

1969. No. 74

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**ULSTER COLLEGE REGULATIONS**

REGULATIONS DATED 31ST MARCH 1969, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE AS TO GRANTS UNDER THE ULSTER COLLEGE ACT (NORTHERN IRELAND) 1968.

The Ministry of Education (hereinafter referred to as "the Ministry") in pursuance of the powers vested in it by Sections 1 and 9 of the Ulster College Act (Northern Ireland) 1968(a) and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance as to grants, hereby makes the following Regulations:

*Citation and Commencement*

1.—(1) These Regulations may be cited as The Ulster College Regulations (Northern Ireland) 1969.

(2) These Regulations shall come into operation on 1st April 1969.

*Definition of the Ulster College*

2. In these Regulations the College shall mean the institution known as the Ulster College comprising the following constituent institutions:

- (1) the College of Technology to be erected at Jordanstown in the County of Antrim;
- (2) the College of Commerce and Management to be erected at Jordanstown in the County of Antrim;
- (3) the College of Physical Education situated at Jordanstown in the County of Antrim;
- (4) the College of Art and Design situated at York Street in the City of Belfast;
- (5) the College of Domestic Science situated at Garnerville Road in the City of Belfast;
- (6) such other colleges as the Governors with the approval of the Ministry may from time to time determine.

*Incorporation of the Governors*

3. There shall be and is hereby established a body corporate to be called the Governors of the Ulster College (in these Regulations referred to as "the Governors").

*Composition of the Governors*

4.—(1) The Governors shall consist of:

- (a) the following persons appointed by the Minister of Education (hereinafter referred to as "the Minister"):
  - (i) one person to act as chairman;
  - (ii) three persons appointed after consultation with the Belfast Education Committee;
  - (iii) three persons appointed after consultation with the Association of Northern Ireland Education Committees;
  - (iv) three persons appointed after consultation with the Northern Ireland Committee of the Irish Congress of Trade Unions;

- (v) three persons appointed after consultation with the Northern Ireland Chamber of Commerce;
  - (vi) three persons appointed after consultation with the Confederation of British Industry (Northern Ireland Region);
  - (vii) two chief education officers appointed after consultation with the Association of Education Officers (Northern Ireland);
  - (viii) two persons appointed after consultation with such organisations appearing to the Minister to represent teachers serving in secondary schools and institutions of further education, as the Minister shall think fit;
  - (ix) two persons appointed after consultation with the Queen's University of Belfast;
  - (x) one person appointed after consultation with the New University of Ulster, Coleraine;
  - (xi) one person appointed after consultation with the Royal Ulster Academy of Arts;
- (b) the following persons:
- (i) the director of the College for the time being who shall act as vice-chairman;
  - (ii) the principals for the time being of the constituent institutions of the College;
  - (iii) three persons nominated by the Academic Board of the College (as hereinafter constituted) from their own number.

#### *Power of Governors*

5. Subject to the provisions of these Regulations the Governors shall have power to make and alter rules for the conduct of the College and shall make standing orders for the regulation of their own proceedings, and of the proceedings of committees of the Governors and for keeping of records, the execution of documents and other such matters connected with the conduct of their business as they think fit.

#### *Power of Co-option*

6. The Governors shall have power to co-opt not more than six other persons to serve as governors.

#### *Period of Office*

7.—(1) Subject to the provisions of this Regulation governors other than the director of the College and the principals of the constituent institutions of the College shall hold office each for a term of three years.

(2) Of the first governors the Minister may appoint up to one-third for a period of one year and up to one-third for a period of two years.

(3) The first governors shall take up office on such date as the Minister may appoint.

#### *Maximum Age for Appointment or Co-option as Governor*

8. A person who has attained the age of seventy years shall not be eligible for appointment or co-option as a governor but a person who attains the said age while he is a governor may continue to be a governor until the expiry of the period of his office.

#### *Determination of Governorship*

9.—(1) Any governor (other than the director of the College and the principals of the constituent institutions of the College)

- (a) who is absent from all meetings of the Governors during a period of one year shall cease to be a governor at the end of the next ensuing meeting unless the Governors at that meeting decide otherwise;
- (b) who is adjudicated a bankrupt or who is legally incapacitated from acting shall thereupon cease to be a governor;
- (c) who communicates in writing to the Governors a wish to resign shall thereupon cease to be a governor.

(2) Any governor who is a member of the academic staff of the College shall cease to be a governor upon ceasing to be a member of the academic staff, receiving notice to terminate his employment or being suspended. Any such governor whose suspension is subsequently lifted may be reinstated as a governor at the discretion of the Minister.

#### *Vacancies*

10.—(1) Every vacancy in the office of governor, other than that of co-opted governor, shall be notified to the Minister.

(2) Subject to the provisions of Regulations 8 and 12(2) any governor may be appointed, nominated or co-opted for a further period of office.

(3) A governor appointed in place of a governor who has died or vacated office before the end of his normal period of office shall hold office only during the unexpired portion of the said governor's period of office.

