



Universities (Scotland) Act 1858

1858 CHAPTER 83 21 and 22 Vict

An Act to make Provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen. [2d August 1858]

Annotations:

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act excluded by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), s. 1 (1); power to exclude and amend Act conferred by [ibid.](#), s. 1 (4)
- C3 Preamble omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)

1 King's College and Marischal College, Aberdeen, to be united under the title of "University of Aberdeen."

The University and King's College of Aberdeen, and Marischal College and University of Aberdeen shall be united and incorporated into one University and college, in all time coming, under the style and title of the "University of Aberdeen"; and the said united University shall take rank among the Universities of Scotland as from the date of erection of King's College and University, viz., the year one thousand four hundred and ninety-four; and all the funds, properties, and revenues now pertaining or belonging in any manner of way to the University and King's College, or to Marischal College and University, shall in time coming pertain and belong to the University of Aberdeen.

2 Appointment of Chancellors.

The Chancellor of each of the Universities of St. Andrew's, Glasgow, and Aberdeen shall be elected by the other members of the general council herein-after mentioned; and in time coming there shall be a Chancellor of the University of Edinburgh, to be elected in like manner: . . . ^{F1} the Chancellor of each of the said Universities shall hold his office for life; the Chancellor in each University shall have power to appoint a

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

Vice-Chancellor, who may in the absence of the Chancellor discharge his office in so far as regards conferring degrees, but in no other respect.

Annotations:

Amendments (Textual)

F1 Words repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

3 Offices of principal in Glasgow, Aberdeen, and Edinburgh not to be deemed “Chairs of Theology”.

The principals in the Universities of Glasgow, Aberdeen, and Edinburgh, appointed in time to come, shall not, as such, be or be deemed professors of divinity, nor shall it be a valid objection to any person appointed to the office of principal in any of the said universities that he is a layman; . . . ^{F2}

Annotations:

Amendments (Textual)

F2 Words repealed by [Statute Law Revision Act 1894 \(c. 56\)](#)

4 University courts to be constituted.

There shall be constituted in each of the said Universities a University court, which shall consist of the members and possess and exercise the powers herein-after enacted, and of which the rector shall be the ordinary president, with a deliberative and a casting vote.

5 Powers of the senatus academicus and principal.

The senatus academicus of each of the said Universities shall consist of the principal or principals and whole professors in each University, and shall possess and exercise the powers heretofore belonging to a senatus academicus in so far as the same are not modified or altered by or in pursuance of the provisions of this Act, and shall superintend and regulate the teaching and discipline of the University, and administer its property and revenues, subject to the control and review of the University court, as herein-after provided; one third of the senatus shall be a quorum; and the principal, or the senior principal if more than one, shall be the ordinary president of the senatus academicus, with a deliberative and casting vote; and the principal shall be bound to undertake and perform such duties of teaching and lecturing as may be assigned to him by the Commissioners herein-after appointed during the continuance of their powers, and thereafter by the University court.

6 General councils of the Universities to be constituted.

There shall be in each University a general council consisting of the Chancellor, of the members of the University court, from and after their first election, of the professors, of all masters of arts of the University, of all doctors of medicine of the University who shall have, as matriculated students of the University, given regular attendance on classes in any of the faculties in the University during four complete sessions,

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

and also of all persons who within three years from and after the passing of this Act shall establish to the satisfaction of the Commissioners herein-after appointed that they have, as matriculated students, given regular attendance on the course of study in the University for four complete sessions, or such regular attendance for three complete sessions in the University, and regular attendance for one such complete session in any other Scottish University, the attendance for at least two of such sessions having been on the course of study in the faculty of arts: Provided that no person shall be a member of the general council until he . . . ^{F3} has his name registered in a book to be kept for the purpose by each University, which shall be done on payment of such . . . fee as shall be fixed by the said Commissioners; and provided also, that no person shall be a member of the general council while he is a student enrolled in any class of the University; and the said general council shall assemble twice every year, on such days as may be fixed by the Commissioners herein-after appointed, subject to alteration thereafter from time to time by resolution of the said council, with the approval of the University court; at the meetings of which council the Chancellor, and in his absence the rector, whom failing, the principal or senior principal, whom failing, the senior professor, shall preside, and shall have a deliberative and also a casting vote: It shall be competent to such council to take part in the election of office bearers of the University in manner herein provided, and also to take into their consideration all questions affecting the well-being and prosperity of the University, and to make representations from time to time, on such questions to the University court, who shall consider the same and return to the council their deliverance thereon.

Annotations:

Amendments (Textual)

F3 Words repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Modifications etc. (not altering text)

- C4** [S. 6](#) excluded by section X of Ordinance No. 96 of the University Court of the University of St. Andrews dated 14.9.1967 and approved by Order in Council dated 20.12.1967
- C5** [S. 6](#) excluded by section 8(a) of Ordinance of the University Court of the University of Glasgow No. 183 dated 20.9.1978 and approved by Order in Council dated 14.3.1979
- C6** [S. 6](#) amended by [Representation of the People \(Scotland\) Act 1868 \(c. 48\)](#), **s. 28** and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), ss. 9, 10(2), **Sch. 4**

7 General council of the University of Aberdeen to consist of persons herein named.

The general council of the University of Aberdeen shall consist of the Chancellors or Chancellor, of the members of the University court, of the professors, and of all such graduates and students as is herein above provided in regard to the other Universities, whether they be graduates and students of the University and King's College or of Marischal College and University.

8—11. ^{F4}

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

Annotations:**Amendments (Textual)**

F4 Ss. 8—11 repealed by [Universities \(Scotland\) Act 1889 \(c. 55\)](#), s. **5(4)**

12 Powers of University courts.

The University court of each University shall, subject to the provisions of this Act, have the following powers; viz.,

- (1) To review all decisions of the senatus academicus, and to be a court of appeal from the senatus in every case except as herein otherwise provided for:
- (2) To effect improvements in the internal arrangements of the University, after due communication with the senatus academicus, and with the sanction of the Chancellor; provided that all such proposed improvements shall be submitted to the University council for their consideration:
- (3) To require due attention on the part of the professors to regulations as to the mode of teaching and other duties imposed on the professors:
- (4)
- (5) Upon sufficient cause shown, and after due investigation, to censure a principal or professor, or to suspend him from his office and from the emoluments thereof, in whole or in part, for any period not exceeding one year, or to require him to retire from his office on a retiring allowance, or to deprive him of his office; and during the suspension of any professor to make due provision for the teaching of his class: Provided always, that no such sentence of censure, suspension, or deprivation, or requisition on a professor to retire from office, shall have any effect until it has been approved by her Majesty in Council:
- (6) To inquire into and control the administration by the senatus academicus or principal and professors of any college of the revenue, expenditure, and all the pecuniary concerns of the University and of any college therein, including funds mortified for bursaries and other purposes.

Annotations:**Amendments (Textual)**

F5 S. 12 para. 4 repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Modifications etc. (not altering text)

C7 S. 12 amended by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 2 Pt. III para 1**

13 Right of nomination to professorships vested in University courts.

The right of nomination or presentation to any professorships within any of the said Universities in time past, and presently exercised by the senatus or faculty thereof, or by one or more of the professors therein, or by any member or other officer thereof, shall be transferred to and in all time coming be exercised, as regards each University by the University court thereof, to be established in manner herein-before provided; and the right of nomination or presentation to the office of principal and to all professorships in the University of Edinburgh in times past, and presently exercised

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

by the town council of Edinburgh, or by one or more of the members thereof, either by themselves or conjointly with others, shall be transferred from the said town council or members thereof to and in all time coming be exercised by seven curators to be nominated as follows: Within two months from and after the date at which this Act shall come into operation, as herein-after provided, the town council shall nominate four curators, and the University court of the said University shall nominate the remaining three curators; and the curators shall continue in office for three years; and in the event of vacancies in the office of curator occurring from death, resignation, or any other cause, the vacancies shall, as respects the four nominations made by the town council, be filled up by the town council, and shall, as respects the other nominations, be filled up by the University court.

Annotations:

Modifications etc. (not altering text)

- C8 S. 13 amended by [Edinburgh University \(Transfer of Patronage\) Act 1897 \(c. 13\)](#), s. 1 and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), Sch. 2 Pt. III, para. 2
- C9 Functions of town council of Edinburgh now exercisable by City of Edinburgh District Council: [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 225 (3)

14— F6
17.

Annotations:

Amendments (Textual)

- F6 Ss. 14—17 repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

18 Powers of Commissioners as to University of Aberdeen. To determine number of professors, and regulate course of study.

..... F7

(1) Provided that in the faculty of arts there shall be a professor of Greek, a professor of humanity, a professor of logic, a professor of mathematics, a professor of moral philosophy, a professor of natural philosophy, and a professor of natural history, or, in the discretion of the Commissioners, two professors in any one or more of such branches of instruction in the faculty of arts, if it shall appear to be necessary or expedient, with power to the said Commissioners to determine where the classes of each of the said professors shall assemble; in the faculty of divinity there shall be professors of systematic theology, of Oriental languages, of church history, and of biblical criticism; in the faculty of law a professor of law; and in the faculty of medicine professors of the institutes of medicine, of the practice of medicine, of chemistry, of anatomy, of surgery, of materia medica, of midwifery, of medical jurisprudence, of botany; and such other professorships in each of the said faculties as the said Commissioners shall think to be expedient;

(2) F8

.....

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

Annotations:

Amendments (Textual)

F7 Words repealed by [Statute Law Revision Act 1875 \(c. 66\)](#), [Sch.](#)

F8 [S. 18 paras. 2—6](#) repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

Modifications etc. (not altering text)

C10 "Commissioners" means Commissioners appointed under s. 14c

19 F9

Annotations:

Amendments (Textual)

F9 [S. 19](#) repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

20 F10

Annotations:

Amendments (Textual)

F10 [S. 20](#) repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

21 F11

Annotations:

Amendments (Textual)

F11 [S. 21](#) repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

22, 23. F12

Annotations:

Amendments (Textual)

F12 [Ss. 22, 23](#) repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

24 **Rules, statutes, &c., when approved, to be entered in a book, and signed by the Commissioners.**

All rules, statutes, and ordinances to be made by the Commissioners shall, when approved by Her Majesty as herein-before provided, be inserted in a book or books to be signed by the Commissioners or their quorum; and such book or books shall, on the

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1858. (See end of Document for details)

expiration of the powers of the Commissioners, be lodged with Her Majesty's Clerk Register for Scotland, and shall be preserved among the public records; and a duplicate shall be sent to each of the said Universities of the rules, statutes, and ordinances applicable thereto; and such rules, statutes, and ordinances shall be observed until the same be altered in manner herein-before provided.

