



## CHAPTER xci.

An Act for transferring University College London to the University of London and for other matters connected therewith and for amending the University of London Act 1898. A.D. 1905.  
[11th July 1905.]

**W**HEREAS the Council of University College London with the consent of the members of the College have agreed with the University of London that the College and the property and trust funds of the College except such as belong to or are held in trust for North London or University College Hospital and the school of advanced medical studies connected therewith and the boys' school carried on by the College or any of them shall be transferred to the University with the intent that the College may be continued under the direct control of the University as a place of teaching and research in which wide academic culture may be secured by the variety of the subjects taught in different faculties including preliminary and intermediate medical studies:

And whereas it is expedient that this agreement should be carried into effect and that provision should be made for carrying on the work of the said hospital and school of advanced medical studies:

And whereas it is expedient that provision should be made for carrying on the work of the said boys' school:

And whereas it is expedient to make certain consequential amendments in the University of London Act 1898 and to remove certain doubts as to the constitution of committees of the senate of the University and as to the power of the senate



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And whereas it is expedient that this agreement should be carried into effect and that provision should be made for carrying on the work of the said hospital and school of advanced medical studies:

And whereas it is expedient that provision should be made for carrying on the work of the said boys' school:

And whereas it is expedient to make certain consequential amendments in the University of London Act 1898 and to remove certain doubts as to the constitution of committees of the senate of the University and as to the power of the senate

A.D. 1905. to apply trust funds and the income thereof towards the costs  
— of administering those funds:

And whereas the purposes aforesaid 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 King'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 College London (Transfer) Act 1905.

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

The expression "the University" means the University of London;

32 & 33 Vict.  
c. xxiii.

The expression "the corporation of the College" means the corporation constituted by the University College (London) Act 1869;

The expression "the College" means the institution known as University College London exclusive of the hospital medical school and boys' school;

The expression "the hospital" means the hospital known as North London or University College Hospital the expression "the medical school" means the school of advanced medical studies connected with the hospital and the expression "the corporation of the hospital" means the corporation constituted by this Act for carrying on the hospital and medical school;

The expression "the boys' school" means the boys' school now carried on by the corporation of the College;

The expression "the corporation of the boys' school" means the corporation constituted by this Act for carrying on the boys' school;

The expression "appointed day" means the first day of September one thousand nine hundred and five or such later day as the Commissioners may appoint either generally or with reference to any particular provision of this Act and different days may be appointed for different purposes and different provisions of this Act

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whether contained in the same section or in different sections; A.D. 1905.

The expression "the commissioners" means the commissioners appointed by or under this Act for the time being holding office.

3.—(1) As from the appointed day the College and all rights powers (whether exercised with respect to the College or to other bodies) duties real and personal property (including trust funds) and liabilities of or vested in or held by the corporation of the College immediately before the appointed day (except such as are by this Act transferred to the corporation of the hospital or the corporation of the boys' school) shall by virtue of this Act be transferred to and become vested in the University.

Transfer of  
University  
College to  
University of  
London.

(2) The senate of the University shall in accordance with the provisions of the University of London Act 1898 make statutes and regulations for the management of the College and in framing such statutes and regulations the senate shall give effect to the provisions specified or indicated in the First Schedule to this Act.

(3) As from the appointed day the annual value of the land which may be held by the University without licence in mortmain shall be twenty-five thousand pounds in addition to the annual value of such lands buildings hereditaments and possessions as may be from time to time exclusively used and occupied for the immediate purposes of the University.

4.—(1) As from the appointed day the persons described in Part I. of the Second Schedule to this Act shall be constituted a body corporate by the name of "North London or University College Hospital" for the purpose of carrying on the hospital and the medical school and shall by the name aforesaid have perpetual succession and shall have a common seal with power to sue and be sued and to hold without licence in mortmain land of an annual value not exceeding ten thousand pounds in addition to the annual value of such lands buildings hereditaments and possessions as may be from time to time exclusively used and occupied for the immediate purposes of the hospital and the medical school.

Constitution  
of hospital.

