CHAPTER clii.

An Act to dissolve the University College of Sheffield and to transfer all the property and liabilities of the University College of Sheffield to the University of Sheffield and for other purposes. [4th August 1905.]

A.D. 1905.

WHEREAS by Royal Charter dated the eleventh day of May one thousand eight hundred and ninety-seven a college (in this Act referred to as "the college") was constituted and founded in the city of Sheffield under the name of "the University College of Sheffield" and the president vice-presidents governors and other officers of that college were thereby constituted and incorporated into a body corporate as in the said charter is set forth:

And whereas the objects with which the college was founded are the provision of such instruction in all the branches of a liberal education as may enable residents in the city of Sheffield and the neighbourhood thereof to qualify for degrees at any of the universities in the United Kingdom of Great Britain and Ireland and the provision of such scientific technical medical and other instruction as may be of immediate service in professional and commercial life and generally the promotion and increase of knowledge and by the said charter the court of governors thereby constituted were made the supreme governing body of the college:

And whereas by a deed of settlement (in this Act referred to as "the deed of settlement") executed by the college on the tenth day of May one thousand eight hundred and ninety-eight and approved by the Lords of Her late Majesty's Most Honourable Privy Council on the twentieth day of May one thousand eight hundred and ninety-eight the property of the college was specified

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and parts thereof were specifically allocated as in the said deed is set forth and it was provided that all property thereafter given to the college for founding particular professorships or scholarships or for other special purposes should be held by the college upon trust to apply the same to the purposes for which the same were given by the donors and accepted by the college and further provisions were contained with respect to property then belonging or thereafter to be given to the college without being appropriated by the donors to any special purpose:

And whereas upon the petition of the college His Majesty has granted a charter constituting the city of Sheffield a university (in this Act referred to as "the University") by the name and style of "The University of Sheffield" with faculties of arts science medicine and technology and such other faculties as may from time to time be constituted by the statutes of the University and with power to grant degrees and to do all acts and things which may be requisite in order to further the objects of the University as a teaching and examining body and to cultivate and promote art science and learning:

And whereas the court of governors of the college are desirous and it is expedient that the college should be merged in the University and that all the property and liabilities of the college should be transferred to and vested in the University:

And whereas it is expedient to empower the 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 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 University of Sheffield Act 1905.

Dissolution of college and transfer of property to University.

2.—(1) On 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 that date belonged to or were vested in the college shall subject to the provisions of this Act be by virtue of this Act without any conveyance transfer or other instrument transferred to and vested in 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.

(2) Any property which by the deed of settlement is allocated to any specific foundation or object shall after the transfer be held upon trust for and applied by the University to the same specific foundation or object as that for which such property was held in trust for and applied by the college previously to the transfer:

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 majority of two thirds of the members of the court of the University present and voting at a meeting of the said court and confirmed by a majority of two thirds of the members of the said court present and voting at another meeting of the said court holden not less than one calendar month and not more than six calendar months thereafter but so that the funds and investments for the time being allocated to each special foundation shall remain allocated for and be distinguished as allocated to such special foundation:

Provided also that any such deed 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 shall be endorsed on such deed.

Transfer of liabilities.

3. 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 actions &c.

4. All agreements awards contracts deeds (other than the deed of settlement) and other instruments and 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 carried into effect enforced and prosecuted by or in favour of 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,

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Saving for existing officers of college.

5. All professors and other members of and persons attached to or associated with the teaching staff of the college and all salaried or paid officers and servants of the college shall hold as nearly as practicable the same offices and places in the University as they held in the college immediately before the passing of this Act and upon the same terms and conditions unless and until the council of the University shall otherwise decide.

Transfer of powers to nominate members of certain governing bodies.

6. Any power or right of the college to appoint or nominate a member 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 council of the University.

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

7. The University 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.

8. The council of the University 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 had been expressly included therein Provided always that the fees for attendance and the travelling expenses of such member payable under section 12 of the Medical Act 1858 shall not be paid from the funds of the general council or of the branch council for England until such time as upon the representation of the general council or of the Privy Council made in the manner set forth in sections 10 and 19 of the Medical Act 1886 and subject to the provisions therein contained His Majesty may by Order in Council appoint.

Application of section 7 of Mortmain &c. Act 1888 (51 & 52 Vict. c. 42).

9. The University shall be deemed to have been included in the universities mentioned in section 7 of the Mortmain and Charitable Uses Act 1888 and that Act shall be read and have effect accordingly.

Construction of bequests in favour of college.

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

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As to Charitable Trusts Acts.

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

Costs of Act.

12. The costs charges and expenses of and incidental to preparing and obtaining this Act shall be defrayed by the University out of income or 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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