CHAPTER ccxxxii.

An Act to separate University College Liverpool from the Victoria University and to merge it in the University of Liverpool and to transfer all the property and liabilities of the said University College to the University of Liverpool and for other purposes. [14th August 1903.] A.D. 1903.

WHEREAS by Royal Charter dated the eighteenth day of October 1881 University College Liverpool was constituted and founded with the object of providing such instruction in all the branches of a liberal education as might enable residents in the city of Liverpool and the neighbourhood thereof to qualify for degrees in arts science and other subjects at any of the universities granting degrees to non-resident students and at the same time to give such technical instruction as might be of immediate service in professional and commercial life and by a supplemental charter dated the twenty-second day of January 1900 further powers relating to the making of special statutes were conferred on the said college:

And whereas by Royal Charter dated the twentieth day of April 1880 the Victoria University was constituted and founded having its seat in the city of Manchester with power to confer degrees and other distinctions except in medicine or surgery unless and until authority in that behalf should be given by further charter or by Act of Parliament which authority was given by a supplemental charter dated the twentieth day of March 1883:

And whereas by the said charter of 1880 Owens College Manchester was constituted a college in the Victoria University and it was provided that other colleges might from time to time be admitted as colleges in the University in the manner and subject to the conditions prescribed in the charter:

A.D. 1903.

And whereas in the year 1884 University College Liverpool (hereinafter usually referred to as "University College") was admitted as and has since continued to be a college in the Victoria University:

And whereas the Yorkshire College Leeds has also been admitted as and continues to be a college in the Victoria University but no other college has been admitted:

And whereas the corporation of the city of Liverpool have always been closely associated with and by grants of land and money made under statutory powers have largely contributed to the welfare and progress of University College:

And whereas by the Liverpool Corporation Act 1902 (it being then in contemplation to apply for a charter founding a university in Liverpool) the corporation obtained powers if and when a university should be founded for the city to contribute to such university such annual or other sums as they might deem expedient Provided that the amount contributed in any one year should not exceed the amount produced by a rate of one penny in the pound on the property assessable to the city rate or general rate or either of them:

And whereas at a public meeting of the inhabitants of Liverpool duly convened by the lord mayor and held on the twenty-seventh day of January 1902 it was unanimously resolved "That in the "interests of higher education and in order to extend and more "effectually carry out the objects for which University College "Liverpool was founded it is desirable to establish a university "within the city of Liverpool for the advancement of knowledge "and for the diffusion and extension of arts sciences and learning "and to transfer to such university the powers and property of the "college" And at the same meeting a committee was appointed for the purpose of carrying such resolution into effect:

And whereas on the petitions of the members of the said committee University College the corporation of the city of Liverpool and others averring (among other things) that the time has come for making Liverpool the seat and centre of an independent university a charter was on the fifteenth day of July one thousand nine hundred and three granted by His Majesty establishing in the city of Liverpool a University by the name and style of "The University of Liverpool" with faculties of arts science medicine law and engineering and such other faculties as the statutes of the University may from time to time prescribe:

And whereas the charter directs that the University shall be both a teaching and an examining body and shall promote research and shall advance arts science learning and education:

And whereas the governing body of University College are desirous and it is expedient that the college should cease to be a college in the Victoria University and should be merged in the University of Liverpool and that all its property and liabilities should be transferred to and vested in the last-named University:

And whereas by Royal Charter dated the twenty-fourth day of November 1821 the Liverpool Royal Institution was established for the advancement of literature and the diffusion of useful knowledge and it is expedient that the proprietors of the said institution should be empowered to enter into agreements with the University of Liverpool for the merging of the said institution in the University of Liverpool and the transfer of all or any of its property and liabilities to the said University:

And whereas it is expedient to empower the said University to hold examinations under section 3 of the Medical Act 1886 and to elect a representative on the General Council mentioned in section 7 of the same Act:

And whereas it is expedient that the other provisions contained in this Act be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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

Short title.

1. This Act may be cited as the Liverpool University Act 1903.

Commencement of Act.

2. This Act shall save as otherwise provided come into operation on the first day of October one thousand nine hundred and three which date is hereinafter referred to as "the commencement of this Act."

Dissolution of University College and transfer of property &c. to Liverpool University.

3. On the commencement of this Act University College Liverpool shall cease to be a college in the Victoria University and 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 University College which immediately before that date belonged to or were vested in University College shall be by virtue of this Act without any conveyance or other instrument transferred to and vested in the University of Liverpool for all the estate and interest therein of University College and shall be applied to the objects and purposes for which the University is incorporated.

