall establish a process for the review and approval of proposed programs of study to be submitted to the Minister.*

**26** Section 46(1)(d) presently reads:

*46(1) Subject to section 47.1, for each public college and technical institute there is to be an academic council consisting of*

*(d) not more than 10 students, elected by the students association;*

**27** Section 47(1)(a)(i) presently reads:

*47(1) An academic council*

*(a) shall make recommendations or reports to the board with respect to any matter that the board refers to the academic council, including academic policy related to the following matters:*

*(i) standards and policy respecting the selection and admission of students other than students in apprenticeship programs under the Apprenticeship and Industry Training Act;*

**28** Section 47.1(4) presently reads:

*(4) The Lieutenant Governor may make regulations for the purposes of this section, including regulations*

**29 Section 48 is repealed and the following is substituted:**

**Use of “college”, “technical institute”, “comprehensive community college” or “polytechnic institution”**

**48** No board under the *School Act* may use the term “college”, “technical institute”, “comprehensive community college” or “polytechnic institution” in connection with its educational or other activities.

**30 Section 56(2.1) and (3) are repealed and the following is substituted:**

**(3)** Notwithstanding subsection (2), but subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act,

- (a) the chair of a board is always eligible for reappointment or resignation on the conclusion of the chair’s term of office, and
- (b) an appointed member of a board is eligible for appointment or resignation as chair even though the member has, at the time of the member’s appointment or resignation, concluded 2 terms as a member of the board.



- (a) *respecting the establishment of criteria that a public college or technical institute must meet in order to be eligible to apply for approval to establish an academic council under subsection (1),*
- (a.1) *respecting the procedures for establishing and dissolving academic councils under this section,*
- (b) *respecting the composition of academic councils established under this section, and*
- (c) *prescribing the powers and duties that academic councils established under this section may exercise or perform.*

**29** Section 48 presently reads:

*48 No board under the School Act may use the term “college” or “technical institute” in connection with its educational or other activities.*

**30** Section 56 presently reads in part:

*(2.1) Notwithstanding subsection (1)(a), if a member of the board of a public college or technical institute, other than the chair, is designated as chair of that board at any point during the member’s 2nd term, the Lieutenant Governor in Council may amend the term prescribed in the member’s appointment so that the member’s 2nd term expires on the earlier of the following:*

- (a) *the expiry of a period prescribed in the amended appointment that does not exceed 3 years from the date of the member’s designation as chair;*
- (b) *the revocation of the member’s designation as chair.*

*(3) Notwithstanding subsection (2), but subject to the Alberta Public Agencies Governance Act and any applicable regulations under that Act,*

**31 Section 60(1)(c) is amended by striking out “programs” and substituting “technical training”.**

**32 Section 61 is repealed and the following is substituted:**

**Tuition fees and mandatory non-instructional fees**

**61(1)** The board of a public post-secondary institution shall set

- (a) the tuition fees to be paid by students of the public post-secondary institution, other than students enrolled in apprenticeship technical training at the public post-secondary institution, and
- (b) the mandatory non-instructional fees to be paid by students of the public post-secondary institution, including students enrolled in apprenticeship technical training at the public post-secondary institution.

**(2)** The tuition fees and mandatory non-instructional fees referred to in subsection (1) for all public post-secondary institutions other than Banff Centre must be set in accordance with this section and the regulations.

**(3)** In setting the tuition fees for an academic year, the board may increase the tuition fees to be paid by domestic students, subject to any restrictions on increasing tuition fees set out in the regulations,

- (a) *the chair of the board of a university or Banff Centre is always eligible for reappointment on the conclusion of the chair's term of office, and*
- (b) *an appointed member of the board of a university or Banff Centre is eligible for appointment as chair even though the member has, at the time of the member's appointment, concluded 2 terms as a member of the board.*

**31** Section 60(1) presently reads in part:

*60(1) The board of a public post-secondary institution shall*

- (c) *establish admission requirements for students of the public post-secondary institution other than students in apprenticeship programs under the Apprenticeship and Industry Training Act, and*

**32** Section 61 presently reads:

*61(1) The board of a public post-secondary institution shall set the tuition fees to be paid by students of the public post-secondary institution.*

*(2) The tuition fees under subsection (1) for all public post-secondary institutions other than Banff Centre*

- (a) *must be set in accordance with the regulations, and*

*(3) This section does not apply in respect of students in apprenticeship programs under the Apprenticeship and Industry Training Act.*

- (a) if the average tuition fee increase per domestic student does not exceed the product of
  - (i) the average tuition fees per domestic student in the preceding academic year, excluding any tuition fees that were subject to an exceptional tuition fee increase in that year,  
  
multiplied by
  - (ii) the percentage annual change in the Alberta CPI, determined in accordance with the regulations,
- or
- (b) in respect of a specific approved program of study, by means of an exceptional tuition fee increase made in accordance with the regulations.

(4) The Minister may by order prohibit the boards of all public post-secondary institutions other than Banff Centre from increasing tuition fees for domestic students and mandatory non-instructional fees for an academic year.

#### **Apprenticeship fees**

**61.01(1)** The Minister shall by order set the apprenticeship instructional fees and the apprenticeship material and service fees to be paid by students in apprenticeship technical training for each designated trade under the *Apprenticeship and Industry Training Act*.

(2) The apprenticeship instructional fees and the apprenticeship material and service fees under subsection (1) must be set in accordance with this section and the regulations.

(3) In setting the apprenticeship instructional fees and the apprenticeship material and service fees for an academic year the Minister may increase apprenticeship instructional fees or apprenticeship material and service fees, subject to any restrictions on increasing apprenticeship instructional fees or apprenticeship material and service fees set out in the regulations,



- (a) by a percentage amount that does not exceed the percentage annual change in the Alberta CPI, determined in accordance with the regulations, or
- (b) by means of an exceptional apprenticeship fee increase made in accordance with the regulations.

