SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER 22.

An Act to amend the Universities and College Estates Acts, and to extend the powers of the Universities of Oxford and Cambridge and the Colleges therein to make statutes, for purposes connected with the present War. [16th March 1915.]

A.D. 1915.

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:

PART I.

AMENDMENT OF THE UNIVERSITIES AND COLLEGE ESTATES ACTS.

Extension of purposes for which money may be borrowed or applied. 21 & 22 Vict. c. 44. 43 & 44 Vict. c. 46. 61 & 62 Vict. c. 55.

1.—(1) The purposes for which money may be borrowed by a University or College under section twenty-seven of the Universities and College Estates Act, 1858, or to which purchase or other capital money may be applied under the Universities and College Estates Amendment Act, 1880, or under the Universities and College Estates Act, 1898, shall include the making good of any deficiency in the revenues of the University or College in any financial year of the University or College expiring at or before the end of the emergency period which in the opinion of the Board of Agriculture and Fisheries is due to circumstances attributable directly or indirectly to the present war:

Provided that for the purpose of such borrowing or application no certificate from a surveyor shall be necessary.

(2) Money borrowed or applied under this section shall be repaid or replaced within such period, not exceeding fifty years, from the end of the emergency period, as the Board of Agriculture and Fisheries may determine.

Power to extend period for repayment

2. It shall be lawful for the Board of Agriculture and Fisheries at any time before the end of the emergency period,

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upon the application of the University or a College, in any case where the Board determine that it is expedient owing to circumstances attributable directly or indirectly to the present war to do so, and where in the case of money borrowed the lender consents—

or replacement of money borrowed or applied.

(*a*) to extend the period within which the outstanding part of any money borrowed, or purchase or other capital money applied, before the passing of this Act under any of the Universities or College Estates Acts, 1858 to 1898, is required to be repaid or replaced, by such period not exceeding ten years as the Board may determine;

(*b*) to suspend the obligation to make such repayment or replacement for such period not extending beyond one calendar year from the end of the emergency period as the Board may determine, with a corresponding extension of the period of repayment or replacement.

Application of Part I.

3. This Part of this Act shall apply only to the Universities and Colleges to which the Universities and College Estates Acts, 1858 to 1898, apply, and references in those Acts to any specific provisions shall be read as references to those provisions as amended by this Part of this Act.

PART II.

POWER OF UNIVERSITIES OF OXFORD AND CAMBRIDGE AND COLLEGES THEREIN TO MAKE EMERGENCY STATUTES.

Power to make emergency statutes.

4.—(1) Notwithstanding anything in the Universities of Oxford and Cambridge Act, 1877, or any other enactment, it shall be lawful for the University of Oxford or the University of Cambridge (which Universities are hereinafter severally referred to as the University) or any College in the University to make statutes for the purposes and in the manner and subject to the provisions mentioned in this Part of this Act, and a statute made under this Part of this Act is hereinafter referred to as an emergency statute.

40 & 41 Vict. c. 48.

(2) Every emergency statute made by the University shall be binding on the University and on every College which has consented thereto, and every emergency statute made by a College shall be binding on the College and on the University if it has consented thereto, and every emergency statute shall be effectual notwithstanding any instrument of foundation, or any Act of Parliament, Order in Council, decree, order, statute, or other instrument or thing constituting wholly or in part an instrument of foundation, or confirming or varying a foundation or endowment, or otherwise regulating the University or a College.

(3) Any emergency statute made before the thirty-first day of December nineteen hundred and fifteen may, if so expressed, have retrospective effect so as to relate back to any date not earlier than the fourth day of August nineteen hundred and fourteen.

Purposes for which emergency statutes may be made.

5. The purposes for which provision may be made by an emergency statute shall be the following:—

(*a*) For postponing until any date not later than the end of the emergency period the election or admission to any fellowship, scholarship, prize, or other office or emolument in the University or in any College;

(*b*) For suspending until any date not later than the end of the emergency period any such fellowship, scholarship, prize, office, or emolument as may be or may become vacant;

(*c*) For the application for any purpose relative to the University or a College of any moneys which may be undisposed of by reason of any such postponement or suspension as aforesaid;

(*d*) For postponing until any date not later than the end of the emergency period the election to any professorship or readership to which no election has ever been made;

(*e*) For suspending or modifying in the interests of the holder thereof until any date not later than the end of the emergency period any conditions as to residence, duties, or otherwise affecting the tenure or emoluments of any fellowship, scholarship, prize, or other office in the University or a College;

(*f*) For suspending or modifying until any date not later than the expiration of one year after the end of the emergency period any provision relating to the age or university standing at which any person is eligible as a candidate for any scholarship, prize, or other emolument in the University or in any College;