(2) As from the appointed day the hospital and all land and buildings between Gower Street and Tottenham Court Road in the county of London vested in the corporation of the College and all other real and personal property (including trust funds)

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A.D. 1905. — and liabilities of or vested in or held by the corporation of the College immediately before that day in respect or for the purposes of the hospital or of the medical school except the land and buildings now used by the medical school and forming part of the College on the east side of Gower Street shall by virtue of this Act be transferred to and become vested in the corporation of the hospital.

(3) The constitution and management of the hospital and the medical school shall be regulated in accordance with the statutes made for the purpose by the commissioners and in framing those statutes the commissioners shall give effect to the provisions specified or indicated in Part II. of the Second Schedule to this Act.

Constitution  
of boys'  
school.

5.—(1) As from the appointed day the persons described in Part I. of the Third Schedule to this Act shall be constituted a body corporate by the name of "University College School Hampstead" for the purpose of carrying on the boys' school and shall by the name aforesaid have perpetual succession and shall have a common seal with power to sue and be sued and to hold without licence in mortmain land of an annual value not exceeding ten thousand pounds in addition to the annual value of such lands buildings hereditaments and possessions as may be from time to time exclusively used and occupied for the immediate purposes of the boys' school.

(2) As from the appointed day the boys' school and all real and personal property (including trust funds) and liabilities of or vested in or held by the corporation of the College immediately before that day in respect or for the purposes of the boys' school (except the land and buildings now used by the school and forming part of the College land and buildings in Gower Street) shall by virtue of this Act be transferred to and become vested in the corporation of the boys' school.

(3) The constitution and management of the boys' school shall be regulated in accordance with statutes made for the purpose by the commissioners and in framing those statutes the commissioners shall give effect to the provisions specified or indicated in Part II. of the Third Schedule to this Act So far as they concern the constitution and management of the boys' school this Act and the statutes of the commissioners may at any time be altered by a scheme made under the Endowed Schools



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(3) The constitution and management of the hospital and the medical school shall be regulated in accordance with the statutes made for the purpose by the commissioners and in framing those statutes the commissioners shall give effect to the provisions specified or indicated in Part II. of the Second Schedule to this Act.

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(2) As from the appointed day the boys' school and all real and personal property (including trust funds) and liabilities of or vested in or held by the corporation of the College immediately before that day in respect or for the purposes of the boys' school (except the land and buildings now used by the school and forming part of the College land and buildings in Gower Street) shall by virtue of this Act be transferred to and become vested in the corporation of the boys' school.

(3) The constitution and management of the boys' school shall be regulated in accordance with statutes made for the purpose by the commissioners and in framing those statutes the commissioners shall give effect to the provisions specified or indicated in Part II. of the Third Schedule to this Act So far as they concern the constitution and management of the boys' school this Act and the statutes of the commissioners may at any time be altered by a scheme made under the Endowed Schools



Acts 1869 to 1873 and 1874 or the Charitable Trusts Acts 1853 to 1894. A.D. 1905.

6.—(1) There shall be a body of commissioners styled “the University College Transfer Commissioners” and consisting in the first instance of the following persons (namely):— Appointment  
of commis-  
sioners.

One person to be appointed by His Majesty in Council;

The Right Honourable Lord Justice Cozens-Hardy;

Sir Edward Henry Busk;

Sir John Rotton, K.C.; and

Professor John Rose Bradford.

(2) If and whenever any vacancy occurs among the commissioners it shall be lawful for His Majesty in Council to appoint a person to fill the vacancy.

(3) The commissioners may appoint or employ such persons as they may think necessary for the execution of their duties under this Act and may assign to them such duties and remuneration as they think proper.

(4) Any expenses incurred by the commissioners shall be paid by the University.

7.—(1) The powers of the commissioners shall continue until the end of the year one thousand nine hundred and six and no longer but it shall be lawful for His Majesty from time to time upon the advice of His Privy Council to continue the powers of the commissioners for such time as His Majesty thinks fit but not beyond the end of the year one thousand nine hundred and seven. Duration and  
proceedings  
of commis-  
sioners.

(2) The commissioner appointed by His Majesty in Council and in the event of his ceasing to be a commissioner the person appointed by His Majesty in Council to fill the vacancy so caused shall be the chairman of the commissioners and in case of his absence from any meeting the commissioners present at such meeting shall choose a chairman.