#### *Validity of Proceedings of Governors*

11. No defect in the qualification or appointment of any person acting as a governor or as a member of any committee of the Governors shall invalidate any proceedings of the Governors or committee in which he has taken part. Subject to the provisions of Regulation 13 as to a quorum the Governors may act notwithstanding any vacancy in their number or any vacancy in or non-appointment to any post carrying with it the office of governor or that the full number of governors cannot for any reason be constituted.

#### *Governors to have no financial interest in the College*

12.—(1) No governor shall take or hold any interest in property held or used for the purposes of the College, otherwise than as a trustee for the purposes thereof, or receive any remuneration (other than that payable in respect of salary or other emoluments as director or member of staff of the College) for his services but subject to the approval of the Ministry governors may receive out-of-pocket expenses incurred in connection with the discharge of their duties as governors.

(2) A governor who is concerned, by himself or his partner or through any company of which he is a director or with the management of which he is associated in any similar capacity, in any bargain or contract entered into with the Governors, or who participates by himself or his partner or through such company in the profit of any such bargain or contract or of any work done under the authority of the Governors, shall become disqualified from being a governor unless

- (a) before the bargain or contract is entered into he makes full disclosure of any such interest as aforesaid, and
- (b) he abstains from voting upon any matter connected therewith.

#### *Meetings of Governors*

13.—(1) The Governors shall hold ordinary meetings at least four times in each year.

(2) A special meeting of the Governors may be summoned by the secretary to the Governors on the request either of the chairman or of any three governors, at least one of whom must be a governor who is not a member of the academic staff.

(3) There shall be a quorum when one-third of the Governors are present at a meeting.

(4) The chairman, or in his absence the vice-chairman, shall preside at meetings of the Governors but if both are absent from any meeting or any part of it a chairman of that meeting or of that part of a meeting shall be appointed by the governors present.

(5) Every matter shall be determined by a majority of the governors present and voting on the question. In the case of equality of votes on any matter the chairman of the meeting shall have a second or casting vote.

(6) Minutes shall be kept of all meetings of the Governors and their committees and shall be signed at the same or the next ordinary meeting of the Governors or the committee, as the case may be, by the person presiding thereat.

(7) Unless invited by a resolution of the other governors present at the meeting to remain, a governor who is a member of the academic staff of the College shall withdraw from that part of any meeting of the Governors, or a committee thereof, at which there is consideration of the appointment or promotion of a person to a post equal to or senior to that which is held by him or consideration of the suspension, dismissal, or retirement of a person holding such a post.

(8) No governor who is a member of the academic staff of the College shall take part as governor in the consideration of his own promotion, suspension, dismissal or retirement.

#### *Appointment of Committees*

14. The Governors may appoint such committees as they consider necessary to exercise such functions as may be delegated to them by the Governors under Regulation 17. The committees may include members who are not governors provided that at least one-half of the members of any committee and the chairman of the committee are governors.

#### *Appointment of Advisory Panels*

15. The Governors may, after consultation with the Academic Board of the College, appoint advisory panels to assist with the development of specified fields of study. Such panels shall if practicable include a majority of persons, whether members of the academic staff or not, who have expert knowledge of the relevant field of study.

#### *Functions of the Governors*

16.—(1) The Governors shall:

- (a) conduct the College and plan its development within the financial limits specified by the Ministry;
- (b) subject to such directions, if any, as the Ministry may give, determine the courses to be provided in the College;
- (c) prepare and submit to the Ministry for approval estimates of income and expenditure for the College for such period and in such form as the Ministry may from time to time direct, supply such other information as the Ministry may require and ensure that expenditure is kept within the amounts approved;

- (d) be responsible for the maintenance of the College premises and for the provision and maintenance of the equipment;
  - (e) be responsible for carrying out alterations, additions and extensions to the College premises subject to the approval of the Ministry;
  - (f) be responsible for the appointment of staff in accordance with Regulation 17;
  - (g) have power to borrow, or invest, money on such terms and for such purposes as the Ministry, after consultation with the Ministry of Finance, may in writing approve;
  - (h) effect such insurance as the Ministry may from time to time approve or direct;
  - (i) for the purpose of promoting the efficiency of the College take such steps as they consider from time to time appropriate to establish and maintain contact with industry, commerce, universities, other colleges and research institutions;
  - (j) prepare and publish an annual report for the College.
- (2) Except with the approval in writing of the Ministry the Governors shall not:
- (a) dispose of or charge any property other than land vested in them which is valued at more than £500;
  - (b) acquire any estate or interest in land or dispose of or charge any estate or interest in land.

#### *Delegation of Functions*

17.—(1) The Governors may delegate to committees appointed by them under Regulation 14 or to the director the exercise of any of their functions other than responsibility for

- (a) the appointment and dismissal of
  - (i) the director of the College or
  - (ii) the secretary of the College
 and

(b) the submission to the Ministry of estimates of income and expenditure.

(2) The Governors having regard to the provision of these Regulations relating to the Academic Board may delegate to that Board such of their functions as they consider appropriate other than functions specified in subparagraphs (a) and (b) of paragraph (1), and the appointment and dismissal of the principals of the constituent institutions.