**33 Section 61.1 is repealed.**

**33** Section 61.1 presently reads:

*61.1 The board of governors of a public post-secondary institution assigned under section 102.2(2) to the Baccalaureate and Applied Studies Institutions sector may make the following parking bylaws to control vehicles on institution land:*

- (a) governing the places where, the times when and the conditions on which persons are authorized to park or are prohibited from parking vehicles;*
- (b) authorizing any person to allocate reserved parking locations to persons, subject to the conditions prescribed by the bylaws;*
- (c) providing for the placement of parking control signs, markings and meters prohibiting or governing the parking of vehicles;*
- (d) providing for the impounding and removal of vehicles parked or left in contravention of a bylaw;*
- (e) establishing fees respecting the parking of vehicles and providing for the collection of those fees;*
- (f) prescribing penalties, including fines, to be imposed for contraventions of bylaws made under this section and providing for the imposition and collection of those penalties;*
- (g) providing for the hearing and determination of disputes arising in relation to
  - (i) contraventions of bylaws, or*
  - (ii) the imposition and collection of penalties under this section.**

**34 Section 63(1) is repealed and the following is substituted:**

**Settlement of questions**

**63(1)** In this section, “body”,

- (a) in respect of a comprehensive academic and research university, means a senate, a general faculties council, a deans’ council, a faculty council, a faculty, a school council and a school of the university,
- (b) in respect of an undergraduate university, means a general faculties council, a deans’ council, a faculty council, a faculty, a school council and a school of the university, and
- (c) in respect of a comprehensive community college or polytechnic institution, means an academic council of the comprehensive community college or polytechnic institution.

**35 Section 64 is amended by striking out “public college, technical institute” and substituting “comprehensive community college, polytechnic institution”.**



**34** Section 63(1) presently reads:

*63(1) In this section, “body”*

- (a) in respect of a university means a senate, a general faculties council, a deans’ council, a faculty council, a faculty, a school council and a school of the university, and*
- (b) in respect of a public college or technical institute means an academic council of the college or technical institute.*

**35** Section 64 presently reads:

*64 The board of a public college, technical institute or Banff Centre may*

- (a) discipline students attending the public post-secondary institution, and the power to discipline students includes the power*
    - (i) to fine students,*
    - (ii) to suspend the right of students to attend the public post-secondary institution or to participate in any student activities, or both, and*
    - (iii) to expel students from the public post-secondary institution,*
- and*
- (b) delegate its power to discipline students in any particular case or generally to any person or body of persons, subject to any conditions with respect to the exercise of any delegated power that it considers proper.*

**36 Section 78 is repealed and the following is substituted:**

**Comprehensive institutional plans**

**78(1)** In this section and sections 79 and 80, “board” includes the governing body of a publicly funded private post-secondary institution assigned to the Independent Academic Institutions sector under section 102.2(3)(b).

**(2)** Each year a board must prepare and approve a comprehensive institutional plan that includes

- (a) a business plan, including a budget, and
- (b) any other information required by the Minister.

**(3)** The plan approved under subsection (2) must be submitted to the Minister on or before the date specified by the Minister.

**(4)** The board of a public post-secondary institution shall not submit a budget in which consolidated operating expense exceeds consolidated operating revenue unless the board has the written approval of the Minister to do so.

**37 Section 78.1 is repealed.**

**38 Section 80 is repealed and the following is substituted:**

**Other reports and information**

**80** The board must submit to the Minister any reports or other information required by the Minister in the form and manner determined by the Minister.

**39 Section 84(2) is amended by adding “, subject to section 22(2),” after “shall”.**

**36** Section 78 presently reads:

*78(1) Each year a board must prepare and approve a business plan that includes*

*(a) the budget, and*

*(b) any other information required by the Minister.*

*(2) The business plan approved under subsection (1) must be submitted to the Minister on or before the date specified by the Minister.*

*(3) The board may not submit a budget in which consolidated operating expense exceeds consolidated operating revenue unless the board has the approval of the Minister to do so.*

**37** Section 78.1 presently reads:

*78.1 Each year a board must prepare an access plan in accordance with the regulations and submit it to the Minister on or before the date specified by the Minister.*

**38** Section 80 presently reads:

*80 The board must submit to the Minister any reports or other information required by the Minister.*

**39** Section 84(2) presently reads:

*(2) The board of a public post-secondary institution other than Banff Centre shall employ any persons it considers necessary to serve as academic staff members at the public post-secondary institution.*

**40 Section 90(d) is amended by adding** “comprehensive academic and research” **before** “university”.

**41 Section 92.1 is amended**

- (a) **in subsection (1) by striking out** “for each university” **and substituting** “for each comprehensive academic and research university”;
- (b) **in subsection (2) by adding** “comprehensive academic and research” **before** “university”.

**42 Section 93(2) is amended by adding** “with a graduate students association” **after** “in the case of a university”.

**43 Section 95 is amended**

- (a) **in subsection (2.3) by striking out** “before July 1, 2018”;
- (b) **in subsection (4) by adding** “with a graduate students association” **after** “university”.

**44 Section 99(1)(a) is repealed and the following is substituted:**

- (a) in respect of a public post-secondary institution,
  - (i) the financial condition of the board,

**40** Section 90(d) presently reads:

*90 The Employment Standards Code does not apply to the following:*

*(d) the postdoctoral fellows of a university;*

**41** Section 92.1 presently reads in part:

*92.1(1) The Lieutenant Governor in Council may by order establish a postdoctoral fellows association for each university and shall give the association a name consisting of the words "The Postdoctoral Fellows Association of" followed by the name of the university.*

*(2) Each postdoctoral fellows association is a corporation with the name given to it by the Lieutenant Governor in Council and consists of the postdoctoral fellows of the university.*

**42** Section 93(2) presently reads:

*(2) Each students association is a corporation and consists of the students of the public post-secondary institution, other than students enrolled only in non-credit courses and, in the case of a university, graduate students.*

**43** Section 95(2.3) and (4) presently read:

*(2.3) If a bylaw is not approved by the Labour Relations Board before July 1, 2018, the bylaws of the graduate students association are deemed to include the model provisions set out in the regulations.*

*(4) The council of a students association is the official channel of communication between the students of a public post-secondary institution, other than graduate students in the case of a university, and the board.*

**44** Section 99(1) presently reads:

*99(1) The Minister may in writing appoint an investigator to examine and inspect*

*(a) in respect of the board of a public post-secondary institution,*

- (ii) the administrative condition of the board, or
- (iii) any other matter connected with the management, administration or operation of the public post-secondary institution by the board,

or

**45 The headings preceding section 102.1 are repealed and the following is substituted:**

**Division 2  
Publicly Funded  
Post-secondary System**

**46 Section 102.1 is repealed and the following is substituted:**

**Definitions**

**102.1** In this Division,

- (a) “certificate program” means a program of study that leads to the granting of a certificate;
- (b) “degree program” means a program of study that leads to the granting of a degree;
- (c) “diploma program” means a program of study that leads to the granting of a diploma;
- (d) “program of study” means a program of study approved in accordance with the regulations;
- (e) “publicly funded private post-secondary institution” means a private post-secondary institution resident in Alberta that receives a grant made by the Minister under the *Government Organization Act* and offers a program of study.

