



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 128

An Act respecting educational institutions at the university level

Introduction

**Introduced by
Mr Claude Ryan
Minister of Higher Education and Science**

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EXPLANATORY NOTES

This bill specifies the institutions that are educational institutions at the university level in Québec and creates offences relating to the issuance of attestations of university studies or for the unlawful use of the word “university”.

The bill also contains concordance amendments to certain Acts.

ACTS AMENDED BY THIS BILL:

- Act respecting private education (R.S.Q., chapter E-9);
- University Investments Act (R.S.Q., chapter I-17);
- Act respecting the Corporation de l'École Polytechnique de Montréal (1987, chapter 135);
- Act respecting the Corporation de l'École des Hautes Études Commerciales de Montréal (1987, chapter 136).

Bill 128

An Act respecting educational institutions at the university level

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

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 University of 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 corporation 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) the Collège militaire Royal de Saint-Jean.

2. No person other than an institution contemplated in section 1 or a representative thereof may confer degrees, diplomas, certificates or any other attestation of university studies.

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.

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 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.

5. Every person who contravenes any provision of section 3, 4 or 5 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.

For each subsequent offence within two years of conviction for an offence under the same provision, 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.

6. Section 2 of the Act respecting private education (R.S.Q., chapter E-9) is amended

- (1) by replacing subparagraph c by the following subparagraph:

“(c) the educational institutions at the university level contemplated in section 1 of the Act respecting educational institutions at the university level (1989, chapter *insert here the chapter number of that Act in the annual volume of statutes for 1989*);”;

- (2) by striking out subparagraph d.

7. Section 1 of the University Investments Act (R.S.Q., chapter I-17) is amended by replacing subparagraphs 1 to 3 of paragraph a by the following subparagraph:

“(1) any of the educational institutions at the university level contemplated in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (1989, chapter *insert here the chapter number of that Act in the annual volume of statutes for 1989*);”.

8. Section 9 of the Act respecting the Corporation de l'École Polytechnique de Montréal (1987, chapter 135) is amended by striking out the first paragraph.

9. Section 9 of the Act respecting the Corporation de l'École des Hautes Études Commerciales de Montréal (1987, chapter 136) is amended by striking out the first paragraph.

10. The Minister of Higher Education and Science is responsible for the administration of this Act.

11. This Act comes into force on (*insert here the date of assent to this Act*).