



At the Council Chamber, Whitehall

THE 11th DAY OF OCTOBER 2017

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has approved the amendments to the Statutes of The Royal College of Art set out in the Schedule below.

Richard Tilbrook

SCHEDULE

AMENDMENTS TO THE STATUTES OF THE ROYAL COLLEGE OF ART

1. **Delete** Statute 2.1 and **substitute**:

“2.1 The following persons shall be Members of the College only so long as they continue to hold office or status by virtue of which they became members:-

The Chancellor
The Pro-Chancellor
The Vice-Chancellor
The Treasurer
The Deputy-Vice-Chancellor and Provost
The Members of the Court
The Members of the Council
The Members of the Senate
The Members of the Chapter of Fellows
The Academic, Academic-related and non-Academic Staff of the College
The Fellows and Honorary Fellows of the College
The holders of Honorary Degrees of the College
Such other Officers and former Officers and Members and former Members of the Staff of the College as shall by Ordinance be granted the status of Members.
The Graduates of the College
The Students”.

2. In Statutes 4, 12.6 i), 13.3 i), 19.2, *delete* "Provost" and *substitute* "Chancellor" wherever it occurs.

3. In Statutes 5, 13.3 ii), 13.5 i), and the Annexe to Statute 23 *delete* "Pro-Provost" and *substitute* "Pro-Chancellor" wherever it occurs.

4. In Statutes 6, 12.4, 12.6 iii), 13.3 iii), 14.3 ix), 14.5 ii,) 19.2, throughout Statute 23, and the Annexe to Statute 23 *delete* "Rector and Vice-Provost" and *substitute* "Vice Chancellor" wherever it occurs.

5. In Statutes 8, 13.3 v), and throughout Statute 23, *delete* "Pro-Rectors" and *substitute* "Deputy Vice-Chancellor and Provost" wherever it occurs.

6. In Statute 9:

(a) *delete* "Academic Registrar" and *substitute* "Chief Operating Officer" wherever it occurs;

(b) in 9.2 *delete* "and of the Senate".

7. In Statute 12 *delete* 1 i) and *substitute*:

"12.1 The Court shall consist of the following persons, namely:

i) Ex officio Members:

a) The Pro-Chancellor

b) The Vice-Chancellor

c) The Treasurer

d) The Deputy-Vice-Chancellor and Provost

e) The Professors

f) The Honorary Professors and Emeritus Professors

g) The Fellows and Honorary Fellows

h) Those Members of the Council who are not already Members of the Court by virtue of the foregoing provisions of this paragraph

i) The President and the Vice-President of the Students' Union".

8. In Statute 13:

(a) *delete* 1 i) and *substitute*:

"13.1 The Council shall consist of the following persons, namely:

i) Ex officio Members:

a) The Pro-Chancellor

b) The Vice-Chancellor



At the Council Chamber, Whitehall

THE 11th DAY OF OCTOBER 2017

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has allowed amendments to the Bye-laws of The Institute of Chartered Accountants in England and Wales as set out in the Schedule to this Order.

Richard Tilbrook

SCHEDULE

AMENDMENTS TO THE BYE-LAWS OF THE INSTITUTE OF CHARTERED ACCOUNTANTS IN
ENGLAND AND WALES

Amendments to the Principal Bye-laws

1. In Principal Bye-law 40(a) after "required for a quorum in accordance with Bye-law" *insert* "42".
2. *Delete* Principal Bye-law 42 and *substitute*:
"42. One third of the Council members shall form a quorum at all meetings of the Council."



At the Council Chamber, Whitehall

THE 11th DAY OF OCTOBER 2017

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has allowed amendments to the Disciplinary Bye-laws of The Institute of Chartered Accountants in England and Wales as set out in the Schedule to this Order.

