

# Charter of Incorporation

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith: TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS an humble Petition has been presented unto Us by the Governors of the College of Advanced Technology, Birmingham, praying that We should constitute and found a technological University within the City of Birmingham for the advancement, dissemination and application of knowledge by study, teaching and research and to enable students to obtain the advantages of a university education and to grant a Charter with such provisions in that behalf as shall seem to Us right and suitable:

AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

NOW KNOW YE that We by virtue of Our Prerogative Royal and of Our especial grace, certain knowledge and mere motion have willed and ordained and by these Presents for Us, Our Heirs and Successors do will and ordain as follows:

- 1 The members for the time being of the Convocation, the Council, the Senate, and the Schools of the University, the Graduates of the University, the Graduate and the Undergraduate Students of the University, the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellors and the Executive Deans of Schools of the University for the time being and all others who shall pursuant to this Our Charter and the Statutes of the University for the time being be Members of the University are hereby constituted and from henceforth for ever shall be one body politic and corporate with perpetual succession and a Common Seal by the name and style of 'Aston University' (in this Our Charter called the 'University').
- 2 The objects of the University shall be to advance, disseminate and apply learning and knowledge by teaching and research for the benefit of industry and commerce and of the community generally and to enable students to obtain the advantage of a university education and such teaching and research may include periods outside the University in industry or commerce or wherever the University considers proper for the best advancement of its objects.
- 3 The University shall be both a teaching and an examining body and in furtherance of its objects it shall subject to this Our Charter and the Statutes have the following powers:
  - 3.1 To prescribe in its Ordinances or Regulations the requirements for Matriculation and the conditions under which persons may be admitted to the University or to any particular course of study.
  - 3.2 To provide instruction in such branches of learning as the University may think fit and to make provision for research and for the advancement, dissemination and application of knowledge in such manner as the University may determine.
  - 3.3 To confer and grant, under conditions laid down in its Statutes, Ordinances or Regulations, Degrees and other academic distinctions and awards, in its own name and jointly with other institutions recognised by the University which have the power to award such qualifications.
  - 3.4 To confer Degrees on members of the academic and other staff of the University, under conditions prescribed in the Statutes, Ordinances or Regulations.

- 3.5 To confer Honorary Degrees or other distinctions on approved persons; provided that all Degrees and other distinctions so conferred shall be conferred and held subject to any provisions which are or may be made in reference thereto by the Statutes or Ordinances.
- 3.6 On what the University shall deem to be good cause to deprive persons of any Degrees, Diplomas, Certificates or other distinctions conferred on or granted to them by the University.
- 3.7 To provide such lectures and instruction for persons not Members of the University and to grant Diplomas and Certificates to such persons as the University may determine.
- 3.8 To accept the examinations passed and periods of study spent by students of the University at or in connection with other Universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine and to withdraw such acceptance at any time.
- 3.9 To affiliate other institutions, public or industrial or research bodies, or branches or departments thereof, to recognise for any purpose, and either in whole or in part, any such institution or body or selected members of the staffs thereof as teachers of the University and to admit particular members thereof to any of the privileges of the University, to accept attendance at courses of study in such institutions, bodies, branches or departments thereof in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may from time to time be determined by the University and to admit the students or any particular students thereof to membership of the University and any or all of the privileges of such membership which shall include eligibility for Degrees and Diplomas.
- 3.10 To co-operate by means of Joint Boards or otherwise with University and other authorities for such purposes as the University may from time to time determine.
- 3.11 To enter into any agreement for the incorporation within the University of any other institution and for taking over its rights, property and liabilities and for any other purpose not repugnant to this Our Charter.
- 3.12 To institute Professorships, Readerships and Lectureships, and any other offices of any kind and whether academic or not as the purposes of the University may require; to appoint persons to and remove them from such offices, and to prescribe their conditions of service.
- 3.13 To institute and award Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes and other such awards.
- 3.14 To prescribe rules for the discipline of students of the University.
- 3.15 To establish and maintain and to administer and govern institutions for the residence of students whether Colleges, Halls or Houses and to licence and supervise such institutions and other places of residence whether or not maintained by the University.
- 3.16 To make provision for research and advisory services and with these objects to enter into such arrangements with other institutions and with industry and commerce and with public bodies and persons, as the University may determine.
- 3.17 To provide for the printing, reproduction and publication of research and other works.

