



University of York Charter

Charter of Incorporation

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of 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 York University Promotion Committee praying Us to constitute and found a University within Our County of York for the advancement of learning and knowledge by teaching and research and to enable students to obtain the advantages of 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 THEREFORE 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 asfollows:

1. There shall be and there is hereby constituted and founded in Our County of York a University with the name and style of 'The University of York'.
2. The Chancellor, the Chair of Council, the Pro-Chancellors, the Treasurer, the Vice-Chancellor and President, the Deputy Vice-Chancellor and Provost, the Pro-Vice-Chancellors, the members for the time being of, the Council, the Senate, the graduates of the University, the undergraduate and graduate students of the University and all others who shall, pursuant to this Our Charter and the Statutes, bemembers 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 'The University of York' (hereinafter called 'the University') with power, subject to the Customs and Laws of Arms, to acquire armorial bearings (which shall be duly recorded in Our College of Arms) and in that name to sue and be sued.
3. The objects of the University shall be to advance learning and knowledge by teaching and research, and to enable students to

obtain the advantages of University education.

Powers of the University

4. The University shall be both a teaching and research body and, subject to the provisions of this Our Charter and the Statutes, shall have all of the powers of a natural person including but not limited to the following powers:
 - 4a. To award degrees and other academic awards, and honorary degrees and other distinctions, and to withdraw any such awards for good reason;
 - 4b. To acquire, own, maintain, manage and dispose of land and other property;
 - 4c. To solicit, receive and administer fees, grants, subscriptions, donations, endowments, legacies, gifts and loans of any property whatsoever whether land or personal property;
 - 4d. To act as trustee for an in relation to endowments, legacies and gifts;
 - 4e. To invest any monies in the hands of the University and available for investment;
 - 4f. In furtherance of the objects, and so far as permitted by charity law, to give guarantees;
 - 4g. In furtherance of the objects, and so far as permitted by charity law, to borrow and raise money and give security for loans; and for those purposes the University shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers;
 - 4h. To take such steps as may from time to time be deemed expedient for the purposes of procuring and receiving contributions to the funds of the University and to raise money in such other manner as the University may determine;
 - 4i. To co-operate and collaborate with other institutions and individuals, award joint degrees or other awards, and affiliate or incorporate into the University any other institution and

take over its property, rights, liabilities and staff;

- 4j. To enter into engagements and to accept obligations and liabilities in all respects without any restrictions whatsoever and in the same manner as an individual may manage his or her own affairs; and
 - 4k. To do anything else necessary or convenient, whether incidental to these powers or not, in order to further the objects of the University as a place of teaching and research.
5. The University may, and may only, confer benefits on members of the Council for acting as a member of the Council if the benefit has been authorised by the Council in accordance with the Statutes. In this article "benefit" includes: (a) Buying any goods or services from the University; (b) Selling goods, services or any interest in land to the University; (c) Being employed by, or receiving any remuneration from the University; (d) Receiving any other financial benefit from the University.

Principles of the University

- 6. The University shall treat students, staff and other people solely on the basis of their merits, abilities and potential, regardless of gender, race, colour, nationality, ethnic or national origin, age, disability, religious or political beliefs or sexual orientation.
- 7. The University shall take such steps as are reasonably practicable to secure freedom of speech within the law for members of the University, students, staff and visiting lecturers.
- 8. The University shall uphold and promote academic freedom, and staff engaged in teaching or research or directly supporting it shall have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges, or the likelihood of their securing promotion or different jobs at the provider being reduced.

Officers of the University

- 9. There shall be the following officers of the University:
 - 9a. A Chancellor, who shall be the head of the University and

shall preside over meetings of its Court.

- 9b. A Chair of the Council who shall preside over meetings of the Council.
- 9c. Pro-Chancellors, the number to be determined from time to time by the Council, one of whom shall, in the absence of the Chancellor or during a vacancy in that office, exercise and perform all the functions of the Chancellor.
- 9d. A Vice-Chancellor and President of the University, who shall be the chief academic and administrative officer of the University and shall preside over meetings of the University Executive Board and the Senate. The Vice-Chancellor and President shall, subject to such rules as may be made by the Council, exercise general supervision over the University and shall be generally responsible for maintaining and promoting the efficiency and good order of the University. The Vice-Chancellor and President may delegate any of their duties or functions to any person or body.
- 9e. A Deputy Vice-Chancellor and Provost, who shall during the absence of the Vice-Chancellor and President exercise and perform such of the functions and duties of the Vice-Chancellor and President as may be delegated by the Vice-Chancellor and President or the Council.
- 9f. Pro-Vice-Chancellors, the number to be determined by the Vice-Chancellor and President, who shall perform such duties and functions as the Vice-Chancellor and President may determine.
- 9g. A Treasurer, and if Council considers it appropriate, a Deputy Treasurer.
- 9h. A Secretary to Council, who shall (in relation to their role as Secretary) have such powers and duties as shall be prescribed by the Council. Any wider substantive management duties of the role shall be as determined by the Vice-Chancellor and President. The Secretary to Council shall also be *ex officio* the Secretary of the Court and the Senate.
- 9i. Such other appropriate officers of the University as the

