



# Universities (Scotland) Act 1889

1889 CHAPTER 55 52 and 53 Vict

## PART I

### *Constitution of University Court*

#### **5 University Courts. Election and term of office of assessors. Incorporation of University Court. President of meetings of Courts.**

(1) <sup>F1</sup> ...

Seven members of each University Court shall be a quorum.

The rector may, before he appoints his assessor, confer with the students representative council.

(2) <sup>F2</sup>... every <sup>F2</sup> ... rector and rector's assessor shall continue in office for three years, but in the event of the <sup>F3</sup>... rector ceasing to hold office his assessor shall continue to be a member of the University Court until an assessor is nominated by the new <sup>F3</sup>... rector and no longer <sup>F4</sup> ... No member of the Senatus Academicus of any University shall be entitled to vote or take part in the election of any assessor of the general council of that University <sup>F4</sup> ...

(3) The University Court shall be a body corporate with perpetual succession and a common seal, which shall be judicially noticed, and all the property, heritable and moveable, belonging to the University, or to any existing college forming part of the University at the passing of this Act, whether the title to such property has been taken in the name of the University or such college, or in name of any person or persons in trust for or on behalf of the University or such college, shall be and is hereby vested in the University Court <sup>F2</sup> ...

<sup>F5</sup>(4) .....

(5) The rector, and in his absence [<sup>F6</sup>the senior lay member] shall preside at meetings of the University Court, and in the absence of both of them a chairman for the time shall

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*Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1889, Section 5. (See end of Document for details)*

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be elected by the meeting. The person presiding at any meeting of the University Court shall have a deliberative vote, and also a casting vote in case of equality.

[<sup>F7</sup>(5A) In subsection (5), “senior lay member” means the person appointed to the position by virtue of section 8 of the Higher Education Governance (Scotland) Act 2016.]

<sup>F8</sup>(6) . . . . .

#### Textual Amendments

- F1** Words in s. 5(1) repealed (S.) (30.12.2016) by [Higher Education Governance \(Scotland\) Act 2016 \(asp 15\)](#), s. 26(2), [sch. para. 2\(2\)\(a\)](#); S.S.I. 2016/382, reg. 2(1) (with reg. 4)
- F2** Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)
- F3** Words in s. 5(2) repealed (S.) (30.12.2016) by [Higher Education Governance \(Scotland\) Act 2016 \(asp 15\)](#), s. 26(2), [sch. para. 2\(2\)\(b\)](#); S.S.I. 2016/382, reg. 2(1) (with reg. 4)
- F4** Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. I](#)
- F5** S. 5(4) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. I](#)
- F6** Words in s. 5(5) substituted (S.) (30.12.2016) by [Higher Education Governance \(Scotland\) Act 2016 \(asp 15\)](#), s. 26(2), [sch. para. 2\(2\)\(c\)](#); S.S.I. 2016/382, reg. 2(1) (with reg. 4)
- F7** S. 5(5A) inserted (S.) (30.12.2016) by [Higher Education Governance \(Scotland\) Act 2016 \(asp 15\)](#), s. 26(2), [sch. para. 2\(2\)\(d\)](#); S.S.I. 2016/382, reg. 2(1) (with reg. 4)
- F8** S. 5(6) repealed by [University of St. Andrews Act 1953 \(c. 40\)](#), [s. 15\(5\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Universities (Scotland) Act 1889, Section 5.