Richard Tilbrook

SCHEDULE

AMENDMENTS TO THE DISCIPLINARY BYE-LAWS OF THE INSTITUTE OF CHARTERED
ACCOUNTANTS IN ENGLAND AND WALES

1. In Disciplinary Bye-law 1.(2):

(i) in the definition of "authorised firm" in (a) *delete* "as";

(ii) *insert* the following new definitions where appropriate in the alphabetical list:

"CFAB student" is someone who is registered to study for ICAEW CFAB and no more than three years have elapsed since the date of the last attempt at a CFAB examination;

"provisional foundation qualification holder" is someone who is registered to study for the ICAEW foundation qualification;";

(iii) *delete* the definition of "defendant" and *substitute*:

"defendant" means a member, provisional member, foundation qualification holder, provisional foundation qualification holder, CFAB student, member firm and contracted firm against whom a formal complaint has been preferred to the Disciplinary Committee;";

- (iv) **delete** the definition of “foundation qualification holder” and **substitute**:

““foundation qualification holder” is someone who holds the ICAEW foundation qualification and is registered to use the relevant designatory letters;”;

- (v) **delete** the definition of “foundation qualification student”;

- (vi) in the definition of “registered address”:

- (i) **delete** (b) and **substitute**:

“(b) in the case of a member not in practice, provisional member, foundation qualification holder, provisional foundation qualification holder or a CFAB student, the address registered by him with the Institute;”;

- (ii) in (c) after “former member” **insert** “former foundation qualification holder”;

- (vii) **delete** the definition of “Respondent” and **substitute**:

““Respondent” means any member, provisional member, foundation qualification holder, provisional foundation qualification holder and CFAB student who is subject to ICAEW Disciplinary Bye-laws;”.

2. **Delete** Disciplinary Bye-law 3 and **substitute**:

“3. An investigation and discipline scheme shall apply to all members, provisional members, foundation qualification holders, provisional foundation qualification holders, CFAB students, member firms and contracted firms in accordance with the terms of that scheme and these Bye-laws.”.

3. **Delete** the title of Disciplinary Bye-law 4 and **substitute**:

“Liability of members, provisional members, foundation qualification holders, provisional foundation qualification holders and CFAB students to disciplinary action”.

4. In the preamble to Disciplinary Bye-law 4.1:

- (i) **delete** “or foundation qualification student” wherever it occurs;

- (ii) after “foundation qualification holder,” **insert** ‘provisional foundation qualification holder, CFAB student,’ wherever it occurs.

5. In the title of Disciplinary Bye-law 6A after “former members” *insert* former foundation qualification holders,”.
6. In Disciplinary Bye-law 6A.1:
 - (i) after ‘member,’ *insert* “foundation qualification holder,” wherever it occurs;
 - (ii) after “Bye-laws to members,” *insert* “foundation qualification holders,”.
7. In Disciplinary Bye-laws 6A.2 and 6A.3 after “former member,” *insert* “former foundation qualification holder,” wherever it occurs.
8. In Disciplinary Bye-law 6A.4(a) after “member,” insert “foundation qualification holder,”.
9. In Disciplinary Bye-law 7.2:
 - (i) in (b) after “1986” *insert* “; or”;
 - (ii) insert new paragraph (c):

“(c) has had a disqualification order or a declaration of restriction made against him by the court, or has been deemed to be subject to a disqualification order, or has given a disqualification or restriction undertaking which has been accepted by the Director of Corporate Enforcement under the Irish Companies Act 2014,”.
10. In Disciplinary Bye-law 7.3:
 - (i) in (a) after “1986;” *delete* “or;”;
 - (ii) after (b) *insert*:

“(c) a finding of fact by a court leading to the making of a disqualification order or a declaration of restriction against a respondent under the Irish Companies Act 2014; or

(d) the details of the underlying facts and circumstances set out in the notice giving rise to a disqualification or restriction undertaking by a respondent under the Irish Companies Act 2014,”.
11. In Disciplinary Bye-law 10.6 *delete* (b) and *substitute*:

“(b) there is an outstanding referral to the Fitness Committee against the respondent, or the Fitness Committee has accepted the respondent’s resignation from membership or resignation of their registration, or the Fitness Committee has made an order that the complaint against the respondent should be closed.”.

12. In Disciplinary Bye-law 12.3 (b), 12A.2(b) and 12A.3(b) *delete* ‘Bye-law’ and *substitute* “Bye-laws 14A or”.
13. After Disciplinary Bye-law 14.3 *insert*:

“Complaints dealt with by way of fixed penalty

14A.1 The Investigation Committee may delegate the exercise of its functions under this Bye-law to the head of staff in respect of suitable complaints as designated (and revised from time to time) by the ICAEW Regulatory Board.