Annotations:

Modifications etc. (not altering text)

C11 "Commissioners" means Commissioners appointed under s. 14.

25 Ministers may sue and be sued under Titles herein named.

The said Universities may sue and be sued under the style and title of "The University of St. Andrew's," "The University of Glasgow," "The University of Aberdeen," and "The University of Edinburgh," respectively.

26 No distinction to be henceforward recognized among professors of Glasgow University.

No distinction shall be recognized among the professors of the University of Glasgow, but the whole professors thereof admitted to chairs heretofore established or which may hereafter be established therein shall be deemed to be and shall be professors of the University and College of Glasgow, and shall all equally exercise the whole rights and functions which have heretofore been exercised by any portion of such professors: Provided always, that no claim is hereby given to any participation in the income or emoluments already appropriated to existing chairs in the said University and college.

27 Nothing in this Act to affect certain trusts.

Nothing in this Act contained shall be construed to affect any trusts now vested in and administered by the senatus academicus of any University or college, or in the principal and professors, or any of them, for purposes unconnected with such University or college; and any such trusts as are now held and administered by the senatus academicus or the principal and professors of the University and King's College of Aberdeen or of Marischal College and University, for purposes unconnected with such Universities and colleges, shall from and after the date at which this Act shall come into operation, as regards the University of Aberdeen, be vested in and administered by the senatus academicus of the University of Aberdeen; and any trust now administered, in whole or in part, by the principal of either of the said universities and colleges, or by any professor or professors thereof, shall from and after the date aforesaid be in like manner administered, in whole or in part, by the principal of the University of Aberdeen, or, as the case may be, by the professor or professors who in the said University shall hold the same professorship as the said professor or professors of King's College or Marischal College respectively.

Changes to legislation:

There are currently no known outstanding effects for the Universities (Scotland) Act 1858.



Universities (Scotland) Act 1889

1889 CHAPTER 55 52 and 53 Vict

An Act for the better Administration and Endowment of the Universities of
Scotland. [30th August 1889]

Annotations:

Modifications etc. (not altering text)

- C1 Act excluded by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [s. 1\(1\)](#); power to amend and exclude Act conferred by [ibid.](#) s. 1(4)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1908 \(c. 49\)](#)

PRELIMINARY

1 Short title.

This Act may be cited as the Universities (Scotland) Act 1889.

2 Construction of Act.

This Act shall, so far as is consistent with the tenor thereof, be read and construed along with . . . ^{F1} the ^{M1}Universities (Scotland) Act 1858.

Annotations:

Amendments (Textual)

- F1 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

Marginal Citations

- M1 [1858 c. 83](#).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

3 Definitions.

“Public moneys” means “moneys provided by Parliament,” or “moneys issuing out of the Consolidated Fund.”

“Universities Committee” means the Scottish Universities Committee of the Privy Council, constituted by this Act.

“University” means Scottish University.

“Affiliation” for the purposes of this Act means such a connexion between an existing University and a college as shall be entered into by their mutual consent, under conditions approved by the Commissioners, or, after the determination of their powers, by the Universities Committee.

“The Commissioners” means the Commissioners appointed under this Act.

“College,” where by the context it does not apply to a college presently forming part of any University, means any institution established on a permanent footing for the purpose of teaching the higher branches of education which shall be sufficiently endowed in the opinion of the Commissioners, and after the expiry of their powers of the Universities Committee.

“Governing body” means a body constituted on a permanent footing, and charged, by Act of Parliament, Royal Charter, deed of endowment and trust, or otherwise, with the management and administration of any fund devoted to higher education.

“Students representative council” means a students representative council in any University, constituted in such manner as shall be fixed by the Commissioners under this Act.

4 F2

<p>Annotations:</p> <hr/> <p>Amendments (Textual)</p> <p>F2 S. 4 repealed by Statute Law Revision Act 1908 (c. 49)</p>
--

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) The University Courts shall consist of—

(i) F3

..... F4

Seven members of each University Court shall be a quorum.

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

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (2)^{F5} every. rector and rector's assessor shall continue in office for three years, but in the event of the Chancellor or 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 Chancellor or rector and no longer^{F6} 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..
- (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 . . .
- (4)^{F7}
- (5) The rector, and in his absence [^{F8}a vice-chairman elected by the Court from among all its members,] shall preside at meetings of the University Court, and in the absence of both of them a chairman for the time shall 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.
- (6)^{F9}

Annotations:

Amendments (Textual)

- F3** S. 5(1) paras. (i)–(iv) repealed by Universities (Scotland) Act 1966 (c. 13), Sch. 7 Pts. I, II
- F4** S. 5(1) proviso repealed by Universities (Scotland) Act 1966 (c. 13), Sch. 7 Pt. I
- F5** Words repealed by Statute Law Revision Act 1908 (c. 49)
- F6** Words repealed by Statute Law Revision Act 1908 (c. 49) and Universities (Scotland) Act 1966 (c. 13), Sch. 7 Pt. I
- F7** S. 5(4) repealed by Statute Law Revision Act 1908 (c. 49) and Universities (Scotland) Act 1966 (c. 13), Sch. 7 Pt. I
- F8** Words substituted by Self-Governing Schools etc. (Scotland) Act 1989 (c. 39, SIF 41:2), s. 82(1), Sch. 10 para. 1
- F9** S. 5(6) repealed by University of St. Andrews Act 1953 (c. 40), s. 15(5)

Powers of the University Court

6 Powers of University Court.

The University Court, in addition to the powers conferred upon it by the^{M2}Universities (Scotland) Act 1858, shall subject to any ordinances made by the Commissioners, have power—

- (1) To administer and manage the whole revenue and property of the University, and the college or colleges thereof existing at the passing of this Act, . . .^{F10}, and also including funds mortified for bursaries and other purposes, and to appoint factors or collectors,

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

to grant leases, to draw rents, and generally to have all the powers necessary for the management and administration of the said revenue and property:

- (2) To review any decision of the Senatus Academicus on a matter within its competency which may be appealed against by a member of the Senatus, or other member of the University having an interest in the decision, within such time as may be fixed by the Commissioners, and to take into consideration all representations and reports made to it by the Senatus Academicus and by the general council:
- (3) To review, on representation made by any of its members or by any member of the Senatus Academicus, within such time as may be fixed by the Commissioners, any decision which the Senatus Academicus may come to in the exercise of its powers under section seven, subsection one: Provided always, that the University Court shall not review any decision of the Senatus Academicus in a matter of discipline, except upon appeal taken either by a member of the Senatus or by a member of the University directly affected by such decision:
- (4) To appoint professors whose chairs are, or may come to be, in the patronage of the University; to appoint examiners and lecturers; and to grant recognition to the teaching of any college or individual teacher for the purposes of graduation, under any regulations on the subject laid down by the Commissioners, which regulations after the expiration of their powers may from time to time be modified or altered by the Universities Committee:
- (5) To define on application by any member of the Senatus Academicus the nature and limits of a professor's duties under his commission, subject to appeal to the Universities Committee:
- (6) To take proceedings against a principal or professor, University lecturer, assistant, recognised teacher or examiner, or any other person employed in teaching or examining under section twelve, sub-section five, of the ^{M3}Universities (Scotland) Act 1858, without the necessity of any one not a member of the Court appearing as prosecutor, and for the purposes of such proceedings to call before it any member of the University to give evidence, and to require the production of documents, and also to institute and conduct any such inquiries as it may deem necessary:
- (7) To appoint from among members of the University or others, not being members of the Senatus Academicus, one third of the members of any standing committee or committees charged, by ordinance of the Commissioners under this Act, with the immediate superintendence of any libraries or museums, or the contents thereof, belonging to the University and college or colleges thereof existing at the passing of this Act, and on representation made by any of its members, or by any member of the Senatus Academicus, to review any decision which the Senatus Academicus, in the exercise of its powers, may come to in respect of the recommendations of such committee or committees:
- [^{F11}(8) To appoint committees of its own number or others, and to define their powers, and to determine the membership and the quorum, of such committees.]
- (9) To elect the representative of the University on the General Medical Council, under [^{F12}the ^{M4}Medical Act 1956:]
- (10) . . . ^{F13}

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

- F10** Words repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**
- F11** [S. 6 para. \(8\)](#) substituted by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 2 Pt. III para. 3 (a)**
- F12** Words substituted by virtue of [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 2 Pt. III para. 3 (b)**
- F13** [S. 6 para. \(10\)](#) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Marginal Citations

- M2** [1858 c. 83](#).
- M3** [1858 c. 83](#).
- M4** [1956 c. 76](#).

Senatus Academicus

7 Powers of Senatus Academicus.

The Senatus Academicus shall continue to possess and exercise the powers hitherto possessed by it so far as they are not modified or altered by the ^{M5}Universities (Scotland) Act 1858, or by this Act, and shall have power—

- (1) To regulate and superintend the teaching and discipline of the University [^{F14}and to promote research]:
- (2) To appoint two-thirds of the members of any standing committee or committees charged by ordinance of the Commissioners with the immediate superintendence of any libraries or museums, or the contents thereof, belonging to the University and college or colleges thereof existing at the passing of this Act; and to receive in the first instance all reports by such committee or committees, and subject to the review of the University Court, to confirm, modify, or reject the recommendations in such reports.

Annotations:

Amendments (Textual)

- F14** Words inserted by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **s. 8 (1)**

Marginal Citations

- M5** [1858 c. 83](#).

8 ^{F15}

Annotations:

Amendments (Textual)

- F15** [S. 8](#) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Universities Committee of Privy Council

9 Constitution of Scottish Universities Committee of Privy Council.

There shall be a Committee of Her Majesty's Privy Council styled the Scottish Universities Committee of the Privy Council.

The Universities Committee shall consist of the Lord President of the Privy Council, the [^{F16}First Minister], the Lord Justice General, if a member of the Privy Council, the Lord Justice Clerk, if a member of the Privy Council, the Lord Advocate, if a member of the Privy Council, the Chancellor of each of the Universities, if a member of the Privy Council, the Lord Rector of each of the Universities, if a member of the Privy Council, one member at least of the Judicial Committee of the Privy Council, and such other member or members of the Privy Council as Her Majesty may from time to time think fit to appoint.

The powers and duties of the Universities Committee may, subject to any rules or regulations which may from time to time be passed by Her Majesty in Council, be exercised and discharged by any three or more of the members of the Committee, one of whom shall be a member of the Judicial Committee of the Privy Council or one of Her Majesty's Senators of the College of Justice in Scotland.

Annotations:

Amendments (Textual)

F16 Words in s. 9 substituted (1.7.1999 as specified by S.I. 1998/3178, **art. 3**) by virtue of S.I. 1999/1820, **art. 4, Sch. 2 Pt. I para. 7**

PART II

10— ^{F17}
13.

Annotations:

Amendments (Textual)

F17 Ss. 10–13 repealed by **Statute Law Revision Act 1908 (c. 49)**

Powers of Commissioners

14 Powers of Commissioners.

The Commissioners shall have power to call before them the principals, professors, University lecturers, assistants, recognised teachers, students, and examiners, or any other person employed in teaching or examining, or bearing office in or otherwise connected with the Universities or colleges thereof existing at the passing of this Act, and such other persons as they may think proper, and to examine them as to all rules and ordinances now in force in the Universities or colleges, and to require the production of all documents and accounts relating thereto, and after making due

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

inquiry to make ordinances for all or any of the following purposes, as shall to them seem expedient:—

- (1) To regulate the foundations, mortifications, gifts, endowments and bursaries, held by any of the Universities or colleges thereof existing at the passing of this Act, or by any person in trust for or on behalf of the same, or for the benefit of any professors, students, or others therein, which have taken effect for more than twenty-five years previously to the passing of this Act, or if given within less than twenty-five years, are wholly or partially inoperative or dormant, or which they may be asked to revise and regulate by the Senatus Academicus and the founder of the trust conjointly, with the approval of the University Court, and in particular—
 - (a) To alter the conditions or directions affecting the same, if it shall appear to the Commissioners that the interests of learning and the main design of the donor, so far as is consistent with the promotion of such interests, may be better advanced by such alteration;
 - (b) To combine or divide bursaries, and to establish bursary funds;
 - (c) Where it shall seem requisite to frame regulations under which the patronage of existing bursaries vested in private individuals, or corporate or other bodies, shall be exercised;
 - (d) To transfer the patronage of professorships now vested in private individuals or corporate or other bodies, other than the Curators of the University of Edinburgh, to the University Court:

Provided always, that where a professorship, the patronage of which is so transferred, shall have been maintained, or partially maintained, by funds provided annually or periodically by any corporate or other body, in which, or in the governing body of which, such patronage shall, in consideration of such annual or other periodical payment, have been vested, it shall upon such transfer be in the option of such corporate or other body to cease making such annual or other periodical payments.

Provided also, that nothing in this sub-section shall apply to any bursary or endowment granted by any incorporation or society whose funds, capital, or revenue have been and are contributed and paid by the members of such incorporation or society by way of entry moneys or other fixed or stated contributions.

Provided also, that in all cases where competition for bursaries and other endowments is at present restricted to the holders of certain degrees, the Commissioners shall have power to extend it to the holders of such other degrees as they may consider to constitute, in the circumstances, an equivalent standard of merit.

Provided also, that in framing such regulations or making such alterations the Commissioners shall take care not to diminish the advantages provided for poor students by such foundations, mortifications, gifts, endowments, or bursaries aforesaid;

- (e) To prepare a scheme by which a detailed and reasoned report on the qualifications of candidates for chairs may be submitted to the patrons, including the Crown, so as to assist them in the discharge of their patronage:
- (2) Subject to the provisions of the ^{M6}Universities (Scotland) Act 1858, as amended by this Act, to regulate the powers, duties, jurisdictions, and privileges of chancellors, rectors, assessors, . . . ^{F18}

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (3) . . . ^{F19}
- (4) To regulate the time, place, and manner of presenting and electing University officers, with power to ordain that in the election of the rectors of the Universities of Glasgow and Aberdeen the election shall be determined by the majority of the votes of all the students voting whenever the votes of the nations shall be equally divided:
- (5) . . . ^{F20}
- (12) To lay down regulations for the constitution and functions of a students representative council in each University, and to frame regulations under which that council shall be entitled to make representations to the University Court:
- (13) . . . ^{F21}
- (15) To fix the limits of time within which appeals may be lodged and representations may be made under section six, sub-sections two and three hereof:
- (16) . . . ^{F22}

Annotations:

Amendments (Textual)

- F18** Words repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**
- F19** [S. 14](#) para. (3) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**
- F20** [S. 14](#) paras. (5)–(11) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**
- F21** [S. 14](#) paras. (13) (14) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**
- F22** [S. 14](#) para. (16) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Marginal Citations

- M6** [1858 c. 83](#).

Extension of Universities

15 Extension of Universities.

The Commissioners may, if they think fit, make ordinances to extend any of the Universities, by affiliating new colleges to them, and after the expiration of their powers the University Court may make similar ordinances, under regulations to be laid down by the Commissioners, or after the expiry of their powers by the Universities Committee, subject to the following conditions:—

- (1) The University Court and college shall be consenting parties.
- (2) In cases arising after the expiration of the powers of the Commissioners the approval of the Universities Committee shall have been signified.
- (3) The University Court, or any college which under this Act shall have been affiliated to the University, may respectively at any time thereafter resolve that such college shall cease to be affiliated to such University; and, upon such resolution being passed by the University Court, or notified to the University Court by such college, the University Court shall, subject to the approval of the Universities Committee, rescind the ordinance by which such college was affiliated to such University.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

(4) The Commissioners, and after the expiry of their powers the Universities Committee, shall make arrangements, where it seems desirable, for the due representation of the University Court on the governing bodies of affiliated colleges, and of the governing bodies of affiliated colleges in the University Court, having regard to the circumstances of each particular case, to the relative numbers in the University and the college of the teaching staffs and of students proceeding to graduation, to the nature of the connexion proposed to be established, and to the purposes for which such representation is desirable. Provided always that these arrangements may include a limitation of the right of the persons so representing the University Court or the affiliated college, as the case may be, to sit and vote while any particular subject or subjects are under consideration.

(5) . . . ^{F23}

Annotations:

Amendments (Textual)

F23 S. 15(5) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#), **Sch. 1**

16 ^{F24}

Annotations:

Amendments (Textual)

F24 S. 16 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [University of St. Andrews Act 1953 \(c. 40\)](#), **s. 15(5)**

17— ^{F25}
20.

Annotations:

Amendments (Textual)

F25 Ss. 17–20 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

21 ^{F26}

Annotations:

Amendments (Textual)

F26 S. 21 repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

Transfer of Property

22 ^{F27}

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Amendments (Textual)**

F27 s. 22 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

23 Vesting thereof.

... ^{F28} All the right, title, and interest of Her Majesty, in right of Her Crown in each of the properties described in the second column of the schedule hereto shall be vested in the authority set opposite the description of such property in the first column of the said schedule hereto, subject nevertheless to any burdens, liabilities, or rights affecting the same.

Annotations:**Amendments (Textual)**

F28 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

24 Transfer of Crown rights in Edinburgh Botanic Garden to Commissioners of Works.

... ^{F29} All the right, title, and interest of Her Majesty, in right of Her Crown as proprietor of the Edinburgh Botanic Garden and all buildings therein, shall be vested in the Commissioners of Works, for behoof of the public, without prejudice to the rights of Her Majesty as superior of the said garden and buildings, and to the rights of any subject superior in and to the said garden and buildings, the said garden and buildings to be held by the said Commissioners of Works upon the conditions subject to which the said garden and buildings were acquired by or on behalf of His late Majesty King George the Fourth.

Annotations:**Amendments (Textual)**

F29 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

Modifications etc. (not altering text)

C3 Functions of Commissioners of Works under s. 24 now exercisable by Secretary of State S.R. & O. 1945/991 (Rev. XV, p. 232: 1945 I, p. 1414), art. 1, [S.I. 1962/1549, art. 2](#) and [S.I. 1969/383, art. 2, Sch.](#)

25, 26. ^{F30}**Annotations:****Amendments (Textual)**

F30 Ss. 25, 26 repealed by [Universities \(Scotland\) Act 1966 \(c. 13\), Sch. 7 Pt. I](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

27 F31

Annotations:

Amendments (Textual)

F31 S. 27 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

28 F32
30.

Annotations:

Amendments (Textual)

F32 Ss. 28–30 repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), **Sch. 7 Pt. I**

PART III

Redemption of Charges

31 F33

Annotations:

Amendments (Textual)

F33 S. 31 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

32 **Purchase by the Universities of certain casualties due to the Crown.**

...^{F34} Whenever any teind, feu, retour, or other duty or casualty shall be found to be due to the Crown from one of the Universities of Saint Andrews, Glasgow, Aberdeen, or Edinburgh, the [^{F35}Crown Estate Commissioners] shall give notice in writing to the principal of the University requiring the University Court of the University to purchase the same from the Crown, and the University Court of the University shall purchase, and such Commissioners shall sell the same, and such sale shall be made in all respects as sales of a like nature in Scotland by the [^{F35}Crown Estate Commissioners] may for the time being be by law directed to be made, and upon such terms as may for the time being be in operation with reference to the redemption of charges of a like nature forming part of the land revenues of the Crown.

Annotations:

Amendments (Textual)

F34 Preamble omitted under authority of [Statute Law Revision Act 1908 \(c. 49\)](#)

F35 Words substituted by virtue of S.R. & O. 1924/1370 (Rev. V, p. 443: 1924, p. 228), art. 1, [Crown Estate Act 1956 \(c. 73\)](#), **s. 1(7)** and [Crown Estate Act 1961 \(c. 55\)](#), **Sch. 2 para. 4(1)**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE

Column 1. Authority to whom Property is transferred.	Column 2. Property transferred.
The University Court of the University of St. Andrew's.	The buildings of St. Mary's College, with the quadrangle, and pertinents thereof.
The University Court of the University of St. Andrew's.	The official residence of the Principal of St. Mary's College, consisting of the house and grounds adjoining the buildings of the said College.
The University Court of the University of St. Andrew's.	The University Library, consisting of the Library, Graduation Hall, and Professors' Reading Room, with their pertinents, adjoining the official residence of the Principal of the said College.
The University Court of the University of St. Andrew's.	The buildings and grounds of the United College of St. Salvator and St. Leonard, with the pertinents thereof, and the chapel building adjoining the same.
The University Court of the University of St. Andrew's.	A detached site consisting of an area of about 1,668 yards, with frontage to the Scores.
The University Court of the University of Aberdeen.	The buildings and grounds of the Marischal College, with the pertinents thereof.
The University Court of the University of Aberdeen.	The buildings and grounds of King's College, with the pertinents thereof, and the chapel and library adjoining.
The University Court of the University of Aberdeen.	The official residence of the Principal of King's College, being the house known as No. 13, Chanonry, and the grounds and pertinents thereof.
The University Court of the University of Aberdeen.	The official residence of the Professor of Systematic Theology, consisting of a house and grounds adjoining King's College.
The University Court of the University of Aberdeen.	The official residence of the Professor of Church History, being the house known as No. 31, College Bounds, and the grounds and pertinents thereof.
The University Court of the University of Aberdeen.	The official residence of the Professor of Biblical Criticism, being the house known as No. 34, College Bounds, and the grounds and pertinents thereof.
The University Court of the University of Aberdeen.	The official residence of the Professor of Mathematics, being the house known as No. 33, College Bounds, and the grounds and pertinents thereof.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

The University Court of the University of Aberdeen.