- (i) *the financial condition of the board,*
  - (ii) *the administrative condition of the board, or*
  - (iii) *any other matter connected with the management, administration or operation of the board,*
- or*
- (b) *in respect of any students organization established under this Act, the financial condition of that organization.*

**45** The headings presently read:

*Division 2  
Campus Alberta  
Publicly Funded Post-secondary System*

**46** Section 102.1 presently reads:

*102.1 In this Division,*

- (a) *“approved program of study” means a program of study approved in accordance with the regulations;*
- (b) *“publicly funded private college” means a resident private college that receives a grant made by the Minister under the Government Organization Act and offers an approved program of study.*

**47 Section 102.2 is repealed and the following is substituted:**

**Six sector system**

**102.2(1)** The publicly funded post-secondary system consists of the following sectors:

- (a) Comprehensive Academic and Research Universities;
- (b) Comprehensive Community Colleges;
- (c) Independent Academic Institutions;
- (d) Polytechnic Institutions;
- (e) Specialized Arts and Cultural Institutions;
- (f) Undergraduate Universities.

**(2)** Subject to the regulations made under subsection (3),

- (a) an institution established as a comprehensive academic and research university is assigned to the Comprehensive Academic and Research Universities sector,
- (b) an institution established as a comprehensive community college is assigned to the Comprehensive Community Colleges sector,
- (c) an institution established as a polytechnic institution is assigned to the Polytechnic Institutions sector,
- (d) Banff Centre is assigned to the Specialized Arts and Cultural Institutions sector, and
- (e) an institution established as an undergraduate university is assigned to the Undergraduate Universities sector.

**(3)** The Lieutenant Governor in Council may by regulation assign

- (a) a public post-secondary institution to a sector other than the sector assigned to it under subsection (2), and
- (b) a publicly funded private post-secondary institution to the Independent Academic Institutions sector.



**47** Section 102.2 presently reads:

*102.2(1) The publicly funded post-secondary system consists of the following 6 sectors:*

- (a) Comprehensive Academic and Research Institutions;*
- (b) Baccalaureate and Applied Studies Institutions;*
- (c) Polytechnical Institutions;*
- (d) Comprehensive Community Institutions;*
- (e) Independent Academic Institutions;*
- (f) Specialized Arts and Cultural Institutions.*

*(2) The Lieutenant Governor in Council may make regulations assigning*

- (a) each public post-secondary institution to a sector of the publicly funded post-secondary system, and*
- (b) publicly funded private colleges to the Independent Academic Institutions sector of the publicly funded post-secondary system.*

**48 Section 102.3 is repealed and the following is substituted:**

**Comprehensive Academic and Research**

**Universities sector role**

**102.3(1)** An institution assigned to the Comprehensive Academic and Research Universities sector shall provide degree programs.

**(2)** An institution assigned to the Comprehensive Academic and Research Universities sector may

- (a) provide diploma or certificate programs,
- (b) undertake all forms of research, including discovery research and research in support of Alberta's research and innovation agenda, and
- (c) collaborate with other post-secondary institutions to support regional access to undergraduate degree programs.

**(3)** Notwithstanding subsection (2)(c), Athabasca University shall collaborate with other post-secondary institutions to support regional access to undergraduate degree programs.

**Comprehensive Community Colleges sector role**

**102.4(1)** An institution assigned to the Comprehensive Community Colleges sector shall

- (a) provide approved foundational learning, diploma and certificate programs, and
- (b) collaborate with other post-secondary institutions and community and industry organizations to support regional access to foundational learning, diploma, certificate and undergraduate degree programs.

**(2)** An institution assigned to the Comprehensive Community Colleges sector shall not provide graduate level programs.

**(3)** An institution assigned to the Comprehensive Community Colleges sector may

- (a) provide apprenticeship technical training programs,

**48** Section 102.3 presently reads:

*102.3(1) An institution in the Comprehensive Academic and Research Institutions sector*

- (a) may provide approved programs of study that lead to the granting of the following:*
  - (i) baccalaureate, master's and doctoral degrees;*
  - (ii) diplomas;*
  - (iii) certificates,*
- (b) may conduct pure research and applied research and foster innovation, and*
- (c) may conduct scholarly research.*

*(2) An institution in the Baccalaureate and Applied Studies Institutions sector*

- (a) may provide approved programs of study that lead to the granting of the following:*
  - (i) diplomas;*
  - (ii) certificates;*
  - (iii) applied degrees;*
  - (iv) baccalaureate degrees,*
- (b) may provide university transfer programs,*
- (c) may conduct applied research and foster innovation, and*
- (d) may conduct scholarly research related to approved programs of study provided by the institution that lead to the granting of baccalaureate degrees.*

*(3) An institution in the Polytechnical Institutions sector*

- (a) must provide courses or programs of instruction or training in accordance with section 45(1),*

- (b) provide undergraduate degree programs
  - (i) in collaboration with a university, or
  - (ii) autonomously if the Minister determines it is necessary,
- and
- (c) undertake research and scholarly activities
  - (i) that align with the credentials offered, or
  - (ii) that are focused on industry or community needs and that support economic and social development in the region in which the institution is located.

**Independent Academic Institutions sector role**

**102.5** An institution assigned to the Independent Academic Institutions sector may

- (a) provide foundational learning programs, programs of study, whether or not they are approved in accordance with the regulations, that lead to the granting of diplomas or certificates, or approved degree programs,
- (b) undertake research and scholarly activities that align with the credentials offered, and
- (c) collaborate with other post-secondary institutions to support regional access to undergraduate degree programs.

**Polytechnic Institutions sector role**

**102.6(1)** An institution assigned to the Polytechnic Institutions sector shall

- (a) provide apprenticeship technical training,
- (b) provide diploma and certificate programs, and
- (c) collaborate with other post-secondary institutions to support regional access to polytechnic education.

- (b) *may provide approved programs of study that lead to the granting of the following:*
  - (i) *diplomas;*
  - (ii) *certificates;*
  - (iii) *applied degrees;*
  - (iv) *baccalaureate degrees,*
- (c) *may conduct applied research and foster innovation, and*
- (d) *may conduct scholarly research related to approved programs of study provided by the institution that lead to the granting of baccalaureate degrees.*

*(4) An institution in the Comprehensive Community Institutions sector*

- (a) *may provide courses or programs of instruction or training referred to in section 45,*
- (b) *must provide courses or programs of instruction or training referred to in section 45(2) if required to do so under that subsection,*
- (c) *may provide approved programs of study that lead to the granting of the following:*
  - (i) *diplomas;*
  - (ii) *certificates;*
  - (iii) *applied degrees,*
- (d) *may provide an approved program of study that leads to the granting of a baccalaureate degree if*
  - (i) *the program is provided in collaboration with another institution that has approval to grant the degree, or*
  - (ii) *the Minister determines that the program is necessary,*
- (e) *may provide university transfer programs,*

(2) An institution assigned to the Polytechnic Institutions sector shall not provide graduate level programs.