A.D. 1903.

Transfer of liabilities.

4. On the commencement of this Act all debts and liabilities of University College shall by virtue of this Act be transferred and attach to the University of Liverpool and shall thereafter be discharged and satisfied by the University.

Saving for agreements deeds actions &c.

5. All agreements awards contracts deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the commencement of this Act were existing or pending in favour of or against University College shall continue and may be carried into effect enforced and prosecuted by or in favour of or against the University of Liverpool to the same extent and in like manner as if the University of Liverpool instead of University College had been party to or interested in the same respectively.

Adjustment of property and liabilities &c.

6.—(1) The Council of the Victoria University and the Council of the Owens College Manchester and the Council of the Yorkshire College Leeds or any of them may by agreement made either before the commencement of this Act with the Council of University College or after the commencement of this Act with the Council of the University of Liverpool adjust and settle all questions arising with respect to any endowments property powers privileges authorities debts liabilities obligations or expenses in which the parties to the agreement are interested and also with respect to any examinations degrees and other university and college matters.

(2) An agreement under this section may provide for the transfer retention division apportionment or commutation of any endowments property debts liabilities or obligations and for a payment being made by any party to the other or others in respect of any such transfer retention division apportionment or commutation or in respect of the salary or remuneration of any officer or person and generally may make as between the parties to the agreement any provisions necessary or proper for carrying into effect the purposes of this Act.

(3) In default of agreement on any such question as aforesaid or so far as such agreement does not extend the question shall be referred to a single arbitrator to be nominated by the Lord President of His Majesty's Council on the application of any party and his award may provide for any matter for which an agreement might have provided And subject as aforesaid the provisions of the Arbitration Act 1889 shall apply.

Saving for existing officers of University College.

7. All professors and other members of and persons attached to or associated with the teaching staff of University College and all salaried or paid officers and servants of University College Liverpool

shall hold as nearly as practicable the same offices and places in the University of Liverpool as they held in the said college immediately before the commencement of this Act and upon the same terms and conditions unless and until the Council of the University otherwise decide.

Transfer of powers to nominate members of certain governing bodies.

8. The power or right of University College to appoint or nominate a member of the governing body of any educational charitable or other institution shall on the commencement of this Act be transferred to and may be exercised by the Council of the University of Liverpool.

Power for Royal Institution to agree to transfer property &c. to Liverpool University.

9. At any time after the passing of this Act the proprietors of the Liverpool Royal Institution may agree to transfer to and vest in the University of Liverpool (with or without consideration) all or any of their property real and personal (including things in action) rights privileges and liabilities and any such agreement may provide (if thought fit) for the dissolution of the institution upon the execution of the agreement by or on behalf of the institution and in the event of the agreement so providing the institution shall be by virtue of this Act dissolved in accordance with such provision Any such agreement may provide for the housing and accommodation by the University in the event of the dissolution of the institution of any society or association which before the passing of this Act was housed or accommodated by the institution.

Power of University of Liverpool to hold examinations under 49 & 50 Vict. c. 48.

10. The University of Liverpool is hereby empowered to hold qualifying examinations in medicine surgery and midwifery for the purpose of registration under the Medical Acts as if the University had been a university in the United Kingdom legally qualified at the passing of the Medical Act 1886 to grant diplomas in medicine and surgery and the provisions of Part I. of that Act shall be read and have effect accordingly.

Power of University to choose representative on General Medical Council.

11. The Council of the University of Liverpool shall be entitled to choose one representative to be a member of the General Council constituted by the Medical Acts and section 7 of the Medical Act 1886 shall be read and have effect as if the University of Liverpool had been expressly included therein.

Application of section 7 of Mortmain &c. Act 1888.

12. Section 7 of the Mortmain and Charitable Uses Act 1888 shall be read and have effect as if the words "and the University of Liverpool" were therein inserted after the words "Victoria University."

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Construction of bequests in favour of University College.

13. Any will deed or other document whether made or executed before or after the commencement of this Act which contains any bequest gift or trust in favour of University College shall on and after the commencement of this Act be read and have effect as if the University of Liverpool were therein named instead of University College.

As to jurisdiction of Board of Education.

14. The Charitable Trusts Acts 1853 to 1894 shall not extend to the University of Liverpool or to any college or hall therein.

Costs of Act.

15. The costs charges and expenses of and incidental to preparing obtaining and passing this Act shall be defrayed by the University of Liverpool out of the capital of the property by this Act transferred to the University or if the Council of the University think fit out of money to be raised by sale or mortgage of some part of the said property.

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