14A.2 Where the head of staff, acting on behalf of the Investigation Committee, finds that a designated complaint discloses a prima facie case, and this finding is accepted by the respondent or respondent firm, he shall propose to the respondent or respondent firm the fixed penalty, as prescribed from time to time and approved by the ICAEW Regulatory Board, in respect of the whole or part of the complaint.

14A.3 If the head of staff decides to propose the fixed penalty in accordance with paragraph 2 he shall serve on the respondent or respondent firm a notice specifying:

- a. the nature of the breach or breaches of these Bye-laws;
- b. the terms of the proposed penalty;
- c. the period for compliance with the proposed penalty; and
- d. the extent to which the proposed penalty may be published by the Institute.

14A.4 If, within the period stated in the notice, the respondent or respondent firm confirms his or its acceptance of the penalty in writing, the head of staff shall as soon as practicable confirm the agreement in writing.

14A.5 The penalty may be published in any way that the Investigation Committee decides.

14A.6 If the respondent or respondent firm does not:

- a. agree that a breach of these Bye-laws has been committed; or
- b. agree to the terms of the proposed penalty; or
- c. respond to the notice served under paragraph 3; or
- d. comply with the terms of the penalty

the complaint will be dealt with by the Investigation Committee in accordance with Bye-law 15.”.

14. **Delete** the preamble to Disciplinary Bye-law 16.2 (a) and **substitute**:

“(a) any one or more of the orders which, on finding a formal complaint proved, the Disciplinary Committee would have power to make against the defendant by virtue of paragraphs i) to vii) below according to whether the person concerned is a member, member firm, contracted firm, authorised firm, registered auditor, provisional member, foundation qualification holder, provisional foundation qualification holder or CFAB student;”.

15. In Disciplinary Bye-law 19.1 **delete** “7” and **substitute** “6”.

16. In Disciplinary Bye-law 22.9 **delete** “foundation qualification student” and **substitute** “provisional foundation qualification holder or CFAB holder or CFAB student” wherever it occurs.”.

17. **Delete** Disciplinary Bye-law 24.4 and **substitute**:

“24.4 In the event of a dispute between the defendant and a member, member firm or regulated firm appointed under paragraph 2 as to the fees payable by virtue of an order under paragraph 2(b), the tribunal may either

- a. determine the fees payable; or
- b. order the parties to the dispute to submit the fees to arbitration in accordance with the directions of the tribunal.”.

18. In Disciplinary Bye-law 27.2 **delete** “8” and **substitute** “7”.

19. In the title of Disciplinary Bye-law 34B **delete** “complaints” and **substitute** “complainants”.

20. In Disciplinary Bye-laws 34B and 36.3 **delete** “complaint” and **substitute** “complainant”.

21. In Disciplinary Bye-laws 38.1, 38.2, 38.3, 38.4, 38.7, 38.8, 38.9, 38.10, 38.12, 38.14, 38.15, 40.1, 40.3, 40.4, 40.5, 41.3, 41.4, 41.6 (preamble), 41.7, 42.1, 42.3, 42.4, 42.5, 42.6, 43.1 (preamble), 44.10, 45.1, 45.2, 45.3, 45.6, 46.3, 47.3, 47.4, 47.5, 48.3, 48.4 (preamble), 48.5, 48.6, 48.7, 48.9, 48.11, 49.1, 49.2, 49.4, 50.1, 50.6, **delete** “member/provisional member” and **substitute** “respondent” wherever it occurs.

22. In Disciplinary Bye-laws 38.1, 38.12, 41.1, 41.2, 41.3, 43.1(c), 45.6, 46.1, 46.2, 46.3, 47.2, 47.3, 49.1, 49.2, **delete** “member/provisional member’s” and **substitute** “respondent’s” wherever it occurs.