The official residence of the Professor of Greek, being the house known as No. 32, College Bounds, and the grounds and pertinents thereof.

The University Court of the University of Aberdeen.

The official residence of the Professor of Latin, being the house known as No. 11, College Bounds, and the grounds and pertinents thereof.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1889. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Commencement Orders yet to be applied to the Universities (Scotland) Act 1889:

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2](#) commences ([2000 asp 5](#))



Universities (Scotland) Act 1922

1922 CHAPTER 31 12 and 13 Geo 5

An Act to extend the powers of the Courts of the Universities of Scotland in the making of Ordinances for the superannuation and pensioning of Principals and Professors, and for the admission of Lecturers and Readers to the Senatus Academicus, and to provide for the admission of Lecturers and Readers to membership of the General Councils of those Universities. [20th July 1922]

Annotations:

Modifications etc. (not altering text)

C1 Act excluded by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [s. 1\(1\)](#); power to amend and exclude Act conferred by [ibid.](#), s. 1(4)

1^{F1}

Annotations:

Amendments (Textual)

F1 [S. 1](#) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. 1](#)

2 Lecturers and readers to be members of general councils.

A lecturer or reader appointed by the university court of a Scottish university who has held the office of lecturer or reader therein for one year shall thenceforward, during his tenure of that office, be a member of the general council of that university and entitled to all the rights and privileges of a member of council although his name is not entered in the register of the council: . . .^{F2}

Annotations:

Amendments (Textual)

F2 [S. 2](#) proviso repealed by [Representation of the People Act 1948 \(c. 65\)](#), s. 80(7), [Sch. 13](#)

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1922. (See end of Document for details)

Modifications etc. (not altering text)

- C2** S. 2 excluded by section X(1)(iii) of Ordinance No. 96 of the University Court of the University of St. Andrews dated 14.9.1967 and approved by Order in Council dated 20.12.1967
- C3** S. 2 excluded by section 8(c) of Ordinance of the University Court of the University of Glasgow No. 183 dated 20.9.1978 and approved by Order in Council dated 14.3.1979

3 Citation and construction.

This Act may be cited as the Universities (Scotland) Act 1922, and shall, so far as is consistent with the tenor thereof, be read and construed along with the ^{M1}Universities (Scotland) Act 1858, and the ^{M2}Universities (Scotland) Act 1889, and those Acts and this Act may be cited together as the Universities (Scotland) Acts, 1858 to 1922.

Annotations:

Marginal Citations

- M1** 1858 c. 83.
M2 1889 c. 55.

Changes to legislation:

There are currently no known outstanding effects for the Universities (Scotland) Act 1922.



Universities (Scotland) Act 1932

1932 CHAPTER 26 22 and 23 Geo 5

An Act to transfer to the University Courts the right of presentation or appointment to certain chairs or professorships in the faculties of divinity or theology in the universities of Scotland; to remove restrictions as regards appointment to chairs or professorships in the said universities; to extend the powers of the University Courts of the said universities with regard to the making of ordinances, and for purposes connected therewith. [16th June 1932]

Annotations:

Modifications etc. (not altering text)

- C1 Act excluded by [Universities \(Scotland\) Act 1966 \(c. 13\), s. 1\(1\)](#); power to amend and exclude Act conferred by [ibid.](#), s. 1(4)

1 Transfer of right of appointment to theological chairs in the Scottish Universities.

The right of presentation or appointment to any theological chair in any of the Scottish Universities which, according to the law existing immediately prior to the passing of this Act, was vested in His Majesty or in any body or person other than the University Court shall, subject to the provisions of the immediately succeeding section, be transferred to and vested in the University Court of the university to which the chair belongs.

2 Extension of powers of University Courts to make ordinances.

- (1) The powers conferred on the University Court of each of the Scottish Universities . . .^{F1}, shall include power, . . . , to make and to alter or revoke such ordinances as the University Court think fit:—
- (a) constituting a board of nomination composed of representatives elected in equal numbers by the University Court and by or under the authority of the General Assembly or otherwise in such manner as may be agreed on by the University Court and the General Assembly, and ordaining that a vacancy in

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1932. (See end of Document for details)

any theological chair founded prior to the passing of this Act shall be filled by the appointment by the University Court of a person nominated by the aforesaid board if such nomination is agreed to by two-thirds of the whole number of the members of the board, and is intimated to the University Court within twelve months after the occurrence of the vacancy, and that failing such intimation within the said period the University Court may proceed to make an appointment without further consultation with the Board of Nomination;

- (b)^{F2}
- (c) altering, with the consent of the General Assembly or of any commission, board, or other body to which the General Assembly may delegate the power so to consent, the name of any chair founded in pursuance of this section, or the scope of teaching, duties, and conditions of appointment of the professor, or, with the consent of the General Assembly, abolishing such chair, provided that no such ordinance shall authorise such alteration or abolition, except on the occurrence of a vacancy, or with the consent of the holder of the chair for the time being;
- (d) in the case of the University of St. Andrews, separating the Principalship of St. Mary's College in that University from the Primarius Professorship of Divinity in the said College, and making such division of the emoluments attached to the said Principalship and Professorship conjointly prior to such separation, as the University Court may think fit.

(2) Any ordinance made by the University Court of the University of Aberdeen under paragraph (a) of subsection (1) of this section may provide that the nomination board constituted under such ordinance may, in the case of a nomination for the Chair of Systematic Theology in the said University, follow the procedure established by the deed of erection relating to such Chair.

(3)^{F3}

(4) When an ordinance under paragraph (d) of subsection (1) of this section separating the principalship from the professorship therein referred to has come into operation, the right of presentation or appointment to the said principalship and to the said professorship shall be vested in the University Court, subject in the case of the professorship to the provisions of paragraph (a) of the said subsection (1).

(5) Nothing in the foregoing provisions of this section, or of any ordinance made thereunder, shall prejudice any rights reserved to the Free Church of Scotland by the Order entitled "Assembly Records, Libraries, &c.," and dated the twenty-ninth day of November, nineteen hundred and nine, made by the Commissioners under the^{M1}Churches (Scotland) Act 1905.

Annotations:

Amendments (Textual)

- F1** Words repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. I](#)
- F2** [s. 2\(1\) \(b\)](#) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. I](#)
- F3** [S. 2\(3\)](#) repealed by [Universities \(Scotland\) Act 1966 \(c. 13\)](#), [Sch. 7 Pt. I](#)

Marginal Citations

- M1** [1905 c. 12.](#)

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1932. (See end of Document for details)

3 Provision regarding bursaries or scholarships in United Free Church of Scotland.

Notwithstanding anything contained in any deed of foundation establishing bursaries or scholarships tenable by students of theology in the former United Free Church Colleges or in any scheme made or approved by the Court of Session or in any scheme under the ^{M2}Educational Endowments (Scotland) Act 1882, or in any order under the ^{M3}Churches (Scotland) Act 1905, regarding such bursaries or scholarships, it shall be lawful for the trustees, patrons or administrators under such deed of foundation or under such scheme or order to provide and declare by deed of declaration under their hands that such bursaries or scholarships shall be tenable by students of theology preparing for the Ministry of the Church of Scotland or of the United Free Church of Scotland (Continuing) and attending any Scottish University or a specified Scottish University and such provision and declaration shall be of the like force and effect as if it had been contained in the deed of foundation or in such a scheme or order as aforesaid: Provided that, where by the terms of the deed of foundation or of any such scheme or order as aforesaid any such bursary or scholarship is tenable only by students attending a specified former United Free Church College, no deed of declaration under this section shall, except with the consent of the Church of Scotland given in such way as the General Assembly may appoint, provide or declare that such bursary or scholarship shall be tenable at any university other than that in the burgh in which such college is situated:

Provided also that, where any bursary or scholarship which, in pursuance of a deed of declaration under this section is tenable at a Scottish university, is awarded to a student of theology preparing for the ministry of the United Free Church of Scotland (Continuing), any period not exceeding one year during such student's tenure of the bursary or scholarship which he may spend as a student in the College of the United Free Church of Scotland (Continuing) shall, for the purposes of the said deed of declaration, be deemed to be spent at the university.

Annotations:

Marginal Citations

M2 1882 c. 59.

M3 1905 c. 12.

4 Agreements for admission of teachers of theology to university status.

Nothing in this Act contained shall restrict any University Court from entering into agreements with any Christian Church or Association of Christians whereby teachers of theology may be admitted to university status or privileges.

5 Declaration in Act of Queen Anne not to be required of principals of or professors in Scottish Universities.

It shall not be necessary for any person who shall have been, or shall be, elected, presented or provided to the office of principal, professor, regent, master or other office in any of the universities or colleges in Scotland to make and subscribe the acknowledgement or declaration mentioned in the ^{M4}Protestant Religion and Presbyterian Church Act 1707.

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1932. (See end of Document for details)

Annotations:**Marginal Citations**

M4 1707 c. 6.

6 Interpretation.

In this Act, unless the context otherwise requires:—

“General Assembly” means the General Assembly of the Church of Scotland;

“Theological chair” means the chair of any professor who for the time being is included as a professor in the faculty of theology or divinity in any of the Scottish Universities;

“Former United Free Church College” means a college which, prior to the Union of the United Free Church and the Church of Scotland on the second day of October, nineteen hundred and twenty-nine, belonged to and was administered by the United Free Church of Scotland or which was associated with that church, and which since that date has belonged to and been administered by the Church of Scotland or has been associated with that church; and other expressions shall have the like meaning as in the Universities (Scotland) Acts 1858 to 1922.

7 †Extent, short title and repeal.

(1) This Act shall extend to Scotland only and may be cited as the Universities (Scotland) Act 1932, and the Universities (Scotland) Acts 1858 to 1922, and this Act may be cited together as the Universities (Scotland) Acts 1858 to 1932.

(2) F4

Annotations:**Amendments (Textual)**

F4 S. 7(2), Sch. repealed by Statute Law Revision Act 1950 (c. 6), Sch. 1

Modifications etc. (not altering text)

C2 Unreliable marginal note

Changes to legislation: There are currently no known outstanding effects for the Universities (Scotland) Act 1932. (See end of Document for details)

F5

SCHEDULE

Annotations:

Amendments (Textual)

F5 S. 7(2), Sch. repealed by Statute Law Revision Act 1950 (c. 6), Sch. 1

Changes to legislation:

There are currently no known outstanding effects for the Universities (Scotland) Act 1932.



