STATUTORY INSTRUMENTS

1981 No. 739

UNIVERSITIES AND COLLEGES

The James S. Dixon Endowment Scheme 1980 Order in Council 1981

Made - - - 13*th May* 1981

At the Court at Buckingham Palace, the 13th day of May 1981

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Scottish Universities Committee of the Privy Council (hereinafter referred to as "the Committee"), in exercise of the powers conferred on it by subsection (1) of section 126 of the Education (Scotland) Act 1962(**a**) prepared a draft scheme entitled the James S. Dixon Endowment Scheme 1980:

And whereas copies of the said draft scheme were sent to the governing body of the endowment to which it relates, and the draft scheme was duly published:

And whereas no objections or proposed amendments to the draft scheme were received by the Committee:

And whereas the Committee, in exercise of the powers conferred on it by subsection (2) of the said section 126, has made the scheme in the terms of the said draft scheme as published:

Now, therefore, Her Majesty, having taken the said scheme into consideration and in exercise of the powers conferred upon Her by subsection (2) of section 113 of the Education (Scotland) Act 1980 (**b**), and of all other powers Her enabling, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The James S. Dixon Endowment Scheme 1980 as set out in the Schedule to this Order is hereby approved.

2. This Order may be cited as the James S. Dixon Endowment Scheme 1980 Order in Council 1981.

N. E. Leigh,
Clerk of the Privy Council.

(**a**) 1962 c. 47; section 126 was substituted by section 19 of the Education (Scotland) Act 1969 (c. 49) and repealed by Schedule 5 to the Education (Scotland) Act 1980 (c. 44).
(**b**) 1980 c. 44; see also paragraph 2 of Schedule 3 to that Act.

SCHEDULE

EDUCATION (SCOTLAND) ACT 1962

THE JAMES S. DIXON ENDOWMENT SCHEME 1980

ARRANGEMENT OF PARAGRAPHS

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SCHEME UNDER THE EDUCATION (SCOTLAND) ACT 1962 AND THE EDUCATION (SCOTLAND) ACT 1969 FOR THE FUTURE GOVERNMENT AND MANAGEMENT OF THE ENDOWMENT HEREINAFTER REFERRED TO AS THE JAMES S. DIXON ENDOWNMENT

PREAMBLE

Whereas James S. Dixon, LL.D., by letters dated 26 March 1902 and 10 December 1906 setting forth trust purposes donated an endowment to the University Court of the University of Glasgow;

And Whereas the said endowment is a University endowment within the meaning of section 135(1) of the Education (Scotland) Act 1962(**a**) (hereinafter called "the Act of 1962") and is presently held and administered under the said letters setting forth trust purposes;

And Whereas the University Court of the University of Glasgow have intimated in writing their consent to the said endowment being dealt with by the Scottish Universities Committee of the Privy Council in terms of section 118(5) of the Act of 1962(**b**);

And Whereas it appears to the said Committee that in order to extend the usefulness of the said endowment, arrangements should be made in accordance with the provisions of sections 118(5) and 126 of the Act of 1962(**c**) for the future government and management of the said endowment:

Therefore, from and after the date of this scheme, the said endowment shall be held and administered for the purposes, with the powers, and under the conditions hereinafter specified.

Citation and commencement

1. This scheme may be cited as the James S. Dixon Endowment Scheme 1980 and shall come into operation on the date of this scheme.

(**a**) 1962 c. 47; section 135(1) was amended by the Education (Scotland) Act 1969 (c. 49), section 27(1) and Schedule 2, paragraph 39.
(**b**) 1962 c. 47; section 118(5) was amended by the Education (Scotland) Act 1969 (c. 49), section 27(1) and Schedule 2, paragraph 33.
(**c**) 1962 c. 47; section 126 was substituted by the Education (Scotland) Act 1969 (c. 49), section 19.

Interpretation

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

"Chair of Geology" means the Chair established in the University of Glasgow by Ordinance No. 519 (Glasgow No. 147) approved by Her Majesty in Council on 29 October 1965;

"Court" means the University Court of the University of Glasgow as defined in the Universities (Scotland) Act 1858 to 1966(a) and acting as the governing body of the endowment to which this scheme relates;

"date of this scheme" means the date upon which Her Majesty's approval of this scheme is signified by Order in Council;

"endowment" means the James S. Dixon Endowment.

Vesting of endowment

3. From and after the date of this scheme, the endowment shall continue to be vested in the Court and shall be held and administered by the Court exclusively in accordance with the provisions of this scheme.

Powers of investment

4. In regard to the investment of the endowment funds, the Court shall have all powers competent to them under the common law of Scotland as a body corporate.

Business arrangements

5. The business of the endowment shall be conducted either at ordinary meetings of the Court or at meetings summoned for the purpose, which shall be convened and conducted according to the rules and practice of the Court.

Application of income

6.—(1) The Court, after paying the necessary expenses of management and the burdens and taxes affecting the endowment fund shall apply the free annual income of the fund in executing the purposes of this scheme.

(2) If at the end of any financial year there is an unexpended balance of income, it shall be in the power of the Court to carry the said balance or part thereof forward to the following financial year or to add the said balance or part thereof to the capital of the endowment.

Purpose of endowment

7. The Court shall apply the annual income of the endowment to provide in part the remuneration of the incumbent of the Chair of Geology in the University of Glasgow. In naming the Chair, the Court shall make suitable acknowledgement of the founder of the endowment.

Copies of scheme

8. The Court shall maintain a supply of printed copies of this scheme and shall cause a copy to be kept available for inspection by any member or officer of the Court, and copies shall be made available to the public at a reasonable price.

(a) 1858 c. 83, 1889 c. 55, 1922 c. 31, 1932 c. 26, 1966 c. 13.

Made by the Scottish Universities Committee of the Privy Council in terms of sub-section (2) of section 126 of the Education (Scotland) Act 1962 as substituted by section 19 of the Education (Scotland) Act 1969.

N. E. Leigh,
Clerk of the Privy Council.

10th April 1981

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Scheme approved by this Order permits the income of an endowment of a Chair of Mining in the University of Glasgow for which there is insufficient demand to be applied to the Chair of Geology in that University.

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