



Charing Cross and Westminster Medical School Act 1984

CHAPTER xiii

ARRANGEMENT OF SECTIONS

Section

1. Short title and commencement.
2. Interpretation.
3. Incorporation of School.
4. Dissolution of existing schools.
5. Objects of School.
6. Transfer of property.
7. Transfer of liabilities, etc.
8. Savings for agreements, deeds, actions, etc.
9. Construction of bequests in favour of existing schools.
10. Scheme of management and control.
11. School to be exempt charity.
12. Costs of Act.

SCHEDULE: Charing Cross and Westminster Medical
School Scheme.

ELIZABETH II



1984 CHAPTER xiii

An Act to dissolve the Charing Cross Hospital Medical School and the Westminster Medical School; to provide for the incorporation of the Charing Cross and Westminster Medical School; to transfer to that school all the rights, property and liabilities of the dissolved schools; and for other purposes. [12th July 1984]

WHEREAS—

(1) Under a scheme made pursuant to section 15 of the National Health Service Act, 1946 the Charing Cross Hospital Medical School was on 23rd June 1948 constituted as a body corporate and in accordance with that scheme has been administered as a school of the University of London: 1946 c. 81.

(2) Under a further scheme made pursuant to the said section 15 the Westminster Medical School was also on 23rd June 1948 constituted as a body corporate and in accordance with that scheme has likewise been administered as a school of the University:

(3) And whereas it is the policy of the University that the academic strength and financial viability of the medical schools

*c. xiii Charing Cross and Westminster Medical School
Act 1984*

of the University should be enhanced by the merger of some of those schools:

(4) And whereas it is expedient that the existing schools should be amalgamated and that the amalgamated school should be incorporated as a new entity and should have transferred to it the lands, funds and other property of the existing schools:

(5) And whereas the said section 15 does not allow a new body to be incorporated thereunder nor provide for the dissolution of the existing schools:

(6) And whereas it is expedient that such other provisions should be made as are in this Act contained:

(7) And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and commencement.

1.—(1) This Act may be cited as the Charing Cross and Westminster Medical School Act 1984.

(2) This Act shall come into operation on the 1st day of August 1984.

Interpretation.

2. In this Act, unless the context otherwise requires—

“the day of reconstitution” means the day on which this Act comes into operation;

“the existing schools” means the Charing Cross Hospital Medical School and the Westminster Medical School, or either of them as the case may be;

“the School” means the Charing Cross and Westminster Medical School;

“the University” means the University of London.

Incorporation of School.

3. On the day of reconstitution there shall be constituted a body corporate with perpetual succession and a common seal to be known as the Charing Cross and Westminster Medical School for such objects and purposes as in this Act appear.

Dissolution of existing schools.
1946 c. 81.

4. On the day of reconstitution the existing schools shall be dissolved and cease to exist and the schemes made pursuant to section 15 of the National Health Service Act 1946 constituting the governing bodies of the existing schools and defining the duties and powers of those bodies and providing for their management and control shall be revoked.

5. The general objects of the School shall be—

Objects of
School.

- (a) to take over the work carried on prior to the day of reconstitution by the existing schools;
- (b) to educate students in the principles and practice of medicine and medical and related sciences;
- (c) to promote for the public benefit research in, and provide facilities for the advancement of, medicine and medical and related sciences and to make available to the public the results of such research; and
- (d) to undertake such other functions as may be necessary for the proper performance of the foregoing objects.

6. All property, real and personal, of every description (including things in action) and all rights and privileges of the existing schools which immediately before the day of reconstitution belonged to or were vested in or exercisable by the existing schools shall on the day of reconstitution, subject to the provisions of this Act, without any conveyance, transfer, assignment or other instrument, be transferred to and vested in, or be exercisable by, the School for all the estate and interest therein of the existing schools.

Transfer of
property.

7. All debts and liabilities of the existing schools shall on the day of reconstitution be transferred and attached to the School and shall thereafter be discharged and satisfied by the School.

Transfer of
liabilities, etc.

