ELIZABETH II

1967 CHAPTER xix

An Act to dissolve the Brunel College of Advanced Technology; to transfer all the rights, property and liabilities of that college to the Brunel University; and for other purposes. [14th July 1967]

WHEREAS—

(1) Acton Technical College was founded in 1928 by the council of the administrative county of Middlesex (hereafter called " the county council ") and was opened to students in 1929:

(2) The work of the Acton Technical College expanded and developed until in 1955 the college had a student population totalling some 4,600, including some 500 full-time students, and carried on both courses at the ordinary technical level and advanced courses of technological level:

(3) In a White Paper on " Technical Education " presented to Parliament by the Minister of Education and the Secretary of State for Scotland in February, 1956 (Command Paper 9703), the Government expressed the view that " the bulk of full-time or sandwich courses should be carried on in colleges which concentrated on advanced courses of technological level ", and that colleges of advanced technology should have the independence appropriate to the academic level of their work:

(4) In pursuance of these recommendations the county council decided to separate the advanced work being done by Acton Technical College and transfer it to a new college to be named Brunel College, and Brunel College was established on 1st April, 1962, as a college of advanced technology pursuant to the terms of a Declaration of Trust dated the 27th March, 1962, made by Sir John Starr Paget, Baronet, the first chairman of the governors of the foundation of Brunel College:

(5) A Committee (under the chairmanship of Lord Robbins) on "Higher Education", in their Report published in 1963 (Command Paper 2154), recommended that colleges of advanced technology should in most cases become technological universities with power to award their own degrees:

(6) On the petition of the governing body Her Majesty the Queen in Council was pleased, on 6th July, 1966, to grant a charter to constitute and found a university by the name and style of "the Brunel University" (hereafter referred to as "the University"), with the object of advancing learning and knowledge by teaching and research, and with the particular concern of providing that form of education which allows students to spend periods of intra-mural learning associated with periods of extra-mural work so that upon graduation they are possessed not only of a range of academic learning but know also of the relevance of that learning to the affairs of the realm, and to empower the University, inter alia, to accept the transfer of all or any part of the property, assets, liabilities and engagements of Brunel College:

(7) It is expedient to make provision whereby any bequest, gift or trust which may have been or which may be made in favour of Brunel College should take effect in favour of and be administered by the University:

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

(9) The purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Brunel University Act 1967.

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

"the charter" means the Royal Charter granted by Her Majesty on 6th July, 1966, constituting Brunel University, and includes any amendment, alteration or addition thereto;

"the college" means the Brunel College of Advanced Technology and includes the governing body thereof;

"the council" means the council of the University;

"the University" means Brunel University constituted by the said Royal Charter granted by Her Majesty.

3.—(1) On the date of the passing of this Act, the college shall be by virtue of this Act dissolved and cease to exist and all property, real and personal, of every description (including things in action), and all rights and privileges of the college which immediately before the passing of this Act belonged to or were vested in or exercisable by the college, shall, subject to the provisions of this Act, by virtue of this Act without any conveyance, transfer or other instrument be transferred to, vested in and exercisable by the University for all the estate and interest therein of the college and shall be applied to the objects and purposes for which the University is incorporated. Dissolution of college and transfer of property to University.

(2) Any property which by any scheme, deed, will or other instrument or otherwise is held upon trust for any specific foundation or object of or connected with the college shall, after the said transfer, be held upon trust for and applied as far as possible to the same foundation or object of or connected with the University:

Provided that any such foundation or object may from time to time be varied or added to by deed under the seal of the University which shall have been approved by a special resolution (as defined in the charter) of the council:

Provided also that any such deed of variation or addition shall not be of any validity until the same shall have been submitted to and approved by the Privy Council and a certificate of their approval thereof signed by the Clerk of the Privy Council or by any other person authorised by the Privy Council in that behalf shall be endorsed on such deed.

(3) Subject to the provisions of subsection (2) of this section, any property held by the college upon or subject to any trust or trusts (not being a trust or trusts relating to the objects and purposes for which the University is constituted) shall be held

by the University upon or subject to the trust or trusts upon or subject to which such property was held by the college previously to the transfer.

Transfer of liabilities.

4. On the passing of this Act all debts and liabilities of the college shall, by virtue of this Act, be transferred and attached to the University and shall thereafter be discharged and satisfied by the University.

Saving for agreements, deeds, etc.

5. All agreements, awards, contracts, deeds and other instruments which immediately before the passing of this Act were existing in favour of or against the college shall continue and may be carried into effect and enforced by or in favour of or against the University to the same extent or in like manner as if the University instead of the college had been party to or interested in the same respectively.

Construction of bequests, etc., in favour of college.

6. On and after the passing of this Act any bequest, gift or trust in favour of or connected with the college shall be read and have effect as if the University had been named or referred to therein instead of the college whether such bequest, gift or trust is made, regulated or constituted by any will, scheme, deed or document or in any other manner and whether made or executed or taking effect before or after the passing of this Act.

Saving for actions, etc.

7. All actions and proceedings and causes of action or proceedings which immediately before the passing of this Act were existing or pending in favour of or against the college shall continue and may be prosecuted by or against the University to the same extent and in like manner as if the University instead of the college had been party to or interested in the same respectively.

Transfer of power to appoint or nominate.

8. Any power or right of the college or any officer thereof or any member of the academic staff of the college to appoint or nominate or consent to the appointment or nomination of a member of any education authority or of the governing body of any educational, charitable or other institution shall, on the passing of this Act, be transferred to and may be exercised by the University or the officer thereof or the member of the academic staff of the University holding as nearly as possible a similar position in the University and any office, whether as trustee or otherwise, held by an officer of the college or a member of the academic staff thereof by virtue of his office shall be held by the officer of the University or the member of the academic staff thereof holding as nearly as possible a similar position in the University.

9.—(1) A degree, diploma or other distinction conferred by the University shall qualify for any office or candidature for an office for which an English university degree, diploma or other distinction (as the case may be) qualifies. Extension of privileges of graduates.

(2) A degree, diploma or other distinction conferred by the University shall qualify for any privilege or exemption (being a statutory privilege or exemption or one granted by a public authority or other body including an examining body) for which an English university degree, diploma or other distinction (as the case may be) qualifies.

(3) Where an English university degree, diploma or other distinction qualifies for an office or candidature for an office or for a privilege or exemption only if it is a degree, diploma or other distinction (as the case may be) of a specific kind or if it is conferred only on candidates in a specific faculty or school, references in this section to a degree, diploma or other distinction (as the case may be) conferred by the University shall be construed as references to a degree, diploma or other distinction (as the case may be) of that kind or conferred on candidates in that faculty or school.

(4) References in this section to qualification by an English university degree, diploma or other distinction are references to circumstances where it is not germane to the qualification which university conferred the degree, diploma or other distinction.

10. The costs, charges and expenses preliminary to, and of and incidental to, the preparing, applying for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the University. Costs of Act.

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