



CHAPTER iv

An Act to dissolve the Hartley University College at Southampton founded 1850 registered 1902 and to transfer all the rights property and liabilities of that college to the University of Southampton and for other purposes. [6th May 1953.]

WHEREAS—

(1) The Hartley Institution in the borough of Southampton was founded by the will of Henry Robinson Hartley who died on the twenty-fourth day of May eighteen hundred and fifty and by a scheme (in this Act referred to as “the scheme of 1902”) established by order of the Board of Education dated the twenty-third day of September nineteen hundred and two provision is made for the regulation of the institution and by a certificate of incorporation granted by that Board under the Charitable Trustees Incorporation Act 1872 (as amended by subsequent enactments) and dated the twentieth day of November nineteen hundred and two the trustees of the foundation were incorporated by the name of “Hartley University College at Southampton founded 1850 registered 1902” (in this Act referred to as “the college”):

(2) The trusts and objects of the college were expressed in the scheme of 1902 to be the provision of a liberal education and such instruction as may enable residents in the county borough of Southampton and in the administrative counties of Southampton the Isle of Wight Dorset and Wilts and the county boroughs of Portsmouth and Bournemouth and others to qualify for degrees at any universities in the United Kingdom of Great Britain and Ireland the giving of such legal medical technical or other

instruction as may be of service in professional commercial or industrial life the spread of higher education by providing instruction in the form of lectures combined with class teaching and examinations at such places and in such subjects as shall be determined from time to time by statutes of the college and generally the promotion and increase of knowledge and the college is under the management of a court of governors and a council appointed by or in pursuance of the said scheme:

(3) The scheme of 1902 has been amended by further schemes made by the Board of Education in nineteen hundred and six and nineteen hundred and thirty:

(4) The college has made provision for teaching of university standard in faculties of arts science engineering and economics and in other schools and departments from time to time established:

(5) On the petition of the college Her Majesty on the twenty-ninth day of April nineteen hundred and fifty-two granted a charter constituting in the town and county of Southampton a university by the name and style of "the University of Southampton" (in this Act referred to as "the University") with faculties of arts science engineering economics education and law and such other faculties either in addition to or in substitution for the aforesaid faculties or any of them as may from time to time be constituted by statutes and ordinances of the University and with power to grant degrees and other academic distinctions and to do all such other acts and things as might be requisite in order to further the objects of the University as a place of education and of learning:

(6) The said charter enables the University to enter into an agreement with the college for the incorporation of the college in the University and for taking over its rights property liabilities and engagements and if necessary to promote a Bill in Parliament to confirm or carry out any such agreement:

(7) The court of governors and the council of the college are desirous and it is expedient that the college should be merged in the University and that all the rights property and liabilities of the college should be transferred to and vested in the University as provided by this Act:

(8) It is expedient that the other provisions contained in this Act be enacted:

(9) 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 (that is to say):—

1.—(1) This Act may be cited as the University of Southampton Act 1953.

Short title and
commence-
ment.

(2) This Act shall come into operation on the first day of August nineteen hundred and fifty-three.

2.—(1) As from the commencement of this Act the college shall be by virtue of this Act dissolved and cease to exist and without prejudice to anything previously done or suffered the scheme of 1902 and the schemes amending that scheme and the certificate of incorporation referred to in the preamble to this Act shall be revoked and be wholly void and all property real and personal of every description (including things in action) and all rights and privileges of the college which immediately before the commencement of this Act belonged to or were vested in or exercisable by the college shall subject to the provisions of this Act be by virtue of this Act without any conveyance transfer or other instrument transferred to vested in and exercisable by the University for all the estate and interest therein of the college and shall be applied to the objects and purposes for which the University is incorporated.

Dissolution of
college and
transfer of
property to
University.

(2) Any property which by any deed will or other instrument is allocated to any specific foundation or object of the college shall after the said transfer be held upon trust for and applied by the University as far as possible to the same specific foundation or object of the University as that for which such property was held in trust for and applied by the college previously to the transfer.

(3) Subject to the provisions of subsection (2) of this section any property held by the college upon or subject to any trust or trusts (not being a trust or trusts relating to the objects and purposes for which the University is incorporated) shall be held by the University upon or subject to the trust or trusts upon or subject to which such property was held by the college previously to the transfer.

3. On the commencement of this Act all debts and liabilities of the college shall by virtue of this Act be transferred and attached to the University and shall thereafter be discharged and satisfied by the University.

Transfer of
liabilities.

4. All agreements awards contracts deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the commencement of this Act were existing or pending in favour of or against the college

Saving for
agreements
deeds actions
etc.

shall continue and may be carried into effect enforced and prosecuted by or in favour of or against the University to the same extent or in like manner as if the University instead of the college had been party to or interested in the same respectively.

Saving for existing staff of college.

5. All professors and other members of and persons attached to or associated with the teaching staff of the college and all salaried or paid officers and servants of the college shall hold as nearly as practicable the same offices and places in the University as they held in the college immediately before the commencement of this Act and upon the same terms and conditions or upon such varied terms and conditions as the council of the University shall decide without prejudice to any existing rights in regard to tenure of office salary or other emoluments.

Transfer of power to appoint or nominate.

6. Any power or right of the college to appoint or nominate a member of any educational authority or of the governing body of any educational charitable or other institution shall on the commencement of this Act be transferred to and may be exercised by the University.

Extension of privileges of graduates.

7. Wherever any office is or shall be open to graduates of the universities of Oxford Cambridge Durham or London or the Victoria University of Manchester or the universities of Birmingham Liverpool Leeds Sheffield Bristol Reading or Nottingham graduates of the University having the degree which would be a qualification for any such office if it had been granted by any of the other universities named in this section may become candidates for and may hold any such office and wherever any privilege or exemption has been or shall be given by any Act of Parliament or regulation of any public authority to graduates of any of the said universities graduates of the University shall be entitled to any such privilege or exemption as fully as graduates of any of the other universities named in this section.

Application of section 7 of Mortmain etc. Act 1888.

8. The University shall be deemed to have been included among the universities mentioned in section 7 of the Mortmain and Charitable Uses Act 1888 and that Act shall be read and have effect accordingly.

Construction of bequests in favour of college.

9. Any will deed or other document whether made or executed before or after the commencement of this Act (including any will made before the commencement of this Act by a testator living at the date of such commencement) which contains any bequest gift or trust in favour of the college shall on and after the commencement of this Act be read and have effect as if the University were therein named instead of the college.

10. The Charitable Trusts Acts 1853 to 1939 shall not extend to property held for the general purposes of the University or of any college or hall therein. Charitable
Trusts Acts.

11. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act shall be defrayed by the University out of income or out of the capital of the property by this Act transferred to the University or if the council of the University think fit out of money to be raised by sale or mortgage of some part of the said property. Costs of Act.

Table of Statutes referred to in this Act

Short title	Session and chapter
Charitable Trustees Incorporation Act 1872 ...	35 & 36 Vict. c. 24.
Mortmain and Charitable Uses Act 1888 ...	51 & 52 Vict. c. 42.

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ARRANGEMENT OF SECTIONS

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SCHEDULE—

Part I—As respects Rhodesian Anglo American Limited.

Part II—As respects Rhokana Corporation Limited.

Part III—As respects Nchanga Consolidated Copper Mines Limited.

Part IV—As respects Rhodesia Copper Refineries Limited.

Part V—As respects the Rhodesia Broken Hill Development Company Limited.