8. All agreements, appointments, awards, contracts, deeds and other instruments, and all actions and proceedings and causes of action which immediately before the day of reconstitution were existing or pending in favour of, or against, the existing schools shall on and after the day of reconstitution continue and may be carried into effect, enforced and prosecuted by, or in favour of, or against, the School to the same extent and in like manner as if the School instead of the existing schools had been party to, or interested in, the same respectively.

Savings for
agreements,
deeds, actions,
etc.

9. Any scheme, will, deed or other instrument, whether made or executed before, on or after the day of reconstitution, which contains any bequest, gift or trust or other benefit in favour of the existing schools shall, on and after the day of reconstitution, be read and have effect as if the School were named therein instead of the existing schools.

Construction
of bequests
in favour
of existing
schools.

10.—(1) The management and control of the School shall be governed by the scheme scheduled to this Act and that scheme may hereafter be replaced, varied or amended by a scheme prepared by the governing body of the School and submitted to and approved by the governing body of the University.

Scheme of
management
and control.

c. **xiii** *Charing Cross and Westminster Medical School
Act 1984*

(2) Any scheme prepared, submitted and approved under this section shall have effect notwithstanding anything in any Act of Parliament, charter or other instrument affecting the constitution of the School.

School to be
exempt
charity.

11. The School and any institution which is for the time being administered by or on behalf of the School being an institution established for the general purposes of, or for any special purpose of, or in connection with, the School shall be an exempt charity within the meaning and for the purposes of the Charities Act 1960.

1960 c. 58.

Costs of Act.

12. The costs, charges and expenses preliminary, or incidental, to the preparation of, and the application for, and the obtaining and passing of, this Act shall be paid by the School out of the funds of the School.

SCHEDULE

Section 10.

CHARING CROSS AND WESTMINSTER MEDICAL SCHOOL SCHEME

INTERPRETATION

1. In this Scheme, except where the context otherwise requires—
 - (i) the expressions defined in the Charing Cross and Westminster Medical School Act 1984 have the same respective meanings;
 - (ii) the expressions “Appointed Teachers” and “Recognised Teachers” have the same meanings as in the Statutes and Regulations of the University; and
 - (iii) the expression “student” means any person who is registered at the School to engage in studies (including research).

POWERS AND DUTIES

2. The School shall have such powers as may be necessary for the fulfilment of its objects especially including powers—
 - (a) to hold land or a share or interest therein and from time to time to grant, demise, alienate or otherwise dispose of the same or any part thereof or any share or interest therein;
 - (b) to purchase, lease, hire, exchange, accept by way of gift or loan or otherwise acquire and hold either temporarily or permanently any real or personal property and in particular any lands, buildings, furniture, fixtures, fittings, apparatus and appliances and to dispose of the same by sale, lease, exchange or otherwise in accordance with the requirements of the School from time to time;
 - (c) to erect, construct and maintain any building and to demolish, alter, enlarge, modify or otherwise adapt any building required for the use of the School;
 - (d) to provide accommodation and equipment for the education, recreation and practical training of students and to employ the necessary academic, technical and other staff;
 - (e) to organise and conduct courses of instruction on such terms and conditions and upon payment of such fees as may from time to time be determined by the School;
 - (f) to enter into and carry out such arrangements or agreements as the School shall think fit for providing the School with facilities for the promotion of its objects subject where applicable to the Statutes and Regulations of the University;
 - (g) to solicit, receive and administer in the interests of the School all kinds of grants, gifts, subscriptions, donations, legacies and endowments whether absolute or conditional and to act as trustees for or in relation to any such gifts, legacies and endowments subject to the consent of the University where required by the Statutes of the University;

