



Universities (Scotland) Act 1932

1932 CHAPTER 26

2 Extension of powers of University Courts to make ordinances.

- (1) The powers conferred on the University Court of each of the Scottish Universities by section twenty-one of the Universities (Scotland) Act, 1889 (which confers power on these courts to make, alter or revoke ordinances), shall include power, subject to the provisions of that section, to make and to alter or revoke such ordinances as the University Court think fit:—
- (a) constituting a board of nomination composed of representatives elected in equal numbers by the University Court and by or under the authority of the General Assembly or otherwise in such manner as may be agreed on by the University Court and the General Assembly, and ordaining that a vacancy in any theological chair founded prior to the passing of this Act shall be filled by the appointment by the University Court of a person nominated by the aforesaid board if such nomination is agreed to by two-thirds of the whole number of the members of the board, and is intimated to the University Court within twelve months after the occurrence of the vacancy, and that failing such intimation within the said period the University Court may proceed to make an appointment without further consultation with the Board of Nomination;
 - (b) founding new chairs or professorships in the faculty of divinity or theology where such a course seems desirable in order to provide for the admission, as professors in the university and members of the Senatus and the faculty of divinity, of the holders of professorships in the former United Free Church Colleges, and where the General Assembly guarantees to the satisfaction of the University Court the payment of sufficient annual salaries and sufficient contributions for the purposes of superannuation to or on behalf of the holders of such new chairs or professorships; and ordaining in the case of any such new chair or professorship (i) that appointment thereto shall be made by the University Court on the nomination of the General Assembly or of any commission, board, or other body to whom the General Assembly may delegate its power so to nominate, if such nomination is intimated to the University Court within such period (not exceeding eighteen months after the occurrence of a vacancy in such new chair or professorship) as may be agreed on by the University Court and the General Assembly, (ii) that, if no such nomination shall be so intimated within the aforesaid period, such

Status: This is the original version (as it was originally enacted).

appointment may be made by the University Court after consultation with the General Assembly or with any such commission, board, or other body, as aforesaid; and (iii) that no provision in any ordinance made by the University Court limiting the tenure of office of any professor by reference to age, or instituting or adopting a system of pensions or superannuation allowances shall, except with his consent, apply to any person who shall be appointed to any such new chair or professorship, and who before such appointment shall have held a chair or professorship in any of the aforesaid colleges;

- (c) altering, with the consent of the General Assembly or of any commission, board, or other body to which the General Assembly may delegate the power so to consent, the name of any chair founded in pursuance of this section, or the scope of teaching, duties, and conditions of appointment of the professor, or, with the consent of the General Assembly, abolishing such chair, provided that no such ordinance shall authorise such alteration or abolition, except on the occurrence of a vacancy, or with the consent of the holder of the chair for the time being;
 - (d) in the case of the University of St. Andrews, separating the Principalship of St. Mary's College in that University from the Primarius Professorship of Divinity in the said College, and making such division of the emoluments attached to the said Principalship and Professorship conjointly prior to such separation, as the University Court may think fit.
- (2) Any ordinance made by the University Court of the University of Aberdeen under paragraph (a) of subsection (1) of this section may provide that the nomination board constituted under such ordinance may, in the case of a nomination for the Chair of Systematic Theology in the said University, follow the procedure established by the deed of erection relating to such Chair.
- (3) The power to found new chairs or professorships conferred on a University Court by paragraph (b) of subsection (1) of this section shall not be exerciseable after the expiry of seven years from the passing of this Act.
- (4) When an ordinance under paragraph (d) of subsection (1) of this section separating the principalship from the professorship therein referred to has come into operation, the right of presentation or appointment to the said principalship and to the said professorship shall be vested in the University Court, subject in the case of the professorship to the provisions of paragraph (a) of the said subsection (1).
- (5) Nothing in the foregoing provisions of this section, or of any ordinance made thereunder, shall prejudice any rights reserved to the Free Church of Scotland by the Order entitled "Assembly Records, Libraries, &c," and dated the twenty-ninth day of November, nineteen hundred and nine, made by the Commissioners under the Churches (Scotland) Act, 1905.