

At the Council Chamber Whitehall

THE 16th DAY OF FEBRUARY 1993

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

WHEREAS section 124A(3) and (4) of the Education Reform Act 1988(a) (hereafter referred to as "the Act") provide that the Privy Council may by Order make an instrument of government of any higher education corporation with respect to which Schedule 7 to the Act has effect and that the said instrument of government shall comply with the requirements of Schedule 7 to the Act and may make any provision authorised to be made by the said Schedule 7 and such other provisions as may be necessary or desirable;

AND WHEREAS the University of Humberside Higher Education Corporation is a higher education corporation with respect to which Schedule 7 has effect;

AND WHEREAS the Privy Council has exercised the powers conferred by the said section 124A(3) and (4) and has caused to be made an instrument of government for the University of Humberside higher education corporation as set out in the Schedule to this Order, which shall come into force forthwith.

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SCHEDULE

INSTRUMENT OF GOVERNMENT REFERRED TO IN THE FOREGOING ORDER

1. INTERPRETATION

(1) In this Instrument, the following words and expressions shall have the meanings indicated in this paragraph—

"the Act" means the Education Reform Act 1988 as amended from time to time;

"the Corporation" means the University of Humberside higher education corporation;

"the Board of Governors" means the members of the Corporation;

(a) 1988 c.40; section 124A was inserted by section 71 of the Further and Higher Education Act 1992 (c.13).

“the University” means the University of Humberside conducted by the Corporation;

“the Principal” means the Vice-Chancellor of the University;

“the Academic Board” means the Academic Board of the University constituted in accordance with the Articles;

“the Instrument” means the Instrument of Government of the Corporation;

“the Articles” means the Articles of Government in accordance with which the University is conducted;

“the Clerk” means the person appointed to the office of the Clerk to the Board of Governors under the Articles;

“the Secretary of State” means the Secretary of State for Education; and

“the authority” means the Corporation unless otherwise specified.

(2) In this Instrument, in relation to the Board of Governors, every reference to a number of members is a reference to a number of members of which the number applicable is subject to variation.

2. NAME OF CORPORATION
(1) The Corporation may, by resolution, change the name of the Corporation, with the consent of the Privy Council.

3. MEMBERSHIP OF THE BOARD OF GOVERNORS

- (1) The Board of Governors shall consist of—
 - (a) not less than twelve and not more than twenty-four members appointed in accordance with the following provisions; and
 - (b) the Principal, unless he chooses not to be a member.
- (2) Of the appointed members—
 - (a) up to three shall be independent members;
 - (b) up to two may be teachers at the University (appointed by the Academic Board) and up to two may be students of the University nominated by the students thereof; and
 - (c) at least one and not more than nine shall be co-opted members nominated by the members of the Board of Governors who are not co-opted members.
- (3) Independent members shall be persons appearing to the appointing authority to have experience and to have shown capacity in industrial, commercial or employment matters or the practice of any profession.
- (4) The co-opted member required by sub-paragraph (2)(c) above shall be a person who has experience in the provision of education.

- (5) A person (other than a person appointed in pursuance of sub-paragraph 3(2)(b) above) who is—
 - (a) employed at the University (whether or not as a teacher);
 - (b) a full-time student at the University; or
 - (c) an elected member of any local authority,
 is not eligible for appointment as a member of the Board of Governors otherwise than as a co-opted member.

(5) For the purposes of this paragraph, a person who is not for the time being enrolled as a student at the University shall be treated as such a student during any period when he has been granted leave of absence from the University for the purposes of study or travel or for carrying out the duties of any office held by him in the students' union at the University.

(7) It shall be the duty of the appointing authority to determine any question as to whether any person is qualified in accordance with the preceding provisions of this paragraph for appointment as a member of the Board of Governors of any description or category.

4. DETERMINATION OF MEMBERSHIP

(1) The Board of Governors shall make a determination with respect to each category of membership of members of which a category of which the Board of Governors is to consist, subject to the provisions applicable in relation to that category in accordance with paragraph 3(2) above.

(3) In making such a determination, the Board of Governors shall secure that at least half of all the members of the Board of Governors, when appointed in accordance with the determination, will be independent members.

(4) Such a determination shall not have effect so as to terminate the appointment of any person who is a member of the Board of Governors at the time it takes effect.

(5) Such a determination may be varied by a subsequent determination.

