1978 No. 279

ULSTER POLYTECHNIC

Ulster Polytechnic Regulations (Northern Ireland) 1978

Made . . . . . *19th September* 1978

Coming into operation . . . *24th October* 1978

The Department(a) of Education (hereinafter referred to as "the Department") in pursuance of the powers vested in it by sections 1 and 9 of the Ulster College Act (Northern Ireland) 1968(b) and of all other powers enabling it in that behalf, and with the approval of the Department(a) of Finance as to grants, hereby makes the following regulations:

Citation and commencement

1.—(1) These regulations may be cited as the Ulster Polytechnic Regulations (Northern Ireland) 1978.

(2) These regulations shall come into operation on 24th October 1978.

Regulations revoked

2. The following regulations are hereby revoked: the Ulster College Regulations (Northern Ireland) 1975(c).

Interpretation

3.—(1) In these regulations—

"the Governors" means the Governors of the Ulster Polytechnic;

"the Polytechnic" means the Ulster Polytechnic.

(2) The body corporate formerly known as the Governors of the Ulster College shall continue under the name of the Governors of the Ulster Polytechnic.

Composition of the Governors

4. The Governors shall consist of—

(*a*) the following persons appointed by the Department:

(i) one person to act as chairman;

(ii) two persons appointed after consultation with the Belfast Education and Library Board;

(iii) four persons appointed after consultation with the Association of Education and Library Boards;

(iv) one person appointed after consultation with the Association of Chief Officers of Education and Library Boards;

(v) three persons appointed after consultation with the Northern Ireland Committee of the Irish Congress of Trade Unions;

(a) Formerly Ministry: *see* 1973 c. 36 Schedule 5 paragraph 8(1)
(b) 1968 c. 14 (N.I.)
(c) S.R. 1975 No. 181 (II, p. 955)

(vi) three persons appointed after consultation with the Northern Ireland Chamber of Commerce and Industry;

(vii) three persons appointed after consultation with the Confederation of British Industry (Northern Ireland Region);

(viii) two persons appointed after consultation with such organisations appearing to the Department to represent teachers serving in secondary schools and institutions of further education, as it shall think fit;

(ix) two persons appointed after consultation with The Queen's University of Belfast;

(x) one person appointed after consultation with the New University of Ulster;

(xi) one person appointed after consultation with the Department of Health and Social Services;

(xii) one person appointed after consultation with the Arts Council of Northern Ireland;

(xiii) one person appointed after consultation with the Royal Ulster Academy of Arts; and

(*b*) the following persons:

(i) the rector of the Polytechnic for the time being who shall act as vice-chairman;

(ii) not more than five members of the academic staff of the Polytechnic for the time being as shall be determined from time to time by the persons appointed under 4(*a*) and 4(*b*)(i);

(iii) four persons elected by the academic staff of the Polytechnic for the time being from their own number in accordance with arrangements made by the Governors;

(iv) two persons elected by the staff of the Polytechnic other than academic staff for the time being from their own number in accordance with arrangements made by the Governors; and

(v) three students of the Polytechnic for the time being elected by the Students' Representative Council in accordance with arrangements made by the Governors.

Power of co-option

5. The Governors shall have power to co-opt not more than three persons not being staff or students of the Polytechnic to serve as governors.

Period of office

6.—(1) Subject to the provisions of this regulation governors other than the rector of the Polytechnic shall hold office each for a term of three years.

(2) The term of office of each governor existing at the date of these regulations shall expire on the date on which it was due to have expired under the regulations hereby revoked.

(3) The persons elected under regulation 4(*b*)(iii) and (iv) shall not be eligible for re-election for a consecutive term of office.

(4) The persons elected under regulation 4(*b*)(v) shall be elected annually. No such person may serve as a governor for more than three consecutive years.

Power of Governors

7. Subject to the provisions of these regulations the Governors shall have power to make rules for the conduct of the Polytechnic and to make standing orders for the regulation of their own proceedings, and of the proceedings of committees of the Governors and for keeping of records, the execution of documents and other such matters connected with the conduct of their business as they think fit.

