CHAPTER 62.

An Act to make further provision with respect to the University of London. [12th August 1898.]

WHEREAS the Commissioners appointed to consider the draft charter for the proposed Gresham University in London, have by their report made recommendations with respect to the reconstitution of the University of London, and to the appointment of a statutory Commission for that purpose :—

Be it therefore 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 :

Appointment of Commissioners.

1.—(1.) There shall be a body of Commissioners styled the University of London Commissioners, and consisting in the first instance of the following persons; namely,—

The Right Honourable Horace Baron Davey;
The Right Honourable and Right Reverend Mandell Lord Bishop of London;
Sir William Roberts, Doctor of Medicine, Fellow of the University of London;
Sir Owen Roberts, Doctor of Civil Law;
Richard Claverhouse Jebb, Esquire, Doctor of Letters, Regius Professor of Greek in the University of Cambridge;
Michael Foster, Esquire, Doctor of Medicine, Fellow of the Royal Society, Professor of Physiology in the University of Cambridge;
Edward Henry Busk, Esquire, Master of Arts, Bachelor of Laws, and Chairman of the Convocation of the University of London;

and it shall be lawful for Her Majesty to appoint a secretary to the Commissioners.

(2.) If and whenever any vacancy occurs among the Commissioners, it shall be lawful for Her Majesty the Queen to appoint a person to fill the vacancy; but the name of every person so appointed shall be laid before both Houses of Parliament within ten days after the appointment if Parliament is then sitting, or, if not, then within ten days after the next sitting of Parliament.

(3.) The Commissioners may, with the consent of the Treasury as to number, appoint or employ such persons as they may think necessary for the execution of their duties under this Act, and may remove any person so appointed or employed.

Expenses of Commission.

2. There shall be paid to the secretary to the Commissioners, and to any person appointed or employed by the Commissioners, such remuneration as the Treasury may assign, and that remuneration and all expenses of the Commissioners incurred with the sanction of the Treasury in the execution of this Act shall be paid out of moneys provided by Parliament.

Duration and proceedings of Commissioners.

3.—(1.) The powers of the Commissioners shall continue until the end of the year one thousand eight hundred and ninety-nine, and no longer; but it shall be lawful for Her Majesty the Queen, from time to time, with the advice of Her Privy Council, on the application of the Commissioners, to continue the powers of the Commissioners for such time as Her Majesty thinks fit, but not beyond the end of the year one thousand nine hundred.

(2.) The Commissioner first named in this Act shall be the Chairman of the Commissioners; and in case of his ceasing from any cause to be a Commissioner, or of his absence from any meeting, the Commissioners present at each meeting shall choose a chairman.

(3.) The powers of the Commissioners may be exercised at a meeting at which three or more Commissioners are present.

(4.) In case of an equality of votes on a question at a meeting, the chairman of the meeting shall have a second or casting vote in respect of that question.

(5.) The Commissioners shall have a common seal which shall be judicially noticed.

(6.) Any act of the Commissioners shall not be invalid by reason only of any vacancy in their body; but if at any time, and as long as, the number of persons acting as Commissioners is less than five, the Commissioners shall discontinue the exercise of their powers.

Powers and duties of Commissioners.

4.—(1.) The Commissioners shall make statutes and regulations for the University of London in general accordance with the scheme of the report herein-before referred to, but subject to the modifications specified or indicated in Part I. of the schedule to this Act, and to any other modifications which may appear to them expedient after considering the changes which have taken place in London education of a University type since the date of the said report and any representations made to them by or on behalf of the Senate or Convocation or any fifty graduates of the University of London, or by or on behalf of any body or person directly affected.

(2.) In framing such statutes and regulations, the Commissioners shall see that provision is made for securing adequately the various matters specified or indicated in Part II. of the schedule to this Act.

(3.) The Commissioners shall take such steps as are in their opinion best adapted for facilitating the making of such representations before any such statutes or regulations are framed.

(4.) The statutes or regulations, whether they are made by the Commissioners or by the Senate as herein-after provided, shall not authorise the assignment of money for any purpose in respect of which any privilege is granted or disability imposed on account of religious belief. Provided that they shall not prevent the University from allocating funds, on such conditions as it thinks fit, for the payment of any person appointed or recognised by the University as a University teacher, or for his laboratory expenses, or for apparatus to be used by him, notwithstanding any conditions attached to any office held by him in any school of the University.