c. **xiii** *Charing Cross and Westminster Medical School Act 1984*

- (h) (i) to place such monies of the School as may be thought fit on deposit with any bank;
- (ii) to invest any monies belonging to or held by the School in accordance with article 28 of this Scheme;
- (i) subject to the Statutes of the University, to borrow any funds required for the purposes of the School and for such purposes to mortgage, assign, pledge or otherwise give as security any real or personal property of the School;
- (j) to publish, assist in publishing or procure the publication of any books, papers, journals and other materials related to the objects of the School;
- (k) to found and award Lectureships, Scholarships, Bursaries, Exhibitions and Prizes (whether in money or any other form) and to make grants or loans of money, books, appliances or apparatus for the benefit of students or prospective students or persons engaging or proposing to engage in research in the medical and related sciences;
- (l) to promote and maintain superannuation and pension schemes and to grant pensions and allowances or to pay compensation in lieu thereof to members and former members of the staff of the School or of the existing schools and their respective dependants;
- (m) to negotiate and enter into any arrangement with any government or municipal department or authority or with any other official body or institution which is calculated to advance the objects and interests of the School and to co-operate or amalgamate with any other school or institution and subject to the consent of the University to promote, apply for and obtain any Charter or Act of Parliament;
- (n) to employ and pay an agent or agents to transact any business or do any act which in the opinion of the Council is necessary or expedient in the exercise of all or any of the powers aforesaid; and
- (o) to do all other things as may be lawful and deemed necessary for the fulfilment of all or any of the above-mentioned objects.

CONSTITUTION AND DUTIES OF SCHOOL COUNCIL

3. There shall be a Council of the School (hereinafter called "the Council") in which shall be vested the government of the School and which shall be entitled to exercise all the powers hereinbefore vested in the School.

4.—(1) The Council shall, subject to article 30 of this Scheme, consist of the following persons:—

- (a) ex officio members being the Dean, the Vice-Dean and (if appointed) the Executive Dean of the School during their respective terms of office;

(b) appointed members being—

(i) two persons (not being members of the staff of the School or students) appointed by the Senate of the University; and

(ii) four persons appointed by such one or more District Health Authorities as are designated for that purpose by the Council from among those authorities which in the opinion of the Council give substantial support to the teaching and research activities of the School;

(c) elected members being—

(i) seven members of the Academic Board, not being students, elected by the Board; and

(ii) two students of the School elected by the students, who shall be elected in accordance with rules drawn up by the students and approved by the Council;

(d) co-opted members being ten persons (not being members of the staff of the School or students) to be co-opted by the Council.

(2) If less than four District Health Authorities shall at any time be designated for the purpose referred to in paragraph (1) (b) (ii) above, the Council shall specify which of the authorities so designated shall appoint two or more persons thereunder.

5.—(a) A member of the Council appointed under article 4 (1) (b) of this Scheme—

(i) shall hold office for a term of three years from the 1st day of August in the year of appointment to the 31st day of July in the third year thereafter and may on the expiration of that term be reappointed on as many occasions as the appointing body thinks fit; and

(ii) may be removed at any time by the body which appointed him;

(b) The members of the Council elected under article 4 (1) (c) (i) of this Scheme shall hold office for a term of three years from the 1st day of August in the year of election to the 31st day of July in the third year thereafter and may on the expiration of that term be re-elected for one further such term, on the expiration of which they shall not for a period of three years be eligible for re-election;

(c) The student members of the Council elected under article 4 (1) (c) (ii) of this Scheme shall hold office for a term of one year from the 1st day of August in the year of election to the 31st day of July in the following year and shall not be eligible for re-election thereunder;

(d) A member of the Council co-opted under article 4 (1) (d) of this Scheme shall hold office for three years from the date of co-option and shall be eligible to be co-opted again on as many occasions as the Council thinks fit;

(e) On the occurrence of any casual vacancy among the members of the Council the body entitled to appoint, elect or co-opt the

c. *xiii Charing Cross and Westminster Medical School Act 1984*

member in respect of whom the vacancy occurs shall, as soon as may be, appoint, elect or co-opt some person to fill the vacancy who shall hold office only for the remainder of the term of office of the member whom he replaces and, if he is an elected member, he shall be eligible for election and re-election without regard being had to the period during which he shall have filled the casual vacancy;

(f) A statement in writing by the proper officer of the University or (as the case may be) of a District Health Authority as to the appointment of any appointed member or as to the removal of any appointed member shall be conclusive evidence for all purposes of the matters aforesaid;

(g) An elected or co-opted member shall relinquish membership if he ceases to possess any qualifications or to satisfy any conditions which were prerequisite to his election or co-option;

(h) The Council shall from time to time elect from its members a Chairman (who shall not be a student or member of the staff of the School) and a Vice-Chairman each of whom shall hold office for so long as the Council thinks fit;

(i) The Chairman shall be ex officio a member of all committees of the Council;

(j) At any meeting of the Council the Chairman if present shall preside, but if the Chairman is absent the Vice-Chairman if present shall preside and if both the Chairman and the Vice-Chairman are absent the members present shall choose one of their number to preside;

(k) Nine members (five of whom must be persons who are neither members of the staff of the School or students) shall constitute a quorum; and

(l) The Council shall meet not less than four times a year.

6. The office of a member of the Council other than an ex officio member shall be vacated if the member—

- (a) resigns his office by notice in writing to the Secretary of the Council; or
- (b) absents himself from the meetings of the Council during a continuous period of 12 months without special leave of absence from the Council; or
- (c) has a receiving order made against him or makes an arrangement or composition with his creditors; or
- (d) becomes of unsound mind.

7.—(a) The Council shall consistently with the provisions of this Scheme and in furtherance of the objects of the School have the management and control of the School and the administration of all the property and income thereof.

(b) Subject to compliance with the provisions of article 21 of this Scheme, the Council shall have power to delegate any of its powers to committees from its own number or otherwise appointed for the purpose, or to the Dean, the Vice-Dean, the Executive Dean (if appointed) or the Secretary of the School:

Provided that—

- (i) the exercise of powers delegated under this paragraph shall be subject to and in accordance with instructions as to policy which the Council shall give at the time of such delegation and at such time or times thereafter as the Council thinks fit;
- (ii) the power of delegation conferred by this paragraph shall not extend to matters concerning the appointment, promotion or dismissal of senior members of the staff of the School.

(c) The Council shall not make any decision on any question of educational policy until after the Academic Board shall have had an opportunity of expressing an opinion thereon and the Council shall have considered any opinion so expressed.

8. The Council shall from time to time make such regulations for the government, conduct and discipline of the School as it shall determine.

9. No act, proceeding or resolution of the Council shall be invalidated or questioned by reason of the existence of any vacancy in its membership or the disqualification, or any irregularity in the appointment, of any member or by reason of the accidental omission to give any member notice of any meeting.

10.—(a) The Council shall upon such terms and conditions as it may think fit appoint from within or without the School and may likewise remove—

- (i) on the recommendation of the Academic Board, the Dean who shall be the Head of the School for the time being and responsible to the Council for the conduct, administration and discipline of the School and shall have such other powers and duties as may be entrusted to him by the Council;
- (ii) on the recommendation of the Academic Board, a Vice-Dean who shall conduct such business as shall be delegated to him by the Dean and shall in the absence of the Dean fulfil all the responsibilities and duties attaching to that office;
- (iii) on the recommendation of the Academic Board, a Sub-Dean at each of those University Hospitals which in the opinion of the Council make a substantial contribution to the general teaching of the medical students;
- (iv) on the recommendation of the Academic Board, but subject to the Statutes and Regulations of the University in the case of Appointed Teachers, all Members of the academic staff; and
- (v) the Secretary of the School who shall also be the Secretary to the Council.

(b) The Council shall have power to appoint and remove such officers and other staff of the School as it considers necessary including if it thinks fit an Executive Dean with such executive responsibilities as the Council shall specify.

c. *xiii* *Charing Cross and Westminster Medical School Act 1984*

ACADEMIC BOARD

11. There shall be an Academic Board which shall, subject to article 30 of this Scheme, consist of—

- (i) the Dean;
- (ii) the Vice-Dean;
- (iii) the Executive Dean (if appointed);
- (iv) the Sub-Deans;
- (v) the Heads of such teaching Departments in the School and such Professors with special responsibilities within the School as the Council may from time to time determine;
- (vi) three persons being Appointed Teachers elected by the Appointed Teachers, who shall be elected in accordance with rules drawn up by the Appointed Teachers and approved by the Council;
- (vii) six persons being pre-clinical Recognised Teachers elected by the pre-clinical Recognised Teachers, who shall be elected in accordance with rules drawn up by the pre-clinical Recognised Teachers and approved by the Council;
- (viii) sixteen persons being clinical Recognised Teachers elected by the clinical Recognised Teachers (of whom at least six shall be full-time members of the academic staff of the School), who shall be elected in accordance with rules drawn up by the clinical Recognised Teachers and approved by the Council;
- (ix) two student members elected by the students, who shall be elected in accordance with rules drawn up by the students and approved by the Council; and
- (x) up to four additional members who shall be Recognised Teachers of the University to be co-opted by the Academic Board.

12.—(a) The members of the Academic Board elected under paragraphs (vi) to (viii) of article 11 of this Scheme shall hold office for a term of three years from the 1st day of August in the year of election to the 31st day of July in the third year thereafter and may on the expiration of that term be re-elected for one further such term on the expiration of which they shall not for a period of three years be eligible for re-election.

(b) The student members of the Academic Board elected under paragraph (ix) of article 11 of this Scheme shall hold office for a term of one year from the 1st day of August in the year of election to the 31st day of July in the following year. A student member shall not be eligible for re-election under that paragraph.

(c) A member of the Academic Board co-opted under article 11 of this Scheme shall hold office for one year from the date of co-option and shall if otherwise qualified be eligible to be co-opted again on as many occasions as the Academic Board thinks fit.

(d) On the occurrence of any vacancy amongst the elected members of the Academic Board, the body entitled to elect the

member in respect of whom the vacancy occurs shall, as soon as may be, elect some person to fill the vacancy who shall hold office only for the remainder of the term of office of the member whom he replaces, but shall be eligible for election and re-election without regard being had to the period during which he shall have filled the casual vacancy.

(e) An elected or co-opted member shall relinquish membership if he ceases to possess any qualifications or to satisfy any conditions which were prerequisite to his election or co-option.

13. The functions of the Academic Board shall be—

(a) to meet at least once in every term or in the vacation preceding that term;

(b) annually to recommend for appointment by the Council a Dean, a Vice-Dean and Sub-Deans;

(c) to elect from among themselves the seven members to serve on the Council;

(d) to direct, control and be responsible to the Council for all teaching carried out at the School and all research promoted by the School;

(e) to make recommendations to the Council in regard to—

(i) the appointment, promotion, recognition and termination of contract of the teachers of the School subject in the case of Appointed Teachers to the Statutes and Regulations of the University for the time being in force;

(ii) the provision of accommodation, equipment and technical and other staff necessary for the efficient performance of the duties of teaching and for research;

(f) to control, regulate and be responsible to the Council for the admission of students to the School.

14. At any meeting of the Academic Board the Dean if present shall preside but if the Dean is absent the Vice-Dean if present shall preside and if both the Dean and the Vice-Dean are absent the members present shall choose one of their number to preside.

15. The Academic Board may appoint from their own members such committees as they may from time to time think fit and may in their discretion empower such committees to co-opt, with or without restrictions. Every such committee shall report their proceedings to the Academic Board.

FINANCE AND GENERAL PURPOSES COMMITTEE

16. The Council shall at the first meeting of each academic year commencing on the 1st day of August appoint a Finance and General Purposes Committee which shall deal with the finance and administration of the School and such other matters as the Council may from time to time direct.

c. *xiii Charing Cross and Westminster Medical School Act 1984*

17.—(a) The Finance and General Purposes Committee shall consist of the Chairman of the Council and the Dean and Vice-Dean ex officio and seven members of the Council of whom two shall be members of the Academic Staff of the School.

(b) Every member of the committee shall be eligible for re-appointment.

(c) Four members of the committee shall constitute a quorum.

(d) The committee shall elect a Chairman from among its own members.

18.—(a) The Finance and General Purposes Committee shall consider and report to the Council on—

(i) all matters of general finance including the estimates of income and expenditure of the Council in the manner required by the Court of the University and the management of such endowed monies as the Council may control;

(ii) the allocation of funds provided by the School for the Students' Union; and

(iii) all matters and questions relating to the remuneration and contracts of service of the staff of the School including superannuation.

(b) The Finance and General Purposes Committee shall be responsible within its budget for—

(i) maintaining the supply of provisions, equipment, furniture, furnishings and other necessities to the School having regard to the recommendations of the Academic Board; and

(ii) making financial provision for the care and maintenance of the buildings, grounds and other properties of the School and for that purpose approving the institution and variation of such books of account and methods of accounting as may be necessary subject to the requirements of the University.

OTHER COMMITTEES OF THE COUNCIL

19. The Council may appoint such other committees consisting either wholly or partly of Members of the Council as it may from time to time think fit.

20. The Council may give to any committee such instructions and directions as it may think necessary or convenient and shall adjust and resolve any differences which may arise between the committees.

GENERAL

21. The Finance and General Purposes Committee and all other committees of the Council shall report their proceedings to the Council and, except to the extent to which the Council otherwise directs, the acts and proceedings of such committees shall be required to be submitted to the Council for ratification by the Council.

22. The Finance and General Purposes Committee and all other committees of the Council may appoint from their own members such sub-committees as they may from time to time think fit and may in their discretion empower such sub-committees to co-opt, with or without restrictions. Every such sub-committee shall report their proceedings to the committee by which they were appointed.

23. At any meeting of any committee or sub-committee the Chairman of that committee shall preside but if the Chairman is absent the members present shall choose one of their number to preside.

24. Save as provided in article 17 (c), a quorum of the Academic Board, and any committee or sub-committee of the Council or of the Academic Board shall be constituted when not less than one-third of its members (inclusive of the Chairman if any) are present in person.

25. All questions before any meeting of the Council or any committee or sub-committee thereof or of the Academic Board shall be decided by the majority of the members present and voting and in the event of an equality of votes the Chairman shall have a second or casting vote.

26.—(a) Subject to the provisions of paragraph (b) of this article, the Council shall from time to time issue such standing orders for the conduct of meetings held under the terms of this Scheme and regarding such other matters as it shall deem necessary.

(b) The Academic Board shall from time to time issue such standing orders for the conduct of meetings held by it or its sub-committees under the terms of this Scheme as it shall deem necessary but which shall not come into force until they have been ratified by the Council.

27.—(a) Student members of the Council and the Academic Board and other committees or bodies established under this Scheme shall not be entitled to receive papers for, nor to be present during, the consideration of reserved areas of business at meetings of such bodies.

(b) In this article “reserved areas of business” shall include appointments, promotions, conditions of service and other matters affecting the personal affairs of individual members of staff and the admission and academic assessment of individual students. The Chairman of the meeting may decide in any case of doubt whether a matter is one to which this article applies and his decision shall be final.

POWERS OF INVESTMENT

28.—(1) Monies belonging to or held by the School shall be held in a fund (hereinafter called “the fund”) which shall be divided into two parts (hereinafter referred to respectively as “the free part” and “the restricted part”), of which the free part shall at the date of division have twice the value of the restricted part.

c. xiii *Charing Cross and Westminster Medical School
Act 1984*

1961 c. 62.

(2) Monies or investments forming part of the restricted part of the fund shall be invested in the name of the School or its nominees only in or upon the range of investments authorised for the time being as narrower-range investments within the meaning of section 1 of the Trustee Investments Act 1961 or in or upon such investments (if any) as may for the time being be authorised by law for the investment of trust monies without the School being required to obtain advice (hereinafter called "the authorised range").

(3) Subject to the provisions hereinafter contained monies or investments forming part of the free part of the fund may in addition to the authorised range be invested in the name of the School or its nominees in or upon any of the following investments and such investments may be varied for the others of a like nature:—

(a) the purchase of freehold land or leasehold land held for a term of which at least 75 years are unexpired at the date of purchase situated in the United Kingdom of Great Britain and Northern Ireland and as to both freehold and leasehold land whether or not subject to easements or restrictive covenants:

Provided that no land shall be purchased in pursuance of this power if the cost of purchasing it when added to the value of all other land then comprised in the free part would exceed 20 per cent. of the value of the whole of the free part;

(b) any investment for the time being authorised as wider-range investments within the meaning of section 1 of the said Act of 1961 or such other investments (if any) as may for the time being be authorised by law for the investment of trust monies;

(c) such investments and property of whatsoever nature (except land and chattels such as (by way of illustration and not of limitation) bullion, commodities and works of art) and wheresoever situate including the making or the purchase of loans at interest with or without security as the School may in its absolute discretion think fit.

(4) (a) No investment shall be made under the power conferred by paragraph (3)(c) of this article otherwise than in any shares, stock or other security (including for the avoidance of doubt any units or other shares of the investments subject to the trusts of a unit trust scheme) listed or regularly dealt in on The Stock Exchange or any other stock exchange outside the United Kingdom which is at the time of the investment a member of the International Federation of Stock Exchanges if the amount to be laid out in such investment when added to the amount of any loans and the value of any other property (other than land and cash balances) not so listed or dealt in as aforesaid then comprised in the free part would exceed 30 per cent. of the value of the free part;

(b) The School shall not be empowered to purchase any option if the cost of purchasing it when added to the cost of purchasing all other options then held by the School would exceed 5 per cent. of the value of the free part.

(5) In the exercise of the powers conferred by this article—

- (a) no monies shall be invested in any stock or shares of any company or corporation (other than a company incorporated in the United Kingdom carrying on banking or insurance business in the United Kingdom) which by reason of not being fully paid up or otherwise carry a liability to contribute by way of calls in the event of a winding up or otherwise, but this sub-paragraph shall not prevent the acquisition of newly issued shares or stock which would otherwise be permitted hereby and of which the capital is by virtue of the terms of the issue thereof to be paid by instalments of which the last is to be payable not later than one year from the date of issue;
- (b) no monies shall be invested in the ordinary or deferred stock or shares of any company or corporation unless at the time of investment such company shall have a paid-up capital of at least £750,000 or its equivalent at the current rate of exchange and so that as regards any stock or shares having no par value the paid-up capital of the company concerned shall be deemed to include the capital sum (other than capital surplus) appearing in the company's published accounts in respect of such stock or shares;
- (c) in calculating the value of the free part or of any assets comprised in it for the purposes of paragraph (3) (a) and (b) of this article the School shall rely on the most recent relevant valuation available to it but if any such valuation appears to the School likely to differ materially from the current value of the property in question then if the valuation appears nevertheless to provide a sufficient basis for assessing with reasonable accuracy the said current value (with the benefit of such other information or advice as may be available) the School shall make such an assessment and record it in writing and the figure so recorded shall be used in place of the said valuation and in any other case the School shall obtain a fresh valuation of the property in question.

(6) The School may employ professional investment managers (hereinafter called "the managers") and from time to time delegate to the managers so employed the exercise of all or any of the powers of investment hereby conferred on the School together with the powers and duties as to valuation conferred on the School by paragraph (5) (c) of this article for such period (not exceeding 12 months at a time) and subject to such conditions and restrictions as the School thinks fit:

Provided that—

- (i) the exercise by the managers of such powers of investment as are delegated to them as aforesaid shall be subject to and in accordance with instructions as to investment policy which the School shall give at the time of such delegation and at such time or times thereafter as the School thinks fit;
- (ii) the managers shall inform the School within 14 days of each act done in exercise of the Powers and duties so delegated;

c. **xiii** *Charing Cross and Westminster Medical School
Act 1984*

- (iii) the School may without notice review any such delegation and its terms and revoke or alter the same if it thinks fit at any time notwithstanding that the period of such delegation has not expired.

29. The Common Seal shall be affixed to such documents as may be determined by the Council and shall be attested by the Dean or one other member of the Council and by the Secretary or by his deputy duly authorised by the Council to witness the affixing of the Common Seal.

TRANSITIONAL PROVISIONS

30.—(1) The first Dean, Vice-Dean and Secretary of the School shall be Professor T. W. Glenister, Dr. P. A. Emerson and Mr. G. K. Buckley, respectively.

