

March 22, 2012

## **University Council - Historical Background to Charter Changes**

Queen's University at Kingston was created in 1841 by Queen Victoria. Since Queen's is a pre-confederation corporation with powers extending beyond provincial boundaries, the only Canadian legislative body that can amend its Royal Charter is the Parliament of Canada. The Charter has been amended by acts of the Parliament of Canada in 1882, 1889, 1906, 1912, 1914, 1916, 1961, 1996 and 2011.

The Royal Charter created a Board of Trustees to oversee the management of the University and a Senate with authority over the academic life of the University.

The University Council was created by provincial statute in 1874 and confirmed by a federal statute in 1882. These statutes prescribed that the University Council: "shall, as to membership, consist of all the Trustees of the said College, for the time being, and their successors, and of all the members of the College Senate, for the time being, and their successors, and of as many graduates or alumni as shall be equal in number to the aforesaid members taken together."<sup>1</sup>

Most recently, the total membership of the University Council reached 228 (44 Trustees, plus 71 Senators (deducting one because the Principal is a member of both bodies), plus an equal number of elected alumni).

On June 23, 2011, Bill S-1001, An Act respecting Queen's University at Kingston, passed final reading in the Canadian Senate and was subsequently signed into law by the Governor General. As well as reducing the size and amending the membership composition of the Board of Trustees, a number of amendments directly affect the University Council in the following ways.

The Act reaffirms the University Council's role in the appointment of the Chancellor; the election of the Rector by the students registered in academic programs; and the election or appointment of six members of the Board of Trustees by the University Council.

One significant change is the removal of the original membership formula. Now, through its By-Laws, the University Council will control "the determination of the membership of the University Council; ... the time and the manner of election or appointment ... and their term of office."<sup>2</sup>

In other words, the University Council has the opportunity to reshape its membership from scratch, a blank page, a clean slate. The historical reasons for the original composition of the University Council are no longer relevant and University Council can make its own determinations about its size and composition and how it can most effectively serve the best interests of Queen's University.

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<sup>1</sup> S.C., 1882, c. 123, s. 9.

<sup>2</sup> S. C., 2011, c. s. 4.