(3) An institution assigned to the Polytechnic Institutions sector may

- (a) provide approved foundational learning or undergraduate degree programs,
- (b) undertake research and scholarly activities
  - (i) that align with the credentials offered, or
  - (ii) that are focused on strengthening economic development in the Province,

and

- (c) collaborate with other post-secondary institutions to support regional access to diploma, certificate or undergraduate degree programs.

**Specialized Arts and Cultural Institutions sector role**

**102.7** An institution assigned to the Specialized Arts and Cultural Institutions sector may

- (a) provide non-credential and approved certificate or diploma programs,
- (b) undertake research and scholarly activities that align with the programs offered by the institution, and
- (c) collaborate with other post-secondary institutions to support regional access to specialized arts, culture and non-credential and approved certificate or diploma programs.

**Undergraduate Universities sector role**

**102.8(1)** An institution assigned to the Undergraduate Universities sector shall

- (a) provide undergraduate degree programs, and

- (f) may conduct applied research and foster innovation, and*
  - (g) may conduct scholarly research related to approved programs of study provided by the institution that lead to the granting of baccalaureate degrees.*
- (5) An institution in the Independent Academic Institutions sector*
- (a) may provide approved programs of study that lead to the granting of baccalaureate, master's and doctoral degrees, and*
  - (b) may conduct scholarly research related to approved programs of study provided by the institution that lead to the granting of baccalaureate, master's or doctoral degrees.*
- (6) An institution in the Specialized Arts and Cultural Institutions sector*
- (a) may provide approved programs of study that lead to the granting of the following:*
    - (i) diplomas;*
    - (ii) certificates;*
    - (iii) baccalaureate, master's and doctoral degrees,*
  - (b) may provide learning experiences described in section 51,*
  - (c) may conduct applied research and foster innovation, and*
  - (d) may conduct scholarly research related to approved programs of study provided by the institution that lead to the granting of baccalaureate, master's or doctoral degrees.*

(b) collaborate with other post-secondary institutions to support regional access to undergraduate degree programs.

(2) An institution assigned to the Undergraduate Universities sector shall not provide graduate level programs.

(3) An institution assigned to the Undergraduate Universities sector may

(a) provide approved foundational learning, diploma or certificate programs, and

(b) undertake research and scholarly activities that enrich undergraduate education.

**49 Section 103(4) is amended by striking out “private college” and substituting “private post-secondary institution”.**

**50 Section 106(2)(b) is amended**

(a) **by striking out “resident private college” and substituting “private post-secondary institution resident in Alberta”;**

(b) **by striking out “a private college” and substituting “a private post-secondary institution”.**

**51 Section 107 is repealed and the following is substituted:**



**49** Section 103(4) presently reads:

*(4) Unless authorized to do so by the Minister, a publicly funded private college assigned to the Independent Academic Institutions sector under section 102.2(2) may not use any funds received as a grant from the Minister under the Government Organization Act to carry on an activity that is inconsistent with the role of that sector.*

**50** Section 106(2) presently reads in part:

*(2) Subsection (1) does not apply to*

*(b) a resident private college that*

*(i) is designated by the Lieutenant Governor in Council in accordance with the regulations as a private college that may grant approved degrees, and*

*(ii) has the approval of the Minister to grant the degree or offer the program of study,*

*or*

**51** Section 107 presently reads:

*107(1) The chancellor of a university may, on the authorization of the senate, grant an honorary degree on a person.*

### **Honorary degrees**

**107(1)** The chancellor of a comprehensive academic and research university may, on the authorization of the senate, grant an honorary degree on a person.

**(2)** The board of an undergraduate university may grant an honorary degree on a person.

**(3)** The board of a public post-secondary institution other than a university may grant an honorary degree, diploma or certificate if that public post-secondary institution has the authority to grant the corresponding degree, diploma or certificate.

### **52 Section 108 is amended**

- (a) in subsection (1) by adding** “and to provide, subject to any conditions the Minister considers appropriate, advice and recommendations to another jurisdiction” **after** “the regulations”;
- (b) by repealing subsection (2)(c) and substituting the following:**
  - (c)** designate a chair or designate 2 members as co-chairs, and

### **53 Section 109(2) and (3) are repealed and the following is substituted:**

**(2)** The Campus Alberta Quality Council may inquire into and review any matter relating to a proposal to offer a program of study leading to the granting of a degree other than a degree in divinity.

**(3)** Without restricting the generality of subsection (2), the Campus Alberta Quality Council may consider the capacity of a

*(2) The board of a public post-secondary institution other than a university may grant an honorary diploma, certificate or degree if that public post-secondary institution has the authority to grant the corresponding diploma, certificate or degree.*

**52** Section 108 presently reads:

*108(1) The Minister may establish the Campus Alberta Quality Council to provide advice and recommendations to the Minister in accordance with section 109 and the regulations.*

*(2) The Minister may, with respect to the Campus Alberta Quality Council,*

- (a) appoint or provide for the manner of the appointment of its members,*
- (b) prescribe the term of office of any member,*
- (c) designate a chair, and*
- (d) authorize, fix or provide for the payment of remuneration and expenses to its members.*

**53** Section 109(2) and (3) presently read:

*(2) The Campus Alberta Quality Council may inquire into and review any matter relating to a proposal to offer a program of study leading to the granting of an applied, baccalaureate, master's or doctoral degree other than a degree in divinity.*

*(3) Without restricting the generality of subsection (2), the Campus Alberta Quality Council may consider*

post-secondary institution to deliver and sustain a high-quality program in keeping with national and international standards.

**54 Section 118(1) is repealed and the following is substituted:**

**Information and reports**

**118(0.1)** In this section, “board” includes the governing body of a publicly funded private post-secondary institution assigned to the Independent Academic Institutions sector by the regulations made under section 102.2(3)(b).

(1) The Minister may require a board to collect information and to submit to the Minister any information and reports the Minister considers necessary.