Determination of governorship

8.—(1) Any governor appointed under the provisions of regulation 4(*a*) or co-opted under the provisions of regulation 5—

(*a*) who is absent from all meetings of the Governors during a period of one year shall cease to be a governor at the end of the next ensuing meeting unless the Governors at that meeting decide otherwise: Provided that attendance at a meeting of a committee of the Governors shall be regarded as attendance at a meeting of the Governors for the purposes of this sub-paragraph;

(*b*) who is adjudicated a bankrupt or who is legally incapacitated shall thereupon cease to be a governor;

(*c*) who communicates in writing to the Governors a wish to resign shall thereupon cease to be a governor.

(2) Any governor who is a member of the staff of the Polytechnic shall cease to be a governor upon—

(*a*) ceasing to be a member of such staff;

(*b*) receiving notice to terminate his employment; or

(*c*) being suspended.

Any such governor whose suspension is subsequently lifted may, subject to the approval of the Department, be reinstated as a governor.

(3) Any governor who is a student of the Polytechnic shall cease to be a governor upon ceasing to be a student of the Polytechnic or being suspended. Any such governor whose suspension is subsequently lifted may, subject to the approval of the Department, be reinstated as a governor.

Vacancies

9.—(1) The Secretary of the Polytechnic shall notify the Department of every vacancy in the Governors appointed under the provisions of regulation 4(*a*).

(2) Subject to the provisions of regulations 6(3), 6(4) and 10(2) any governor may be appointed, elected or co-opted for a further period of office.

(3) A governor appointed in place of a governor who has died or vacated office before the end of his normal period of office shall hold office only during the unexpired portion of the said governor's period of office.

Governors to have no financial interest in the Polytechnic

10.—(1) No governor shall take or hold any interest in property held or used for the purposes of the Polytechnic, otherwise than as a trustee for the purposes thereof, or receive any remuneration (other than that payable in respect of salary or other emoluments as rector or member of staff of the Polytechnic) for his services but subject to the approval of the Department governors may receive out-of-pocket expenses incurred in connection with the discharge of their duties as governors.

(2) A governor who is concerned, by himself or his partner or through any company of which he is a director or with the management of which he is associated in any similar capacity, in any bargain or contract entered into with the Governors, or who participates by himself or his partner or through such company in the profit of any such bargain or contract or of any work done under the authority of the Governors, shall become disqualified from being a governor unless—

(*a*) before the bargain or contract is entered into he makes full disclosure of any such interest as aforesaid; and

(*b*) he abstains from voting upon any matter connected therewith.

Meetings of Governors

11.—(1) The Governors shall hold ordinary meetings at least four times in each year.

(2) A special meeting of the Governors may be summoned by the secretary to the Governors on the request either of the chairman or of any six governors, at least three of whom must be governors who are neither members of the staff nor students of the Polytechnic.

(3) There shall be a quorum when one-third of the Governors are present at a meeting and more than half of those present are governors appointed under the provisions of regulation 4(*a*) or co-opted under the provisions of regulation 5.

(4) The chairman, or in his absence the vice-chairman, shall preside at meetings of the Governors but if both are absent from any meeting or any part of it a chairman of that meeting or of that part of a meeting shall be appointed by the governors present.

(5) Every matter shall be determined by a majority of the Governors present and voting on the question. In the case of equality of votes on any matter the chairman of the meeting shall have a second or casting vote.

(6) Minutes shall be kept of all meetings of the Governors and their committees and shall be signed at the same or the next ordinary meeting of the Governors or the committee, as the case may be, by the person presiding thereat.

(7) Unless invited by a resolution of the other governors present at the meeting to remain, a governor who is a member of the staff of the Polytechnic shall withdraw from that part of any meeting of the Governors, or a committee thereof, at which there is consideration of the appointment or promotion of a person to a post equal to or senior to that which is held by him or consideration of the suspension, dismissal, or retirement of a person holding such a post.

(8) No governor who is a member of the staff of the Polytechnic shall take part as governor in the consideration of his own promotion, suspension, dismissal or retirement.

(9) Unless invited by a resolution of the other governors present at the meeting to remain, a governor who is a student of the Polytechnic shall withdraw from that part of any meeting of the Governors, or a committee thereof, at which the conditions of service or the appointment, promotion, suspension or dismissal of any member of the staff of the Polytechnic are considered.