



King's College London Act 1997

1997 CHAPTER iii

An Act to unite the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals and King's College London; to transfer all rights, properties and liabilities from the Schools to the College; and for connected and other purposes. [31st July 1997]

WHEREAS—

- (1) King's College London (hereinafter referred to as "the College") was founded by Royal Charter granted on 14th August 1829 by His late Majesty King George the Fourth and, notwithstanding the annulment of that Charter by the King's College London Act 1882, remained incorporated by virtue of that Act and subsequently by virtue of the King's College London (Transfer) Act 1908 and, since 1st April 1980, by virtue of the King's College London Act 1978 and a Royal Charter granted by Her Majesty on 1st April 1980:
- (2) From its foundation the College included medical subjects in its curriculum and soon thereafter established a school of medicine and dentistry (hereinafter referred to as "the College's School of Medicine and Dentistry"):
- (3) In 1839 the College acquired certain premises and there established King's College Hospital as a teaching hospital:
- (4) Under the King's College Hospital Act 1851 the College's School of Medicine and Dentistry was established as a separate body corporate and King's College Hospital was transferred thereto:
- (5) Under the said Act of 1908 further functions and property of the College were transferred to the College's School of Medicine and Dentistry which, under that Act, became a school of medicine and dentistry of the University of London (hereinafter referred to as "the University") and was thereafter administered as one entity with King's College Hospital:
- (6) Under a scheme made pursuant to section 15 of the National Health Service Act 1946 the College's School of Medicine and Dentistry was constituted as a body corporate under the name of "King's College Hospital Medical School (University of London)" and, in accordance with that scheme, was thereafter separately administered from King's College Hospital as an independent school of the University:
- (7) By virtue of the King's College London Act 1983 King's College Hospital Medical School (University of London) was reunited with the College and in accordance with that Act

Status: This is the original version (as it was originally enacted).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

the College now maintains a school of medicine and dentistry known as King's College School of Medicine and Dentistry:

- (8) Under the said Act of 1983 there was constituted a Committee of the Council of the College known as the Delegacy of King's College School of Medicine and Dentistry to advise that Council on, and to superintend, the work carried on by King's College School of Medicine and Dentistry:
- (9) Guy's Hospital was established in 1724 and Guy's Hospital Medical School was founded in 1769. Lectures in dental surgery commenced there in 1799 and a dental school was established as part of Guy's Hospital Medical School in 1889. Guy's Hospital Medical School was admitted as a School of the University in 1900 and remained a constituent part of Guy's Hospital until 5th July 1948 when, pursuant to a scheme made under the said section 15, the School was reconstituted:
- (10) St. Thomas's Hospital was established in 1173 and St. Thomas's Hospital Medical School was founded in about 1550. St. Thomas's Hospital Medical School was admitted as a School of the University in 1900 and remained a constituent part of St. Thomas's Hospital until 5th July 1948 when, pursuant to a scheme made under the said section 15, the School was reconstituted:
- (11) On 1st August 1982 Guy's Hospital Medical School was reconstituted pursuant to a scheme made under the said section 15 as the United Medical Schools of Guy's and St. Thomas's Hospitals (hereinafter referred to as "the United Medical Schools") and on the same day St. Thomas's Hospital Medical School was reconstituted as the Administration Council of the United Medical Schools of Guy's and St. Thomas's Hospitals (hereinafter referred to as "the Administration Council"):
- (12) The Royal Dental Hospital of London was established in 1858 and the Royal Dental Hospital of London School of Dental Surgery (hereinafter referred to as "the Dental School") was founded in 1859. The Dental School was admitted as a School of the University in 1911 and remained a constituent part of the Royal Dental Hospital of London until 1948 when, pursuant to a scheme made under the said section 15, the Dental School was reconstituted:
- (13) On 1st August 1983 the United Medical Schools were reconstituted pursuant to a scheme made under the said section 15 as the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals (hereinafter referred to as "the Schools"), the Administration Council was also reconstituted pursuant to a scheme made under the said section 15 as the First Administration Council of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals (hereinafter referred to as "the First Administration Council") and the Dental School was reconstituted as the Second Administration Council of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals (hereinafter referred to as "the Second Administration Council"):
- (14) On 1st August 1985 the Institute of Dermatology (hereinafter referred to as "the Institute") which had been incorporated in 1950 as a company limited by guarantee, transferred its assets and rights to the Schools which were reconstituted on that day pursuant to a scheme made under the said section 15 and on the same day the First Administration Council and the Second Administration Council were also reconstituted pursuant to schemes made under the said section 15:
- (15) The Institute was dissolved in May 1988:
- (16) By virtue of the United Medical and Dental Schools Act 1990 the First Administration Council and the Second Administration Council were dissolved and a centralised management was created for the Schools pursuant to a scheme made under the said section 15:
- (17) The Report of the Inquiry into London's Health Service, Medical Education and Research under the chairmanship of Sir Bernard Tomlinson dated October 1992 (hereinafter referred

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

to as “the Tomlinson Report”) recommended the linking of London Medical Schools to multi-faculty colleges and in particular that the Schools should merge with King’s College School of Medicine and Dentistry within the College and that this merger should be pursued and implemented with all speed. The Tomlinson Report also recognised that co-location of medical schools and multi-faculty institutions and rationalisation of facilities would need to be contingent on suitable financial arrangements being made and more particularly on the release of funds to finance it:

- (18) The Department of Health has endorsed the broad conclusions of the Tomlinson Report, including the recommended merger of the College and the Schools, and the Secretary of State for Education has asked the Higher Education Funding Council for England to take them forward:
- (19) The College and the Schools have agreed that it is expedient that provision should be made for the Schools and the College to be united in accordance with this Act:
- (20) It is expedient that the other provisions contained in this Act should be enacted:
- (21) The objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Short title

This Act may be cited as the King’s College London Act 1997.

