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3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
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(Bill No. 200)

An Act to Amend the St. Dunstan's University Act

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PRIVATE BILL

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AN ACT TO AMEND THE ST. DUNSTAN'S UNIVERSITY ACT

BILL NO. 200

2026

WHEREAS *An Act to Incorporate the Governors of St. Dunstan's University* 7 Geo. V (1917), Cap. 20, constituted specified persons and their successors as a body politic and corporate by the name "Governors of St. Dunstan's University, Prince Edward Island", to operate St. Dunstan's University and serve as its Board of Governors;

AND WHEREAS *The St. Dunstan's University Act* 14 Eliz. II (1965), Cap. 39, continued "The Board of Governors of St. Dunstan's University", a body corporate, as a body corporate under the name of "St. Dunstan's University" to operate a school of learning by the same name;

AND WHEREAS St. Dunstan's University ceased to operate a school of learning by the same name in 1969;

AND WHEREAS St. Dunstan's University has petitioned to amend *The St. Dunstan's University Act* to continue the body corporate under the name "Saint Dunstan's University Foundation Inc.", amend and broaden the objects and purposes of the body corporate to provide grants, gifts and scholarships towards advancing education and religion and alleviating poverty, and remove any and all provisions related to operating a school of learning;

THEREFORE, BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. ***The St. Dunstan's University Act* 14 Eliz. II (1965), Cap. 39, is amended by the deletion of the title "The St. Dunstan's University Act" and the substitution of the title "Saint Dunstan's University Foundation Act".**
2. **Sections 1 to 5 of the Act are repealed and the following substituted:**
 1. **Continuation of body corporate**
 - (1) St. Dunstan's University, a body corporate, is continued as Saint Dunstan's University Foundation Inc. ("Foundation"), a body corporate, and all of the property, assets, rights, credits,

effects, liabilities and obligations of St. Dunstan's University belong and attach to the Foundation.

Board of Directors

- (2) The Foundation shall be governed by a board of directors ("Board") constituted in accordance with subsection 11(1) and initially composed of the members holding office pursuant to subsection 11(1) immediately before this section comes into force.

2. Common seal

The Foundation shall have a common seal and all the powers and privileges necessary and incidental to carry on a charitable foundation at Charlottetown, Prince Edward Island.

3. Property

Subject to this Act, the Foundation shall possess and hold for the uses of the Foundation, all real or personal property that, immediately before this section comes into force, is vested in or held by Governors of St. Dunstan's University, The Board of Governors of St. Dunstan's University or St. Dunstan's University, and all real or personal property that may become the property of the Foundation, whether by purchase, gift, devise, bequest, donation or otherwise, and the legal title to all the property referred to in this provision shall be vested in the Foundation.

4. Appointments

All appointments made pursuant to this Act, other than any related to the Senate of St. Dunstan's University, the school of learning, that are in force immediately before this section comes into force shall continue with the same powers and authority until rescinded or amended by the Board.

5. Objects and purposes

- (1) The objects and purposes of the Foundation are
- (a) to advance education by
 - (i) making grants and gifts to post-secondary educational institutions operating in Prince Edward Island, to be used in funding their programs or constructing, maintaining or expanding their facilities, and
 - (ii) awarding scholarships based on merit or need to students attending post-secondary institutions operating in Canada;
 - (b) to alleviate poverty by making grants and gifts to food banks, shelters or other organizations offering food, clothing, counselling or accommodations to persons in need, to be used for that purpose;
 - (c) to advance the Roman Catholic faith by making grants and gifts to the Roman Catholic Episcopal Corporation of the Diocese of Charlottetown and to Roman Catholic parishes operating within Prince Edward Island, to be used for that purpose; and
 - (d) to advance education or the Roman Catholic faith, or alleviate poverty, by
 - (i) funding research into issues related to advancing education or religion, or alleviating poverty, provided that resulting articles, books or other media shall be made available to the public at no charge or a reduced cost on publication, and

- (ii) sponsoring public forums, discussions or presentations related to advancing education or religion, or alleviating poverty.

