

---

STATUTORY INSTRUMENTS

---

**1993 No. 558**

**The University of Paisley (Scotland) Order of Council 1993**

**PART I**

**CITATION, COMMENCEMENT AND INTERPRETATION**

**Citation and commencement**

1. This Order may be cited as the University of Paisley (Scotland) Order of Council 1993 and shall come into force on 1st April 1993.

**Interpretation**

2.—(1) In this Order, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them:

“the Act” means the Further and Higher Education (Scotland) Act 1992;

“the University” means the University of Paisley, being renamed as narrated in article 3 and being an institution designated under section 44 of the Act;

“the Court” means the governing body of the University constituted and incorporated by the Paisley College of Technology Scheme 1954(1), and renamed as narrated in articles 3 and 4;

“the governor” means a member of the Court of the University;

“the principal” means the principal and vice-chancellor or any person authorised, whether for the purposes of this Order or otherwise, for the time being to act as principal and vice-chancellor of the University and “vice-principal” shall be construed accordingly;

“the 1988 Regulations” means the Central Institutions (Scotland) Regulations 1988(2);

“the 1992 Regulations” means the Paisley College of Technology Scheme (Amendment) Regulations 1992(3); and

“the Senate” means the body of persons appointed in accordance with article 12.

(2) In this Order, unless the context otherwise requires, any reference to a numbered article, Part or Schedule shall be construed as a reference to the article, Part or Schedule, as the case may be, which bears that number in this Order, and any reference to a numbered paragraph in an article of, or Schedule to, the Order is to be construed as a reference to the paragraph bearing that number in that article or, as the case may be, that Schedule.

---

(1) The 1954 Scheme was framed and confirmed by the Secretary of State and approved by Order in Council on 19th October 1954 under section 123 of the Education (Scotland) Act 1946 (c. 72) and relevant amendments are S.I. 1973/1811, S.I. 1988/1715 and S.I. 1992/1093.

(2) S.I. 1988/1715.

(3) S.I. 1992/1093.

## PART II

### NAME

#### Name

3.—(1) The name of the institution, previously “Paisley College of Technology”, shall be “University of Paisley”(4).

(2) Accordingly, any reference in any agreement, deed, bond, instrument or other writing, operative or effective immediately before the effective date of this Order, to Paisley College of Technology or to The Governors of the Paisley College of Technology shall be read as a reference to the University of Paisley or, in accordance with article 4, to the Court of the University of Paisley, respectively, and any like reference to the College or to the Governors shall be construed accordingly; and no rights, interests, obligations or liabilities of any person shall be affected by the change of name of the institution or its governing body.

## PART III

### THE COURT

#### Name

4. The governing body, previously called “The Governors of the Paisley College of Technology”, shall be known as the “Court of the University of Paisley”.

#### Functions

5.—(1) The general functions of the Court are to manage, administer and conduct the University for the objects of providing education, undertaking and carrying out research, promoting teaching, scholarship and research, and in furtherance of the foregoing functions:

- (a) to provide research, design, development, testing, laboratory, consultancy and other services by way of extension of or in connection with any of the objects of the University; and
- (b) to carry on any trade or business whatsoever calculated to carry out the objects of or to be for the well-being of the University,

in each case, in such manner and on such terms and conditions as it may determine.

(2) The Court shall carry out these functions without prejudice to any person on grounds of gender, race, religion or other belief and in a manner that promotes academic freedom.

#### Membership

6.—(1) Subject to article 15(2), the Court shall consist of the following:

- (a) *Ex Officiis governors*
  - (i) the principal and vice-chancellor;
  - (ii) the vice-principal; and
  - (iii) the president of the Students' Association.

---

(4) The name of the institution was changed in accordance with section 49 of the Act by resolution of the governing body on 10th March 1992 and consent of the Privy Council on 12th June 1992 with effect for any and all purposes from the commencement of this Order.