Universities (Scotland) Act 1966

1966 CHAPTER 13

An Act to amend the law relating to the Universities of St. Andrews, Glasgow, Aberdeen and Edinburgh; to make provisions consequential on the foundation of a University of Dundee; and for purposes connected therewith. [10th March 1966]

Annotations:

Commencement Information

II Act partly in force at Royal Assent see [s. 17\(2\)](#); Act wholly in force at 1.8.1967 see [s. 13](#).

PART I

PROVISION FOR FUTURE RECONSTITUTION OF OLDER UNIVERSITIES

1 Reconstitution of older Universities.

- (1) Subject to the next following subsection, the University Court of any of the older Universities may apply to Her Majesty in Council for the grant of a royal charter making fresh provision for the constitution of that University and, notwithstanding anything in the Universities (Scotland) Acts 1858 to 1932, section 28 of the Act of 1868, the Act of 1953 or this Act, Her Majesty in Council may grant a charter accordingly.
- (2) Before making an application under this section, a University Court shall obtain the concurrence of the Senatus Academicus and shall consult the General Council, the Students' Representative Council and such body or bodies as appear to the University Court to be representative of the academic staff of the University.
- (3) The ^{M1}College Charter Act 1871 shall apply to an application under this section as it applies to an application for a charter for the foundation of a new University.
- (4) If Her Majesty in Council is pleased to grant in respect of any of the older Universities a charter such as is described in subsection (1) of this section, then, on such day as may be appointed in that behalf by Her Majesty by Order in Council, the enactments

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

mentioned in the said subsection (1) in so far as they apply to that University shall cease to have effect; and any Order in Council made under this subsection may make such amendments to the said enactments as appear to Her Majesty in Council to be consequential on the application of this subsection in relation to that University.

Annotations:

Marginal Citations

M1 1871 c. 63.

PART II

AMENDMENT OF CONSTITUTIONS AND POWERS OF EXISTING BODIES, ETC.

University Courts

2 Constitution of University Courts.

- (1) Subject to the provisions of section 17 of this Act, the University Courts of the older Universities shall consist of the persons specified in Parts I, II, III and IV respectively of Schedule 1 to this Act.
- (2) Except as provided in section 5(2) of the Act of 1889, subsections (3) and (4) of this section and paragraphs (g) and (h) of Part I of Schedule 1 to this Act, the term of office of all assessors on a University Court to which this section applies shall be four years.
- (3) The term of office of assessors elected by the Senatus Academicus or by the General Council to such a University Court, or of members co-opted by such a University Court, shall be four years or such lesser period as may at the time of election or, as the case may be, co-option be determined by the University Court, and different periods may be prescribed for different persons.
- (4) In the event of a casual vacancy among the assessors elected by the Senatus Academicus or by the General Council to such a University Court, the person elected to fill such vacancy shall demit office at the date when the person whom he succeeded would have retired.
- (5) All assessors on such a University Court shall be eligible for further nomination or, as the case may be, re-election; and all members co-opted by such a University Court shall be eligible for further co-option.
- (6) The validity of any proceedings of such a University Court shall not be affected by any vacancy among its members or by any defect in the appointment of any of its members.

3 Powers of University Courts.

- (1) The University Courts of each of the older Universities shall have the powers specified in Schedule 2 to this Act.
- (2) The powers specified in Part I of the said Schedule shall be exercisable by ordinance made in accordance with section 4 of this Act; the powers specified in Part II of that Schedule shall be exercisable by resolution passed in accordance with section 6 of

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

this Act; and the powers specified in Part III thereof shall be exercisable in accordance with procedure prescribed by the University Court.

- (3) The power conferred by the last foregoing subsection to make an ordinance or pass a resolution shall include a power to vary or revoke the ordinance or resolution by subsequent ordinance or, as the case may be, by subsequent resolution made or, as the case may be, passed in the like manner and subject to the like conditions.

4 Making of ordinances.

- (1) The procedure for the making of ordinances as prescribed in section 21 of the Act of 1889 shall cease to have effect, but, subject to the provisions of subsection (2) of this section, the following provisions of this subsection shall apply to the making of an ordinance under section 3 of this Act, that is to say—
- (a) a draft of the ordinance shall be sent to the Senatus Academicus and to the General Council;
 - (b) throughout the period of eight weeks from the sending of the draft of the ordinance to the Senatus Academicus and to the General Council, notices, stating that the draft has been sent to the Senatus Academicus and to the General Council and naming a place within the University where the draft may be inspected at all reasonable hours, shall be displayed publicly within the University;
 - (c) the University Court shall take into consideration any representations from the Senatus Academicus, the General Council or any other body or person having an interest concerning the ordinance if received by them within the period mentioned in the last foregoing paragraph;
 - (d) in computing the said period, the months of August and September shall be left out of account;
 - (e) no ordinance shall come into operation until it has been approved by Her Majesty in Council, and the University Court may submit the ordinance to Her Majesty in Council for approval as soon as may be after the end of the said period;
 - (f) Her Majesty in Council may refer the ordinance to the Universities Committee, who shall report to Her Majesty thereon;
 - (g) as soon as may be after the ordinance has been approved by Her Majesty in Council, a copy thereof shall be sent to the Senatus Academicus and to the General Council, and a copy shall be displayed publicly within the University for a reasonable period;
 - (h) without prejudice to the other provisions of this section, the University Court shall not proceed with the making of any ordinance which relates to the purposes mentioned in section 2 of the Act of 1932 until after consultation with the General Assembly.
- (2) Before proceeding to make an ordinance, the University Court may determine that on the ground of urgency the foregoing subsection shall apply in relation to that ordinance as if every reference to period, except in paragraph (g), were construed as a reference to the period of one month; and forthwith notices to that effect shall be sent to the Senatus Academicus and to the General Council and shall be displayed publicly within the University.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

5 **Ordinances made under former enactments.**

Ordinances made under the Universities (Scotland) Acts 1858 to 1932 or the Act of 1953, which were in force immediately before the passing of this Act, shall remain in force until varied or revoked—

- (a) in the case of the ordinances listed in Schedule 3 to this Act, by ordinance made in pursuance of paragraph 6 of Part I of Schedule 2 to this Act;
- (b) in the case of ordinances relating to any of the matters mentioned in paragraphs 1 to 3 and 5 to 7 of Part II of Schedule 2 to this Act, by resolution passed in accordance with section 6 of this Act; and
- (c) in the case of any other ordinance, by such of the methods mentioned in section 3(2) of this Act as the University Court thinks fit.

6 **Passing of resolutions.**

- (1) Subject to the provisions of subsection (2) of this section, the following provisions of this subsection shall apply to the passing of a resolution under section 3 of this Act, that is to say—
 - (a) a draft of the resolution shall be sent to the Senatus Academicus and to the General Council;
 - (b) throughout the period of one month from the sending of the draft of the resolution to the Senatus Academicus and to the General Council, notices, stating that the draft has been sent to the Senatus Academicus and to the General Council and naming a place within the University where the draft may be inspected at all reasonable hours, shall be displayed publicly within the University;
 - (c) the University Court shall take into consideration any representations from the Senatus Academicus, the General Council or any other body or person having an interest, concerning the resolution if received by them within the period mentioned in the last foregoing paragraph;
 - (d) in computing the said period the months of August and September shall be left out of account;
 - (e) the resolution may be passed by the University Court as soon as may be after the end of the said period, and it shall come into effect on a date fixed therein;
 - (f) after the resolution has been passed, a copy thereof shall be sent to the Senatus Academicus and to the General Council, and a copy shall be displayed publicly within the University for a reasonable period.
- (2) In the case of a resolution relating to matters mentioned in paragraph 2 or paragraph 5 of Part II of Schedule 2 to this Act, the University Court may at a meeting by a majority of not less than three-fourths of the members of the University Court present and voting determine that on the ground of extreme urgency the procedure set out in paragraphs (a) to (e) of the foregoing subsection in relation to that resolution should be dispensed with, and where the University Court so determine the resolution may be passed forthwith.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Senates

7 Constitution of Senates.

- (1) The Senatus Academicus of each of the older Universities shall include a number of readers and lecturers of that University equal to not less than one-third of the number of persons who are members of that Senatus by virtue of section 5 of the Act of 1858.
- (2) The readers and lecturers to be included on a Senatus Academicus to which this section applies shall be elected in such manner and for such term of office as may be provided by the University Court by ordinance made in pursuance of paragraph 4 of Part I of Schedule 2 to this Act, but the only persons qualified to vote in the election of those readers and lecturers shall be the readers and lecturers of the University concerned.
- (3) The validity of any proceedings of a Senatus Academicus to which this section applies shall not be affected by any vacancy among its members or by any defect in the appointment of any of its members.

8 Powers of Senates.

- (1) The Senatus Academicus of each of the older Universities shall have power to promote research; and accordingly section 7(1) of the Act of 1889 shall have effect as if at the end thereof there were inserted the words “and to promote research”.
- (2) Without prejudice to the said section 7, the Senatus Academicus as aforesaid shall have power to appoint committees of its own number or others, and to define the powers, and to determine the membership and the quorum, of such committees.

General Councils

9 Powers of General Councils.

- (1) In addition to the meetings prescribed by section 6 of the Act of 1858, special meetings of the General Council of each of the older Universities may be held at any time in accordance with such procedure as the General Council may by rules determine.
- (2) The quorum of the General Council of each of the older Universities shall be fifty, but any such General Council may resolve that its quorum shall be altered to such number as it may determine:
Provided that a notice stating that the quorum has been so altered shall require to be sent to every member of the General Council, and the alteration shall take effect only after the expiry of three months from the sending of the notice.
- (3) The General Council of each of the older Universities shall have power to appoint committees of its own number or others, and to define the powers, and to determine the membership and the quorum, of such committees.

10 General Council register.

- (1) The University Court of each of the older Universities shall cause to be maintained a register of members of the General Council in accordance with conditions prescribed by ordinance made in pursuance of paragraph 5 of Part I of Schedule 2 to this Act.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (2) On the approval by Her Majesty in Council of any such ordinance as is mentioned in the foregoing subsection, the enactments set out in Schedule 4 to this Act shall cease to have effect in relation to the University to which the ordinance applies.

Miscellaneous

11 University staff ineligible to become rector, or assessor on Court except in certain circumstances.

No person holding an appointment in any of the older Universities shall be eligible to be—

- (a) elected as rector of that University, or
- (b) nominated or elected as an assessor on the University Court by any other person or body than the Senatus Academicus:

Provided that nothing in paragraph (b) of this section shall prejudice the right of the University Court as provided for in Schedule 1 to this Act to co-opt a person holding such an appointment.

12 Annual reports and financial statements.

- (1) The University Court of each of the older Universities shall lay before the General Council annually—
- (a) a report of the work and activities of the University, and
 - (b) a financial statement of the University which shall be audited by auditors appointed by the University Court.

