

tions hereinbefore referred to, or any of them, further or otherwise than may be necessary to give effect to this Order, but otherwise the said Proclamations shall remain in full force and effect :

This Order may be cited as Markethill Quarter Sessions and Civil Bill Court Order (Northern Ireland), 1940.

Given at Government House, Hillsborough, this 20th day of December, 1940.

John M. Andrews.

James Andrews.

J. H. Robb.

J. C. MacDermott.

QUEEN'S UNIVERSITY OF BELFAST.

Temporary Provisions.

ORDER IN COUNCIL; DATED 21ST JUNE, 1940, MADE UNDER SECTION THREE OF THE CHARTERED AND OTHER BODIES (TEMPORARY PROVISIONS) ACT (NORTHERN IRELAND), 1940.

1940. No. 55.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

WHEREAS application has been made by the governing body of the Queen's University of Belfast, praying that the Governor of Northern Ireland may be pleased to make an Order in Council with respect to the said University in pursuance of section three of the Chartered and Other Bodies (Temporary Provisions) Act (Northern Ireland), 1940 :

NOW, THEREFOR, I, JAMES ALBERT EDWARD, DUKE OF ABERCORN, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in pursuance of the provisions of the said Act and of all other powers enabling me in that behalf, do hereby order as follows :—

1.—(1) Emergency statutes may be made for the Queen's University of Belfast (in this Order referred to as "the University"), subject to and in accordance with the provisions of this Order, by the Senate, being the governing body of the University (in this Order referred to as "the Senate") in such manner, and for such purposes, as are hereinafter provided.

Power to make
emergency
statutes.

(2) Emergency statutes made under this Order shall, while in force, have effect notwithstanding any law of the University.

(3) The power of making emergency statutes for the University conferred by this Order shall be in addition and without prejudice to any other power to make, vary or revoke statutes for the University.

Making of emergency statutes upon recommendation of a committee.

2.—Emergency statutes shall be made by the Senate acting upon the recommendations of a committee consisting of the following members, namely :—

three representatives of the Senate, not being members of the Academic Council ;

three representatives of the Academic Council ;

two representatives of the General Board of Studies ;

two representatives of Convocation ;

with the Vice-Chancellor as an additional member, who shall be chairman of the committee.

Manner of making emergency statutes.

3.—(1) Subject to the provisions of this Order, emergency statutes shall be made in the manner in which statutes may, apart from the provisions of this Order, lawfully be made for the University, and shall take effect, under and subject to the provisions of this Order, notwithstanding that the period of forty days mentioned in subsection (2) of section five of the Irish Universities Act, 1908, may not have elapsed.

(2) The provisions of any law of the University requiring confirmation at a second or subsequent meeting of a resolution for the making of a statute passed by the Senate, or requiring notice, or a copy, of proposed statutes to be communicated to any person or body, shall not apply in relation to the making of any emergency statute under this Order, save in so far as such provisions may be expressly applied by some other emergency statute so made.

(3) A copy of every emergency statute shall be sent to the Clerk of the Privy Council of Northern Ireland as soon as may be after it is made.

Purposes for which emergency statutes may be made

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

(a) for postponing the election, admission or appointment to any office or emolument in the University ;

(b) for suspending any such office or emolument which may be or may become vacant ;

(c) for the accumulation of any income which, by reason of any such postponement or suspension as aforesaid, is not being received by any person ;

- (d) for the application for any purpose connected with the University of the income of any university fund or property which is not for the time being actually being paid to a beneficiary, including any income not so being paid by reason of any such postponement, suspension or accumulation as aforesaid;
- (e) for suspending or modifying any law of the University, whether as to residence, duties or otherwise, affecting the tenure or other conditions of any office or emolument in the University;
- (f) for enabling the University in the election to or award of any office or emolument to take into account the fact that any person offering himself as a candidate has been engaged in war service;
- (g) for extending the length of tenure of any office or emolument in the University in the case of any person who has been engaged in war service or has been detained during any part of the period of the present emergency by a neutral Power or a Power at war with His Majesty by reason of circumstances arising out of the existence of a state of war;
- (h) for enabling the University to waive or suspend any law of the University as to the period of residence or study or attendance at courses required to qualify any person to proceed to any degree, diploma, certificate or testamur, and for enabling the University to recognise for the purpose of its own requirements any period of residence or study or attendance at courses elsewhere;
- (i) for enabling the University to take any measures as to terms, examinations and otherwise that may be required to meet exigencies arising from the transfer of students from one place to another by reason of the existence of a state of war;
- (j) for modifying the qualifications for entry upon any course of study in the University in favour of persons whose education has been seriously hampered by circumstances arising from the existence of a state of war;
- (k) for suspending or modifying any law of the University which requires the appointment of an external examiner, or prescribes the composition of examining bodies;
- (l) for enabling the University to recognise war service by making allowances and granting exemptions in the matter of terms, examinations, repayment of fees and otherwise;

