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STATUTORY INSTRUMENTS

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**1994 No. 1980**

The University of Abertay Dundee  
(Scotland) Order of Council 1994

PART IV

FUNCTIONS AND POWERS OF THE UNIVERSITY COURT

**Powers**

24. The University Court shall, subject to the provisions of this Order and the 1975 Scheme, have all the rights, powers and privileges necessary or expedient to enable it to carry into effect the objects of the University.

**Fees and charges**

25. The University Court may levy and receive fees and charges for all services, including the provision of courses (whether or not leading to a degree or other academic distinction).

**Maintenance of discipline**

26. The University Court shall have the power to frame such codes of discipline and such regulations as are necessary or desirable for maintaining good order within the University.

**Admission to the University**

27. The University Court shall prescribe conditions for admission and attendance:

Provided that it shall be in the power of the University Court to exclude any person from the University or part thereof if, in the opinion of the University Court, the admission or attendance of the said person would be likely to prejudice the efficiency or development of the University.

**Award of degrees, diplomas, etc.**

28.—(1) The University Court shall have the power—

- (a) to grant degrees, diplomas, certificates and such other academic awards and distinctions as it deems appropriate and which may be conferred by the University pursuant to the 1992 Order, and
- (b) to award honorary degrees and honorary fellowships to such persons as fulfil the conditions which it may prescribe for the receipt of such awards.

(2) The University Court shall have the power, subject to consultation with Senate, to deprive a recipient of a degree, diploma, certificate or other academic award or distinction previously conferred by the University under paragraph (1).

### **Structure and organisation**

29. The University Court shall set up such departments, faculties, schools, centres and other units of organisation in regard to both the academic and non-academic requirements and functions of the University, and shall attach thereto such functions, duties, responsibilities and powers as it deems appropriate or necessary.

### **Students' association**

30. The University Court shall—

- (a) in consultation with representatives of students attending the University make a scheme for the constitution and functions of an association representing the students of the University, which scheme shall include rules under which that association shall be entitled to make representations to the University Court; and
- (b) approve the constitution of and maintain and liaise with such association and grant such monies as it deems fit to such association.

### **Appointment and conditions of service**

31.—(1) The University Court shall—

- (i) appoint a Chancellor to be the titular head of the University who shall confer degrees, diplomas and other academic distinctions;
- (ii) appoint a Principal and Vice-Chancellor as the chief academic and executive officer of the University who shall, in the absence of or during vacancy in the office of, the Chancellor fulfil such of the functions undertaken by the Chancellor as may be prescribed by the University Court;
- (iii) appoint a Vice-Principal who shall have such powers as may be vested in him from time to time by the University Court and who shall undertake, in the absence of or during vacancy in the office of, the Chancellor and the Principal, such of the functions undertaken by the Chancellor as may be prescribed by the University Court; and
- (iv) appoint such other staff, both academic and non-academic, as it deems appropriate or necessary.

(2) The power of appointment specified in paragraph (1) above shall include a power to prescribe the salaries and conditions of service of such posts and a power to discipline and remove staff, both academic and non-academic, at all levels either by suspension from or termination of the appointment.

(3) The person appointed to the office of Chancellor under paragraph (1)(i) above shall not be an employee of the University Court but the powers under paragraph (2) above shall apply in relation to that office as they apply to the posts specified in paragraph (1)(ii), (iii) and (iv) above.

(4) The University Court shall appoint one person appointed under paragraph (1)(iv) above to hold the office of secretary and in that capacity to fulfil such duties as may be prescribed by the University Court.

### **Pensions, allowances and gratuities for staff**

32.—(1) Subject to the following provisions of this article, the University Court shall have power to pay such sum or sums by way of pension, allowance or gratuity as it may think fit to—

- (a) any member of staff of the University, on retirement, through age or permanent incapacity, from the employment of the University Court; or

(b) the surviving spouse or any dependant of any such member of staff in the event of the death of the member in the employment of the University Court,

in respect of any period of such member of staff's service in the employment of the University Court.

(2) In paragraph (1) the reference to the permanent incapacity of a member of staff of the University is a reference to a disability of mind or body of such a nature or to such an extent as, in the opinion of the University Court, renders that member of staff permanently incapable of continuing to serve efficiently in its employment.

(3) A pension, allowance or gratuity under this article shall not be payable in respect of any period of service which is reckoned for the purpose of any other pension, allowance, gratuity, or other like benefit, payable—

- (a) out of any superannuation scheme or fund established by or under any enactment; or
- (b) directly or indirectly out of monies provided by Parliament or by a local authority out of any tax, charge or rate levied by them.

(4) In paragraph (3) the reference to “any other pension” does not include a retirement pension under Part II of the Social Security Contributions and Benefits Act 1992(1) and the reference to “like benefit” does not include any other benefit under that Act.

(5) In paragraph (1) the reference to “service in the employment of the University Court” shall include reckonable service in the employment of the University Court or its predecessors.

#### **Allowances to members of the University Court**

**33.** The University Court may pay to any of its members such financial loss allowances and travelling and subsistence allowances as it considers appropriate.

#### **General and miscellaneous**

**34.** The University Court shall have the power—

- (a) to provide, equip, maintain, administer and otherwise promote the development of residential, catering, chaplaincy, sports, social and recreational facilities, library and teaching support services for staff and students;
- (b) to establish and maintain an association of former students of the University;
- (c) to acquire and take over the whole or any part of the business of any person, firm, company or body corporate or any rights or property suitable for the functions of the University Court or for any of the objects of the University;
- (d) to initiate, establish or acquire companies, whether charitable or commercial, alone or in association with any other persons or entities for the purpose of, or in connection with, any of the objects of the University or the functions of the University Court;
- (e) to apply for letters patent, patent rights, licences, trade marks, trade names, designs, inventions, copyrights or secret processes in its own right or in conjunction with others;
- (f) to publish, print or provide for publication in any form of media any result of or matter arising from or in connection with research or scholarship and to sell or otherwise provide or supply books, publications and other goods as it deems appropriate;
- (g) to sell, let, hire, feu, lease, license, charge or grant security over, give in exchange or otherwise dispose of all or any part of the business, property, assets and liabilities of the University Court;

- (h) to institute, provide, maintain and award fellowships, studentships, scholar– ships, prizes and other encouragements to teaching and research and to vary and withdraw the same as it deems appropriate;
- (i) to arrange for the association or affiliation by the University with any educational institution or association having objects wholly or partly similar to those of the University and with such other bodies public and private as may be necessary or desirable to carry out or further the objects of the University, all on such terms and conditions as may be arranged;
- (j) to enter into arrangements or co–operate with any persons, educational institutions, schools, associations or public and private bodies having objects wholly or partly similar to those of the University for the purposes of or for purposes incidental to the functions of the University Court upon such terms and conditions as may be arranged;
- (k) to build, alter, exchange, improve, lease, demolish or dispose of any building as it deems appropriate;
- (l) to effect such insurances against such risks as it deems appropriate;
- (m) to appoint such professional advisers as it deems appropriate; and
- (n) to conduct legal proceedings.