#### *Seal*

18. The Governors shall provide for the safe custody of the seal which shall be used only by the authority of the Governors or of a committee of the Governors authorised by the Governors in that behalf and every instrument to which the seal is affixed shall be signed by a governor and by the director or by a second governor or by some other person authorised by the Governors for the purpose.

#### *Academic and other Staff of the College*

19.—(1) The Governors shall appoint a person to be the director of the College who shall be the head of the academic staff and the chief executive of the Governors responsible to the Governors for the management of the College.

- (2) (a) The Governors shall pay to the academic staff, salaries in accordance with scales or rates approved by the Ministry.

- (b) Appointment of academic staff shall be determinable (except in the case of dismissal for misconduct) by not less than three calendar months' notice in writing.
- (c) Academic staff shall be employed in accordance with and subject to such other conditions of service as the Governors may determine.
- (3) (a) The Governors, or the director of the College, shall have power to suspend for misconduct any member of the academic staff. If the director suspends any member of the academic staff he shall immediately report the suspension to the Governors.
- (b) The procedure for the dismissal of members of the academic staff shall be such as may be decided by the Governors with the approval of the Ministry.
- (4) The Governors shall appoint a person to be the secretary of the College who shall be responsible to the director and shall act as secretary to the Governors.
- (5) The secretary and other officers and servants other than academic staff shall be employed in accordance with and subject to such conditions of service as the Governors may determine.

#### *Scholarships and Other Awards*

20. Subject to such conditions as may from time to time be specified by the Ministry, the Governors, on the recommendation of the Academic Board, may make provision for the award of college fellowships, research assistantships, scholarships, bursaries, prizes or other awards.

#### *Academic Board*

21.—(1) The Governors shall set up an Academic Board for the College, the composition of which shall be as follows:

- (a) The director of the College.
  - (b) The principals of the constituent institutions of the College.
  - (c) Representatives of the academic staff from each constituent institution chosen by the staff of such institution. The number of representatives from each constituent institution and the term of appointment shall be such as the Governors shall determine.
  - (d) The secretary and the librarian.
- (2) The Academic Board shall have power to co-opt not more than four other persons to serve on the Board.
- (3) The Academic Board shall be responsible for:
    - (a) the regulation of the teaching work of the College;
    - (b) advising the Governors on future development and requirements for staff, accommodation and equipment;
    - (c) admission of students to the various courses;
    - (d) regulation of examinations;
    - (e) promotion and regulation of research within the finances provided;
    - (f) the making of recommendations for the award of college fellowships, research assistantships, scholarships, bursaries, prizes and other awards;
    - (g) the nomination of academic representatives to external bodies;
    - (h) the nomination of three members of staff as governors;
    - (i) such other functions as may from time to time be delegated to the Board by the Governors.

(4) The director of the College shall be the chairman of the Academic Board and he, or in his absence his nominee, shall preside at meetings of the Academic Board.

(5) Subject to the provisions of these Regulations the Academic Board shall have power to regulate its proceedings and the conduct of its business, including the appointment of such sub-committees as it considers necessary.

(6) The Academic Board shall submit at every meeting of the Governors the minutes of all meetings of the Academic Board or its sub-committees which have been held since the last meeting of the Governors.

#### *Admission, Suspension and Expulsion of Students*

22.—(1) Students shall be admitted to the College in accordance with arrangements made by the Academic Board and approved by the Governors.

(2) The director shall have power to suspend a student and shall immediately report any suspension to the Governors or in an emergency to their chairman who shall report to the next meeting of the Governors. Before suspending a student the director shall so far as is practicable consult the principal of the constituent college which the student attends.

#### *Students' Representative Council*

23. The Governors shall

- (a) make provision for a Students' Representative Council, elected by the students, with powers to manage its own affairs and funds; and
- (b) make arrangements enabling representations on matters of concern to the students to be made to the director, the Academic Board or the Governors as appropriate.

#### *Fees*

24. The fees payable by the students attending the College shall be such as shall from time to time be determined by the Governors with the approval of the Ministry.

#### *Payment of Grant*

25. Subject to such conditions as the Ministry may specify, the Ministry may pay grant to the Governors equal to the approved expenditure incurred by them in discharging their functions under these Regulations. The method of payment of grant shall be such as the Ministry may determine after consultation with the Ministry of Finance.

26. For the purpose of determining the amount of grant payable under Regulation 25 there shall be deducted from the expenditure specified therein any receipts which in the opinion of the Ministry should be taken into account in determining the appropriate expenditure incurred by the Governors.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 31st day of March 1969.

(L.S.)

*J. M. Benn,*  
Secretary.

The Ministry of Finance hereby approves the foregoing Regulations as to grants.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of March 1969.

(L.S.)

*James Reid,*  
Assistant Secretary.

## EXPLANATORY NOTE

*(This note is not part of the Regulations but is intended to indicate their general purport.)*

These Regulations establish a Board of Governors for the Ulster College and define the constitution and functions of the Board. The Regulations also provide for the payment of grant to the Governors in respect of approved expenditure in the discharge of these duties.

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**1969. No. 75**

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.