- 3.18 To sell or to provide for reward or otherwise such books, stationery, electronic goods, computer software and other goods and services as may be deemed expedient.
- 3.19 To demand and receive fees.
- 3.20 To take such steps as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the University, and to raise money in such other manner as the University may deem fit.
- 3.21 To give guarantees for the payment of any sum of money or the performance of any contract to any company, body, society or person, or to give guarantees for obligation by any company, body, society or person if it is in the interest of the objects of the University so to do.
- 3.22 To act as trustee or manager of any property, legacy, endowment, bequest or gift for purposes of education or research or otherwise in furtherance of the work and welfare of the University, and to invest any such funds.
- 3.23 To do all such other acts and things including the promotion of a Bill or Bills in Parliament whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University.
- 4 There shall be a Chancellor of the University who shall be the non-executive head of the University and shall perform such functions and duties as may be determined under the Ordinances.
- 5 There shall be a Pro-Chancellor of the University who shall be the Chair of the Council. Subject to the Ordinances the Pro-Chancellor shall, during a vacancy in the office of Chancellor, or in the absence of the Chancellor, perform all the functions and duties of the Chancellor.
- 6 There shall be a Vice-Chancellor of the University, who shall be the principal academic and executive Officer of the University and *ex officio* Chair of the Senate.
- 7 There shall be a Deputy Vice-Chancellor, who shall, subject to the Statutes, during the inability of the Vice-Chancellor through illness or any other cause to perform their functions and duties, perform the functions and duties of the Vice-Chancellor. The Council on the recommendation of the Senate may appoint Pro-Vice-Chancellors whose functions and duties shall be determined by Ordinance.
- 8 There shall be such other officers of the University as the Council may from time to time ordain.
- 9 There shall be a Convocation of the University (herein referred to as 'the Convocation') which shall appoint the Chancellor, shall receive an annual report on the working of the University from the Vice-Chancellor, and shall have all such other powers and duties as may be conferred upon it by the Ordinances.
- 10 There shall be a Council of the University (herein referred to as 'the Council') which shall, subject to the Statutes, be the executive governing body of the University, and shall have the custody and use of the Common Seal, and shall be responsible for the management and administration of the revenue and property of the University and shall, subject to the powers of the Senate as provided in this Our Charter and the Statutes, have general control over the conduct of the affairs of the University and shall have all such other powers and duties as may be conferred upon it by the Statutes.

- 11 There shall be a Senate of the University (herein referred to as 'the Senate') which shall be the supreme academic authority of the University, and shall, subject to the powers of the Council as provided in this Our Charter and the Statutes, be responsible for the academic work of the University, both in teaching and in research, and the regulation and superintendence of the education and discipline of the students of the University.
- 12 There shall be an Academic Assembly of the University (herein referred to as 'the Academic Assembly') with such composition and functions as are set out in the Ordinances.
- 13 There shall be a Students' Union of the University (herein referred to as 'the Union'). The Union shall have representatives on the Convocation, Council and Senate of the University as provided by the Statutes and Ordinances.
- 14
  - 14.1 There shall be such Schools, Institutes, Delegacies, Faculties, Departments, Sections, or other such bodies as may from time to time be determined under the Statutes or Ordinances.
  - 14.2 There shall be an Executive Dean who shall direct the work and affairs of each School, and a School Board for each School.
- 15 Subject to the provisions of this Our Charter, Statutes may prescribe or regulate as the case may be:
  - 15.1 The constitution, powers, duties and functions of the Council.
  - 15.2 All such other matters as the Council may deem fit and meet with respect to or for the governance of the University, its members and constituent parts or otherwise for the promotion of the objects of this Our Charter.
- 16 The Statutes set out in the Schedule to this Our Charter shall remain in force until they have been amended, added to or repealed in the manner hereinafter prescribed.
- 17 Ordinances for carrying out the objects of the University may be made by the Council. The power to make Ordinances shall include the power to amend, add to or repeal any Ordinances. The Council shall not pass a resolution to make Ordinances concerning the constitution and powers of the academic bodies of the University or other academic matters unless prior to the meeting of the Council at which such resolution is proposed to be passed it has been communicated to the Senate and the Academic Assembly, and the Council shall take into account any views expressed by these bodies.
- 18 Subject to the provisions of this Our Charter and the Statutes, Ordinances may prescribe or regulate as the case may be:
  - 18.1 The status, appointment and continuance in office of the Chancellor, Pro-Chancellor, Vice-Chancellor, Deputy Vice-Chancellor, Pro-Vice-Chancellors and all officers and staff of the University.
  - 18.2 The constitution, powers, duties and functions of the Convocation, the Senate, the Schools and the Academic Assembly.
- 19 Subject to the provisions of this Our Charter and the Statutes, the Council and the Senate respectively may from time to time make Regulations for governing the proceedings of the bodies named in this Our Charter and for the purpose of carrying out the objects of the University, and the power to make Regulations shall include the power to add to, amend or repeal any Regulations theretofore made. The Council shall make the first Regulations for the Convocation and for the Council. The Regulations for the Convocation shall be submitted to the Convocation for approval and may be amended by the Convocation.