Council may from time to time determine.

9. Officers shall be appointed in accordance with procedures set out in the Ordinances, which shall include the following provisions:
 - 10a. The Chancellor shall be appointed by the Council.
 - 10b. The Chair of Council shall be a Pro-Chancellor, *ex officio*. Any additional Pro-Chancellors shall be appointed by the Council from amongst the independent members of the Council. An independent member may hold the office of Pro-Chancellor and Treasurer or Deputy Treasurer at the same time.
 - 10c. The Vice-Chancellor and President shall be appointed by the Council after consideration of a report from a Joint Committee of the Council and the Senate.
 - 10d. The Deputy Vice-Chancellor and Provost and the Pro-Vice-Chancellor(s) shall be appointed by the Vice-Chancellor and President.
 - 10e. The Treasurer and any Deputy Treasurer shall be appointed by the Council from amongst its independent members.
 - 10f. The Secretary to Council shall be appointed by the Council.
11. The term of office, duties and functions of officers (other than the Vice-Chancellor and President, the Deputy Vice Chancellor and Provost and the Pro-Vice-Chancellor(s)) shall be as set out in the Ordinances.
12. An officer (other than the Vice-Chancellor and President and the Deputy Vice-Chancellor and Provost) may be removed from office by the Council for good cause, including Council being satisfied that such individual is not a fit and proper person to perform the function of an officer of the University. No person will be removed from office unless they have been given a reasonable opportunity of being heard by the Council.
13. The Vice-Chancellor and President and the Deputy Vice-Chancellor and Provost may be removed from office in accordance with procedures approved by the Council.

Formal bodies of the University

14. There shall be a Council of the University which, subject to the provisions of this Our Charter and the Statutes, shall be the governing body and board of trustees of the University, and shall be responsible for the management and administration of the revenue and property of the University and, except as may otherwise be provided in this Our Charter, shall exercise all of the powers of the University.
15. There shall be a Senate of the University which, subject to the provisions of this Our Charter and the Statutes and to the control and approval of the Council, shall be responsible for the academic work of the University.

Other Matters

16. Subject to the provisions of this Our Charter, the Statutes and the Ordinances may prescribe or regulate the constitution, powers and duties of the Council and the Senate, and all other matters as the Council may determine for the governance of the University or otherwise for the promotion of the objects of this Our Charter.
17. The Council may by Special Resolution make Statutes adding to, amending or repealing the Statutes; provided that no such Statutes shall be either repugnant to the provisions of this Our Charter or shall have effect until approved by the Lords of Our Most Honourable Privy Council of which latter approval a Certificate under the hand of the Clerk of Our Most Honourable Privy Council shall be conclusive evidence.
18. For the purposes of this Our Charter a Special Resolution means a resolution passed at a meeting of the Council by a majority of not less than three-quarters of the members of the Council present and voting.
19. Ordinances shall be made, amended or repealed by resolution of the Council, provided that Ordinances relating to the academic work of the University shall not be made, amended or repealed except on the recommendation of the Senate.
20. Subject to the provisions of this Our Charter, the Statutes and the Ordinances the Council and the Senate respectively may make Regulations and may add to, amend or repeal any Regulations previously made.

- 21a.** The Council may by resolution at any time amend or add to this Our Charter, provided that such resolution shall be passed by a majority of not less than three-fourths of the members of the Council present and voting and so that such amendment or addition when approved by Us, Our Heirs or Successors in Council shall have effect so that this Our Charter shall thenceforward continue and operate as though it had been originally granted and made as so added to or amended.
- 21b.** This Article of these Presents shall apply to this Our Charter as amended or added to in manner aforesaid.
- 22.** 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. The Visitor's decision on matters within their jurisdiction shall be final.
- 23.** 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 first day of October in the twelfth year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL