



King's College London Act 1997

1997 CHAPTER iii

1 Short title

This Act may be cited as the King's College London Act 1997.

2 Interpretation

In this Act, unless the subject or context otherwise requires, the following expressions shall have the following meanings:—

“the appointed day” means such day as may be agreed by the Council of the College, the Delegacy and the Council of Governors under section 3 (Appointed day) of this Act;

“the Charter” means the Royal Charter granted by Her Majesty on 1st April 1980 to the College;

“the College” means King's College London;

“the College Statutes” means the Statutes referred to in article 14 of the Charter;

“the Continuing Trustees” means the Continuing Trustees of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals constituted under section 6 (Constitution of Continuing Trustees of Schools) of this Act;

“the Council of Governors” means the Council of Governors of the Schools;

“the Council of the College” means the Council of King's College London;

“the Delegacy” means the Delegacy of King's College School of Medicine and Dentistry;

“the Former Establishments” means the United Medical Schools of Guy's and St. Thomas's Hospitals, the First Administration Council of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals, the Second Administration Council of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals and the Institute of Dermatology;

“the Principal” means the Principal for the time being of the College;

“the relevant property” has the meaning assigned to it by the said section 6;

“the Schools” means the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals and, except in section 4 (Dissolution of Schools) of this

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Act, references to the Schools shall be construed as including reference to the Council of Governors;

“the University” means the University of London.

3 Appointed day

- (1) The Council of the College, the Delegacy and the Council of Governors may agree a day to be the appointed day for the purposes of this Act.
- (2) Not less than 14 days before such day as may be agreed under subsection (1) above the Council of the College shall—
 - (a) give notice to the Council of the University of the day so agreed; and
 - (b) publish in the London Gazette a notice stating the day so agreed.

4 Dissolution of Schools

On the appointed day the Schools and the Council of Governors shall hereby be dissolved and the scheme made pursuant to section 15 of the National Health Service Act 1946 constituting the Council of Governors and defining the duties and powers of that Council and the Schools and providing for the management and control of the Schools shall hereby be revoked.

5 Transfer of property, etc

- (1) All property, real and personal, of every description (including things in action) and all rights and privileges of the Schools which immediately before the appointed day belonged to or were vested in or exercisable by the Schools shall on the appointed day, 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 College for all the estate and interest therein of the Schools.
- (2) Any property which by any scheme, deed, will or other instrument or otherwise is held upon trust for any specific foundation or object of the Schools or of King's College School of Medicine and Dentistry shall, on and after the appointed day, be held upon trust for and applied, so far as is possible, to the same foundation or object of the College:

Provided that—

 - (a) any such foundation or object may from time to time be varied or added to by deed under the common seal of the College which shall have been approved by a special resolution (as defined in article 1 of the Charter) of the Council of the College but so that the funds and investments or share in an investment pool for the time being allocated to that specific foundation or object shall remain allocated for that specific object or foundation; and
 - (b) any such deed shall not be of any validity until the same shall have been submitted to and approved by the Privy Council and a certificate of their approval thereof signed by the Clerk of the Privy Council, or by any other person authorised by the Privy Council in that behalf, shall be endorsed on the deed.
- (3) Subject to the provisions of subsection (2) above, any property held by the Schools upon or subject to any trust or trusts shall be held by the College upon or subject

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to the trust or trusts upon or subject to which that property was held by the Schools previously to the appointed day.

- (4) Without prejudice to the general effect of subsection (1) above, the property of the Schools transferred to the College by that subsection shall include such interests as the Schools may have in the freehold or leasehold properties and other interests in property specified in Part I of Schedule 1 to this Act and the trust funds specified in Part II of that Schedule.

6 Constitution of Continuing Trustees of Schools

- (1) On the appointed day there shall be constituted a body to be known as the Continuing Trustees of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals which shall exist for a period of 10 years from that day and which shall on the expiry of that period hereby be dissolved and cease to exist.
- (2) Prior to the appointed day the Council of Governors shall appoint four persons, and the Delegacy shall appoint one person, and the persons so appointed together with the Principal shall be the members of the Continuing Trustees.
- (3) (a) A member of the Continuing Trustees, other than the Principal, may, by notice in writing to the other members, resign his membership; and if a member other than the Principal becomes, in the opinion of the other members, unfit to discharge his duties as a member, the other members may, by notice in writing to him, terminate his membership.
- (b) Where a member of the Continuing Trustees, other than the Principal, dies or resigns or has his membership terminated, the surviving or continuing members may by writing appoint another person to be a member in his place.
- (4) The Continuing Trustees shall—
- (a) consider for the purposes of section 7 (Restriction on use of certain property) of this Act, any proposals by the Council of the College to use or permit the use of any of the relevant property otherwise than for the purposes of educating, or providing facilities for, students of medicine or dentistry or of promoting and advancing the teaching of, or research into, medicine and dentistry, or subjects allied thereto, within the College; and
- (b) consider any other proposals or matters which may be referred to it by the Council of the College including any proposals for changes to the composition and functions of the Board of Management constituted under Statute 8A of the College Statutes.
- (5) The Continuing Trustees shall determine its own quorum and procedure.
- (6) For the purposes of this section and section 7 (Restriction on use of certain property) of this Act “the relevant property” means such interests in the properties specified in Schedule 2 to this Act as are transferred to the College under section 5 (Transfer of property, etc.) of this Act and such other property as may be designated by the Council of Governors before the appointed day, or by the Council of the College from time to time during the existence of the Continuing Trustees, as subject to the provisions of the said section 7.