- (m) for suspending or modifying any obligation to make payments to any sinking fund, amortisation fund, depreciation fund, reserve fund, or any similar fund in or connected with the University, which the University may have undertaken by internal resolution ;
- (n) for suspending or modifying any law of the University governing the election, nomination or appointment of the members of any University Authority and for filling any casual vacancies occurring in the membership of any such Authority ;
- (o) for suspending or modifying any law of the University requiring at certain intervals or in certain events or at certain places a meeting of any University Authority, or making provision as to the period of notice or quorum of members necessary for any meeting of such an Authority ;
- (p) for the continuance in his office of the holder of any office in the University or the continuance in his membership of any member of any University Authority notwithstanding any law of the University relating to the retirement of any such person or the expiration of the tenure of his office or membership of any such Authority or the power to re-appoint or re-elect him ;
- (q) for enabling the University to make provision for the exercise of the powers and the performance of the duties attached to any office in the University (including the power of the Chancellor or the Vice-Chancellor to confer Degrees) by the holder of any other such office, or by any member of the staff of the University or of the Senate : provided that the consent of the holder of the office, member of the staff or member of the Senate has been obtained ;
- (r) for enabling any University Authority to delegate any of its powers, other than its powers of making statutes or emergency statutes, either to a smaller number of its own members or to its chairman or to some other body in the University ;
- (s) for modifying any law of the University as to the persons, or the number of persons, required to be present at the affixing of the seal of the University ;
- (t) for making such provisions of a similar nature to any of the foregoing as may seem to be required to prevent any loss or injustice, and to meet exigencies due to circumstances attributable directly or indirectly to the existence of a state of war ;

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

Provided that—

- (i) a provision of an emergency statute shall not have effect so as to alter the constitution or divert the property of the University unless and until the proposed alteration or diversion is approved by a majority of those present and voting at a meeting of each of the following bodies convened for the purpose, namely, the Senate and the Academic Council and the Convocation of the University ; and
- (ii) a provision of an emergency statute suspending or modifying any law of the University as to the tenure or other conditions of any office or emolument in the University shall not, if a person is holding the office or emolument when the emergency statute is made, have effect so long as he continues to hold the office or emolument unless the provision is in his interests or is made with his consent.

5.—(1) Any emergency statute made before the thirty-first day of December, nineteen hundred and forty, may provide for all or any of the provisions thereof having effect as from such date as may be specified in the emergency statute, not being a date earlier than the beginning of the period of the present emergency. Date of operation, variation and revocation of emergency statutes.

(2) Any emergency statute may provide for all or any of the provisions thereof continuing in operation notwithstanding the expiry of the Act first hereinbefore recited until such date as may be specified in the emergency statute, not being a date later than one year after that expiry.

(3) Any power conferred by this Order to make emergency statutes shall be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to vary or revoke any emergency statute.

6.—In this Order the following expressions have the meanings hereby assigned to them, that is to say :— Interpretation

“ Emolument ” includes any fellowship, studentship, scholarship, exhibition, prize, bursary, or other emolument ;

“ Law of the University ” means any instrument or thing whatsoever (including any Act of Parliament) regulating the constitution, endowments or functions of the University ;

“ Office ” includes any office, whether paid or unpaid, connected with the government of the University or with teaching, research or administration ;

“ Period of the present emergency ” means the period beginning with the first day of September, nineteen hundred and thirty-nine, and ending with the expiry of the Act first hereinbefore recited ;

“ University Authority ” means the Chancellor, the Pro-Chancellors, the President and Vice-Chancellor, the Senate, the Academic Council, the General Board of Studies, the Faculties and Convocation ;

“ University fund or property ” includes any property or endowment, whether or not being trust property, which is held by or on behalf of the University for any purpose within or connected with the University and whether the income is administered by the University or by any other body ;

“ War Service ” means service during the period of the present emergency in any of the naval, military or air forces of the Crown, or any service during that period which in the opinion of the Minister of Education for Northern Ireland may properly be treated for the purposes of this Order in the same manner as service in those forces.

Short title.

7.—This Order may be cited as the Queen’s University of Belfast (Temporary Provisions) Order, 1940.

Given at Government House, Hillsborough, this Twenty-first day of June, 1940.

Craigavon.
John M. Andrews.
R. Dawson Bates.
John F. Gordon.
J. H. Robb.
Basil Brooke.
J. Milne Barbour.

RAILWAYS.

Acquisition of Undertakings: Extension of Period.

1940. No. 52.

I, THE RIGHT HONOURABLE SIR RICHARD DAWSON BATES, BT., MINISTER OF HOME AFFAIRS FOR NORTHERN IRELAND, in pursuance of the powers vested in me by Section 5 of the Road and Railway Transport Act (Northern Ireland), 1935, as amended by Section 3 of the Road Transport Act (Northern Ireland), 1938, and of all other powers in that behalf thereunto enabling me, but without prejudice to any further exercise of such powers, hereby order and direct that the period within which the Northern Ireland Road Transport Board may acquire every road motor undertaking operated for hire or reward in Northern Ireland, including the passenger and freight road transport services of any railway company operating in Northern Ireland, shall be extended to the 31st day of December, 1940.