(5.) Statutes and regulations made under this Act shall have effect notwithstanding anything in any Act of Parliament, charter, deed, or other instrument.

Approval of statutes and regulations.

5.—(1.) When any statute or regulation has been made by the Commissioners, a notice of its having been made, and of the place where copies of it can be obtained, shall be published in the London Gazette, and the statute or regulation shall be laid as soon as may be before both Houses of Parliament, and shall not be valid until it has been approved by Her Majesty the Queen in Council.

(2.) If either House of Parliament, within forty days, exclusive of any period of prorogation, after a statute or regulation has been laid before it, presents an address praying the Queen to withhold Her assent from the statute or regulation, or any part thereof, no further proceedings shall be taken on the statute or regulation, or on the part thereof to which the address relates, but this provision shall be without prejudice to the making of a new statute or regulation.

(3.) The Senate or Convocation of the University of London, or any other person or body directly affected by any such statute or regulation, may, within three months after the notification thereof in the London Gazette, petition Her Majesty in Council to withhold Her approval of the whole or any part thereof.

(4.) Her Majesty in Council may refer any such petition to a committee of the Privy Council, with a direction that the committee hear the petitioner personally or by counsel, and report specially to Her Majesty in Council on the matter of the petition.

(5.) Thereupon it shall be lawful for Her Majesty, by Order in Council, either to declare Her approval of the statute or regulation in whole or in part, or to signify Her disapproval thereof in whole or in part, but any such disapproval shall be without prejudice to the making of a new statute or regulation.

(6.) The costs of any petition under this section may be regulated by the committee to which the petition is referred.

Power to Commissioners to take evidence and to make recommendations.

6. The Commissioners may, if they think fit, take evidence upon any of the matters hereby directed to be dealt with by them; and may, if they think fit, from time to time make a report or reports to Her Majesty containing any recommendations which in their opinion ought to be made for the purpose of better enabling them to carry out any of the powers hereby entrusted to them.

Power to amend statutes and regulations.

7. After the expiration of the powers of the Commissioners the Senate of the University shall have power to make statutes and regulations for altering or supplementing any of the statutes or regulations made by the Commissioners. Provided as follows:

(1.) A statute made under this section shall be subject to the provisions of the foregoing sections, with the substitution only of the Senate for the Commissioners;

(2.) Before any statute is made under this section the draft thereof shall be communicated to Convocation, whose opinion thereon, if returned to the Senate within two months, shall be taken into consideration. In computing this period of two months any part of the months of August and September shall not be counted;

(3.) A regulation made under this section shall be invalid so far as it is inconsistent with any statute made under this Act and for the time being in force.

Provision as to Wye College.

8. For the purposes of this Act and of the report herein-before referred to, the South-Eastern Agricultural College at Wye shall have such privileges as it would have had if situated within the administrative county of London.

Saving for Inns of Court and Incorporated Law Society.

9. Nothing in this Act shall affect or authorise any interference with the rights or privileges of any of the Inns of Court or of the Incorporated Law Society.

Saving of rights of existing fellows.

10. Existing fellows shall retain their fellowships for life, bu shall no longer be, as such, members of the Senate.

Short title.

11. This Act may be cited as the University of London Act, 1898.

Section 4.

SCHEDULE.

PART 1.

Provisions to which effect is to be given.

In framing statutes and regulations the Commissioners shall give effect to the following provisions:—

The Senate.

1. The Senate shall consist of the Chancellor and of other members, appointed as follows:

Four by Her Majesty with the advice of Her Privy Council;

Seventeen by the Convocation, of whom the chairman of Convocation shall be one, and the remaining sixteen shall be elected, by voting papers delivered personally or sent by post as at present, by the registered graduates in their separate faculties in such proportions as the Statutory Commission shall determine;

Two each by the Royal Colleges of Physicians and Surgeons;

One by each of the four Inns of Court and two by the Incorporated Law Society;

Two each by University and King's Colleges;

One by the Corporation of London;

Two by the London County Council;

One by the Council of the City and Guilds of London Institute;

Sixteen by the Faculties.

Provided that if and as long as any of the above-mentioned bodies fail to exercise the power of appointment hereby given, in every such case the power shall be exercised by Her Majesty, with the advice of the Privy Council.