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7 Restriction on use of certain property

The College shall not during the existence of the Continuing Trustees use or permit the use of any of the relevant property otherwise than for the purposes referred to in subsection (4) of section 6 (Constitution of Continuing Trustees of Schools) of this Act without the prior consent in writing of a majority of the members of the Continuing Trustees.

8 Transfer of liabilities, etc

All debts and obligations of the Schools shall on the appointed day be transferred and attached to the College and shall thereafter be discharged and satisfied by the College.

9 Savings for agreements, deeds, actions, etc

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

10 Construction of bequests, etc

Any scheme, will, deed or other instrument, whether made or executed before, on or after the appointed day, which contains any bequest, gift or trust or other benefit in favour of or connected with the Schools shall, on and after the appointed day, be read and have effect as if the College were referred to therein instead of the Schools.

11 Transfer of powers to appoint or nominate

Any power or right of the Schools or of any of the Former Establishments or of any of their officers or employees to appoint or nominate a member of any health or educational authority, or of the governing body of any health, educational, charitable or other institution, shall on the appointed day be transferred to, and may be exercised by, the College or by the officer or employee of the College who, in the opinion of the Council of the College, most nearly performs the functions formerly performed by the former officer or employee in question.

12 Name of College school of medicine and dentistry

On and after the appointed day, the medical and dental school of the College shall be known as Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School.

13 Dissolution of Delegacy

On the appointed day the Delegacy shall hereby be dissolved and shall cease to exist.

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14 Repeals and amendments

On the appointed day, the provisions of the King's College London Act 1983, the King's College London Act 1985 and the United Medical and Dental Schools Act 1990 specified in Part I of Schedule 3 to this Act (which include provisions that are spent) shall be hereby repealed to the extent specified in that Part and section 7 (Construction of bequests, etc.) of the United Medical and Dental Schools Act 1990 shall be amended as provided by Part II of that Schedule.

15 Amendments to College Statutes

On the appointed day, the College Statutes shall have effect as if they were amended as follows:—

- (1) In Statute 1 (Membership of the Council)—
- (a) for paragraph (1) there shall be substituted the following paragraph:—
- “(1) The Council shall consist of the following persons:
- (A) EX-OFFICIO MEMBERS:—
- (i) The Principal.
- (ii) The Vice-Principals.
- (iii) The Dean or Deans of the Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School.
- (B) Appointed Members:—
- (i) one person after consultation with the Visitor.
- (ii) one person after consultation with the King's College London Association.
- (iii) eighteen other persons who are neither employees nor students of the College.
- (C) Elected Members:—
- (i) eight persons elected from among their number by the academic staff of the College.
- (ii) three persons elected from among their number by the students of the College.
- (iii) two persons elected from among their number by the staff of the College who are not members of the academic staff;
- such persons to be elected in the manner prescribed by Regulations.”;
- (b) in paragraph (3) for the words “categories (i), (ii) and (iv) of paragraph (1) (D)” there shall be substituted “categories (i) and (iii) of paragraph (1) (C)”;
- (c) in paragraph (4) for the words “category (iii) of paragraph (1) (D)” there shall be substituted “category (ii) of paragraph (1) (C)”;
- (d) the words “Life and” shall be deleted from paragraph (7).
- (2) For Statute 4 (Membership of the Academic Board) there shall be substituted the following Statute:—

“MEMBERSHIP OF THE ACADEMIC BOARD

The Academic Board shall consist of—

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(1) *Ex-officio Members*—

The Principal.

The Vice-Principals.

The Reverend The Dean.

The Heads of Schools, Faculties, Divisions, Departments and Subject Groups recognised for this purpose in Regulations.

The heads of academic services recognised for this purpose in Regulations.

The President of the Students' Union;

(2) one student member from each School, Faculty or other constituency defined for this purpose in Regulations elected by the undergraduate and postgraduate students registered in that constituency;

(3) other members in number not less than the number of the ex-officio members to be appointed or elected in the manner prescribed in Regulations: Provided that a majority of the members of the Academic Board shall be Professors, Readers or Senior Lecturers.”.