**55 Section 121 is amended by adding “comprehensive academic and research” before “university” wherever it occurs.**

- (a) *the identified and demonstrated need for the program,*
- (b) *the capacity of the post-secondary institution to deliver and sustain a high quality program,*
- (c) *the impact of the program on the ability of the post-secondary institution to fulfil its approved mandate,*
- (d) *course and program transferability and portability within and outside the Alberta post-secondary system, and*
- (e) *integration of the program within the existing array of similar programs and services across the post-secondary system.*

**54** Section 118(1) presently reads:

*118(1) The Minister may require a board to collect information and to submit to the Minister any information and reports the Minister considers necessary.*

**55** Section 121 presently reads:

*121(1) In this section,*

- (a) *“development” means*
  - (i) *any construction or excavation in, on, over or under land,*  
*or*
  - (ii) *any change in the use of any land, buildings or premises;*
- (b) *“primarily commercial purposes” means primarily commercial purposes as defined in the regulations.*

*(2) The board of a university must, in accordance with the regulations, provide to the Minister a long-range land use and development plan relating to land owned by or leased to that board.*

**56 Section 124 is amended**

**(a) by repealing clause (b) and substituting the following:**

- (b) respecting tuition fees and mandatory non-instructional fees, for all boards other than the board of Banff Centre, including regulations
  - (i) respecting the publication of a public post-secondary institution's tuition fees and mandatory non-instructional fees and related information;
  - (ii) respecting consultation in relation to the setting or increasing of tuition fees and mandatory non-instructional fees;
  - (iii) respecting the requirements or restrictions that must be complied with when setting or increasing tuition fees and mandatory non-instructional fees;

*(3) Subject to subsections (3.1), (4) and (5), the following do not apply to any use or development of real property owned by or leased to the board of a university:*

- (a) an enactment that requires, in the use or development of land, compliance with any building code or similar bylaw, land use bylaw, statutory plan as defined in Part 17 of the Municipal Government Act or any similar resolution or regulation;*
- (b) an enactment that requires, in the use or development of land, approval or permission to be given by any municipal or other authority before that use or development is commenced.*

*(3.1) The board of a university must act in accordance with any applicable ALSA regional plan.*

*(4) The Safety Codes Act and the regulations under it, including any code adopted under that Act, apply to the use and development of any land owned by or leased to a public post-secondary institution.*

*(5) Subject to the regulations, subsection (3) does not apply to the use or development of real property for primarily commercial purposes.*

**56** Section 124 presently reads in part:

*124 The Lieutenant Governor in Council may make regulations*

- (b) respecting tuition fees, for all boards other than the board of Banff Centre, including regulations*
  - (i) respecting the publication of information about a public post-secondary institution's tuition fees and related information;*
  - (ii) respecting consultation in relation to the setting of tuition fees;*
  - (iii) respecting any differential or surcharge in tuition fees for foreign students or non-resident students;*
  - (iv) respecting the requirements that must be adhered to when setting tuition fees;*

- (iv) respecting exceptional tuition fee increases to tuition fees;
- (v) respecting conditions and restrictions on the charging of and the amount of mandatory non-instructional fees;
- (vi) respecting the requirements that must be complied with before setting new mandatory non-instructional fees;
- (vii) respecting tuition fees payable by international students, including regulations
  - (A) exempting tuition fees from any provision of the regulations;
  - (B) respecting the requirements that must be complied with when setting or increasing tuition fees;
  - (C) respecting disclosure to international students of tuition fees;
- (b.1) respecting apprenticeship instructional fees and apprenticeship material and service fees, including regulations
  - (i) respecting the publication of apprenticeship instructional fees and apprenticeship material and service fees and related information;
  - (ii) respecting consultation in relation to apprenticeship instructional fees and apprenticeship material and service fees;
  - (iii) respecting the requirements or restrictions that must be complied with when setting apprenticeship instructional fees and apprenticeship material and service fees;
  - (iv) respecting exceptional apprenticeship fee increases to apprenticeship instructional fees and apprenticeship material and service fees;



- (g) respecting the programs of instruction or training that must be provided by a vocational college under section 45(2);*
- (h) respecting the approval of proposals by public post-secondary institutions to establish, extend, expand, reduce, suspend, terminate or transfer programs of study;*
- (h.1) respecting the approval of proposals by resident private colleges to establish, extend, expand, reduce, suspend, terminate or transfer programs of study for which a degree may be granted;*
- (j) respecting the designation of resident private colleges as institutions that may grant approved degrees, and the rescinding of designations;*

- (b.2) respecting executive graduate programs, including regulations
  - (i) respecting the criteria for designating an approved graduate level program as an executive graduate program and the rescinding of designations;
  - (ii) respecting tuition fee revenue from executive graduate level programs and the allocation of excess tuition fee revenue from such programs;
  - (iii) respecting the disclosure of information about the allocation of excess tuition fee revenue from executive graduate programs;

**(b) by repealing clause (g);**

**(c) by repealing clause (h) and substituting the following:**

- (h) respecting the approval of proposals by public post-secondary institutions to establish, change, extend, suspend, terminate, reactivate or transfer a program of study;

**(d) by repealing clause (h.1) and substituting the following:**

- (h.1) respecting the approval of proposals by private post-secondary institutions resident in Alberta to establish, change, extend, suspend, terminate, reactivate or transfer a program of study for which a diploma, certificate or degree may be granted;

**(e) by adding the following after clause (h.2):**

- (h.3) respecting the monitoring of programs of study at public post-secondary institutions, private post-secondary institutions resident in Alberta or non-resident institutions;

**(f) in clause (j) by striking out “resident private colleges” and substituting “private post-secondary institutions resident in Alberta”;**

**(g) by adding the following after clause (j):**



- (j.1) respecting, for the purpose of section 1(p), the designation of an institution established under this Act as a public post-secondary institution and the rescinding of designations;

**(h) by adding the following after clause (k):**

- (k.1) respecting the security to be given by a private post-secondary institution, other than a post-secondary institution assigned to the Independent Academic Institutions sector, approved to offer a program of study that leads to the granting of a degree and the forfeiture of the security;

**57 Section 125 is repealed.**

**58 Part 5 is amended by adding the following before Division 1:**

**Division 0.1  
Transition Relating to 2018 Amendments**

**Definitions**

**125.1** In this Division,

- (a) “amended Act” means the *Post-secondary Learning Act* as it reads on the coming into force of this Division;
- (b) “former Act” means the *Post-secondary Learning Act* as it read immediately before the coming into force of this Division.

**57** Section 125 presently reads:

*125 The Minister may make regulations*

- (a) listing the universities, public colleges, technical institutes, students associations and graduate students associations established or continued under this Act;*
- (b) respecting the development and orderly growth of the publicly funded post-secondary system;*
- (c) respecting access plans for the purpose of section 78.1.*

**58** Transitional provisions.

**Continuation of universities as comprehensive academic and research universities**

**125.2(1)** In this section,

- (a) “governing entities of a university” or “governing entities of a comprehensive academic and research university” means
  - (i) the board of governors,
  - (ii) the senate,
  - (iii) the offices of chancellor and vice-chancellor,
  - (iv) the general faculties council,
  - (v) the academic staff association,
  - (vi) the deans’ council,
  - (vii) the faculty councils,
  - (viii) the school councils,
  - (ix) the students association,
  - (x) the graduate students association, if any, and
  - (xi) the postdoctoral fellows association, if any;
- (b) “university” means a university continued under section 126(1) or established under section 3 of the former Act.