(3) The powers of the commissioners may be exercised at any meeting at which three or more commissioners are present.

(4) In case of an equality of votes on a question at a meeting the chairman of the meeting shall have a second or casting vote in respect of that question.

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[Ch. xci.] *University College London (Transfer)* [5 EDW. 7.]  
*Act, 1905.*

A.D. 1905. (5) The commissioners shall have a common seal which shall be judicially noticed.

(6) Any act of the commissioners shall not be invalid by reason only of any vacancy in their body but if at any time and as long as the number of commissioners is less than four the commissioners shall discontinue the exercise of their powers.

(7) The commissioners may if they think fit take evidence on any matters dealt with by them under this Act and shall hear any representations made to them by or on behalf of the University of London or the convocation thereof or any body or person affected.

Powers of  
commis-  
sioners.

8. The commissioners shall make statutes for the matters for which statutes are to be made by them under this Act and may make orders—

- (A) providing for the temporary use by the corporation of the hospital for the purposes of the medical school and by the corporation of the boys' school for the purposes of the boys' school respectively for a reasonable period of parts of the College buildings and for the temporary use by the University for the purposes of the College for a reasonable period of parts of the buildings of the medical school and prescribing the terms on which such temporary use is to be allowed;
- (B) determining any questions as to what property (including trust funds) and liabilities are by this Act transferred to the University the corporation of the hospital and the corporation of the boys' school respectively and if necessary apportioning any property trust fund or liability;
- (C) making any alterations in the terms of any trust which may be rendered necessary or proper in consequence of the transfer of the funds under this Act; and
- (D) determining any question which under this Act is to be determined by the commissioners:

And generally may make all such arrangements and do all such things as may be necessary or proper for facilitating the continuance of the work of the College the hospital the medical school and the boys' school and otherwise carrying this Act into effect and any order of the commissioners so made shall have effect as if enacted in this Act.

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8. The commissioners shall make statutes for the matters for which statutes are to be made by them under this Act and may make orders—

- (A) providing for the temporary use by the corporation of the hospital for the purposes of the medical school and by the corporation of the boys' school for the purposes of the boys' school respectively for a reasonable period of parts of the College buildings and for the temporary use by the University for the purposes of the College for a reasonable period of parts of the buildings of the medical school and prescribing the terms on which such temporary use is to be allowed;
- (B) determining any questions as to what property (including trust funds) and liabilities are by this Act transferred to the University the corporation of the hospital and the corporation of the boys' school respectively and if necessary apportioning any property trust fund or liability;
- (C) making any alterations in the terms of any trust which may be rendered necessary or proper in consequence of the transfer of the funds under this Act; and
- (D) determining any question which under this Act is to be determined by the commissioners:

And generally may make all such arrangements and do all such things as may be necessary or proper for facilitating the continuance of the work of the College the hospital the medical school and the boys' school and otherwise carrying this Act into effect and any order of the commissioners so made shall have effect as if enacted in this Act.

9.—(1) When any statute has been made by the commis- A.D. 1905.  
sioners a notice of its having been made and of the place where Approval of  
copies of it can be obtained shall be published in the London statutes.  
Gazette and the statute shall be laid as soon as may be before  
both Houses of Parliament and shall not be valid until it has  
been approved by His Majesty in Council.

(2) If either House of Parliament within forty days exclusive  
of any period of prorogation after a statute has been laid before  
it presents an address praying His Majesty to withhold his assent  
from the statute or any part thereof no further proceedings shall  
be taken on the statute or on the part thereof to which the  
address relates but this provision shall be without prejudice to  
the making of a new statute.

(3) The University of London or the convocation thereof or  
any body or person directly affected by any such statute may  
within three months after the notification thereof in the London  
Gazette petition His Majesty in Council to withhold his approval  
of the whole or any part thereof.

(4) His Majesty in Council may refer any such petition to  
a Committee of the Privy Council with a direction that the  
Committee hear the petitioner personally or by counsel and report  
specially to His Majesty in Council on the matter of the petition.

(5) Thereupon it shall be lawful for His Majesty by Order  
in Council either to declare his approval of the statute in whole  
or in part or to signify his disapproval thereof in whole or in  
part but any such disapproval shall be without prejudice to the  
making of a new statute.

