

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4905 GIBRALTAR Thursday 7th October 2021

B. 17/21

BILL

FOR

AN ACT to amend the University of Gibraltar Act.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the University of Gibraltar (Amendment) Act 2021.

Commencement.

2. This Act comes into operation on the day of publication.

Amendments to Act.

3.(1) The University of Gibraltar Act 2015 is amended in accordance with the provisions of this section.

(2) In section 2-

(a) immediately preceding the definition “auditor” insert-

““academic regulations” means the regulations approved by the academic board, council, senate or equivalent body that undertakes the academic governance functions of the university and which provides the framework for the conduct of the university’s academic activities;”;

(b) omit the definition “faculty member”;

(c) in the definition “student” omit “or who is designated by resolution of the board”.

(3) For section 8(1) substitute-

“8.(1) The functions of the university are as follows-

- (a) to establish and maintain, as appropriate—
 - (i) faculties,
 - (ii) institutes,
 - (iii) departments,
 - (iv) schools,
 - (v) academic chairs,
 - (vi) centres, and
 - (vii) academies;
- (b) to provide teaching and learning in various branches of knowledge, including where appropriate through the facilitation of teaching and learning in conjunction with other universities;
- (c) to establish facilities for the pursuit of original research in various branches of knowledge;
- (d) to establish fellowships, scholarships, exhibitions, bursaries, prizes, rewards and pecuniary and other aids to facilitate or encourage proficiency in the subjects taught in the university and original research in various branches of knowledge;
- (e) to provide programmes of study or courses of instruction to meet Gibraltar’s needs and aspirations; and
- (f) generally to promote and carry on the work of the university.”.

(4) In section 9(1) after “the Minister” insert “after consultation with the vice-chancellor”.

(5) In section 11—

(a) in subsection (2) for “with the consent of” substitute “after consultation with”;

(b) in subsection (3)—

(i) for paragraph (b) substitute—

“(b) to summon meetings of a faculty or other academic administrative division when he considers it necessary or advisable to do so, and at his discretion to convene meetings of all or any of the faculties or other academic administrative divisions;”.

- (ii) in paragraph (c) for “instruction in any faculty” substitute “teaching and learning”.

(6) In section 13(3) for the words “to the board, whose decision shall be final” substitute “to the Public Services Ombudsman, in accordance with the Public Services Ombudsman Act 1998”.

(7) For section 15 substitute-

“15. There shall be a registrar, appointed by the vice-chancellor, who shall keep the records and perform the duties required of the registrar in accordance with the academic regulations.”.

(8) In section 16 for “the board” substitute “the vice-chancellor”.

(9) In section 18(2)-

(a) for paragraph (e) substitute-

“(e) in consultation with the vice-chancellor, to appoint academic and administrative staff and office holders of the university, and the officers and employees the board considers necessary for the purposes of the university, and to set their salaries or remuneration, and to define their duties and their tenure of office or employment;”;

(b) in paragraph (f) for “with the consent of the Minister” substitute “in consultation with the Minister”;

(c) in paragraph (h)(i) and (ii) for “instruction” substitute “teaching and learning” on both occasions that word appears;

(d) for paragraph (k) substitute-

“(k) in consultation with the vice-chancellor, to determine the number of students that may in the opinion of the board, having regard to the resources available, be accommodated in the university, and to make rules considered advisable for limiting the admission or accommodation of students to the number so determined;”.

(10) For section 19 substitute-

“19.(1) The board of the university shall be composed of up to eight members, as follows—

(a) the vice-chancellor,

(b) one enrolled degree-seeking student, elected by the student body,

- (c) the Director,
 - (d) the university's financial comptroller,
 - (e) up to two persons appointed by the Minister, and
 - (f) up to two persons appointed by the board.
- (2) The Minister may increase the number of members of the board at its request, and any additional members shall be selected and appointed by the board alone.
- (3) The role and responsibilities of the enrolled degree-seeking student referred to in subsection (1)(b) are further described in the academic regulations.
- (4) The Director referred to in subsection (1)(c) may not vote.
- (5) The board shall appoint a chairperson of the board from among the members appointed under subsection (1)(e) or (f).”.
- (11) In section 21 for “appointed by the Minister pursuant to subsection 19(3)” substitute “appointed pursuant to section 19(5)”.
- (12) For section 22 substitute—
- “22.(1) Subject to subsections (1) and (2), appointments to the board shall be for periods of up to three years, renewable, whether consecutively or otherwise, for further periods (each not exceeding three years) but subject to a maximum of nine years in total.
- (2) The vice-chancellor, the university's financial comptroller and the Director are members of the board for as long as each holds his respective office.
- (3) The enrolled degree-seeking student referred to in section 19(1)(b) may only serve to the end of the academic year in which they cease to be an enrolled-degree seeking student.”.
- (13) In section 44(1)(a) for “December” substitute “July”.
- (14) In section 56(2) omit “EU or”.

Explanatory Memorandum

This Bill amends the University of Gibraltar Act in the main to confer a greater degree of operational independence.

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