University Court

In terms of the Universities (Scotland) Act, 1966, the following draft Ordinance, promulgated by the University Court of the University of St Andrews on 18 January 2019, is made available for public consultation:

**Draft Ordinance No.132 – Composition of the University Court**

This is the second in a series of Ordinance changes required to allow for the full implementation of the Higher Education Governance (Scotland) Act 2016 (the Act), in advance of the required compliance date of 2020. Section 10 of the Act, Composition of governing body, sets out the minimum requirements for membership of the governing body of a higher education institution (University Court). The Act requires the governing body to contain as a minimum: a senior lay member (by virtue of section 8 of the Act); two elected staff members; two trade union nominees (one for academic, one for support trade unions); two nominated student members; and such other persons as are appointed by virtue of an enactment, or in accordance with the governing document of the institution. Draft Ordinance No.132 reflects these requirements.

Draft Ordinance No.132 also revokes current Ordinance No. 121 of the University Court of the University of St Andrews (Composition of the University Court).

The text of the draft Ordinance is enclosed.

Any comments on the above should be directed to me within eight weeks of the date of this notification and will, as necessary, be taken into consideration by the University Court. Subject to any comments received, the Court is expected to give final approval to this draft Ordinance at its meeting on 14 June 2019.

Margaret Sinclair
Executive Officer to the University Court & Senate
ORDINANCE No. XXX[132]

COMPOSITION OF THE UNIVERSITY COURT

At St Andrews, the xxx day of Xxxxx, two thousand and eighteen.

WHEREAS the University Court deems it expedient in order that it complies with the requirements of the Higher Education Governance (Scotland) Act 2016 to amend the composition of the University Court as constituted by section 2 of, and Part I of Schedule 1 to, the Universities (Scotland) Act 1966 as amended by University of St Andrews Ordinance No. 121 (Composition of the University Court);

THEREFORE the University Court, in exercise of its powers conferred by section 3(1) of, and paragraph 1 of Part I of Schedule 2 to, the Universities (Scotland) Act 1966, and all other powers enabling it, statutes and ordains as follows:

PART I

COMPOSITION OF THE UNIVERSITY COURT OF THE UNIVERSITY OF ST ANDREWS

I. Part I of Schedule 1 to the Universities (Scotland) Act 1966, as amended by Ordinance No. 121 of the University Court of St Andrews, shall cease to have effect and the following is substituted therefor:

“St Andrews

(a) the Rector;

(b) the Principal;

(c) the Deputy Principal (whether holder of the position of Master of the United College of St Salvator and St Leonard or otherwise);

(d) the Senior Lay Member, appointed in accordance with section 8 of the Higher Education Governance (Scotland) Act 2016;

(e) one person appointed by being elected by the non-academic staff of the University from among their own number in accordance with sections 10 and 11 of the Higher Education Governance (Scotland) Act 2016;

(f) four persons appointed as academic assessors of the Senatus Academicus by being elected by the academic staff of the University from among their own number in accordance with sections 10 and 11 of the Higher Education Governance (Scotland) Act 2016;
(g) one person appointed by being nominated by a trade union from among the academic staff of the University who are members of a branch of a trade union that has a connection with the University, in accordance with sections 10 and 12 of the Higher Education Governance (Scotland) Act 2016;

(h) one person appointed by being nominated by a trade union from among the support staff of the University who are members of a branch of a trade union that has a connection with the University, in accordance with sections 10 and 12 of the Higher Education Governance (Scotland) Act 2016;

(i) two persons nominated by the Students’ Association from among the students of the University, in accordance with sections 10 and 12 of the Higher Education Governance (Scotland) Act 2016;

(j) two assessors nominated by the General Council;

(k) one assessor nominated by the Chancellor, such person may not hold an appointment in the University or be a student of the University;

(l) one assessor nominated by the Rector;

(m) 8 persons, of whom none may either hold an appointment in the University or be a student of the University, as may be co-opted by the University Court;

(n) the leader for the time being of the Fife Council, or an assessor nominated by the said leader to serve throughout the said leader’s term of office provided that the said leader or assessor is neither a member of the staff nor a student of the University.”

PART II

REVOCATION OF ORDINANCES

II. Ordinance No. 121 of the University Court of the University of St Andrews is revoked on the date that this Ordinance is approved by Her Majesty in Council.

PART III

DATE OF OPERATION

III. Paragraphs I(a), I(b), I(c), I(e), I(f), I(i), I(j), I(k), I(l), I(m), I(n), II, III and IV of this Ordinance shall come into force on the date this Ordinance is approved by Her Majesty in Council.
IV. Each of paragraphs I(d), I(g) and I(h) shall come into force on 30 December 2020 or on the following dates, whichever is earlier: -

a. in the case of paragraph I(d), the date on which the first Senior Lay Member appointed in accordance with section 8 of the Higher Education Governance (Scotland) Act 2016 takes office;

b. in the case of paragraph I(g), the date on which the first person appointed under that paragraph takes office;

c. in the case of paragraph I(h), the date on which the first person appointed under that paragraph takes office.

IN WITNESS WHEREOF these presents are sealed with the Common Seal of the University Court of the University of St Andrews and are subscribed on its behalf, as required by Ordinance No. 118 of the said University Court, by xxxxxxx, Member of Court, and xxxxxx, Secretary of the University Court.