(*g*) For enabling any College, until any date not later than the expiration of one year after the end of the emergency period, in the election to any scholarship, prize, or other emolument in the College, to take into account the fact that any person offering himself as a candidate has been engaged during the present war in the naval or military service of the Crown, or in some other service of the Crown connected with the present war or in any work abroad of the British Red Cross Society, the St. John Ambulance Association, or any body with similar objects, or has been made a prisoner of war;

(*h*) For extending the length of tenure of any scholarship, exhibition, prize, or other emolument, whether in the

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University or a College, in the case of any person who has been engaged during the present war in any such service or work, or who has been made a prisoner of war or detained by His Majesty's enemies in consequence of the present war;

(*i*) For making payments until any date not later than the end of the emergency period out of the corporate revenue or other fund applicable to the statutory purposes of a College to the tuition fund of the College;

(*j*) For suspending payments until any date not later than the end of the emergency period from the corporate revenue or other fund applicable to the statutory purposes of a College to any pension or other fund of the College;

(*k*) For making payments until any date not later than the end of the emergency period out of the income of any fund applicable to any statutory purposes of a College, so far as the income is not required for the purposes of that fund, to any fund applicable to some other statutory purposes of the College;

(*l*) For making payments until any date not later than the end of the emergency period out of the corporate revenue or other fund applicable to the statutory purposes of a College for the relief and assistance of members of the College or other members of the University engaged during the present war in the naval or military service of the Crown, or in some other service of the Crown connected with the present war or in any work abroad of the British Red Cross Society, the St. John Ambulance Association, or any body with similar objects;

(*m*) For applying to the general purposes of the University of Oxford so much of the Faculties Fund mentioned in sectio xii of titulus v of the statutes of the University of Oxford as may not in any year before the end of the emergency period have been applied to any of the purposes mentioned in clause three of the said sectio xii;

(*n*) For making such provisions of a similar nature to any of the foregoing as may seem to be required to prevent or mitigate loss or injustice, and to meet exigencies due to circumstances attributable directly or indirectly to the present war;

and an emergency statute may contain any incidental, supplemental or consequential provisions which may appear necessary or expedient for effecting any such purposes as aforesaid:

Provided that an emergency statute shall not authorise or direct any payment out of capital money subject to the

provisions of the Universities and College Estates Acts, 1858 to 1898, or affect any obligation arising under those Acts to make any repayment or replacement. A.D. 1915.

Manner of making emergency statutes.

6. An emergency statute shall be made in the manner in which statutes may now lawfully be made for the University or a College, subject, in the case of an emergency statute made by the University, to the consent of a College affected thereby, and subject, in the case of an emergency statute made by a College, to the consent of the University if affected thereby, in any case where such consent is required under section fifty-three or section fifty-four of the Universities of Oxford and Cambridge Act, 1877, but shall take effect notwithstanding that the statute after being made has not been submitted to His Majesty in Council or otherwise proceeded on as provided by the Universities of Oxford and Cambridge Act, 1877, or by any other Act, and has not been approved by His Majesty in Council:

Provided that an emergency statute made by a College—

(*a*) shall not take effect unless and until it has been approved by the visitor of the College; and

(*b*) shall, within fourteen days of the date on which it is made by the College, be sent for submission to the Council of the University, and if it is a statute to which the consent of the University is not necessary, shall not take effect until thirty days during full term have elapsed after the statute has been so submitted, unless in the meantime the Council has by resolution declared that the statute is not one which requires the consent of the University, which resolution shall be conclusive for all purposes.

Interpretation.

7. In this Part of this Act, unless the context otherwise requires,—

"Council of the University" means as respects the University of Oxford the Hebdomadal Council, and as respects the University of Cambridge the Council of the Senate:

"College" means a College in the University, and includes the Cathedral or House of Christ Church in Oxford, and also includes Keble College, Oxford, and Selwyn College, Cambridge:

"Governing Body" has the same meaning as in the Universities of Oxford and Cambridge Act, 1877, and in relation to Keble College, Oxford, and Selwyn College, Cambridge, means the Council of Keble College and the Council of Selwyn College respectively:

"Fellow" and "fellowship" include student and studentship of Christ Church:

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"Scholar" includes demy, Bible clerk, postmaster, and student (not being a student of Christ Church), senior scholar and senior demy, exhibitioner and sizar; and "scholarship" has a corresponding meaning.

PART III.

GENERAL.

Short title and construction.

8.—(1) This Act may be cited as the Universities and Colleges (Emergency Powers) Act, 1915.

(2) For the purposes of this Act the expression "the end of the emergency period" means the end of the next calendar year after that in which the present war terminates.

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