

ELIZABETH II



1994 CHAPTER xvi

An Act to make new provision for the making of statutes for the University of London; to repeal certain obsolete or unnecessary enactments; and for connected purposes. [3rd November 1994]

WHEREAS—

(1) The University of London (hereinafter referred to as “the University”) was incorporated by Royal Charter on 28th November 1836 and the University is at present incorporated by Royal Charter granted on 6th January 1863:

(2) The University of London Act 1898 provided for the making by Commissioners of new statutes for the University and such statutes were made in 1900: 1898 c. 62.

(3) In 1926 the report of the Departmental Committee appointed by minute of the former Board of Education dated 8th October 1924 (hereinafter referred to as “the Hilton Young Report”) recommended that the University should be accorded a substantial measure of financial control over the Schools of the University:

(4) By the University of London Act 1926 (hereinafter referred to as “the 1926 Act”) Commissioners were appointed to make new statutes in general accordance with the recommendations of the Hilton Young Report: 1926 c. 46.

(5) The effect of the 1926 Act was that the statutes for the University could not be altered except in general accordance with the recommendations of the Hilton Young Report with the result that the precise power to make new statutes was both uncertain and unduly restrictive:

1978 c. ii.

(6) The University of London Act 1978 (hereinafter referred to as “the 1978 Act”) removed those uncertainties and restrictions and made fresh provision for the making of statutes by the body known as the Senate of the University:

(7) Fundamental changes have since occurred in higher education in the United Kingdom. In June 1989 the Joint Planning Committee of the University established a Strategic Issues Group “to consider the strategy for the future organisation, operation and management of the University, with the objective of devolving, where appropriate, administrative processes to the Colleges (formerly known as Schools) of the University whilst retaining central management of functions which might most effectively be operated on a federal basis, including essential planning and resourcing functions”:

(8) The Strategic Issues Group issued its report in April 1991, recommending changes designed to meet those objectives including the replacement of the Senate and the Court of the University by a single governing and executive body to be known as the Council of the University:

(9) In accordance with section 5 of the 1978 Act statutes giving effect to the recommendations of the Strategic Issues Group have been made. These statutes were approved by Her Majesty in Council on 19th July 1994 and came into force on 1st September 1994:

(10) It is necessary to make fresh provision for the making of any subsequent statutes as a result of the replacement of the Senate and the Court and it is expedient to simplify the procedure at present contained in the 1978 Act for approval of such statutes:

(11) The remaining provisions of the 1978 Act are obsolete or otherwise unnecessary and it is therefore expedient that that Act should be repealed:

(12) It is expedient that the other provisions contained in this Act should be enacted:

(13) 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.

1. This Act may be cited as the University of London Act 1994.

Interpretation.

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

“the 1978 Act” means the University of London Act 1978;

“the charter” means the charter incorporating the University granted by Her late Majesty Queen Victoria on 6th January 1863;

“College” means an educational, academic or research institution having for the time being the status of a College under the statutes;

“College governing body” means the body for the time being charged with the administration of a College;

“Convocation” means the Convocation of the University;

“the Council” means the Council of the University or such other body as the statutes may from time to time designate as the governing and executive body of the University;

“the Court” means the Court of the University;

“Professor”, “Reader”, “Teacher” and “Student” mean respectively a person who is for the time being a Professor, Reader, Teacher or Student of the University for the purposes of the statutes;

“the Senate” means the Senate of the University;

“the statutes” means the statutes for the University;

“the University” means the University of London.

3.—(1) The Council may, in accordance with the following provisions of this section, make statutes for altering, revoking or adding to the statutes for the time being.

Power to make statutes.

(2) A copy of any proposed statute which the Council is minded to make shall be sent to Convocation, to the College governing bodies and to any trade union recognised by the University, together with a written request that any representations should be submitted to the Council within four months beginning with the date on which the copy is sent to the body concerned.

(3) The Council shall take such other steps as are in its opinion best adapted for facilitating the making of representations regarding the proposed statute.

(4) The Council shall consider any representations regarding the proposed statute made by Convocation, by any College governing body, by any recognised trade union or by any Professor, Reader, Teacher, member of Convocation or Student.

(5) After considering any representations referred to in subsection (4) above the Council may if it thinks fit modify the proposed statute.

(6) The Council may make a statute by means of a resolution which satisfies the requirements of subsections (7) to (10) below.

(7) The resolution shall be passed at one meeting of the Council and confirmed at a subsequent such meeting held not less than one month nor more than six months after the former meeting.

(8) Written notice of each meeting referred to in subsection (7) above and of the object of the meeting shall be given to each member of the Council not less than 15 clear days before the date fixed for the meeting.

(9) At each meeting referred to in subsection (7) above—

(a) not less than two-thirds of the members of the Council shall be present; and

(b) the resolution shall be passed or confirmed, as the case may be, by not less than two-thirds of those present and voting.

(10) At the subsequent meeting referred to in subsection (7) above the resolution shall not be confirmed unless—

- (a) at least two-thirds in number of the College governing bodies have given their consent thereto; and
- (b) in the case of a proposed statute which would alter the constitution or functions of Convocation, the consent of Convocation has been given to the making of that statute.

(11) No statute shall have the effect of amending the charter or other instrument of government of any College.

Approval of statutes.

4.—(1) No statute or part of a statute made under section 3 (Power to make statutes) of this Act shall have effect until it has been approved by Her Majesty in Council.

(2) Within one month after making a statute the Council shall cause it to be submitted to Her Majesty in Council and notice of its having been so submitted and of the place where copies of it can be obtained shall be published in the London Gazette.

Construction of instruments.

5. Any scheme, will, deed, contract, conveyance, transfer, lease, licence or other instrument (whether made or executed before or after the passing of this Act) shall (except where the context otherwise requires) have effect as if—

- (a) for any reference (however worded) describing or otherwise referring to a body as a School of the University there were substituted a reference describing or otherwise referring to that body as a College; and
- (b) for any reference (however worded) to the Senate or the Court there were substituted a reference to the Council.

Repeal of 1978 Act.

6. The 1978 Act is repealed.

Savings.

7.—(1) Nothing in this Act shall affect those provisions of the charter whereby the University is incorporated with perpetual succession and a common seal with power to sue and be sued and to purchase, take on lease, hold and dispose of land and other property.

(2) Notwithstanding the repeal by this Act of the 1978 Act any statutes confirmed by or made under that Act and in force immediately before the passing of this Act shall, subject to any alteration, revocation or addition made in accordance with the provisions of this Act, continue to have effect as the statutes for the time being.

PRINTED IN ENGLAND BY PAUL FREEMAN

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 LONDON: PUBLISHED BY HMSO

ISBN 0-10-511694-7



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