2 Interpretation

In this Act, unless the subject or context otherwise requires, the following expressions shall have the following meanings:—

“the appointed day” means such day as may be agreed by the Council of the College, the Delegacy and the Council of Governors under section 3 (Appointed day) of this Act;

“the Charter” means the Royal Charter granted by Her Majesty on 1st April 1980 to the College;

“the College” means King’s College London;

“the College Statutes” means the Statutes referred to in article 14 of the Charter;

“the Continuing Trustees” means the Continuing Trustees of the United Medical and Dental Schools of Guy’s and St. Thomas’s Hospitals constituted under section 6 (Constitution of Continuing Trustees of Schools) of this Act;

“the Council of Governors” means the Council of Governors of the Schools;

“the Council of the College” means the Council of King’s College London;

“the Delegacy” means the Delegacy of King’s College School of Medicine and Dentistry;

“the Former Establishments” means the United Medical Schools of Guy’s and St. Thomas’s Hospitals, the First Administration Council of the United Medical and Dental Schools of Guy’s and St. Thomas’s Hospitals, the Second

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

Administration Council of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals and the Institute of Dermatology;

“the Principal” means the Principal for the time being of the College;

“the relevant property” has the meaning assigned to it by the said section 6;

“the Schools” means the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals and, except in section 4 (Dissolution of Schools) of this Act, references to the Schools shall be construed as including reference to the Council of Governors;

“the University” means the University of London.

3 Appointed day

- (1) The Council of the College, the Delegacy and the Council of Governors may agree a day to be the appointed day for the purposes of this Act.
- (2) Not less than 14 days before such day as may be agreed under subsection (1) above the Council of the College shall—
 - (a) give notice to the Council of the University of the day so agreed; and
 - (b) publish in the London Gazette a notice stating the day so agreed.

4 Dissolution of Schools

On the appointed day the Schools and the Council of Governors shall hereby be dissolved and the scheme made pursuant to section 15 of the National Health Service Act 1946 constituting the Council of Governors and defining the duties and powers of that Council and the Schools and providing for the management and control of the Schools shall hereby be revoked.

5 Transfer of property, etc

- (1) All property, real and personal, of every description (including things in action) and all rights and privileges of the Schools which immediately before the appointed day belonged to or were vested in or exercisable by the Schools shall on the appointed day, subject to the provisions of this Act, without any conveyance, transfer, assignment or other instrument, be transferred to and vested in, or be exercisable by, the College for all the estate and interest therein of the Schools.
- (2) Any property which by any scheme, deed, will or other instrument or otherwise is held upon trust for any specific foundation or object of the Schools or of King's College School of Medicine and Dentistry shall, on and after the appointed day, be held upon trust for and applied, so far as is possible, to the same foundation or object of the College:

Provided that—

 - (a) any such foundation or object may from time to time be varied or added to by deed under the common seal of the College which shall have been approved by a special resolution (as defined in article 1 of the Charter) of the Council of the College but so that the funds and investments or share in an investment pool for the time being allocated to that specific foundation or object shall remain allocated for that specific object or foundation; and

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

- (b) any such deed shall not be of any validity until the same shall have been submitted to and approved by the Privy Council and a certificate of their approval thereof signed by the Clerk of the Privy Council, or by any other person authorised by the Privy Council in that behalf, shall be endorsed on the deed.
- (3) Subject to the provisions of subsection (2) above, any property held by the Schools upon or subject to any trust or trusts shall be held by the College upon or subject to the trust or trusts upon or subject to which that property was held by the Schools previously to the appointed day.
- (4) Without prejudice to the general effect of subsection (1) above, the property of the Schools transferred to the College by that subsection shall include such interests as the Schools may have in the freehold or leasehold properties and other interests in property specified in Part I of Schedule 1 to this Act and the trust funds specified in Part II of that Schedule.

6 Constitution of Continuing Trustees of Schools

- (1) On the appointed day there shall be constituted a body to be known as the Continuing Trustees of the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals which shall exist for a period of 10 years from that day and which shall on the expiry of that period hereby be dissolved and cease to exist.
- (2) Prior to the appointed day the Council of Governors shall appoint four persons, and the Delegacy shall appoint one person, and the persons so appointed together with the Principal shall be the members of the Continuing Trustees.
- (3) (a)

A member of the Continuing Trustees, other than the Principal, may, by notice in writing to the other members, resign his membership; and if a member other than the Principal becomes, in the opinion of the other members, unfit to discharge his duties as a member, the other members may, by notice in writing to him, terminate his membership.

 - (b) Where a member of the Continuing Trustees, other than the Principal, dies or resigns or has his membership terminated, the surviving or continuing members may by writing appoint another person to be a member in his place.
- (4) The Continuing Trustees shall—
 - (a) consider for the purposes of section 7 (Restriction on use of certain property) of this Act, any proposals by the Council of the College to use or permit the use of any of the relevant property otherwise than for the purposes of educating, or providing facilities for, students of medicine or dentistry or of promoting and advancing the teaching of, or research into, medicine and dentistry, or subjects allied thereto, within the College; and
 - (b) consider any other proposals or matters which may be referred to it by the Council of the College including any proposals for changes to the composition and functions of the Board of Management constituted under Statute 8A of the College Statutes.
- (5) The Continuing Trustees shall determine its own quorum and procedure.
- (6) For the purposes of this section and section 7 (Restriction on use of certain property) of this Act “the relevant property” means such interests in the properties specified in