



Chapter E-14.1

AN ACT RESPECTING EDUCATIONAL INSTITUTIONS AT THE UNIVERSITY LEVEL

Educational
institutions at
university level.

1. The following institutions are educational institutions at the university level:

- (1) the Université Laval;
- (2) The Royal Institution for the Advancement of Learning (McGill University);
- (3) Bishop's University;
- (4) the Université de Montréal;
- (5) the École Polytechnique de Montréal;
- (6) the École des Hautes Études Commerciales de Montréal;
- (7) Concordia University;
- (8) the Université de Sherbrooke;
- (9) the Université du Québec and its constituent universities;
- (10) any faculty, school or institute of any of the institutions contemplated in paragraphs 1 to 9 which is managed by a legal person separate from that which administers such institution;
- (11) any institution of higher education affiliated with, incorporated in or annexed to an institution contemplated in any of paragraphs 1 to 9 pursuant to an agreement approved by the Minister;
- (12) *(paragraph repealed)*;
- (13) in respect of programs determined by the Government, on the conditions and for the time it fixes, any establishment of higher education constituted by or under an Act of another Canadian province, and recognized by the Government, upon the recommendation of the Minister of Education.

1989, c. 18, s. 1; 1993, c. 26, s. 37; 1993, c. 51, s. 72; 1994, c. 16, s. 50; 1999, c. 40, s. 125; 2002, c. 67, s. 1.

Degrees, diplomas and
certificates.

2. No person other than the following, or a representative thereof, may confer degrees, diplomas, certificates or any other attestation of university studies:

- (1) an institution contemplated in section 1;
- (2) a legal person or body in which the power to confer degrees, diplomas, certificates or any other attestation of university studies is vested by an Act of Parliament.

1989, c. 18, s. 2; 1999, c. 40, s. 125.

Exclusive title.

3. No person may use the word “university” to designate or qualify an institution in such a way as to lead to the belief that an educational institution at

the university level is operated in Québec, unless the institution is contemplated in section 1.

1989, c. 18, s. 3.

Instructional program.

4. No person may use the word “university” to qualify an instructional program or advertize such program as being provided by an educational institution at the university level in such a way as to lead to the belief that the instruction provided in Québec is of university level, unless such instruction is provided by

(1) an institution contemplated in section 1;

(2) the Institut de tourisme et d'hôtellerie du Québec;

(2.1) the École nationale de police du Québec;

(3) a legal person or body in which the power to confer degrees, diplomas, certificates or any other attestation of university studies is vested by an Act of Parliament.

1989, c. 18, s. 4; 1999, c. 40, s. 125; 2000, c. 12, s. 324.

Financial statements.

4.1. Every institution referred to in paragraphs 1 to 11 of section 1 must include, in the financial statements transmitted each year to the Minister, a statement of the salaries paid to the members of its administrative personnel drawn up in accordance with the provisions of sections 4.3 to 4.5, a performance report established in accordance with the provisions of section 4.6 and a report on its development prospects.

Documents required.

The statements of salaries, the performance reports and the reports on development prospects drawn up by the constituent universities of the Université du Québec, its research institutes and its superior schools must, however, be sent with the financial statements of the university.

1995, c. 30, s. 1.

Tabling.

4.2. The Minister shall table the financial statements and the statements of salaries together with the performance reports and the reports on development prospects before the National Assembly within 30 days of receiving them or, if it is not sitting, within 30 days of resumption.

Examination and hearing.

The competent parliamentary committee of the National Assembly shall examine the statements at least once a year and shall hear the person who is the head of each institution at least once every three years. In the case of institutions mentioned in the second paragraph of section 4.1, the committee shall, in addition, hear, for each institution, the person who is the head of the Université du Québec.

1995, c. 30, s. 1; 2002, c. 67, s. 2.

Statement of salaries.

4.3. The statement of salaries shall list the salaries of the members of the senior administrative personnel separately from the salaries of the other members of the administrative personnel.

1995, c. 30, s. 1.

Statement of salaries.

4.4. The statement of salaries, as regards members of the senior administrative personnel, shall list the names of all the members and indicate

each member's position as well as the pecuniary value of each of the following items:

- (1) the basic salary;
- (2) the other components of the salary, except those referred to in subparagraphs 4 and 5, which must be included in the computation of income for the purposes of the Taxation Act (chapter I-3);
- (3) allowances and reimbursed expenses not required to be included in the computation of income;
- (4) any severance pay granted, whatever the nature thereof;
- (5) any amount or direct or indirect benefit received from a foundation or legal person soliciting funds or donations from the public to provide financial support to the institution concerned.

Senior administrative personnel.

The following persons are members of the senior administrative personnel:

- (1) the principal, the vice-principal, the assistant or associate vice-principal; the president, the vice-president, the assistant or associate vice-president, or any person holding an equivalent position;
- (2) the dean of a faculty or any person holding an equivalent position;
- (3) the secretary-general.

Information required.

The members of the senior administrative personnel are required to communicate to the institution the information referred to in subparagraph 5 of the first paragraph.

1995, c. 30, s. 1.

Categories.

4.5. The statement of salaries, as regards the other members of the administrative personnel, shall provide for the following categories:

- (1) the administrative personnel of the components of the institution, that is, the faculties, schools, departments, centres or institutes as well as the sectors, families and modules within the meaning of the general by-laws made under the Act respecting the Université du Québec (chapter U-1);
- (2) the administrative personnel of the services;
- (3) the management personnel of the support staff.

Statement of salaries.

The statement shall indicate for each of those categories the total number of employees, the average pecuniary value of each salary component referred to in subparagraphs 1 to 3 of the first paragraph of section 4.4 and the highest and the lowest values of each of those items.

1995, c. 30, s. 1.

Performance report.

4.6. The performance report shall indicate, in particular,

- (1) the rate of graduation for each university degree, per branch of learning;
- (2) the average duration of studies before graduation per branch of learning;
- (3) student supervision measures implemented;
- (4) research activity programs.

1995, c. 30, s. 1.

Performance of obligations.

4.7. Where an institution fails to comply with the provisions of section 4.1, the Minister may, at the institution's own expense, cause the obligations imposed by those provisions to be performed by a person he designates.

1995, c. 30, s. 1.

Offence and penalty.	5. Every person who contravenes any provision of section 2, 3 or 4 is guilty of an offence and is liable, in the case of a natural person, to a fine of \$100 to \$500 and, in the case of a legal person, to a fine of \$200 to \$1 000.
Second or subsequent conviction.	In the case of a second or subsequent conviction, the fine shall be of \$200 to \$1 000 in the case of a natural person and of \$400 to \$2 000 in the case of a legal person. <u>1989, c. 18, s. 5; 1990, c. 4, s. 968.</u> 6. <i>(Amendment integrated into c. E-9, s. 2).</i> <u>1989, c. 18, s. 6.</u> 7. <i>(Amendment integrated into c. I-17, s. 1).</i> <u>1989, c. 18, s. 7.</u> 8. <i>(Omitted).</i> <u>1989, c. 18, s. 8.</u> 9. <i>(Omitted).</i> <u>1989, c. 18, s. 9.</u>
Minister responsible.	10. The Minister of Education is responsible for the administration of this Act. <u>1989, c. 18, s. 10; 1993, c. 51, s. 72; 1994, c. 16, s. 50.</u> 11. <i>(Omitted).</i> <u>1989, c. 18, s. 11.</u>

REPEAL SCHEDULE

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 18 of the statutes of 1989, in force on 1 March 1990, is repealed, except sections 8, 9 and 11, effective from the coming into force of chapter E-14.1 of the Revised Statutes.

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