

1976 No. 1731

SEX DISCRIMINATION

The Rhodes Trust (Modification) Order 1976

Made 19th October 1976

Laid before Parliament 28th October 1976

Coming into Operation 19th November 1976

WHEREAS—

(1) the instruments regulating the trusts administered by the Rhodes Trust (within the meaning of the Rhodes Trust Act 1946(a)) concern property applicable in connection with the provision of education in any college in the University of Oxford and other residential universities;

(2) the instruments restrict the benefits available under them to men;

(3) the Rhodes Trust have applied to the Secretary of State for an order modifying the instruments;

(4) the Rhodes Trust have published notice in accordance with Section 78(4) of the Sex Discrimination Act 1975(b) ("the Act") and the Secretary of State has taken into account representations duly made in accordance with the notice;

(5) the Secretary of State is satisfied that the modification of the instruments would conduce to the advancement of education without sex discrimination—

NOW, THEREFORE, THE SECRETARY OF STATE, in exercise of the powers conferred by Section 78(2) of the Act, hereby makes the following order:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Rhodes Trust (Modification) Order 1976 and shall come into operation on 19th November 1976.

(2) In this Order—

"the instruments" means the Will and codicils of Cecil John Rhodes as modified by the Rhodes Estate Act 1916(c) and the Rhodes Trust Act 1929(d);

"the Rhodes Scholarships" means the scholarships established in pursuance of the instruments.

(a) 1946 c.2.

(b) 1975 c.65.

(c) 1916 c.LXV.

(d) 1929 c.XC.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Modification of Trust Instruments

2. The Rhodes Scholarships shall be tenable by women as well as by men and accordingly—

(a) in any references to students contained in the instruments words importing the masculine gender shall include the feminine gender; and

(b) clause 23 of the Will, both as declared by the testator in his codicil dated 11th October 1901 and as incorporated in the Rhodes Estate Act 1916 and the Rhodes Trust Act 1929, shall have effect with the omission of the words “manly” and “manhood”.

Given under the Official Seal of the Secretary of State

for Education and Science on 19th October 1976.

SHIRLEY WILLIAMS,

Secretary of State for

Education and Science

(LS)

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order modifies the instruments regulating the trusts declared by the Will and codicils of Cecil John Rhodes as modified by the Rhodes Estate Act 1916 and the Rhodes Trust Act 1929, under which Rhodes Scholarships are awarded. The order enables those scholarships to be tenable by women as well as by men.

(a) 1889 c.63.