UNIVERSITY OF BIRMINGHAM

ORDINANCES OF THE UNIVERSITY OF BIRMINGHAM

SECTION 1: DEFINITIONS AND INTERPRETATIONS

Executive Brief

Gives definitions for the terms used in these Ordinances and states how these Ordinances should be interpreted.

ORDINANCES OF THE UNIVERSITY OF BIRMINGHAM

AS AT 1 JANUARY 2009

Section 1. Definitions and Interpretations

Definitions

"Auditor" means Auditor or firm of Auditors of the University Accounts.

"Chancellor", "Pro-Chancellor", "Deputy Pro-Chancellor", “Treasurer”, "Vice-Chancellor and Principal", "Vice-Principal" and "Pro-Vice-Chancellor" mean respectively Chancellor, Pro-Chancellor, Deputy Pro-Chancellor, Treasurer, Vice-Chancellor and Principal, Vice-Principal and Pro-Vice-Chancellor of the University.

“College” means a College of the University.

“College Board” means the board of a College.

"Court" means the Court of the University.

"Council" means the Council of the University.

“Directors of Research and Knowledge Transfer; Directors of Education” mean respectively the Director of Research and Knowledge Transfer and the Director of Education appointed within each College.

“Emeritus Professor” means a Professor of the University on whom the title of Emeritus Professor has been conferred on or after his retirement.

"good cause", when used in reference to dismissal or removal from office or membership of the University or membership of the Guild of Graduates and Alumni Association means:

(a) conviction for an offence which may be deemed by the Council to be such as to render the person convicted unfit for the execution of the duties of the office, employment or membership; or

(b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office, employment or membership; or

(c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise; or

(d) disqualification from being a Trustee of a charity in accordance with Section 72 of the Charities Act 1993.

"Graduate" means a person upon whom a Degree, Diploma or Certificate of the University has been conferred.

“Guild of Graduates and Alumni Association” means an organised association of Graduates of the University.

“Guild of Students” means the students’ union of the University of Birmingham within the meaning of the Education Act 1994.

"Head of College" means the head of a College.

“Head of Operations” means the Head of Operations appointed within each College.

"Lay Member" means any person appointed or elected to a University committee or board who is neither a Registered Student nor a member of Staff of the University. Where a person was previously a Registered Student or member of Staff of the University, they must have ceased to be so for at least 36 months.

“Lay Officer” means a lay member of the Council under Class IV of Section 8 of the Statutes who holds office as Pro-Chancellor, Deputy Pro-Chancellor or Treasurer of the University.

“Life Governor” means a member of the University Court in the Special Class.

“Member of the University” means a member of the University as defined in the Statutes.

“Office” means a particular role or responsibility in or on behalf of the University specified as such in a letter of appointment and which, in the case of staff of the University, is normally in addition to their substantive post and “Officer” means the individual undertaking that role or responsibility.

"Ordinances" means Ordinances made pursuant to the Statutes.

“Ordinary Resolution” means a resolution passed at one meeting of the Council by a simple majority of those present and voting.

“Postgraduate Registered Student” means any person currently registered for the receipt of instruction on a postgraduate programme in the University.

“President of the Guild of Students” means the sabbatical officer duly elected as President of the Guild of Students.

“Principal Academic Unit” means one of the Principal Academic Units within a College as defined in the Ordinances.

“Principal Regulator” means the Higher Education Funding Council for England or such other body or Minister of the Crown as is prescribed as principal regulator for the University by regulations made pursuant to the Charities Act 2006.

“Recognised Lecturer” means an individual not employed by the University approved by the Senate as a Recognised Lecturer.

"Registered Student" means any person currently registered for the receipt of instruction in the University.

"Registrar and Secretary" means Registrar and Secretary of the University. Where references are made in Statutes, Ordinances and Regulations to “the Registrar and Secretary”, if there are two individuals fulfilling these roles, the Vice-Chancellor shall allocate the functions as s/he deems fit from time to time. The functions of the "Registrar and Secretary" may be carried out by a person to whom the Registrar and Secretary delegates them.

“School” means one of the Principal Academic Units within a College.

"Senate" means the Senate of the University.

“Special Resolution” means a resolution of the Council passed and confirmed in accordance with the Statutes.

“Staff” means all persons employed in the service of the University.

> “Academic Staff” means those employed on the University’s conditions of employment for Academic Teaching Staff, or Research and Analogous Staff, or Academic Information Services Staff.
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> "Teaching Staff" means such of the Academic Staff who currently hold an appointment as Professor, Associate Professor, Reader, Senior Lecturer or Lecturer in the University or such other appointment as the Council may from time to time determine by Ordinance.
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> “Research Staff" means such of the Academic Staff who currently hold an appointment governed by the Conditions of Employment for Research and Analogous Staff of the University.
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> “Academic Information Services Staff" means such of the Academic Staff who currently hold an appointment governed by the Conditions of Employment for Academic Information Services Staff of the University.

"Statutes" means the Statutes of the University.

"University" means the University of Birmingham.

“University Executive Board” means the executive board of the University.

“University Legislation” means the Charter, Statutes, Ordinances, Regulations and Codes of Practice of the University.

“University Research Institute” means an inter-College structure established by the University Executive Board to facilitate research.

"University Session" means the period of learning, teaching and assessment specified by the Council and as defined in Regulations 5.2.2 (b) during three terms in each year to be called respectively the autumn, spring and summer terms, commencing with the autumn term.

"Vice-President (Education and Access) of the Guild of Students" means the duly elected Vice-President (Education and Access) of the Guild of Students or such other Vice-President nominated by the Guild of Students.

Interpretations

These Ordinances shall be interpreted in such a manner as not to conflict with the Charter or Statutes.

Words defined in these Ordinances shall have the same meaning in the Charter, the Statutes and the Regulations unless the context indicates otherwise.

The Interpretation Act 1978 shall apply for the interpretation of University Legislation as it applies for the interpretation of an Act of Parliament. Words importing the singular shall include the plural and vice versa.

Words importing the masculine shall include the feminine and vice versa.

The Charter, Statutes, Ordinances, Regulations and all Codes of Practice of the University shall apply to all members of the University, as defined in the Statutes.