(3) After Statute 8 there shall be inserted an additional Statute:—

There shall be a Board of Management constituted in accordance with Regulations which shall advise the Council on the discharge of its responsibilities in matters relating to medicine and dentistry under the Medical Act 1983 and the Dentists Act 1984, or any Act repealing and replacing either of those Acts, and any other legislation relevant to the subjects within the purview of the Board of Management and on such other matters as may from time to time be prescribed in Regulations.”.

(4) For Statute 11 there shall be substituted the following Statutes:—

“VICE-PRINCIPALS

The Council shall, on the recommendation of the Principal, appoint from among the staff of the College one or more Vice-Principals who shall, subject to these Statutes, assist the Principal in such matters as the Principal may from time to time delegate to them. In the event of two or more Vice-Principals being so appointed, one of their number shall be appointed to act for the Principal during a vacancy in that office or during the absence or disability of the Principal.

**DEANS OF THE GUY’S KING’S COLLEGE AND ST.
THOMAS' HOSPITALS' MEDICAL AND DENTAL SCHOOL**

The Council shall, on the recommendation of the Principal, appoint one or more Deans of the Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School who, in each case, shall hold office for such period and with such responsibilities as the Council may determine and who shall be or become a member of the academic staff of the College in the relevant discipline. The Principal shall recommend the appointment of one such Dean as a Vice-Principal of the College.”.

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16 Transitional amendments to College Statutes

On the passing of this Act, the College Statutes shall have effect as if, for Statute 20, there were substituted the following Statute:—

- (1) The foregoing Statutes shall have effect subject to the following transitional provisions:—
 - (A) Prior to the Appointed Day there shall be nominated by the Council of Governors six persons to be appointed to be members of the Council (“the Additional Appointed Members”) in category (iii) of paragraph (1) (B) of Statute 1 of the revised statutes.
 - (B) On the Appointed Day the persons appointed as Appointed Members in categories (iii), (iv) and (v) of paragraph (1) (C) of Statute 1 of the existing statutes shall be deemed to be Appointed Members in category (iii) of paragraph (1) (B) of Statute 1 of the revised statutes.
 - (C) On the Appointed Day paragraph (1) (B) (iii) of Statute 1 of the revised statutes shall have effect for a period of three years as if for the word “eighteen” there were substituted “twenty-four” and the Council shall appoint the Additional Appointed Members as members of the Council for that period.
 - (D) Prior to the Appointed Day there shall be elected by the academic staff of the Schools four of their number to be members of the Council (“the Additional Academic Staff Members”) in category (i) of paragraph (1) (C) of Statute 1 of the revised statutes.
 - (E) On the Appointed Day the persons elected as Elected Members in categories (i) and (ii) of paragraph (1) (D) of Statute 1 of the existing statutes shall be deemed to be Elected Members in category (i) of paragraph (1) (C) of Statute 1 of the revised statutes.
 - (F) On the Appointed Day paragraph (1) (C) (i) of Statute 1 of the revised statutes shall have effect for a period of four years as if for the word “eight” there were substituted “twelve” and the Additional Academic Staff Members shall be members of the Council for that period.
 - (G) Prior to the Appointed Day there shall be elected by the students of the Schools one of their number to be a member of the Council (“the Additional Student Member”) in category (ii) of paragraph (1) (C) of Statute 1 of the revised statutes.
 - (H) On the Appointed Day paragraph (1) (C) (ii) of Statute 1 of the revised statutes shall have effect for a period of one year as if for the word “three” there were substituted “four” and the Additional Student Member shall be a member of the Council for that period.
 - (I) Prior to the Appointed Day there shall be elected by the staff of the Schools who are not members of the academic staff one of their number to be a member of the Council (“the Additional Non-Academic Staff Member”) in category (iii) of paragraph (1) (C) of Statute 1 of the revised statutes.
 - (J) On the Appointed Day paragraph (1) (C) (iii) of Statute 1 of the revised statutes shall have effect for a period of four years as if for the word “two” there were substituted “three” and the Additional Non-Academic Staff Member shall be a member of the Council for that period.
 - (K) On and after the Appointed Day the persons who were Fellows of King’s College Hospital Medical School (University of London) or of Chelsea College (University of London) or Fellows or Associates of

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the Principal and Governors of Queen Elizabeth College immediately prior to the respective dates on which those bodies were dissolved and the Fellows of the Schools shall be Fellows of the College.

(2) In this Statute—

“the Appointed Day” means the day which is the appointed day for the purposes of the King's College London Act 1997;

“the Council of Governors” means the Council of Governors of the Schools;

“the existing statutes” means these Statutes as they have effect immediately prior to the Appointed Day;

“the revised statutes” means these Statutes as they have effect on the Appointed Day;

“the Schools” means the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals.”.