Powers of the Foundation

- (2) The Foundation has the authority to do any or all of the following to carry out the objects and purposes of the Foundation:
 - (a) to take by donation, purchase, deed, devise, bequest, lease, gift, grant or otherwise, real and personal property of any and every description, and sell, lease, mortgage, hypothecate or invest it;
 - (b) to borrow money for the purposes of the Foundation from sources determined by the Board and secure its repayment by any form of debenture, bond, mortgage, hypothecation, promissory note or other security for which the Foundation shall have, execute, issue and endorse bills of exchange, cheques, promissory notes, hypothecation forms or other instruments found necessary or convenient;
 - (c) to sell, convey, mortgage, lease or otherwise dispose of any property of the Foundation;
 - (d) to take security by way of mortgage or otherwise for any money from time to time owing to the Foundation, including interest on it;
 - (e) to accept, receive, hold and possess all contributions, gifts or benefactions whatsoever, whether capital or income, and to use and enjoy them for the purposes and benefit of the Foundation, subject to any trust or condition affecting them;
 - (f) to invest and reinvest any funds of the Foundation not otherwise required for its immediate purposes, subject to any trust or condition affecting the funds;
 - (g) to make and issue, from time to time or at any time, debentures or bonds;
 - (h) to secure the repayment of debentures and bonds made or issued by the Foundation, by deed of trust and mortgage in the form, containing the terms and conditions, payable in the way and at the time, and bearing the rate of interest determined by the Board;
 - (i) to mortgage, hypothecate, pledge or charge all or any part of the property of the Foundation to secure debentures and bonds made or issued by the Foundation;
 - (j) to provide for the disposition of any trust funds held by the Foundation for such purposes as may be determined by the Board;
 - (k) subject to the express provisions of the Act, to exercise any or all of the incidental and ancillary powers conferred by the *Companies Act* R.S.P.E.I. 1988, Cap. C-14;
 - (l) to do all things incidental to the carrying out of the foregoing powers, rights and privileges.

3. Sections 6 and 7 of the Act are repealed.

4. Section 8 of the Act is amended by the deletion of the word “Board” wherever it occurs and the substitution of the word “Foundation”.

5. Section 9 of the Act is repealed and the following substituted:

9. Vesting of gifts, bequests

In case any gift, bequest, devise, donation, grant or deed appears to have been made or intended for the benefit of St. Dunstan's University, whether the body corporate or the school of learning, or may appear hereafter to be made or intended for the benefit and advantage of St. Dunstan's University, whether the body corporate or the school of learning, and such intention

is reasonably clear from any document or instrument in writing relating to such gift, bequest, devise, donation, grant or deed, such document or instrument and such intention shall take effect and shall vest in the Foundation any property or fund that the donor, testator or grantor obviously desired and intended to give to St. Dunstan's University, whether the body corporate or the school of learning.

6. Section 10 of the Act is amended by the deletion of the words "Chairman or Vice-Chairman" and the substitution of the words "Chair or Vice-Chair".

7. Section 11 of the Act is repealed and the following substituted:

11. Composition of the Board

- (1) The Board shall be composed of
- (a) the Bishop of the Roman Catholic Diocese of Charlottetown, or his appointee; and
 - (b) not more than twelve and not fewer than nine members appointed by the Board.

Term of office and reappointment

- (2) A member of the Board appointed under clause (1)(b) shall be appointed for a term of three years and is eligible for reappointment.

8. Section 12 of the Act is repealed.

9. Subsection 13(1) of the Act is repealed and the following substituted:

13. Chair and Vice-Chair

- (1) The Board shall elect from among its members a Chair, who shall preside over meetings of the Board unless absent, and a Vice-Chair, who shall preside over meetings of the Board in the absence of the Chair.

10. The Act is amended by the addition of the following after section 14:

14.1 Executive Committee

The Board may establish an Executive Committee and any other committees the Board considers desirable, and delegate any of the Board's powers to a committee.