**(2)** On the coming into force of this section, a university is continued, under the same name, as a comprehensive academic and research university under section 3 of the amended Act.

**(3)** On the coming into force of this section, the governing entities of a university are continued under the same names, with the powers and duties of the respective governing entities of a comprehensive academic and research university under the amended Act and with the same members.

**Continuation of public colleges as comprehensive community colleges**

**125.3(1)** In this section,



- (a) “governing entities of a public college” or “governing entities of a comprehensive community college” means
  - (i) the board of governors,
  - (ii) the academic council,
  - (iii) the academic staff association, and
  - (iv) the students association;
- (b) “public college” means a public college continued under section 127(1) or established under section 40 of the former Act.

**(2)** On the coming into force of this section, a public college is continued, under the same name, as a comprehensive community college under section 40 of the amended Act.

**(3)** On the coming into force of this section, the governing entities of a public college are continued under the same names, with the powers and duties of the respective governing entities of a comprehensive community college under the amended Act and with the same members.

**Continuation of technical institutes  
as polytechnic institutions**

**125.4(1)** In this section,

- (a) “governing entities of a technical institute” or “governing entities of a polytechnic institution” means
  - (i) the board of governors,
  - (ii) the academic council,
  - (iii) the academic staff association, and
  - (iv) the students association;
- (b) “technical institute” means a technical institute continued under section 128(1) or established under section 40 of the former Act.





(2) On the coming into force of this section, a technical institute is continued, under the same name, as a polytechnic institution under section 40 of the amended Act.

(3) On the coming into force of this section, the governing entities of a technical institute are continued under the same names, with the powers and duties of the respective governing entities of a polytechnic institution under the amended Act and with the same members.

**Transitional regulation powers**

**125.5** The Lieutenant Governor in Council may make regulations

- (a) respecting the transitional application of the amendments to this Act as a result of amendments made by *An Act to Improve the Affordability and Accessibility of Post-secondary Education*, including the interpretation of any transitional provision referred to in this Division, and
- (b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the transition.

**Consequential Amendments to  
Post-secondary Learning Act**

**59** The following sections are amended by striking out “public college” wherever it occurs and substituting “comprehensive community college”:

- section 1(c) and (j);
- section 41(1);
- section 42(1) and (2);
- section 43(1);
- section 44(2) and (4);
- section 46(1);
- section 47(1)(b);
- section 47.1(1), (3) and (4)(a);
- section 57(1)(b).

**60** The following sections are amended by striking out “technical institute” wherever it occurs and substituting “polytechnic institution”:

**Consequential Amendments to  
Post-secondary Learning Act**

**59** Terminology update.

**60** Terminology update.

section 1(c) and (j);  
section 41(1);  
section 42(1) and (2);  
section 43(1);  
section 44(1) and (4);  
section 46(1);  
section 47(1)(b);  
section 47.1(1), (3) and (4)(a);  
section 57(1)(b).

### **Consequential Changes to Regulations**

**61(1)** Unless the context otherwise requires, a reference in a regulation to “public college”, “private college” or “technical institute” shall be read as a reference to “comprehensive community college”, “private post-secondary institution” or “polytechnic institution”, as the case may be.

**(2)** The Lieutenant Governor in Council may, by regulation, amend the regulations filed under the *Regulations Act* to reflect the changes made by this Act.

**(3)** An amendment under subsection (2) may be made even though the regulation being amended was made by a member of the Executive Council or some other body or person.

### **Consequential Amendments to Other Acts**

#### **Alberta Capital Finance Authority Act**

**Amends RSA 2000 cA-14.5**

**62(1)** The *Alberta Capital Finance Authority Act* is amended by this section.

**(2)** Section 1(1)(d) is amended

- (a)** in subclause (ii) by striking out “public college” and substituting “comprehensive community college”;
- (b)** in subclause (iii) by striking out “technical institute” and substituting “polytechnic institution”.

### **Consequential Changes to Regulations**

**61** Consequential changes to regulations.

### **Consequential Amendments to Other Acts**

#### **Alberta Capital Finance Authority Act**

**62(1)** Amends chapter A-14.5 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(d) presently reads in part:

*1(1) In this Act,*

*(d) “educational authority” means*

## **Apprenticeship and Industry Training Act**

**Amends RSA 2000 cA-42**

**63(1) The *Apprenticeship and Industry Training Act* is amended by this section.**

**(2) Section 1(m)(ii) is amended**

- (a) in paragraph (C) by striking out “college” and substituting “comprehensive community college”;**
- (b) in paragraph (D) by striking out “technical institute” and substituting “polytechnic institution”.**

## **Conflicts of Interest Act**

**Amends RSA 2000 cC-23**

**64(1) The *Conflicts of Interest Act* is amended by this section.**

**(2) Part 3 of the Schedule is amended**

- (a) by striking out “Board of governors of a public college” and substituting “Board of governors of a comprehensive community college”;**
- (b) by striking out “Board of governors of a technical institute” and substituting “Board of governors of a polytechnic institution”;**
- (c) by striking out “Body incorporated under section 6 of the Universities Act”;**

- (ii) *the board of governors of a public college under the Post-secondary Learning Act;*
- (iii) *the board of governors of a technical institute under the Post-secondary Learning Act;*

### **Apprenticeship and Industry Training Act**

**63(1)** Amends chapter A-42 of the Revised Statutes of Alberta 2000.

(2) Section 1(m) presently reads in part:

*1 In this Act,*

(m) *“student work training program” means a program*

(ii) *that is offered to the student by or on behalf of*

(C) *a college under the Post-secondary Learning Act,*

(D) *a technical institute as defined in the Post-secondary Learning Act, or*

### **Conflicts of Interest Act**

**64(1)** Amends chapter C-23 of the Revised Statutes of Alberta 2000.

(2) Part 3 of the Schedule presently reads in part:

#### *Part 3*

#### *Other Disqualifying Offices*

*The Lieutenant Governor in Council may by regulation amend this Part to add any office the Lieutenant Governor in Council considers appropriate for the purposes of this Act.*

*The office of chair or member of any of the following:*

*Board of governors of a public college under the Post-secondary Learning Act*

- (d) **by striking out** “Initial governing authority of a technical institute” **and substituting** “Initial governing authority of a polytechnic institution”.