[^{F1}(2) No person shall be appointed as an auditor under this section unless he is eligible for appointment as a company auditor under section 25 of the Companies Act 1989.

- (3) No person shall be appointed as an auditor under this section if he, or where the person in question is a partnership or a body corporate, any partner in the partnership or any director or officer of the body corporate, is a member of the University Court or of the staff of the University concerned.]

Annotations:

Amendments (Textual)

F1 S. 12(2)(3) substituted (1.10.1991) by S.I. 1991/1997 reg. 2, Sch., para.15 (with reg. 4).

PART III

PROVISIONS CONSEQUENTIAL ON FOUNDATION OF UNIVERSITY OF DUNDEE

13 Consequential provisions.

If Her Majesty in Council is pleased to provide by royal charter for the foundation of a University of Dundee, including the unincorporated society of teachers and students known as Queen's College, Dundee, then, on such day as may be appointed in that

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

behalf by Her Majesty by Order in Council (hereafter in this Act referred to as “the appointed day”)—

- (a) the said College shall cease to be comprised in the University of St. Andrews;
- (b) the College Councils constituted by section 4 of the Act of 1953 shall be dissolved;
- (c) the Act of 1953 shall cease to have effect, but the provisions set out in Schedule 5 to this Act shall apply to the University of St. Andrews;
- (d) Schedule 6 to this Act shall have effect for the purpose of the transfer to the University of Dundee of the property, rights, liabilities and functions therein specified, being property, rights, liabilities and functions now vested in or attaching to the University of St. Andrews, the said College or the College Council of that College and for the other transitional purposes specified in that Schedule.

Annotations:

Modifications etc. (not altering text)

- C1** Power of appointment conferred by s. 13 fully exercised: 1.8.1967 appointed by Order in Council dated 28.7.1967

PART IV

SUPPLEMENTARY

14 ^{F2}

Annotations:

Amendments (Textual)

- F2** S. 14 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

15 **Statutory Instruments Act 1946 not to apply to Orders in Council.**

The ^{M2}Statutory Instruments Act 1946 shall not apply to an Order in Council under this Act.

Annotations:

Marginal Citations

- M2** 1946 c. 36.

16 **Interpretation.**

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“the Act of 1858” means the ^{M3}Universities (Scotland) Act 1858;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

“the Act of 1868” means the Representation of the ^{M4}People (Scotland) Act 1868;

“the Act of 1889” means the ^{M5}Universities (Scotland) Act 1889;

“the Act of 1932” means the ^{M6}Universities (Scotland) Act 1932;

“the Act of 1953” means the ^{M7}University of St. Andrews Act 1953;

“the appointed day” means the day appointed by Her Majesty by Order in Council as mentioned in section 13 of this Act;

“the older Universities” means the Universities of St. Andrews, Glasgow, Aberdeen and Edinburgh;

“functions” includes powers and duties;

and other expressions shall have the like meaning as in the Universities (Scotland) Acts 1858 to 1932.

- (2) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended, extended or applied by, or by virtue of, any subsequent enactment including this Act.

Annotations:

Marginal Citations

M3 1858 c. 83.

M4 1868 c. 48.

M5 1889 c. 55.

M6 1932 c. 26.

M7 1953 c. 40.

17 Citation and commencement.

- (1) This Act may be cited as the Universities (Scotland) Act 1966, and the Universities (Scotland) Acts 1858 to 1932 and this Act may be cited together as the Universities (Scotland) Acts 1858 to 1966.

- (2) The following provisions of this Act shall come into operation on the appointed day, that is to say—

- (a) section 2 so far as relating to the University of St. Andrews.
- (b) section 14(a) and Part I of Schedule 7 so far as those provisions repeal part of section 5(2) of the Act of 1889 in relation to the University of St. Andrews,
- (c) section 14(b) and Part II of Schedule 7,
- (d) Part I of Schedule 1,
- (e) Schedule 5,
- (f) Schedule 6.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 2.

COMPOSITION OF COURTS OF OLDER UNIVERSITIES

Annotations:

Modifications etc. (not altering text)

- C2** Any power with respect to an educational endowment vested immediately before 16.5.1975 in a local authority, or the holder of an office connected with an authority, transferred by [Local Government Scotland Act 1973 \(c. 65\), s. 128](#)

PART I

St. Andrews

- (a) the rector;
- (b) the principal;
- (c) the master of the United College of St. Salvator and St. Leonard;
- (d) the vice-principal of the University, if he is not a member of the University Court in another capacity;
- (e) an assessor nominated by the chancellor;
- (f) an assessor nominated by the rector;
- [^{F3}(g) the Chairman for the time being of the District Council of the North East Fife District of the Region of Fife, but only if and so long as he is neither a member of the staff nor a matriculated student of the University of St. Andrews, or an Assessor nominated by the said Chairman to serve throughout his term of office as Chairman, provided, however, that no person may be nominated or serve as such Assessor whilst he is either a member of the staff or a matriculated student of the said University.]
- [^{F4}(h) the Chairman for the time being of the Regional Council of the Region of Fife, but only if and so long as he is neither a member of the staff nor a matriculated student of the University of St. Andrews, or an Assessor nominated by the said Chairman to serve throughout his term of office as Chairman, provided, however, that no person may be nominated or may serve as such Assessor whilst he is either a member of the staff or a matriculated student of the said University.]
- (i) four assessors elected by the General Council;
- [^{F5}(j) six assessors elected from among its members by the Senatus Academicus, of whom at least two shall be readers or lecturers;]
- [^{F6}(k) such persons, not exceeding seven in number, of whom none may hold an academic appointment in the University of St. Andrews, as may be co-opted by the University Court].

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

- F3** Sch. 1 Pt. I para. (g) substituted by section I.(1) of Ordinance No. 103 of the University Court of the University of St. Andrews dated 13.9.1974 and approved by Order in Council dated 14.11.1974
- F4** Sch. 1 Pt. I para. (h) substituted by section I.(2) of Ordinance No. 103 of the University Court of the University of St. Andrews dated 13.9.1974 and approved by Order in Council dated 14.11.1974
- F5** Sch. 1 Pt. I para. (j) substituted by section I of Ordinance No. 117 of the University Court of the University of St. Andrews dated 8.2.1990 and approved by Order in Council dated 7.6.1990
- F6** Sch. 1 Pt. I para. (k) substituted by section I of Ordinance No. 115 of the University Court of the University of St. Andrews dated 3.11.1988 and approved by Order in Council dated 13.6.1989

Annotations:

Amendments (Textual)

- F3** Sch. 1 Pt. I para. (g) substituted by section I.(1) of Ordinance No. 103 of the University Court of the University of St. Andrews dated 13.9.1974 and approved by Order in Council dated 14.11.1974
- F4** Sch. 1 Pt. I para. (h) substituted by section I.(2) of Ordinance No. 103 of the University Court of the University of St. Andrews dated 13.9.1974 and approved by Order in Council dated 14.11.1974
- F5** Sch. 1 Pt. I para. (j) substituted by section I of Ordinance No. 117 of the University Court of the University of St. Andrews dated 8.2.1990 and approved by Order in Council dated 7.6.1990
- F6** Sch. 1 Pt. I para. (k) substituted by section I of Ordinance No. 115 of the University Court of the University of St. Andrews dated 3.11.1988 and approved by Order in Council dated 13.6.1989

PART II

..... F7

Annotations:

Amendments (Textual)

- F7** Sch. 1 Pt. II: provisions revoked by section 2 of Ordinance of the University Court of the University of Glasgow No. 182 dated 23.5.1979 and approved by Order in Council dated 19.12.1979

Annotations:

Amendments (Textual)

- F7** Sch. 1 Pt. II: provisions revoked by section 2 of Ordinance of the University Court of the University of Glasgow No. 182 dated 23.5.1979 and approved by Order in Council dated 19.12.1979

PART III

Aberdeen

- [^{F8}(a) the rector;
 (b) the principal;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (c) an assessor nominated by the chancellor;
- (d) an assessor nominated by the rector;
- (e) the vice-principal;
- (f) an assessor nominated by the Grampian Regional Council who shall be a member of that Council, provided always that no person may serve as such an assessor whilst he is a matriculated student of or holds an appointment in the University of Aberdeen;
- (g) an assessor nominated by the District Council of the City of Aberdeen who shall be a member of that Council, provided always that no person may serve as such an assessor whilst he is a matriculated student of or holds an appointment in the University of Aberdeen;
- (h) four assessors elected by the General Council;
- (i) six assessors, elected by the Senatus Academicus from among those of its members holding appointment in the University of Aberdeen, of whom at least two shall be readers or lecturers;
- (j) such persons, not exceeding five in number of whom not more than one may hold an appointment in the University of Aberdeen, as may be co-opted by the University Court.]

Annotations:

Amendments (Textual)

- F8** Sch. 1 Pt. III: amended by Ordinance of the University Court of the University of Aberdeen No. 121 dated 15.11.1977 (and approved by Order in Council dated 21.3.1978)

Annotations:

Amendments (Textual)

- F8** Sch. 1 Pt. III: amended by Ordinance of the University Court of the University of Aberdeen No. 121 dated 15.11.1977 (and approved by Order in Council dated 21.3.1978)

PART IV

Edinburgh

- [^{F9}(a) the rector;
- (b) the principal;
- (c) six assessors elected from among its members by the Senatus Academicus, of whom at least two shall be professors and at least two readers or lecturers;
- (d) an assessor nominated by the rector;
- (e) an assessor nominated by the chancellor;
- (f) four assessors elected by the General Council;
- (g) an assessor nominated by the Edinburgh District Council who shall be a member of the said Council;
- (h) an assessor nominated by the Lothian Regional Council who shall be a member of the said Council;
- [^{F10}(i) an assessor elected by the members of the non-teaching staff from amongst their own number:]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- Provided always that no person may serve as an assessor under sub-paragraphs (e) to (h) above whilst he is a matriculated student of the University;
- (j) the Senior President of the Students' Representative Council and two other full-time matriculated students nominated by the Students' Representative Council;
- [^{F11}(k) such persons not exceeding five in number of whom not more than one may hold an appointment in the University of Edinburgh, as may be co-opted by the University Court.]]