(6) The costs of any petition under this section may be  
regulated by the committee to which the petition is referred.

10.—(1) All trust funds by this Act transferred to the Trust funds.  
University or the corporation of the hospital or the corporation  
of the boys' school shall subject to any alterations in the terms  
thereof which may be made by the commissioners under this Act  
be held upon the same trusts as those on which they were held  
by the corporation of the College before the transfer.

(2) For removing doubts it is hereby declared that the  
University may subject during tenure of office to the privileges  
hitherto enjoyed by existing professors and other officers deduct  
in any year from the income of any trust fund vested in the  
University whether under this Act or otherwise such a proportion

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[Ch. xci.] *University College London (Transfer)* [5 EDW. 7.]  
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A.D. 1905. not exceeding five per cent. as may in the opinion of the senate of the University be required to meet the expenses of administering the income of the fund.

Committees  
of the senate.

11. For removing doubts it is hereby declared that without prejudice to the general control of the senate of the University persons not being members of the senate may be appointed by the senate to be members of any committee of the senate other than the Academic Council the Council for External Students and the Board to Promote the Extension of University Teaching and that the senate may delegate to any committee appointed to manage an institution controlled by the senate such powers or duties in relation thereto as they may think fit.

Saving for  
existing pro-  
fessors &c.

12.—(1) The professors assistant professors teachers and officers who immediately before the appointed day hold office under the corporation of the College shall as from that day hold their offices as nearly as may be upon the like terms and conditions and with the like privileges under the University the corporation of the hospital and the corporation of the boys' school (as the case may require) as they would have held the same under the corporation of the College if this Act had not been passed.

(2) If any question arises as to whether any such professor assistant professor teacher or officer is transferred to the University the corporation of the hospital or the corporation of the boys' school or as to the terms and conditions on which any such person holds his office or place the question shall be determined by the commissioners.

(3) Every person who immediately before the appointed day is a fellow of University College London shall be entitled to retain the title for life.

Pending pro-  
ceedings &c.

13.—(1) If on the appointed day any proceeding or any cause of action is pending or existing by or against the corporation of the College the same shall not abate be discontinued or be in any way prejudicially affected by reason of anything in this Act but the proceeding or cause of action may be continued prosecuted and enforced by or against the University the corporation of the hospital or the corporation of the boys' school (as the case may require) as it might have been by or against the corporation of the College if this Act had not been passed but not further or otherwise.



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Pending pro-  
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13.—(1) If on the appointed day any proceeding or any cause of action is pending or existing by or against the corporation of the College the same shall not abate be discontinued or be in any way prejudicially affected by reason of anything in this Act but the proceeding or cause of action may be continued prosecuted and enforced by or against the University the corporation of the hospital or the corporation of the boys' school (as the case may require) as it might have been by or against the corporation of the College if this Act had not been passed but not further or otherwise.

(2) All contracts deeds bonds agreements and other instruments subsisting immediately before the appointed day and affecting the corporation of the College shall be of as full force and effect against or in favour of the University the corporation of the hospital or the corporation of the boys' school (as the case may require) and may be enforced as fully and effectually as if instead of the corporation of the College the University the corporation of the hospital or the corporation of the boys' school as the case may require had been a party thereto.

A.D. 1905.

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14. Any will or other testamentary document whether made before or after the passing of this Act which contains any bequest gift or trust in favour of the corporation of the College the College the hospital the medical school or the boys' school shall not fail by reason of the dissolution of the corporation of the College or of anything in this Act but shall be read and have effect as if it had been made in favour of (a) the University for the purposes of the College or (b) the corporation of the hospital or (c) the corporation of the boys' school according to the intent and purpose thereof.

Saving for  
wills &c.

15. In calculating the annual value of land which under this Act may be held without licence in mortmain the value of any lands transferred by this Act shall not be included and the annual value shall be computed at the rackrent which might have been got for the lands at the time of their acquisition.

Annual value  
for purposes  
of Mortmain  
Acts.

16. The first statutes made by the senate of the University under this Act shall be laid on the table of both Houses of Parliament simultaneously with the statutes made by the commissioners under this Act.

Time at  
which sta-  
tutes to be  
laid before  
Parliament.