(2) The following persons shall be deemed to have been appointed, elected or co-opted to the Council for a period expiring not later than the 31st day of July 1987 pursuant to:—

(a) article 4 (1) (b) (i)—

Sir Robert Clark;
Lord Barber;

(b) article 4 (1) (b) (ii), one person appointed by each of the following District Health Authorities:—

- (i) Hammersmith and Fulham;
(ii) Hounslow and Spelthorne;
(iii) Richmond, Twickenham and Roehampton; and
(iv) Victoria;

(c) article 4 (1) (c) (i)—

Professor P. Curzen;
Professor H. Ellis;
Dr. J. A. Gleeson;
Professor R. M. Greenhalgh;
Professor A. Guz;
Mr. J. E. H. Pendower;
Professor L. H. Smaje;

(d) article 4 (1) (c) (ii)—

Mr. D. Cuming;
Miss S. Fitzgerald,

who shall hold office until the 31st day of July 1985;

(e) article 4 (1) (d)—

The Rt. Rev. Dr. G. Leonard, Bishop of London;
The Countess of Westmorland;
Sir William Shapland;
Lady Rees Mogg;
Mr. J. W. Hele;
Mrs. B. Maudling;
Mr. B. Salmon;

Mr. P. Steel;
Mr. S. Ward.

(3) The following persons shall be deemed to have been appointed, elected or co-opted to the Academic Board for a period expiring not later than the 31st day of July 1987 pursuant to:—

(a) article 11 (v)—

Professor K. D. Bagshawe;
Professor J. B. E. Baker;
Professor D. Barltrop;
Professor A. J. Barrett;
Professor D. A. Ll. Bowen;
Professor D. A. Brewerton;
Professor C. M. Conway;
Professor P. Curzen;
Professor H. Ellis;
Professor A. Fleck;
Professor T. W. Glenister;
Professor A. Guz;
Professor S. R. Hirsch;
Professor J. R. Hobbs;
Professor A. F. Lant;
Professor R. N. Maini;
Professor A. D. B. Malcolm;
Professor N. F. Morris;
Professor S. Selwyn;
Professor J. C. Sloper;
Professor L. H. Smaje;

(b) article 11 (vi)—

Professor R. M. Greenhalgh;
Dr. S. L. Lightman;
Dr. R. Rosser;

(c) article 11 (vii)—

Dr. A. K. Allen;
Dr. M. N. Ghabriel;
Dr. F. G. Harrison;
Dr. H. L. Leathard;
Dr. K. D. MacRae;
Dr. T. N. Palmer;

(d) article 11 (viii)—

Dr. D. B. Bamber;
Dr. B. Fox;
Mr. J. S. Fox;
Mr. H. B. Holden;
Dr. K. A. Howlett;
Dr. O. A. N. Husain;
Mr. R. D. Illingworth;
Dr. L. Loughridge;
Mr. C. N. McCollum;
Dr. I. M. Murray-Lyon;
Mr. K. W. Reynolds;
Dr. P. D. Snashall;

c. **xiii** *Charing Cross and Westminster Medical School
Act 1984*

Mr. G. B. Williams;
Mr. D. Wilson;
Dr. P. H. Wise;
Dr. D. F. Woodrow;

(e) article 11 (ix)—

Mr. D. Cuming;
Miss S. Fitzgerald,

who shall hold office until the 31st day of July 1985;

(f) article 11 (x)—

Dr. J. H. O. Earle;
Dr. P. R. Fleming;
Dr. T. R. F. Rogers;
Mr. J. E. Scott.

(4) The Council and the Academic Board shall each not later than the 31st day of March 1985 make provision for the retirement on the 31st day of July in the years 1985 and 1986 respectively of the whole number nearest to one-third of their members (other than student members) specified in this article, a balance being held between the several classes of members.

(5) In the application of any provision in this Scheme specifying a maximum period during which a person shall be entitled to hold office as an elected member of the Council or the Academic Board, there shall be disregarded any period during which such person holds office pursuant to this article if such office is terminated by retirement under paragraph (4) above.

PRINTED IN ENGLAND BY OYEZ PRESS LIMITED

FOR W. J. SHARP

Controller and Chief Executive of Her Majesty's Stationery Office and
Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

£2.70 net

ISBN 0 10 511384 0