11. (1) Subsection 15(2) of the Act is amended by the deletion of the word "Chairman" and the substitution of the word "Chair".

(2) Subsection 15(3) of the Act is repealed and the following substituted:

Notice of special meeting

- (3) Notice of a special meeting of the Board, including the purpose of the meeting, shall be mailed to each member of the Board at least two weeks before the date of the meeting.

Exception, urgent matter

- (4) Notwithstanding subsections (2) and (3), where the Chair or, in the absence of the Chair, the Vice-Chair considers a matter urgent, the Chair or Vice-Chair may call a special meeting by giving notice to each member of the Board in any effective manner at least four days before the date of the meeting.
- 12. Section 17 of the Act is amended by the deletion of the words “for which the Board was created” and the substitution of the words “for which the Foundation was created”.**
- 13. Section 18 of the Act is repealed and the following substituted:**
- 18. Management powers**
The Board shall have charge and control of the property and resources of the Foundation and their general management, and may make bylaws, rules and ordinances not inconsistent with this Act respecting the management and conduct of the business of the Board.
- 14. Section 20 of the Act is amended by the deletion of the words “the Board, the Senate, the President, the teaching staff, or any officer or employee of the University” and the substitution of the words “the Board or any officer or employee of the Foundation”.**
- 15. The Act is amended by the deletion of the heading “THE SENATE” immediately after section 20.**
- 16. Sections 21, 22, 23, 24, 25 and 27 of the Act are repealed.**

EXPLANATORY NOTES

SECTION 1 amends the title of *The St. Dunstan's University Act* to *Saint Dunstan's University Foundation Act*.

SECTION 2 repeals and replaces sections 1 to 5 of the Act to continue St. Dunstan's University, a body corporate, as Saint Dunstan's University Foundation Inc., a body corporate, governed by a board of directors, and set out the objects and purposes, and powers, of the Foundation.

SECTION 3 repeals section 6 of the Act, which protected property used for the purposes of St. Dunstan's University, the school of learning, from expropriation or being taken by right of eminent domain. It also repeals section 7 of the Act, which exempted the property from taxation.

SECTION 4 amends section 8 of the Act to replace references to the Board of Governors of St. Dunstan's University with the Foundation.

SECTION 5 repeals and replaces section 9 of the Act to provide that any gift, bequest, devise, donation, grant or deed that appears to have been made or intended for the benefit of St. Dunstan's University, whether the body corporate or the school of learning, shall take effect and vest any property or fund in the Foundation.

SECTION 6 amends section 10 of the Act to change the titles of Chairman and Vice-Chairman to gender-neutral titles.

SECTION 7 repeals and replaces section 11 of the Act to change the composition of the Board and update the section accordingly.

SECTION 8 repeals section 12 of the Act respecting the commencement and termination of a term of office of a member of the body corporate and filling vacancies.

SECTION 9 repeals and replaces subsection 13(1) of the Act to provide for the election of a Chair and Vice-Chair and improve the wording.

SECTION 10 adds a new section 14.1 to the Act to provide for the Board to establish committees, including an Executive Committee, and delegate any of the Board's powers to a committee.

SECTION 11 amends subsections 15(2) and (3) of the Act and adds a new subsection 15(4) to the Act to update gendered language and improve the wording.

SECTION 12 amends section 17 of the Act to replace a reference to the Board of Governors of St. Dunstan's University with the Foundation.

SECTION 13 repeals and replaces section 18 of the Act to set out the management powers of the Board.

SECTION 14 amends section 20 of the Act to remove references to offices, officers and employees of St. Dunstan's University, the school of learning.

SECTION 15 amends the Act to remove a heading.

SECTION 16 repeals sections 21, 22, 23, 24 and 25 of the Act, which relate to the operation of St. Dunstan's University, the school of learning. It also repeals section 27 of the Act, which is a spent repeal provision.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	March 27, 2026
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

SIGNATURES:

Honourable Dr. Wassim Salamoun, Lieutenant Governor

Honourable Brad Trivers, Speaker

Joseph Jeffrey, Clerk

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