23. In Disciplinary Bye-laws 38.6, 40.2 and 40.4, 45.4, 45.6, 47.4, 48.1, 48.4, 48.7, 50.3 **delete** “member” and **substitute** “respondent” wherever it occurs.
24. In Disciplinary Bye-laws 38.10, 38.14, 46.2(b), **delete** “member’s” and **substitute** “respondent’s” wherever it occurs.
25. **Delete** Disciplinary Bye-law 40.7 and **substitute**:
- “40.7 In determining under this Bye-law whether or not a respondent’s fitness to participate in disciplinary proceedings and/or professional competence is seriously impaired through his physical or mental health, the hearing will take place on an inquisitorial (not adversarial) basis and the Fitness Panel may consider written representations from the respondent and the head of staff, written reports and hear oral evidence, as it deems appropriate, including oral evidence from the respondent, from an expert witness relied upon by the respondent or from a medical examiner appointed under paragraph 3(b) or 4 of Bye-law 38. However, the absence of a medical report or evidence shall not prevent the Fitness Panel from reaching a determination on the basis of the respondent’s conduct.”.
26. **Delete** Disciplinary Bye-law 41.5 and **substitute**
- “41.5 The Fitness Panel may accept the respondent’s resignation of his membership, provisional membership or registration instead of making an order under paragraph 3, if the resignation is made in writing.”.
27. In Disciplinary Bye-law 41.6(a):
- (i) **delete** “member/provisional member for readmission to membership/provisional membership” and **substitute** “respondent for re-registration as a provisional member, provisional foundation qualification holder or CFAB student”;
- (ii) **delete** ‘member/provisional member’s’ and **substitute** “respondent’s”.
28. In Disciplinary Bye-law 41.6(b) **delete** “no application for readmission as a member or provisional member” and **substitute** “no application for readmission or re-registration”.
29. In Disciplinary Bye-law 42.1 **delete** “Fitness Panel Chairman,” and **substitute** “Fitness Committee Chairman (or Panel Chairman if so appointed)”.
30. In Disciplinary Bye-law 42.3 and 42.4 **delete** “Fitness Panel Chairman” and **substitute** “Fitness Committee Chairman or Panel Chairman (as appropriate)”.
31. In Disciplinary Bye-law 42.5 and 42.6 **delete** “Fitness Panel Chairman” and **substitute** “Fitness Committee Chairman or Panel Chairman”.
32. In Disciplinary Bye-law 47.1:

- (i) in the preamble and (a) *delete* “member/provisional member’s” and *substitute* “respondent’s” wherever it occurs;
- (ii) in (a) after “provisional membership and” *insert* “/or”;
- (iii) *delete* (c) and *substitute*:

“(c) accept the respondent’s resignation of his membership, provisional membership or registration and, in the case of a provisional member, provisional foundation qualification holder or CFAB student, order that any future application by the respondent for re-registration be considered by the Fitness Committee so that it can make an initial determination as to whether the respondent’s professional competence remains seriously impaired through his physical or mental health.”

- 33. In Disciplinary Bye-law 48.1 *delete* “member’s/provisional member’s membership, provisional membership or practising certificate” and *substitute* “respondent’s membership, provisional membership, practising certificate or other certificate, licence or registration.”
- 34. In Disciplinary Bye-law 48.7 *delete* “membership, provisional membership or a practising certificate of the member/provisional member” and *substitute* “the respondent’s membership, provisional membership, practising certificate, certificate, licence or registration”.
- 35. In Disciplinary Bye-law 49.6(b) *delete* “paragraph 6” wherever it occurs and substitute “paragraph 5”.
- 36. In the Schedule to the Disciplinary Bye-laws, paragraph 5.1, *delete* “none of whom shall be an accountant” and *substitute* “who shall be lay persons”.
- 37. In the Schedule to the Disciplinary Bye-laws, after 5.4 *insert*:

“5.5 For the purposes of paragraph 5.1 of this Schedule a lay person shall mean someone who is not and never has been a member, affiliate or employee of the Institute or another accountancy body. Furthermore solicitors and those with legal training shall not be regarded as lay persons when considering complaints about legal services work in accordance with bye-laws 17 and 18.”



At the Council Chamber, Whitehall

THE 13th DAY OF OCTOBER 2017

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

Their Lordships, in exercise of the powers conferred upon Them by section 76 of the Further and Higher Education Act 1992(a), are pleased to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Power to Award Degrees etc. (AECC University College) Order of Council 2017 and shall come into force forthwith.

Competence to grant awards

2. The AECC University College shall be competent to grant awards of the kind mentioned in paragraph (a) of section 76(2) of the said Act.

Ceri King

(a) 1992 c.13