17. As from the day appointed by the commissioners for the purpose the corporation of the College shall be dissolved and the University College (London) Act 1869 shall be repealed.

Dissolution of  
College and  
repeal of  
32 & 33 Vict.  
c. xxiii.

18. All costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the University.

Costs of Act.

(2) All contracts deeds bonds agreements and other instruments subsisting immediately before the appointed day and affecting the corporation of the College shall be of as full force and effect against or in favour of the University the corporation of the hospital or the corporation of the boys' school (as the case may require) and may be enforced as fully and effectually as if instead of the corporation of the College the University the corporation of the hospital or the corporation of the boys' school as the case may require had been a party thereto.

A.D. 1905.

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14. Any will or other testamentary document whether made before or after the passing of this Act which contains any bequest gift or trust in favour of the corporation of the College the College the hospital the medical school or the boys' school shall not fail by reason of the dissolution of the corporation of the College or of anything in this Act but shall be read and have effect as if it had been made in favour of (a) the University for the purposes of the College or (b) the corporation of the hospital or (c) the corporation of the boys' school according to the intent and purpose thereof.

Saving for  
wills &c.

15. In calculating the annual value of land which under this Act may be held without licence in mortmain the value of any lands transferred by this Act shall not be included and the annual value shall be computed at the rackrent which might have been got for the lands at the time of their acquisition.

Annual value  
for purposes  
of Mortmain  
Acts.

16. The first statutes made by the senate of the University under this Act shall be laid on the table of both Houses of Parliament simultaneously with the statutes made by the commissioners under this Act.

Time at  
which sta-  
tutes to be  
laid before  
Parliament.

17. As from the day appointed by the commissioners for the purpose the corporation of the College shall be dissolved and the University College (London) Act 1869 shall be repealed.

Dissolution of  
College and  
repeal of  
32 & 33 Vict.  
c. xxiii.

18. All costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the University.

Costs of Act.

[Ch. xci.] *University College London (Transfer)* [5 Edw. 7.]  
*Act, 1905.*

A.D. 1905.  
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3. The persons who may at any time after the appointed day become governors of the hospital according to the rules for the time being in force with respect to the government of the hospital.

4. Any persons who after the appointed day may become annual subscribers to the hospital of not less than three guineas so long as they continue to subscribe not less than that amount.

5. Such of the fellows governors or life governors of University College London as may within six months after the appointed day signify in writing addressed to the secretary of the hospital their desire to be members of the corporation of the hospital.

PART II.

PROVISIONS TO WHICH EFFECT IS TO BE GIVEN BY STATUTES REGULATING  
THE CONSTITUTION AND MANAGEMENT OF THE HOSPITAL AND MEDICAL  
SCHOOL.

1. There shall be an annual general meeting of members of the corporation of the hospital at which a president and a treasurer and twelve members of the general committee shall be elected.

2. There shall be a general committee for the government of the hospital and medical school a medical committee to aid in the management of the medical and surgical departments of the hospital a school finance and general purposes committee and a school committee to aid in the management of the medical school.

3. The general committee shall consist of twelve members to be elected at the annual general meeting six members to be elected by the school committee from among their own number and six persons to be co-opted by the members so elected at the first meeting of the committee after the annual general meeting or as soon as possible thereafter The committee shall appoint a chairman who may but need not be a member of the committee.

4. The medical committee shall consist of the physicians surgeons assistant physicians and surgeons the dental surgeon and the senior anaesthetist of the hospital and the teacher of hygiene together with such other teachers of the medical school as the general committee may on the recommendation of the medical committee appoint to be members of that committee.

5. The school committee shall consist of all the independent teachers of the medical school.

6. A dean of the medical school shall be elected annually by the school committee He shall when present preside at the meetings of the school and medical committees.

7. The school finance and general purposes committee shall consist of the treasurer of the hospital and of twelve members of whom six shall be appointed by the school committee and six by the general

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committee The school finance and general purposes committee shall administer the funds of the medical school whether allocated to the school by the general committee or derived from fees or from the income of trust funds applicable to the purposes of the medical school. A.D. 1905.

8. All appointments to the medical staff of the hospital or to the teaching staff of the school shall be made by the general committee after considering a report from the medical committee or the school committee as the case may be.

