STATUTORY INSTRUMENTS

1984 No. 1167 (N.I. 10)

The University of Ulster (Northern Ireland) Order 1984

- - - - - - *31st July 1984*

Title and commencement

1.—(1) This Order may be cited as the University of Ulster (Northern Ireland) Order 1984.

(2) If Her Majesty is pleased, by Royal Charter, to provide for the foundation of a new university in Northern Ireland with the name and style of the "University of Ulster" (in this Order referred to as "the University"), the Head of the Department may by order appoint a day for the coming into operation of this Order[F1].

F1 fully exercised by SR 1984/331

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the appointed day" means the day appointed under Article 1(2) for the coming into operation of this Order;

"the Department" means the Department of Education;

"the University" has the meaning given in Article 1(2).

Transfer of property, etc.

3.—(1) There are hereby transferred to and vested in the University on the appointed day—

(a) all assets and liabilities to which The New University of Ulster was entitled or subject immediately before the appointed day;

(b) all assets and liabilities to which the Governors of the Ulster Polytechnic were entitled or subject immediately before the appointed day; and

(c) all land held or acquired, by the Department under the Ulster College Act (Northern Ireland) 1968 for the purposes for which the Governors of the Ulster Polytechnic were constituted, and all liabilities incurred by the Department in connection with such land immediately before the appointed day.

(2) Anything which, immediately before the appointed day, was in the process of being done by or in relation to—

(a) The New University of Ulster;

(b) the Governors of the Ulster Polytechnic; or

(c) the Department,

in connection with things transferred under paragraph (1) (including, in particular, any legal proceedings to which any of those bodies is a party), may be continued by or in relation to the University.

(3) Any reference to The New University of Ulster or the Governors of the Ulster Polytechnic in any document, made before the appointed day and relating to anything transferred under paragraph (1), shall be construed as a reference to the University in so far as is necessary for the purpose of or in consequence of that transfer.

(4) Any property to which this paragraph applies shall be held by the University, in accordance with its Charter, for the purpose of maintaining in Londonderry, as an integral part of the University, an institution to be known as Magee University College.

(5) The property to which paragraph (4) applies is any property vesting in the University under paragraph (1), which, immediately before the appointed day, was held by The New University of Ulster by virtue of section 1(1) of the Magee University College Londonderry Act (Northern Ireland) 1970.

(6) Any bequest, gift, trust or endowment in favour of or in relation to—

(a) The New University of Ulster;

(b) the Governors of the Ulster Polytechnic; or

(c) the Department, for the purposes of the Ulster Polytechnic,

shall on the appointed day be construed and have effect as if the University had been named or referred to therein instead of any of those bodies, whether the bequest, gift, trust or endowment is made, regulated or constituted by any will, scheme, order of court, deed or document or in any other manner.

(7) Paragraph (6) shall have effect whether the bequest, gift, trust or endowment is made or executed, or takes effect, before or after the appointed day.

Dissolution of Ulster Polytechnic

4. The body corporate known as the Governors of the Ulster Polytechnic is hereby dissolved on the appointed day.

Staff of The New University of Ulster and Ulster Polytechnic

5.—(1) Where any person to whom paragraph (4) applies—

(a) declines to accept an offer of employment by the University; or

(b) within the period of 6 months from the appointed day relinquishes his employment by the University, on the grounds that—

(i) he is to suffer, or has suffered a diminution in pay; or

(ii) he is not to be employed, or has not been employed, on terms and conditions which are as nearly as practicable the same as those which governed his employment immediately before the appointed day;

he shall be entitled to compensation from the University on such terms and subject to such conditions as may be specified in regulations made by the Department.

(2) Without prejudice to anything in section 17 of the Interpretation Act (Northern Ireland) 1954, regulations made under paragraph (1)—