2. The Senate shall be the supreme governing body and executive of the University. All University property shall be administered by the Senate, and (except as herein-after specified) the Senate shall have the entire conduct of the University and all its affairs and functions, provided always that—

(*a.*) No religious test shall be adopted or imposed, and no applicant for a University appointment shall be at any disadvantage on the ground of religious opinions;

(*b.*) No procedure to any degree shall be allowed without examination or other adequate test, nor shall any honorary or ad eundem degree be conferred, unless the Senate, in exceptional cases, think fit to confer such a degree:

(*c.*) No disability shall be imposed on the ground of sex.

3. There shall be three standing committees of the Senate—

(1.) The Academic Council, being a committee for internal students of the University:

(2.) The Council for External Students, being a Committee for those students of the University, whether collegiate or non-collegiate, who are not internal students of the University:

(3.) A standing Board to promote the extension of University teaching.

The Chancellor, the Vice-Chancellor, and the Chairman of Convocation, shall be ex-officio members of all the above committees.

The functions of these three committees shall be advisory.

The Academic Council.

4. This Committee shall consist of the sixteen members of the Senate appointed by the Faculties, the three ex-officio members, and a senator or senators elected by the Senate to make the number of members up to twenty.

The Council for External Students.

5. This Committee shall consist of the sixteen members of the Senate appointed by Convocation, other than the Chairman of Convocation, the three ex-officio members, and senators elected by the Senate to make the number of members up to twenty-eight.

The Board to Promote the Extension of University Teaching.

6. This Committee shall consist of the three ex-officio members and senators elected by the Senate.

The Convocation.

7. Convocation shall include, in addition to those members specified in the said report, future graduates possessing a degree higher than that of Bachelor.

Teachers of the University.

8. The teachers of the University shall be—

(*a.*) Professors, assistant professors, readers, and lecturers, directly appointed as officers of the University; and

(*b.*) Members of the teaching staffs of public educational institutions, situate within a radius of thirty miles from the University buildings, who have been recognised by the Senate, after consulting with the Academic Council, as teachers of the University.

Provided that the Commissioners shall determine who are in the first instance to be recognised as teachers of the University.

Internal Students.

9. Internal students of the University are students who have matriculated at the University, and who are pursuing a course of study approved by the University in a school or schools of the University, or under one or more of the recognised teachers of the University.

Faculties.

10. The Commissioners shall determine in the first instance what the faculties are to be, and what teachers are to be members of the respective faculties.

The number and distribution of the faculties may be altered from time to time by the Senate.

The faculties will consist of—

(1.) The professors, assistant professors, readers, and lecturers appointed by the University; and

(2.) Such other teachers of the University as may be admitted to a faculty from time to time by the Senate.

Members will be assigned to their respective faculties by the Senate, and no person shall be eligible to vote in an election in more than one faculty at the same time.

Boards of Studies.

11. Boards of studies shall be constituted for the subjects of University study.

The members of each board of studies shall be appointed by the Senate from—

(*a.*) Members of a faculty who teach or examine in the board's subjects:

(*b.*) Other teachers of the University who teach the board's subjects.

The Senate may also appoint such other persons, not exceeding one-fourth of the total number of the board, as they may think fit.

Adequate representation on each board shall be secured for teachers of the University not belonging to any school of the University.

A teacher of the University may be assigned to more than one board.

Examinations.

12. Unless the Senate either generally by regulation or as to a particular subject by order otherwise determine, separate examinations shall be held for internal and external students respectively, and each certificate and diploma shall state whether the candidate has passed as an internal or as an external student; but the degrees conferred shall represent, as far as possible, the same standard of knowledge and attainments. The draft of any such regulation shall be communicated to Convocation, to the Academic Council, and to the Council for External Students.

In all examinations the Senate shall, if practicable, appoint in each subject at least one examiner who is not a teacher of the University.

PART II.

Matters for which provision must be made.

1. The adequate protection of the interests of all classes of students whether external or internal, collegiate or non-collegiate.

2. The recognition as teachers of the University of duly qualified teachers and lecturers, giving instruction of a University type in public educational institutions situate within a radius of thirty miles from the University buildings, whether such institutions be schools of the University or not.

3. The inclusion under proper regulations as internal students of the University of students who have matriculated at the University, and who are pursuing a course of study approved by the University under one or more of the recognised teachers of the University.

4. The due representation on the Senate and the Academic Council of all subjects of study and all sections of teachers of the University.