- 20 The Statutes may direct that any of the matters prescribed or regulated by Statute as authorised or directed in this Our Charter shall be further prescribed or regulated by Ordinance, Regulation or by decision made by the Council or the Senate; provided that any such further prescription or regulation shall not be repugnant to the provisions of the Statutes or of this Our Charter.
- 21 The University shall not make a dividend, gift, division or bonus in money unto or between any of its members except by way of prize, reward or special grant.
- 22 The University promotes equal opportunities and shall show no discrimination on the grounds of gender, marital or civil partnership status, pregnancy and maternity, race, colour, nationality, ethnic or national origin, age, disability, religion or belief, sexual orientation or gender reassignment against any person in determining whether he or she is to be admitted as a member of the Staff, or as a Student, or to graduate from, or to hold any advantage or privilege, of the University.
- 23 Men and women shall be equally eligible for any office or appointment in the University and for membership of the University or of any of its constituent bodies and all Degrees and courses of study in the University shall be open to men and women alike.
- 24 The armorial bearings granted and assigned to the Council of the City and County Borough of Birmingham for the use of the College of Technology, Birmingham, by Letters Patent of Our Kings of Arms bearing date the eighteenth day of March in the year of our Lord One thousand nine hundred and fifty-five (the change of designation of which College as the College of Advanced Technology, Birmingham, having been recorded at Our College of Arms on the tenth day of July One thousand nine hundred and sixty-four) may henceforth and for ever hereafter be borne and used by the University on its Common Seal or otherwise according to the Laws of Arms; the said armorial bearings being first exemplified according to the Laws of Arms and recorded in Our College of Arms, otherwise this Our permission to be void and of none effect.
- 25 25.1 The Council may at any time amend, add to or repeal this Our Charter by a Special Resolution in that behalf, and such amendment, addition or repeal shall, when allowed by Us, Our Heirs or Successors in Council, become effectual so that this Our Charter shall thenceforth continue and operate as so amended, added to or repealed in manner aforesaid. This Article shall apply to this Our Charter as amended, added to or repealed in a manner aforesaid.
- 25.2 For the purpose of this Article, a 'Special Resolution' means a resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than three calendar months after the former, provided that notice of each meeting shall be given to each member of the Council not less than fourteen days before the meeting to be held and that the resolution be passed at each meeting by a majority of not less than three-fourths of those present and voting. No such resolution shall be submitted to Us, Our Heirs or Successors in Council unless prior to the first of the two meetings of the Council it has been communicated to the Senate and the Academic Assembly, and the Council has taken into account any views expressed by these bodies or either of them.
- 26 The Council may by a resolution passed by a majority of not less than three-fourths of those present and voting at a meeting of which not less than fourteen days' notice has been given to each member of the Council make Statutes amending, adding to or repealing the Statutes for the time being in force but no such Statute shall have effect until approved by the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence. No such resolution shall be submitted to the Lords of Our Most Honourable Privy Council unless prior to the meeting of the Council at which such resolution is proposed to be passed it has been communicated to

the Senate and the Academic Assembly, and the Council shall take into account any views expressed by these bodies or either of them.

- 27 We reserve unto Ourselves, Our Heirs and Successors, the right, on representation from the Council made in pursuance of a resolution passed by a simple majority of the members of the Council present and voting, to appoint by Order in Council a Visitor of the University for such period and with such duties as We, Our Heirs and Successors shall see fit and their decision on matters within their jurisdiction shall be final.
- 28 Our Royal Will and Pleasure is that this Our Charter shall ever be construed benevolently and in every case most favourably to the University and the promotion of the objects of this Our Charter.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the twenty-second day of April in the fifteenth year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN