

## SCHEDULE 1

Article 20

### POWERS OF THE BOARD

#### **Academic**

**A.**—(1) Subject to the delegation to the Academic Council of such powers as it may from time to time deem appropriate in accordance with Article 22(3), to deal with the overall planning, co-ordination, development and supervision of the academic work of the College.

(2) To establish faculties, departments, schools, institutes or other groups, to prescribe their organisation, constitution and functions and to vary or abolish any such groups.

(3) To undertake, to assist others to undertake and to make provision for such research, design, development, testing, consultancy, laboratory and other services and to charge such fees for these services as they may deem appropriate.

(4) To grant all such diplomas, certificates and such other academic awards or distinctions as may from time to time be granted by the College pursuant to the Act and as the Board deems appropriate, to prescribe the conditions for their receipt and, subject to consultation with the Academic Council, to deprive a recipient of a diploma, certificate or any other academic distinction previously conferred by the College.

(5) To publish, print and provide for publication of any results of or other matter arising from or in connection with research and scholarship, to sell or otherwise supply or provide books, stationery and other goods as it deems appropriate.

(6) To frame such codes of discipline and regulations for students as may be necessary or desirable for the maintenance of the good order of the College.

(7) To institute, maintain and award fellowships, scholarships, studentships, prizes and other aids and encouragements to teaching and research, and to discontinue any such award.

(8) To prescribe such conditions as they may consider appropriate for admission to and attendance at the College, provided that it shall be within the power of the Board to exclude any person from the College or part thereof if, in the opinion of the Board, the admission or attendance of that person would be likely to prejudice the College.

#### **Finance and Property**

**B.**—(1) Subject to any conditions which may be imposed on the Board as conditions of payment of grant to it, to make such arrangements and do such things as it thinks fit for the conduct of the financial affairs of the College.

(2) To raise, generate and receive income from any source for the furtherance of the objects of the College.

(3) To receive and expend any funds, lend money (with or without security), borrow or raise money, guarantee and give security for the payment of money by the College, the Board, or any other person, firm, company or body corporate (including any such person or entity associated with the College or Board), provided always that the Board shall cause accounts to be made of income and expenditure and shall appoint auditors to audit the same.

(4) To hold, buy, accept, acquire, use, occupy, sell, convey, exchange or lease any property whether heritable or moveable and subject to the terms of the Act to grant security over such heritable or moveable property.

(5) To accept and hold in trust any property or asset given, transferred or bequeathed for any purpose connected with the College and apply the same in accordance with purposes of the trust.

(6) To build, construct, provide, maintain, repair, alter, improve, enlarge, restructure or demolish all such property, buildings, assets, furniture, apparatus and equipment as they may from time to time deem appropriate.

(7) To provide, equip, maintain, administer and conduct any facilities for sports, social and recreational purposes, libraries, reading rooms, teaching support services, residential accommodation, and such other facilities of any kind as they may from time to time deem appropriate.

(8) To invest any monies belonging to the College, including unapplied income, in such stocks, funds, shares, securities or accounts as they shall from time to time think fit, whether inside the United Kingdom or not, or in the purchase of heritable property, with the like power of varying such investments from time to time.

(9) To apply for, own, assign, sell or otherwise deal with any intellectual property rights including, without prejudice to the generality thereof, letters patent, patent rights, copyrights and armorial bearings, by themselves or in conjunction with others.

(10) To initiate and establish commercial companies in their own right or in association with other persons or institutions as they may deem appropriate, to hold or continue to hold shares and interests in such companies, and to carry on any trade or business whatsoever in furtherance of the objects of the College.

(11) To receive donations, legacies, annuities, subscriptions and other gifts for the furtherance of its functions provided such donations, legacies, annuities, subscriptions and other gifts shall be applied in accordance with the directions of the respective testators or donors and in the absence of any specific direction relating thereto it shall be in the power of the Board to determine the manner in which any such donation, legacy, annuity, subscription or other gift in whole or in part shall be used.

(12) To levy and receive fees and charges for all services, including the provision of courses (whether or not leading to an academic qualification).

(13) To pay to any of its members such financial loss allowances and travelling and subsistence allowances as they think appropriate.

(14) To institute and prescribe the conditions of service of such offices and positions as it deems appropriate, to appoint staff thereto and to discipline and remove staff both teaching and non teaching, including the Principal, either by suspension from or by termination of employment, and to frame such regulations as are necessary or desirable for maintaining good order amongst the staff of the College.

(15) To establish and maintain pension or superannuation schemes or funds for the benefit of any persons to whom they are empowered to pay a pension, allowance or gratuity in accordance with paragraph (16) below.

(a) (16) (a) Subject to the following provisions of this paragraph, to pay such sum or sums by way of pension, allowance or gratuity as it may in its absolute discretion think fit to—

(i) any member of the staff of the College, on his retirement, through age or permanent incapacity, from the employment of the Board; or

(ii) the surviving spouse or any dependant of any such member in the event of the death of the member in the employment of the Board

in respect of any period of such member's service in the employment of the Board.

(b) In sub-paragraph (a) the reference to the permanent incapacity of a member of the staff of the College is a reference to a disability of mind or body of such a nature or to such an extent as, in the opinion of the Board, renders that member permanently incapable of continuing to serve efficiently in the employment of the Board.

- (c) A pension, allowance or gratuity under this article shall not be payable in respect of any period of service which is reckoned for the purpose of any other pension, allowance, gratuity, or other like benefit, payable—
  - (i) out of any superannuation scheme or fund established by or under any enactment; or
  - (ii) directly or indirectly out of monies provided by Parliament or by a local authority out of any tax, charge or rate levied by them.
- (d) In sub-paragraph (c) the reference to “any other pension” does not include a retirement pension under Part II of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> and the reference to “like benefit” does not include any other benefit under that Act.

### **Administration of the Board**

**C.**—(1) To make such rules, standing orders or regulations as they think fit in the implementation of their functions and to make and from time to time to vary the procedures to be adopted for the efficient working of the Board.

(2) To determine the necessary quorum for any committee of the Board, the majorities required for any determination of the Board (which unless so determined shall be a simple majority), and the methods and procedures for the recording and publication of determinations of the Board.

(3) To review any decisions of the Academic Council, the Principal or any Vice-Principal or Assistant Principal which are referred to the Board by any person aggrieved by such decision in accordance with such procedures as the Board may from time to time determine.

(4) To determine or alter the arrangements to be made for the execution and custody of all deeds and other documents belonging to it.

(5) To make such rules for the appointment of a secretary to the Board, or such other proper offices as the Board deems appropriate.

### **Affiliation**

**D.**—(1) To merge with or to form relationships, associations or affiliations with other educational institutions and such other bodies both public and private in furtherance of the objects of the College.

### **General**

**E.**—(1) To appoint such professional advisers as it deems appropriate.

(2) To purchase and maintain such insurance as it deems appropriate.

(3) To conduct legal proceedings.

(4) To provide for the indemnification by the College out of the Board’s funds, of each governor, Principal, secretary or other officer or member of staff of the College, as it shall determine, against all costs, charges, losses, expenses and liabilities incurred by him in the proper execution or discharge of his duties, powers or office and to purchase and maintain liability and indemnity insurance for or for the benefit of such persons.

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(1) 1992 c. 4.