

CHAPTER 106.**FOURAH BAY COLLEGE
(TRANSFER OF RIGHTS, PROPERTY AND
LIABILITIES).**

ARRANGEMENT OF SECTIONS.

SECTION.

- Preamble.
1. Short title and commencement.
 2. Interpretation.
 3. Dissolution of Fourah Bay College and transfer of property.
 4. Transfer of liabilities.
 5. Saving of agreements, deeds, actions, etc.
 6. Saving for existing staff of College.
 7. Transfer of power to nominate or appoint.
 8. Saving for existing students.
 9. Construction of bequests in favour of College.
 10. Repeal.

CHAPTER 106.**FOURAH BAY COLLEGE.
(TRANSFER OF RIGHTS, PROPERTY AND
LIABILITIES).**

23 of 1959. **An Ordinance to dissolve the Fourah Bay College Founded in 1827 and Reconstituted under an Ordinance known as the Fourah Bay College Ordinance, 1950, and to transfer all Rights, Property and Liabilities of that College to " Fourah Bay College—the University College of Sierra Leone " and for Purposes connected therewith.**

[15TH JANUARY, 1960.]

WHEREAS The Church Missionary Society for Africa and the East (hereinafter called the Church Missionary Society) in the year 1827 founded Fourah Bay College for the purpose (among others) of training candidates for Holy Orders in the Church of England and maintained the said Fourah Bay College largely from voluntary subscriptions raised by the Church Missionary Society and fees paid by the students of Fourah Bay College:

AND WHEREAS in the year 1876 the College was affiliated and has since remained affiliated to the University of Durham and in the eighty-three years that have passed since then a large number of persons have enjoyed the benefits of university education at Fourah Bay College:



AND WHEREAS when the requirements of higher education in Sierra Leone passed beyond the resources of voluntary aid and became a part of the responsibilities of the Government of Sierra Leone the said Government decided in agreement with the Church Missionary Society to make further provision for higher education in Sierra Leone through the reconstitution of Fourah Bay College and to this end enacted the Fourah Bay College Ordinance, 1950:

No. 1 of
1950.

AND WHEREAS Her Majesty the Queen has been pleased to grant a Royal Charter for the purpose of reconstituting the College as a University College in order to enable it the better to achieve the advancement of learning, the diffusion and extension of knowledge and the furtherance of the objects for which the College was incorporated:

1. This Ordinance may be cited as the Fourah Bay College (Transfer of Rights, Property and Liabilities) Ordinance, and shall come into operation on such day as the Governor may by Order appoint.

Short title
and
commence-
ment.
*

2. In this Ordinance, unless the context otherwise requires—
“the College” means Fourah Bay College as constituted under the Fourah Bay College Ordinance, 1950;

Interpre-
tation.

“the University College” means Fourah Bay College—the University College of Sierra Leone as created by Royal Charter.

No. 1 of
1950.

3. (1) As from the date of commencement of this Ordinance the College shall be by virtue of this Ordinance dissolved and cease to exist without prejudice to anything previously done or suffered. All property real and personal of every description and all rights and privileges of the College which immediately before the commencement of this Ordinance belonged to, or were vested in, or exercisable by the College shall be by virtue of this Ordinance without any conveyance, transfer or other instrument transferred to, vested in and exercisable by the

Dissolution
of Fourah
Bay College
and transfer
of property.

* P.N. 31 of 1960.

University College for all the estate and interest owned by the College and shall be applied to objects and purposes for which the University College is incorporated.

(2) Any property which by deed, will or other instrument is allocated to any specific foundation or object of the College shall, after the said transfer, be held on trust for and applied by the University College as far as possible to the same specific foundation or object of the University College as that for which such property was held in trust for and applied by the College previously to the transfer.

(3) Subject to the provisions of sub-section (2) of this section, any property held by the College upon or subject to any trust or trusts (not being a trust or trusts relating to the object and purposes for which the University College is incorporated) shall be held by the University College upon or subject to the trust or trusts upon or subject to which such property was held by the College previously to the transfer.

Transfer of
liabilities.

4. On the commencement of this Ordinance, all debts and liabilities of the College shall by virtue of this Ordinance be transferred and attached to the University College and shall thereafter be discharged and satisfied by the University College.

Saving for
agreements,
deeds,
actions, etc.

5. All agreements, awards, contracts, deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the commencement of this Ordinance were existing or pending in favour of or against the College shall continue and may be carried into effect, enforced and prosecuted by or in favour of or against the University College to the same extent or in like manner as if the University College instead of the College had been party to or interested in the same respectively.

Saving for
existing
staff of
College.

6. All professors and other members of, or persons attached to, or associated with the teaching staff of the College and all salaried or paid officers and servants of the College shall hold as nearly as practicable the same posts and places in the University College as they held in the College immediately before the commencement of this Ordinance and upon the same terms and conditions or upon such varied terms or conditions as the Council of the University College shall decide without prejudice to any existing rights in regard to tenure of office, salary or other emoluments.

7. Any power or right of the College to appoint or nominate a member of any educational authority or of the governing body of any educational, charitable or other institution shall, on the commencement of this Ordinance, be transferred to and may be exercised by the University College.

Transfer of
power to
appoint or
nominate.

8. (1) Any student admitted to the College and having a place in any course therein at the date of the commencement of this Ordinance shall, as nearly as practicable, hold the same place in the University College as he held in the College immediately before the commencement of this Ordinance.

Saving for
existing
students.

(2) All terms kept, courses followed or examinations passed at the College by any such student at the date of the commencement of this Ordinance shall, as nearly as practicable, entitle him to such preference, place or other benefit in the University College as he would have enjoyed in the College.

9. Any will or other document whether made or executed before or after the commencement of this Ordinance (including any will made before the commencement of this Ordinance by a testator living at the date of such commencement) which contains a bequest, gift or trust in favour of the College shall on or after the commencement of this Ordinance be read and have effect as if the University College were therein named instead of the College.

Construction
of bequests
in favour of
the College.

10. The Fourah Bay College Ordinance, 1950, is hereby repealed:

Repeal.
No. 1 of 1950.

Provided that such repeal shall not affect—

(a) the application of that Ordinance to those members of the staff of the College who were appointed to the College in accordance with the provisions of section 25 of that Ordinance;

(b) the operation of sub-section (4) of section 24 of the Freetown Training College for Teachers Ordinance.

Cap. 289.