### **Fatality Inquiries Act**

**Amends RSA 2000 cF-9**

**65(1)** The *Fatality Inquiries Act* is amended by this section.

- (2) Section 18(2) is amended by **striking out** “university” **wherever it occurs and substituting** “comprehensive academic and research university”.

### **Financial Administration Act**

**Amends RSA 2000 cF-12**

**66(1)** The *Financial Administration Act* is amended by this section.

(2) Section 2 is amended

- (a) **in subsection (5)(c) and (d) by striking out** “public college” **and substituting** “comprehensive community college”;
- (b) **in subsection (5)(e) and (f) by striking out** “technical institute” **and substituting** “polytechnic institution”.



*Board of governors of a technical institute under the  
Post-secondary Learning Act*  
*Body incorporated under section 6 of the Universities Act*  
*Hospital Privileges Appeal Board*  
*Initial governing authority of a technical institute under the  
Post-secondary Learning Act*

### **Fatality Inquiries Act**

**65(1)** Amends chapter F-9 of the Revised Statutes of Alberta 2000.

(2) Section 18(2) presently reads:

*(2) If on the expiry of the 7-day period referred to in subsection (1) the body remains unidentified, the Chief Medical Examiner shall notify the nearest university and, if a demand is made under the Post-secondary Learning Act, deliver the body to a university, or, if no demand is made, arrange for the burial of the body.*

### **Financial Administration Act**

**66(1)** Amends chapter F-12 of the Revised Statutes of Alberta 2000.

(2) Section 2(5) presently reads in part:

*(5) This Act, except this section and sections 1, 5, 6, 7, 13(3), 77, 80 and 81, does not apply to the following:*

- (c) the board of a public college under the Post-secondary Learning Act,*
- (d) the initial governing authority of a public college under the Post-secondary Learning Act,*
- (e) the board of a technical institute under the Post-secondary Learning Act,*
- (f) the initial governing authority of a technical institute under the Post-secondary Learning Act,*

## **Freedom of Information and Protection of Privacy Act**

**Amends RSA 2000 cF-25**

**67(1) The *Freedom of Information and Protection of Privacy Act* is amended by this section.**

**(2) Section 1(d) is amended**

- (a) in subclause (ii) by striking out “technical institute” and substituting “polytechnic institution”;**
- (b) in subclause (iii) by striking out “public college” and substituting “comprehensive community college”.**

**(3) Section 4(2) is amended**

- (a) in clause (b) by striking out “public college” and substituting “comprehensive community college”;**
- (b) in clause (c) by striking out “technical institute” and substituting “polytechnic institution”.**

## **Labour Relations Code**

**Amends RSA 2000 cL-1**

**68(1) The *Labour Relations Code* is amended by this section.**

**(2) Section 58.1(1) is amended**

- (a) in clause (b) by striking out “public college” and substituting “comprehensive community college”;**
- (b) in clause (c) by striking out “technical institute” and substituting “polytechnic institution”.**

## **Freedom of Information and Protection of Privacy Act**

**67(1)** Amends chapter F-25 of the Revised Statutes of Alberta 2000.

(2) Section 1(d) presently reads in part:

*1 In this Act,*

*(d) “educational body” means*

*(ii) a technical institute as defined in the Post-secondary Learning Act,*

*(iii) a public college as defined in the Post-secondary Learning Act,*

(3) Section 4(2) presently reads in part:

*(2) In this section and sections 23(1)(b) and 94(1)(n), “governing body”*

*(b) in relation to a public college, means the board of governors or the academic council as described in the Post-secondary Learning Act, and*

*(c) in relation to a technical institute, means the board of governors or the academic council as described in the Post-secondary Learning Act.*

## **Labour Relations Code**

**68(1)** Amends chapter L-1 of the Revised Statutes of Alberta 2000.

(2) Section 58.1(1) presently reads in part:

*58.1(1) In this Division, “board of a public post-secondary institution” means*

*(b) the board of governors of a public college, and*

*(c) the board of governors of a technical institute.*

**(3) Section 58.2(1)(c) is amended by striking out “university” wherever it occurs and substituting “comprehensive academic and research university”.**

**(4) Section 58.5 is amended by striking out “university” wherever it occurs and substituting “comprehensive academic and research university”.**

### **Legal Profession Act**

**Amends RSA 2000 cL-8**

**69(1) The *Legal Profession Act* is amended by this section.**

(3) Section 58.2(1) presently reads:

*58.2(1) Divisions 4 to 9 and section 156 do not apply*

- (a) with respect to the board of a public post-secondary institution while it is acting as the employer of the academic staff members of the public post-secondary institution or with respect to those academic staff members,*
- (b) with respect to the board of governors of a university while it is acting as the employer of the academically employed graduate students at the university or with respect to those graduate students, or*
- (c) with respect to the board of governors of a university while it is acting as the employer of postdoctoral fellows of the university or with respect to those postdoctoral fellows.*

(4) Section 58.5 presently reads:

*58.5(1) For the purposes of this Act,*

- (a) the board of governors of a university is an employer while it is acting as the employer of its postdoctoral fellows,*
  - (b) the postdoctoral fellows of a university are employees of the board of governors of the university, and*
  - (c) the postdoctoral fellows association of a university is, subject to the future effects of the application of Divisions 4 to 9 under section 58.2(2), the bargaining agent for the postdoctoral fellows of the university and has exclusive authority to bargain collectively on behalf of the postdoctoral fellows and to bind them by a collective agreement.*
- (2) The postdoctoral fellows association of a university is deemed for the purposes of this Act to be a trade union for the purposes of acting as bargaining agent for the postdoctoral fellows of the university.*

### **Legal Profession Act**

**69(1)** Amends chapter L-8 of the Revised Statutes of Alberta 2000.

**(2) Section 36(d) is amended by striking out “a university” and substituting “a comprehensive academic and research university”.**

### **Loan and Trust Corporations Act**

**Amends RSA 2000 cL-20**

**70(1) The *Loan and Trust Corporations Act* is amended by this section.**

**(2) Section 200(1)(i) is amended by adding “under the *Post-secondary Learning Act*” after “university”.**

### **Municipal Government Act**

**Amends RSA 2000 cM-26**

**71(1) The *Municipal Government Act* is amended by this section.**

**(2) Section 362(1)(d) is amended**

- (a) in subclause (i) by striking out “technical institute or public college” and substituting “polytechnic institution or comprehensive community college”;**
- (b) in subclause (iv) by striking out “technical institute or public college” and substituting “polytechnic institution or comprehensive community college”.**

(2) Section 36(d) presently reads:

*36 In sections 37 to 45,*

*(d) “university in Alberta” means a university under the Post-secondary Learning Act.*

