

2022 No. 985

CHARITIES, ENGLAND AND WALES

**The Charities (Royal Holloway and Bedford New College)
Order 2022**

<i>Made</i>	- - - -	<i>22nd September 2022</i>
<i>Laid before Parliament</i>		<i>26th September 2022</i>
<i>Coming into force</i>	- -	<i>17th October 2022</i>

The Charity Commission for England and Wales has settled the Scheme set out in the Schedule to this Order in accordance with section 73(1)(a) of the Charities Act 2011(a) with a view to its being given effect under section 73(2)(b) of that Act.

The Scheme does not alter any statutory provision contained in, or having effect under, any public general Act of Parliament.

The Secretary of State makes the following Order in exercise of the power conferred by section 73(2) of the Charities Act 2011:

Citation, commencement and extent

1.—(1) This Order may be cited as the Charities (Royal Holloway and Bedford New College) Order 2022.

(2) This Order comes into force on 17th October 2022.

(3) This Order extends to England and Wales, subject to subsection (4).

(4) An amendment made by the Schedule has the same extent as the enactment to which it relates.

The Scheme

2. The Schedule has effect.

22nd September 2022

Kamall
Parliamentary Under Secretary of State
Department for Digital, Culture, Media and Sport

(a) 2011 c. 25.

(b) Subsection (2) was amended by S.I. 2016/997.

Scheme for the administration of the charity known as the Royal Holloway and Bedford New College

The charity known as the Royal Holloway and Bedford New College (“the College”) situated in Egham in the County of Surrey is an exempt charity regulated by the Royal Holloway and Bedford New College Act 1985(a).

In accordance with section 73(7) of the Charities Act 2011 (“the 2011 Act”) the College has made an application to the Charity Commission for England and Wales (“the Commission”) for a scheme for the administration of the College (“the Scheme”) and the College has been notified of the Commission’s intention to proceed with the Scheme.

In accordance with section 28 of the 2011 Act the Commission has consulted the College’s principal regulator, the Office for Students(b), regarding the Commission’s intention to proceed with the Scheme.

In accordance with section 88(4) of the 2011 Act the Commission has determined that compliance with the public notice requirement for the Scheme is unnecessary.

The Commission settles the following scheme in accordance with section 73(1)(a) of the 2011 Act:

Interpretation

1. In this Scheme—

“the 1985 Act” means the Royal Holloway and Bedford New College Act 1985;

“the College” means the institution incorporated by section 3 of the 1985 Act, whether known by the name “Royal Holloway and Bedford New College” or “Royal Holloway, University of London” or such other name as may be approved by the Privy Council in accordance with section 4(4) of the 1985 Act.

Administration of the College

2. The College and its property must be administered in accordance with the 1985 Act as amended by the provisions of this Scheme.

Amendment of section 4 of the 1985 Act

3. Section 4 of the 1985 Act (Objects of College) is amended as follows—

(1) In subsection (1), after “the University,” insert “of the College and of any third party,”.

(2) For subsections (3) to (6) substitute—

“(3) The College has the power to do anything which is calculated to further its objects or is conducive or incidental to doing so. In particular the College has the power to—

- (a) award taught and research degrees and other academic awards and withdraw those degrees and awards;
- (b) take such steps as are necessary or desirable to apply for and maintain university title for the College;
- (c) acquire, own, maintain, manage and dispose of land and other property;

(a) 1985 c. xx.

(b) S.I. 2010/501, amended by S.I. 2018/245; there are other amending instruments but none is relevant, establishes the Office for Students as the College’s principal regulator.