(b) *Appointed governors*

- (i) Two governors appointed by the Senate from among the members of the full-time academic staff of the University who are members of the Senate;
- (ii) one governor appointed by the Students' Association from among the matriculated students who are office-bearers of the Association;
- (iii) not less than two and not more than four governors appointed by the Court including at least one person having experience of local government and at least one person having experience in the provision of education; and
- (iv) such other governors being not less than eleven and not more than thirteen, as determined in accordance with paragraph (2), appointed by the Court from among persons appearing to them to have experience of, and to have shown capacity in, industrial, commercial or employment matters or the practice of any profession.

But no member of staff or matriculated student of the University shall be eligible to be appointed under paragraphs b(iii) and b(iv).

(c) *Elected governors*

- (i) One governor who shall be elected by the full-time academic staff of the University from among such staff; and
- (ii) one governor who shall be elected by the full-time non-academic staff of the University from among such staff.

(2) The Court shall from time to time by resolution determine, subject to the limits stated in paragraph (1)(b)(iv), and to their remaining in an overall majority in the Court, the number of governors to be appointed under that paragraph. No such determination shall be effective unless made by a two-thirds majority of the whole Court.

(3) A resolution under paragraph (2) shall not have effect so as to terminate the appointment of any person who is a governor at the time when it takes effect.

(4) The Court shall make rules for the election of governors under paragraph (1)(c) which may be revoked and replaced or varied by further rules made by the Court.

(5) The Court shall appoint a chairman and a vice-chairman from among the governors appointed under paragraphs (b)(iii) and (b)(iv) only and for such times as it shall determine and for such duties as it shall prescribe.

(6) No failure or defect in the appointment of any governor and no vacancy in the office of governor shall prevent the Court from acting in the execution of its functions, nor shall any act or proceeding of the Court or of any committee appointed by it be invalidated or be illegal by reason of or in consequence of any such vacancy or of any such defect in the appointment of any one or more governors.

**Period of office**

7.—(1) No person other than an *ex officio* governor shall be appointed to the Court for a term of office of more than 4 years; and no person other than an *ex officio* governor shall be appointed to the Court where his term of office, if aggregated with any previous terms of office, whether served before or after the coming into force of this Order, would cause him to serve for more than 12 years in the Court.

(2) A person who has attained the age of 70 years shall not thereafter be eligible to take office, whether for a first or subsequent term, as a governor; provided that nothing in this article shall prohibit a person who attains the said age during a term of office as a governor from continuing as a governor until the expiry of that term.

(3) A governor shall be deemed to have vacated his office as governor, and the Court of which he was a member shall declare his place vacant, where he intimates in writing to the Court his resignation as a governor, or where the Court deems that his continuation would bring discredit upon the name of the University or in such other circumstances as the Court may determine and record in a standing order.

#### **Powers**

8. The powers of the Court shall be as set out in Schedule 1.

#### **Reserved areas of Business**

9. Where any meeting of the Court or of any committee of the Court is to consider the salary, conditions of service, appointment, promotion, suspension or dismissal of any member of staff of the University, any governors appointed under article 6(1)(a)(iii) and 6(1)(b)(ii) shall withdraw from the meeting or that part of the meeting, as the case may be, at which any such matters are to be considered unless invited to remain by virtue of a resolution of the other members of the Court or committee present at the meeting.

## **PART IV**

### **CHANCELLOR, PRINCIPAL AND SENATE**

#### **Chancellor**

10. There shall be a Chancellor, appointed by the Court for such a period or periods of office as it shall determine, who shall be the titular head of the University and who shall confer degrees, diplomas and other academic distinctions.

#### **Principal and Vice-chancellor**

11.—(1) There shall be a principal and vice-chancellor who shall be the chief academic and administrative officer and who shall have powers, in the absence of or during any vacancy in the office of Chancellor, to confer degrees, diplomas and other academic distinctions, and to appoint a deputy who shall have all powers of conferment in the absence of both the Chancellor and vice-chancellor.