9. The general committee shall have the power of making statutes and regulations as to the constitution and management of the hospital and medical school supplementing altering or repealing the statutes made by the commissioners or the statutes and regulations for the time being in force but any regulation so made shall be invalid so far as it is inconsistent with any statute for the time being in force The provisions of this Act as to the approval of statutes but no others shall apply to the statutes so made.

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### THIRD SCHEDULE.

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#### PART I.

##### PERSONS CONSTITUTING THE CORPORATION OF THE BOYS' SCHOOL.

1. All the members of the College who immediately before the appointed day shall be members of the council and such other of the fellows governors and life governors of University College London as may before or within six months after the appointed day signify in writing addressed to the secretary of the College or of the school their desire to be members of the corporation.

2. Such persons as after the first day of January one thousand nine hundred and one may have contributed or may contribute for the purposes of the school one hundred pounds or having been boys in the school fifty pounds.

3. Such other persons as may be appointed governors of the school by a general meeting of the members of the corporation.

#### PART II.

##### PROVISIONS TO WHICH EFFECT IS TO BE GIVEN BY STATUTES REGULATING THE CONSTITUTION AND MANAGEMENT OF THE BOYS' SCHOOL.

1. There shall be an annual general meeting of the members of the corporation of the boys' school held on such day in each year as may be fixed by the governing body Provided that the first of such meetings shall be held within six months after the expiration of two years from the appointed day The governing body may at any time call a special general meeting of the members of the corporation.

committee The school finance and general purposes committee shall administer the funds of the medical school whether allocated to the school by the general committee or derived from fees or from the income of trust funds applicable to the purposes of the medical school. A.D. 1905.

8. All appointments to the medical staff of the hospital or to the teaching staff of the school shall be made by the general committee after considering a report from the medical committee or the school committee as the case may be.

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2. Such persons as after the first day of January one thousand nine hundred and one may have contributed or may contribute for the purposes of the school one hundred pounds or having been boys in the school fifty pounds.

3. Such other persons as may be appointed governors of the school by a general meeting of the members of the corporation.

#### PART II.

##### PROVISIONS TO WHICH EFFECT IS TO BE GIVEN BY STATUTES REGULATING THE CONSTITUTION AND MANAGEMENT OF THE BOYS' SCHOOL.

1. There shall be an annual general meeting of the members of the corporation of the boys' school held on such day in each year as may be fixed by the governing body Provided that the first of such meetings shall be held within six months after the expiration of two years from the appointed day The governing body may at any time call a special general meeting of the members of the corporation.



A.D. 1905.

2. There shall be a governing body for the management of the school consisting of sixteen appointed members and two co-opted members. Of the sixteen appointed members eight shall be appointed by the members of the corporation at the annual general meeting two by the London County Council one by the Middlesex County Council two by the University of London one by the University of Oxford one by the University of Cambridge and one by the council of the metropolitan borough of Hampstead. The two co-opted members shall be co-opted by the governing body. Provided that the following persons namely:—

The Right Honourable Lord Reay;  
The Right Honourable Lord Monkswell;  
Sir Richard Farrant;  
Thomas Gregory Foster;  
Walter Baily;  
James Bourne Benson;  
George Carey Foster; and  
Alfred Cotterell Tupp;

shall be deemed to be the first eight members appointed by the members of the corporation.

3. The term of office of members of the governing body shall be fixed so that members may retire by rotation and that of the members appointed by the corporation two shall retire at the first annual general meeting and two at every alternate general meeting subsequently and that of the other members of the governing body two retire at the first annual general meeting and two at every alternate general meeting subsequently held.

4. A retiring member shall be re-eligible.

5. The order of retirement of the first members of the governing body shall be determined by agreement or in default of agreement by lot.

6. In the case of a casual vacancy arising by reason of the death or resignation of a member or otherwise the vacancy shall be filled by a new appointment made by the body by whom the vacating member was appointed or in the case of a co-opted member by co-optation but the member so appointed or co-opted shall hold office only until the time when the person in whose place he is appointed or co-opted would have regularly gone out of office and shall then go out of office.

7. No religious test shall be adopted or imposed and no applicant for a school appointment shall be at any disadvantage on the ground of religious opinions.

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