- (d) solicit, receive, and administer fees, charges, grants, subscriptions, donations, endowments, legacies, gifts and loans of any property whatsoever, whether land or personal property, and any other sources of income;
- (e) act as trustee for and in relation to endowments, legacies and gifts;
- (f) invest any monies available for investment;
- (g) give guarantees and indemnities;
- (h) borrow and raise money and give securities for loans;
- (i) take such steps as may from time to time be expedient for the purposes of procuring and receiving contributions to the funds of the College;
- (j) co-operate and collaborate with other institutions and individuals, award joint degrees or other awards, and affiliate or incorporate into the College any other institution and take over its property, rights, liabilities and paid employees;
- (k) acquire, merge with or enter into any joint partnership or joint venture arrangement with any other institution;
- (l) establish subsidiary companies to carry on any trade;
- (m) enter into agreements and accept obligations and liabilities;
- (n) promote, encourage, carry out or commission research, surveys, studies or other work and disseminate the results of such work;
- (o) publish and distribute books, pamphlets, reports, journals, films, software and instructional matter on any other media;
- (p) employ and remunerate such staff as the Council may decide on such terms and conditions as the Council think fit; and
- (q) promote and maintain superannuation and pension schemes and may grant pensions and allowances for pay compensation in lieu thereof to members and former members of staff of the College or of the existing colleges and their respective dependants.

(4) The College has the power to change its name, including to a name referring to the College as a university instead of as a college, subject to approval by the Privy Council.

(5) His Majesty may from time to time by Order in Council make such amendments to this Act as may be necessary to give effect to any change of name approved by the Privy Council under subsection (4) and an Order in Council under this section may be varied or revoked by a subsequent Order in Council under this section.”.

Amendment of section 6 of the 1985 Act

4. Section 6 (Council) of the 1985 Act is amended as follows—

(1) In subsection (2), for the words from “and the statutes” to “University” substitute “(as amended by the Scheme) and the statutes and regulations”.

(2) After subsection (2) insert—

“(2A) For so long as the College is subject to the statutes and regulations of the University, the Council shall also conduct the general business of the College that is relevant to the University consistently with the provisions of the statutes and regulations of the University.”.

(3) In subsection (3), for the words from “Chairman” to “neither” substitute “Chair and at least one Vice-Chair of the Council or such higher number of Vice-Chairs as the Council shall determine, none”.

(4) In subsection (3)(a), omit “or of the University or of a School of the University”.

(5) After subsection (3)(b) insert—

“(c) for so long as the College is subject to the statutes and regulations of the University, in the employment of the University;”.

Amendment of section 7 of the 1985 Act

5. In section 7 of the 1985 Act, for subsections (3) to (5) substitute—

“(3) For so long as the College is subject to the statutes and regulations of the University, no statute made by the Council shall be contrary to the statutes and regulations of the University.

(4) The making, amendment or revocation of a statute under section 7 cannot have effect until it has been approved by the Privy Council.

(5) His Majesty may, by Order in Council, repeal subsection (4).”.

Amendment of section 8 of the 1985 Act

6. In section 8 of the 1985 Act, omit “and to the provisions of the statutes and regulations of the University.”.

Amendment of section 15 of the 1985 Act

7. In section 15 of the 1985 Act, for “Charities Act 1960” substitute “Charities Act 2011”.

Signed by authority of the Commission

4th August 2022

Aarti Thakor
Director of Legal Services
The Charity Commission

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to the Charity Commission’s Scheme for the administration of the Royal Holloway and Bedford New College (“the College”), a charity regulated by the Royal Holloway and Bedford New College Act 1985; this Order amends that Act.

The Scheme amends the objects of the College so that the College can continue to provide instruction leading to the award of degrees of the University of London, but also award degrees in its own name and the name of any third party, and provides a power for the College to change its name, subject to the approval of the Privy Council, in order to be referred to as a University.

The Scheme also widens and modernises the powers of the College to further its objects, allows the College’s Council to elect from amongst its members more than one Vice-chair, and ensures that the College must continue to abide by the statutes and regulations of the University of London while it retains (under the statutes of the University of London) its status as a Member Institution (constituent member) of the University of London.

An impact assessment has not been produced for this Order as no impact on the private or wider voluntary sectors is foreseen.

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£4.90

<http://www.legislation.gov.uk/id/uksi/2022/985>

ISBN 978-0-34-823903-4



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