(2) The principal shall be appointed by the Court in a manner to be determined by the Court from time to time.

(3) The Court shall make arrangements to secure that save as provided in paragraph (4) the functions of the Court, so far as relating to the organisation and management of the University and the discipline therein, shall be discharged on its behalf by the principal.

(4) The principal shall discharge the functions of the Court other than those which are delegated to the Senate by virtue of article 12 (4).

(5) In discharging the functions specified in paragraph (3), the principal shall be subject to the general control and direction of the Court but otherwise the principal shall have all the powers and duties of the Court in relation to those functions.

#### **Senate**

12.—(1) Subject to paragraph 2, the Court shall appoint, and maintain by further appointment, a Senate in the manner specified in Schedule 2, Part I.

(2) The proceedings of the Senate shall be regulated in accordance with Part II of Schedule 2.

(3) The Court shall make arrangements to secure that the Senate shall discharge the functions imposed on it by or under paragraph (4).

(4) The Court shall delegate to the Senate the functions of the Court relating to the overall planning, co-ordination, development and supervision of the academic work of the University, particularly those functions relating to the powers set out in Schedule 1 B(2), (3) and (8), and such other functions of the Court as the Court may determine, provided that all functions so delegated shall be discharged by the Senate subject to the general control and direction of the Court.

(5) In discharging the functions specified in paragraph (4), the Senate shall have all the powers and duties of the Court in relation to those functions and shall have the power to make any recommendation to the Court on such matters relating to those functions as the Senate may think fit.

## PART V

### VARIATIONS, REVOCATIONS, TRANSITIONAL PROVISIONS AND SAVINGS

#### **Variations and revocations of provisions of the Paisley College of Technology Scheme 1954**

**13.** The provisions of the Paisley College of Technology Scheme 1954 being, by virtue of article 14(4), the provisions of that Scheme as originally made, subject to the amendments made by the Paisley College of Technology (Amendment) Scheme 1973(5), are hereby varied or revoked, as the case may be, to the extent specified in Schedule 3.

#### **Partial revocation of the 1988 Regulations**

**14.—**(1) The 1988 Regulations shall cease to have effect insofar as they apply to the University.

(2) In Schedule 2 to the 1988 Regulations, paragraph 10 relating to the Paisley College of Technology Scheme 1954 is hereby revoked.

(3) The 1992 Regulations are hereby revoked.

(4) The variations and revocations of provisions of the Paisley College of Technology Scheme 1954 effected by regulation 20 of the 1988 Regulations and the said paragraph 10 of Schedule 2 to those Regulations, and by the 1992 Regulations, shall cease to have effect and the provisions of that Scheme as originally made shall be restored subject to the amendments made by the Paisley College of Technology (Amendment) Scheme 1973 and subject to any variation or revocation effected by article 13.

(5) Nothing in this article shall have the effect of reviving any variation or revocation of provisions of the Paisley College of Technology Scheme 1954 which ceased to have effect in accordance with Regulation 21 of the 1988 Regulations.

#### **Savings and transitional provisions**

**15.—**(1) For the avoidance of doubt, nothing in this Order shall be taken to affect the continuance of the governing body as a body corporate in accordance with the Paisley College of Technology Scheme 1954.

(2) The determination of the number of governors to be appointed to the governing body made by the Secretary of State on 1st January 1989 shall have the like effect for the purposes of this Order as a determination by the Court under article 6(2).

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(3) Any governors in office at the commencement of this Order in accordance with any provision of the 1988 Regulations shall continue as governors for the remainder of their period of office as if they had become governors in accordance with the corresponding provision of this Order.

(4) Any members of the Academic Council established under the 1988 Regulations in office at the commencement of this Order shall continue as members of the Senate established under article 12 for the remainder of their period of office.

*N. H. Nicholls*  
Clerk of the Privy Council