Annotations:

Amendments (Textual)

- F9** *Sch. 1 Pt. IV:* by Article 2 of Ordinance of the University Court of the University of Edinburgh No. 179 dated 25.4.1977 (and approved by Order in Council dated 11.10.1977) it is provided that the provisions contained in Article 1 of that Ordinance shall be in place of the provisions contained in Part IV of Schedule 1 to this Act and those provisions were amended by Ordinance of the University Court of the University of Edinburgh No. 184 dated 14.11.1988 (and approved by Order in Council dated 7.2.1989) and by Ordinance of the University Court of the University of Edinburgh No. 185 dated 14.5.1990 (and approved by Order in Council dated 31.10.1990)
- F10** (i) substituted by virtue of the said Ordinance No. 185
- F11** (k) substituted by virtue of the said Ordinance No. 184

Annotations:

Amendments (Textual)

- F9** *Sch. 1 Pt. IV:* by Article 2 of Ordinance of the University Court of the University of Edinburgh No. 179 dated 25.4.1977 (and approved by Order in Council dated 11.10.1977) it is provided that the provisions contained in Article 1 of that Ordinance shall be in place of the provisions contained in Part IV of Schedule 1 to this Act and those provisions were amended by Ordinance of the University Court of the University of Edinburgh No. 184 dated 14.11.1988 (and approved by Order in Council dated 7.2.1989) and by Ordinance of the University Court of the University of Edinburgh No. 185 dated 14.5.1990 (and approved by Order in Council dated 31.10.1990)
- F10** (i) substituted by virtue of the said Ordinance No. 185
- F11** (k) substituted by virtue of the said Ordinance No. 184

SCHEDULE 2

POWERS OF UNIVERSITY COURTS

PART I

Powers exercisable by ordinance

- 1 To amend the composition, powers and functions of the University Court, the Senatus Academicus, and the General Council, as set out in the Universities (Scotland) Acts 1858 to 1932, the Act of 1953 and this Act, and in the ordinances made under the said Acts of 1858 to 1932 and of 1953 as set out in Schedule 3 to this

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Act; and to amend the composition of the General Council as set out in section 28 of the Act of 1868.

Annotations:

Modifications etc. (not altering text)

- C3** *Sch. 2 Pt. I para. 1:* power exercised by section 1 of Ordinance of the University Court of the University of Glasgow No. 182 dated 23.5.1979 and approved by Order in Council dated 19.12.1979 and by section 1 of Ordinance of the University Court of the University of Glasgow No. 188 made 30.9.1982 and approved by Order in Council dated 11.2.1983

- 2 To amend the composition of any other body set up under the Acts of 1858 and 1889 to which the University Court nominates or appoints members: Provided that before proceeding to the exercise of the powers herein contained the Court shall have regard to any recommendation made by the body concerned.
- 3 To fulfil the purposes which are mentioned in sections 14 and 15 of the Act of 1889, and section 2 of the Act of 1932.
- 4 To provide for the manner of election of readers and lecturers to the Senatus Academicus and their term of office.
- 5 To prescribe the conditions under which the register of members of the General Council is to be maintained.
- 6 To vary or revoke any of the ordinances set out in Schedule 3 to this Act.

PART II

Powers exercisable by resolution

- 1 On the recommendation of the Senatus Academicus, to regulate and alter the constitution, composition, and number of the faculties and boards of studies, and to create new bodies of the same kind.
- 2 On the recommendation of the Senatus Academicus, to institute new degrees and to approve regulations made by the Senatus Academicus therefor; to approve any additions or amendments to the regulations for existing degrees and to regulate the length of the academic session.
- 3 On the recommendation of the Senatus Academicus, to prescribe the conditions under which students may be admitted to the University: Provided that the power mentioned in this paragraph shall not become exercisable by the University Court of any of the older Universities until the ordinance mentioned in paragraph 8 of Schedule 3 to this Act has been revoked in relation to that University.
- 4 On the recommendation of the Senatus Academicus, to prescribe the procedure to be followed in the case of alleged breaches of discipline within the University where the alleged breach is one which might be punishable by expulsion or rustication.
- 5 After consultation with the Senatus Academicus, to found professorships and readerships in either case carrying the responsibility of a department and, without prejudice to the provisions of section 2 of the Act of 1932, on the occasion of a

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- vacancy and with the consent of the patrons, if any, to abolish or alter the title of existing professorships and readerships carrying the responsibility of a department and with the consent of the incumbent and patrons, if any, to alter the title of existing professorships.
- 6 After consultation with the Senatus Academicus, to make regulations for the granting of recognition to the teaching of any college or individual teacher for the purposes of graduation.
- 7 After consultation with the Senatus Academicus and without prejudice to the provisions of section 2 of the Act of 1932, to prescribe the limitations in respect of age on the tenure of office of the principal or a professor:
Provided that, in the case of the principalship or a professorship the nomination or appointment whereto is reserved to or exercised by the Crown, the consent of Her Majesty to any such limitation on the tenure thereof shall have been signified by the Secretary of State; and provided also that no resolution prescribing such limitation shall apply to the principal or a professor holding office at the date when the resolution is passed, unless the principal or that professor shall have consented to such application, or is by the terms of his appointment subject to such limitation.
- 8 To regulate such other matters, not being matters which fall within the scope of Part I of this Schedule, as the University Court may think fit to regulate by resolution.

PART III

Powers exercisable in accordance with procedure prescribed by the University Court

- 1 The powers mentioned in section 12 of the Act of 1858 but as if paragraph 4 thereof were omitted.
- 2 The powers mentioned in section 13 of the Act of 1858, but subject to the provisions of paragraph 2 of Part I of this Schedule.
- 3 The powers mentioned in section 6 of the Act of 1889 but as if—
(a) for paragraph (8) thereof there were substituted the following paragraph:—
“(8) To appoint committees of its own number or others, and to define their powers, and to determine the membership and the quorum, of such committees.”and,
(b) in paragraph (9) thereof for the reference to the ^{M8}Medical Act 1886 there were substituted a reference to the ^{M9}Medical Act 1956.

Annotations:

Marginal Citations

M8 1886 c. 48.

M9 1956 c. 76.

[^{F123A} The power of appointing the principals of the Universities of St. Andrews, Glasgow and Aberdeen.]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:**Amendments (Textual)**

F12 Sch. 2 Pt. III para. 3A inserted by Education (Scotland) Act 1981 (c. 58, SIF 41:2), s. 18(2)

- 4 To regulate the salaries of the principal, professors, readers, lecturers and other University officers.
- 5 After consultation with the Senatus Academicus, to regulate the qualifications, appointment and number of examiners; and to determine the amount and manner of the remuneration of examiners.
- 6 To appoint such administrative staff as may be deemed necessary for the efficient functioning of the University.
- 7 To determine the conditions and the scale on which pensions may be granted to the principal, professors, readers, lecturers and other University officers.
- 8 To regulate the amount, manner of payment, and appropriation of fees and other payments made by students.
- 9 To make provision to enable the Senatus Academicus and the General Council to discharge their duties.
- 10 In this Part of this Schedule the expression “officers” includes “servants”.

SCHEDULE 3

ORDINANCES MADE UNDER FORMER ENACTMENTS WHICH MAY BE
VARIED OR REVOKED ONLY BY ORDINANCE MADE UNDER THIS ACT

SCHEDULE 4

Section 10(2).

LIST OF ENACTMENTS CEASING TO HAVE EFFECT ON THE APPROVAL BY HER
MAJESTY IN COUNCIL OF AN ORDINANCE MENTIONED IN SECTION 10 OF THIS ACT

The following enactments are those mentioned in section 10(2) of this Act, that is to say—

- (a) section 6 of the Act of 1858, so far as relating to the registration of members of the General Council,
- (b) section 28 of the Act of 1868, so far as relating to the registration of members of the General Council,
- (c) section 29 of the Act of 1868 (registration book),
- (d) section 32 of the Act of 1868 (power to inspect registration book, etc),
- (e) section 33 of the Act of 1868 (appeal against omissions),
- (f) section 34 of the Act of 1868 (quorum of University Court for purposes of that Act),
- (g) section 35 of the Act of 1868 (new registers to be made up annually),
- (h) Schedules E and F to the Act of 1868 (forms), and
- (i) the last paragraph of section 19, and section 43, of the Representation of the ^{M10}People Act 1918, so far as relating to the registration of members of the General Council.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Marginal Citations

M10 1918 c. 64 (7 & 8 Geo. 5).

Annotations:

Marginal Citations

M10 1918 c. 64 (7 & 8 Geo. 5).

SCHEDULE 5

Section 13.

PROVISIONS APPLICABLE BY VIRTUE OF SECTION 13 OF THIS ACT TO THE UNIVERSITY
OF ST. ANDREWS AFTER THE FOUNDATION OF THE UNIVERSITY OF DUNDEE

Constitution of the University and Colleges

- 1
- (a) The University shall comprise two Colleges, being unincorporated societies of teachers and students, namely, the United College of St. Salvator and St. Leonard, and St. Mary's College
 - (b) The United College of St. Salvator and St. Leonard shall consist of the master of the College and of those teachers who provide instruction and matriculated students who engage in studies in the University wholly or mainly in that College; and St. Mary's College shall consist of the principal of the College and of those teachers who provide instruction and matriculated students who engage in studies in the University wholly or mainly in that College.
 - (c) Any question arising as to the College of which any teacher or student is, by virtue of the last foregoing sub-paragraph, a member shall be determined by the University Court.
 - (d) Notwithstanding the provisions of sub-paragraphs (a) and (b) of this paragraph, the University Court shall have power to admit to membership of a College the librarian or any other member of the administrative staff of the University of St. Andrews.

Principal, Vice-Principal and Heads of Colleges

- 2
- (a) The principal of the University of St. Andrews shall be appointed by Her Majesty.
 - (b) There shall be a vice-principal of the University of St. Andrews who shall be appointed by the University Court from among the members of the Senatus Academicus:

 Provided that he shall cease to hold office as vice-principal in the event of his ceasing to be a member of the Senatus Academicus.
 - (c) The master of the United College of St. Salvator and St. Leonard and the principal of St. Mary's College shall be appointed by the University Court.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Bursaries

- 3 On and after the appointed day those bursaries which immediately before that day were governed by the University of St. Andrews (Scholarships and Bursaries) Scheme 1961 shall, with the exception of the bursaries referred to in paragraph 9(a) of Schedule 6 to this Act, continue to be bursaries in the University of St. Andrews and to be governed, as nearly as may be practicable, by the said scheme until a new scheme for their administration has been prepared under the provisions of the ^{M11}Education (Scotland) Act 1962, and has been approved by Her Majesty in Council.

Annotations:

Marginal Citations

M11 1962 c. 47.

Construction of contracts etc.

- 4 On and after the appointed day any reference to the College Council in St. Andrews contained in any contract, agreement, bequest, will, trust or other instrument shall have effect as if it were a reference to the University Court.

Persons employed by College Council in St. Andrews

- 5 All persons employed in any capacity by the College Council in St. Andrews immediately before the appointed day shall on that day become employed by the University Court upon the same terms and conditions, as nearly as may be practicable, as governed their appointments immediately before the appointed day.

SCHEDULE 6

Section 13.