### **Loan and Trust Corporations Act**

**70(1)** Amends chapter L-20 of the Revised Statutes of Alberta 2000.

(2) Section 200(1)(i) presently reads:

*200(1) For the purposes of this section, “commercial loan” means financing, including, without limitation, financing in the form of loans, leasing, letters of credit, guarantees and other prescribed instruments, but does not include the following:*

*(i) the making of loans to, or the acquisition of securities issued or guaranteed by, a university, municipality, hospital board, regional health authority under the Regional Health Authorities Act or school board;*

### **Municipal Government Act**

**71(1)** Amends chapter M-26 of the Revised Statutes of Alberta 2000.

(2) Section 362(1) presently reads in part:

*362(1) The following are exempt from taxation under this Division:*

*(d) property, other than a student dormitory, used in connection with educational purposes and held by any of the following:*

*(i) the board of governors of a university, technical institute or public college under the Post-secondary Learning Act;*

*(iv) a students association of a technical institute or public college under the Post-secondary Learning Act;*

### **Ombudsman Act**

**Amends RSA 2000 cO-8**

**72(1) The *Ombudsman Act* is amended by this section.**

**(2) Section 1(c) is amended**

- (a) in subclause (i)(B) by striking out “public college” and substituting “comprehensive community college”;**
- (b) by repealing subclause (i)(G) and substituting “the board of governors of a polytechnic institution under the *Post-secondary Learning Act*,”.**

### **Personal Information Protection Act**

**Amends SA 2003 cP-6.5**

**73(1) The *Personal Information Protection Act* is amended by this section.**

**(2) Section 56(1)(a)(v) is amended by striking out “private college” and substituting “private post-secondary institution”.**

### **Public Health Act**

**Amends RSA 2000 cP-37**

**74(1) The *Public Health Act* is amended by this section.**

**(2) Section 1(oo) is amended by striking out “technical institute” and substituting “polytechnic institution, comprehensive community college”.**



### **Ombudsman Act**

**72(1)** Amends chapter O-8 of the Revised Statutes of Alberta 2000.

(2) Section 1(c) presently reads in part:

*1 In this Act,*

(c) “agency” means

(i) a Provincial agency as defined in section 1 of the Financial Administration Act, but not including

(B) the board of a public college under the Post-secondary Learning Act;

(G) the board of governors of a technical institute under the Technical Institutes Act,

### **Personal Information Protection Act**

**73(1)** Amends chapter P-6.5 of the Statutes of Alberta, 2003.

(2) Section 56(1)(a)(v) presently reads:

*56(1) In this section,*

(a) “commercial activity” means

(v) the operation of a private college as defined in the Post-secondary Learning Act;

### **Public Health Act**

**74(1)** Amends chapter P-37 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

*1 In this Act,*

## **Public Service Employee Relations Act**

**Amends RSA 2000 cP-43**

**75(1) The *Public Service Employee Relations Act* is amended by this section.**

**(2) The Schedule is amended**

**(a) in section 2**

**(i) in subsection (1)(c) by adding “in the case of a comprehensive academic and research university” after “fellows”;**

**(ii) in subsection (4) by striking out “each university” and substituting “a comprehensive academic and research university”;**

**(b) in section 3 by striking out “public college” wherever it occurs and substituting “comprehensive community college”;**

**(c) in section 4 by striking out “technical institute” wherever it occurs and substituting “polytechnic institution”.**

- (oo) “teacher” includes an instructor, lecturer, professor, principal, president, supervisor or superintendent of any school, college, university, technical institute or other learning institution;

**Public Service Employee  
Relations Act**

**75(1)** Amends chapter P-43 of the Revised Statutes of Alberta 2000.

(2) Sections 2, 3 and 4 of the Schedule presently read:

*2(1) The board of governors of each university as defined in the Post-secondary Learning Act while it is acting as the employer of its*

- (a) academic staff,*
- (b) academically employed graduate students, and*
- (c) postdoctoral fellows,*

*as defined in the Post-secondary Learning Act.*

*(2) The academic staff, as defined in the Post-secondary Learning Act, of each university.*

*(3) The academically employed graduate students, as defined in the Post-secondary Learning Act, employed by the board of governors of each university.*

*(4) The postdoctoral fellows, as defined in the Post-secondary Learning Act, employed by the board of governors of each university.*

*3(1) The board of each public college as defined in the Post-secondary Learning Act while it is acting as the employer of its academic staff as defined in the Post-secondary Learning Act.*

*(2) The academic staff, as defined in the Post-secondary Learning Act, of each public college.*

*4(1) The board of governors of a technical institute as defined in the Post-secondary Learning Act while it is acting as the employer of its academic staff as defined in the Post-secondary Learning Act.*

### **Public Utilities Act**

**Amends RSA 2000 cP-45**

**76(1) The *Public Utilities Act* is amended by this section.**

**(2) Section 1(d) is amended by striking out “public college” and substituting “comprehensive community college”.**

### **Reform of Agencies, Boards and Commissions Compensation Act**

**Amends SA 2016 cR-8.5**

**77(1) The *Reform of Agencies, Boards and Commissions Compensation Act* is amended by this section.**

**(2) The Schedule is amended by striking out “Alberta College of Art and Design” and substituting “Alberta University of the Arts”.**

### **Regulated Forestry Profession Act**

**Amends RSA 2000 cR-13**

**78(1) The *Regulated Forestry Profession Act* is amended by this section.**

**(2) Section 1(1)(u)(vi) is amended by striking out “college, technical institute” and substituting “comprehensive community college, polytechnic institution”.**

(2) *The academic staff, as defined in the Post-secondary Learning Act, of each technical institute.*

#### **Public Utilities Act**

**76(1)** Amends chapter P-45 of the Revised Statutes of Alberta 2000.

(2) Section 1(d) presently reads:

*1 In this Act,*

*(d) “local authority” means a city, town, village, municipal district or Metis settlement, a school division, a school district not being a school district included in a school division, a public college, a health region under the Regional Health Authorities Act, an irrigation district and a drainage district;*

#### **Reform of Agencies, Boards and Commissions Compensation Act**

**77(1)** Amends chapter R-8.5 of the Statutes of Alberta, 2016.

(2) Updates Schedule.

#### **Regulated Forestry Profession Act**

**78(1)** Amends chapter R-13 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(u) presently reads in part:

*1(1) In this Act,*

*(u) “practice of forestry” means the development, acquisition or application of scientific principles and practices relating to forestry, products of forested land and integrated management of forested land and includes, without limitation,*

**Coming into Force**

**79 This Act comes into force on February 1, 2019.**

(vi) *the teaching of forestry at a college, technical institute or university, and*

### **Coming into Force**

**79** Coming into force.