5. APPOINTMENT OF MEMBERS OF THE BOARD OF GOVERNORS

(1) The provisions of section 124C of the Act, in relation to the appointment of members of the Board of Governors, shall not apply in relation to the appointment of members of the Board of Governors in accordance with paragraph 4(1) above.

(2) The Board of Governors is the appointing authority in relation to the appointment of any member of the Board of Governors other than an independent member.

(2) A member of the Board of Governors may at any time by notice in writing to the Clerk resign his office, which will thereupon become vacant from the date of receipt of the notice or date of resignation specified herein whichever shall be the latter.

(3) If at any time the Board of Governors are satisfied that any member of the Board of Governors—

(a) has been absent from meetings of the Board of Governors for a period of twelve months without the permission of the Board of Governors; or

(b) is unable or unfit to discharge the functions of a member, the Board of Governors may by notice in writing to that member remove him from office; and thereupon the office shall become vacant.

(4) Where a member of the Board of Governors appointed as an Academic Board member, a student nominee, or a member of staff or student appointed as a co-opted member of the Board of Governors, ceases before the end of his period of office to be a member of staff or a student of the University, as the case may be, his office shall terminate.

7. OFFICERS
The Board of Governors shall appoint from among their members a Chairman and other officers which the Board may determine.

8. COMMITTEES
The Board of Governors may establish committees and permit such committees to include persons who are not members of the Board of Governors.

9. ALLOWANCES

(1) The Board of Governors shall determine any allowances to be paid to members of the Board of Governors.

10. SEAL OF CORPORATION

(1) The application of the Seal of the Corporation shall be authenticated by the signature of the Chairman of the Board of Governors or some member authorized generally or specially by the Board of Governors to do so for the purpose together with that of any other member of the Board of Governors.

(2) The Corporation Seal shall be held under secure arrangements by the Corporation.

11. COPIES OF INSTRUMENT OF GOVERNMENT

(1) Copies of the Instrument of Government shall be provided to each member of the Board of Governors.



At the Council Chamber, Whitehall
THE 26th DAY OF JANUARY 1996

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

WHEREAS, in accordance with section 124A(3) of the Education Reform Act 1988 (a) (hereinafter referred to as "the Act") the Privy Council by Order dated 16th February 1995 made an instrument of government for the University of Humber, hereinafter referred to as "the University", in accordance with which Schedule 7 to the Act has effect;

AND WHEREAS section 124A(3)(b) of the Act provides that the Privy Council may by Order made by an instrument of government of any such higher education institution as is mentioned in section 124A(1) of the Act;

AND WHEREAS, in accordance with the said instrument of government, the said Council of Humber has changed their name with the consent of the Privy Council;

AND WHEREAS Their Lordships, in exercise of the powers conferred on them by the said section 124A(3)(b) of the Act, do hereby, in accordance with the provisions set out in the Schedule to this Order, modify the said instrument of government.

N. H. Nicholls

SCHEDULE

MODIFICATIONS TO THE INSTRUMENT OF GOVERNMENT
REFERRED TO IN THE FOREGOING ORDER

1. In paragraph (1) for "University of Humber" substitute "University of Lincolnshire and Humberside".

(a) 1988 c. 40; section 124A was inserted by section 71 of the Further and Higher Education Act 1992 (c. 13).



At the Council Chamber, Whitehall

THE 24th DAY OF JULY 2001

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

WHEREAS, in accordance with section 124A(3) of the Education Reform Act 1988^(a) (hereinafter referred to as "the Act"), the Privy Council by Order dated 16th February 1993 made an instrument of government for the University of Humberside, being a higher education corporation with respect to which Schedule 1 to the Act has effect:

AND WHEREAS section 124A(3)(b) of the Act provides that the Privy Council may by Order modify an instrument of government of any such higher education corporation:

AND WHEREAS, in accordance with the instrument of government, the Corporation have changed their name with the consent of the Privy Council:

NOW, THEREFORE, Their Lordships, in exercise of the powers conferred on them by section 124A(3)(b), are pleased to, and do hereby, modify the instrument of government in accordance with the provisions set out in the Schedule to this Order, which shall come into effect from 1st August 2001.

SCHEDULE

MODIFICATIONS TO THE INSTRUMENT OF GOVERNMENT
REFERRED TO IN THE FOREGOING ORDER

1. In paragraph 1(1) for "University of Lincolnshire and Humberside" in each place where it occurs substitute "University of Lincoln".

(a) 1988 c.40 section 124A was inserted by section 71 of the Further and Higher Education Act 1992 (c.13)