TRANSFER OF PROPERTY, ETC. TO UNIVERSITY OF DUNDEE AND OTHER TRANSITIONAL PROVISIONS

Transfer of property and liabilities

- 1 Subject to the provisions of this Schedule, on the appointed day all property, heritable and moveable, and all rights and interests of every description, which immediately before that day belonged to the University Court or, as the case may be, were exercisable by the University Court, in connection with Queen's College, shall vest in or, as the case may be, become exercisable by, the University of Dundee.
- 2 (a) Before the appointed day the University Court shall submit to Her Majesty in Council a statement of all endowment funds held by the University Court wholly or partly in connection with Queen's College.
- (b) On the appointed day such of the funds referred to in the foregoing subparagraph as may be determined by Her Majesty by Order in Council shall be transferred to the University of Dundee.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 3 (a) Within two months after the appointed day the University Court shall submit to Her Majesty in Council an abstract of the accounts of the University Appeal Fund as at the appointed day; and such part of the said Appeal Fund as may be determined by Her Majesty by Order in Council shall be transferred to the University of Dundee.
- (b) Within two months after the appointed day the University Court shall submit to Her Majesty in Council for approval a scheme for the allocation between the University of St. Andrews and the University of Dundee of such donations to the said Appeal Fund as may be received by the University Court after the appointed day under covenant made before that day; and all such donations shall be allocated in accordance with a scheme so approved.
- 4 On the appointed day the funds, not being endowment funds, specified in the first column of the Table set out at the end of this Schedule to the amount specified in the second column of that Table, shall be transferred to the University of Dundee.
- 5 (a) All property vesting in or transferred to the University of Dundee under any of the preceding paragraphs of this Schedule shall be applied to the purposes for which the University of Dundee is incorporated.
- (b) Subject to the provisions of paragraph 9 of this Schedule, any property which by any scheme, will or other instrument or otherwise was held upon trust for any specific foundation or object of Queen’s College and which vests in or has been transferred to the University of Dundee by virtue of any of the preceding paragraphs of this Schedule shall, after the said vesting or transfer, be held upon trust for, and applied as far as possible to, the like foundation or object of the University of Dundee.
- (c) Subject to the provisions of the last foregoing paragraph, any property which was held upon any trust and which vests in or has been transferred to the University of Dundee by virtue of any of the preceding paragraphs of this Schedule shall, after the said vesting or transfer, be held upon the same trust.
- 6 The transfer of property to and its vesting in the University of Dundee under paragraphs 1 to 4 of this Schedule shall have effect by virtue of this Act alone without any conveyance or other instrument.
- 7 On the appointed day all liabilities incurred before the appointed day by the University Court in connection with Queen’s College and still outstanding shall be transferred to the University of Dundee and shall thereafter be discharged by the University of Dundee.
- 8 Any dispute between the University Court and the University of Dundee as to the property or the liabilities to be transferred to the University of Dundee under paragraphs 1 to 4, and paragraph 7 respectively, of this Schedule shall be determined by arbitration.

Bursaries

- 9 (a) On and after the appointed day those bursaries which immediately before that day were governed by the University of St. Andrews (Scholarships and Bursaries) Scheme 1961, and whose respective endowment funds are transferred to the University of Dundee under paragraph 2(b) of this Schedule shall become bursaries in the University of Dundee.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (b) The bursaries referred to in the foregoing sub-paragraph shall, on and after the appointed day, continue to be governed, as nearly as may be practicable by the University of St. Andrews (Scholarships and Bursaries) Scheme 1961, until a new scheme for their administration has been prepared under the ^{M12}Education (Scotland) Act 1962, and has been approved by Her Majesty in Council.

Annotations:

Marginal Citations

M12 1962 c. 47.

Construction of contracts etc.

- 10 On and after the appointed day any reference to Queen’s College or to Queen’s College Council contained in any contract or agreement shall have effect as if it were a reference to the University of Dundee or, as the case may be, to the governing body of the University of Dundee.

Court Proceedings

- 11 All court proceedings pending at the appointed day to which the University Court are a party and which relate in whole or in part to Queen’s College shall proceed with the substitution of the University of Dundee for the University Court to the extent of the Queen’s College interest.

Construction of gifts, etc.

- 12 (a) On and after the appointed day any gift in favour of Queen’s College shall have effect as if the University of Dundee had been named as the beneficiary therein, whether such gift is regulated by any scheme will or other instrument, or in any other manner and whether made or executed or taking effect before or on or after the appointed day.
- (b) Any gift in favour of the University of St. Andrews which was regulated after 31st July 1953 and before the appointed day by any scheme will or other instrument, or in any other manner and which takes effect on or after the appointed day shall, in the absence of specific directions in the governing instrument as to the proportion in which Queen’s College was to benefit therefrom, be deemed to be a gift in favour of the University of St. Andrews and the University of Dundee equally; and any fund which is created by or under any such gift and which, in terms of the governing instrument, would have vested in the University Court, shall be divided equally and one half shall vest in the University Court and the other in the University of Dundee, to be held and administered for the purposes of the gift.
- (c) If the governing instrument of any such gift specifies the proportions in which the United College and St. Mary’s College on the one hand and Queen’s College on the other are to benefit therefrom the gift shall be deemed to be a gift in favour of the University of St. Andrews and the University of Dundee in those proportions; and any fund which is created by or under any such gift and which, in terms of the governing instrument,

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

would have vested in the University Court, shall be divided in the same proportions and the two parts shall vest in the University Court and the University of Dundee respectively, to be held and administered for the purposes of the gift.

- (d) Any reference in this paragraph to a gift shall include a reference to a bequest or trust.

Officers and staff

- 13 On the appointed day—
- (a) all professors of the University of St. Andrews who immediately before that day were members of Queen’s College shall become professors of the University of Dundee;
 - (b) all other members of the teaching staff of the University of St. Andrews who immediately before that day were members of Queen’s College shall become members of the teaching staff of the University of Dundee;
 - (c) all other persons who immediately before that day were employed in any capacity by the University Court and whose duties lay wholly or mainly in Queen’s College shall become employed by the University of Dundee;
 - (d) all persons who immediately before that day were employed in any capacity by Queen’s College Council shall become employed by the University of Dundee.
- 14
- (a) Any person who has been appointed before the appointed day by the University Court to a post with effect from a date on or after the appointed day and whose duties were to lie wholly or mainly in Queen’s College shall from the effective date of his appointment become employed by the University of Dundee.
 - (b) Any person who has been appointed before the appointed day by Queen’s College Council to a post with effect from a date on or after that day shall from the effective date of his appointment become employed by the University of Dundee.
- 15 On or before the appointed day the University Court, after consultation with Queen’s College Council, shall determine who are the persons falling within the categories specified in paragraphs 13(c) and 14(a) of this Schedule.
- 16 The persons referred to in paragraphs 13 and 14 of this Schedule shall hold office or continue to hold office upon the same terms and conditions, as nearly as may be practicable, as governed their appointment immediately before the appointed day.

*Abolition of qualifying examinations and degrees
in medicine etc. in the University of St. Andrews*

- 17 (a) The University of St. Andrews shall on the appointed day cease to hold qualifying examinations in medicine, surgery and midwifery, and in dentistry:

Provided that a student who has matriculated in the faculty of medicine in the University of St. Andrews before the appointed day shall for a period of five years from the start of the academic session next following that day be entitled, subject to his compliance with the rules and regulations of the University of Dundee from time to time in force, to take any qualifying examinations in those subjects in the University of Dundee.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (b) The University of St. Andrews shall on the appointed day cease to grant degrees in medicine, surgery or midwifery and degrees and licences in dentistry other than to students who have matriculated in the faculty of medicine in the University of St. Andrews before the appointed day and have passed the necessary qualifying examinations in the University of St. Andrews or the University of Dundee or partly in the one and partly in the other.

Annotations:

Modifications etc. (not altering text)

C4 Sch. 6 para. 17 excluded (26.6.2002) by 2002 asp 15, s. 1(1)

Amendments to the Medical Act 1956 and Dentists Act 1957

18 F13

Annotations:

Amendments (Textual)

F13 Sch. 6 para. 18 repealed by Medical Act 1978 (c. 12), Sch. 7

- 19 ...^{F14} the University of St. Andrews shall on and after the appointed day be deemed to be a dental authority for the purposes of that Act in relation to graduates upon whom it has conferred before or may confer after the appointed day in pursuance of paragraph 17(b) of this Schedule a degree or licence in dentistry.

Annotations:

Amendments (Textual)

F14 Words repealed by Medical Act 1978 (c. 12), Sch. 7

20 F15

Annotations:

Amendments (Textual)

F15 Sch. 6 para. 20 repealed by Medical Act 1983 (c. 54, SIF 83:1), s. 56(2)(3), Sch. 7 Pt. I

Existing students

- 21 In consultation with the University of St. Andrews, the University of Dundee shall make such regulations as it considers appropriate concerning the continuation of the courses of study and the granting of degrees to students of the University of St. Andrews who have matriculated before the appointed day:
Provided that, subject to the provisions of paragraph 17 of this Schedule, any person who before the appointed day has matriculated in Queen's College as a candidate for a qualification of the University of St. Andrews and who after the appointed day becomes a student of the University of Dundee and satisfies all the conditions required for the like qualification in the University of Dundee shall be entitled to

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

proceed to the qualification in the University of St. Andrews; but the University of St. Andrews shall not be under any obligation to grant a qualification to any candidate who has not passed all the necessary examinations before the expiry of the maximum period of study prescribed by the regulations of the University of St. Andrews which were in force immediately before the appointed day.

Compensation for loss of office

- 22 (a) Any person who suffers loss of office or employment, or loss or diminution of emoluments or pension rights, which is attributable to the coming into force of any of the provisions of this Schedule shall be entitled to compensation.
- (b) Any compensation payable under this paragraph shall be paid by the University Court and the University of Dundee to the extent of one half each and shall be of such amount as may be agreed between the University Court, the University of Dundee and the person entitled to the compensation or, in default of such agreement, as may be determined by arbitration.

Arbitration

- 23 Any question which requires, in accordance with paragraph 8 or paragraph 22 of this Schedule, to be determined by arbitration shall be determined by a single arbiter agreed upon by the parties or, failing such agreement, appointed by the Lord President of the Court of Session on the application of any of the parties to the question, and at any stage in the proceedings in any such arbitration the arbiter may, and shall if so directed by the Court of Session, state a case for the opinion of that court on any question of law arising in the arbitration.

Interpretation

- 24 In this Schedule the expression “the University Court” means the University Court of St. Andrews.

TABLE

Funds, other than endowment funds, to be transferred, in whole or in part, to the University of Dundee.

Annotations:

Amendments (Textual)

F16 Sch. 7 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Universities (Scotland) Act 1966. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 12(2) words substituted by [S.I. 2008/948 Sch. 1 para. 1\(g\)](#)