

## NATURAL ENVIRONMENT RESEARCH COUNCIL (NERC) – CHARTER

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS We did by Royal Charter dated the First day of June 1965 (hereinafter referred to as “the original Charter”) constitute a body corporate called “The Natural Environment Research Council” (hereinafter referred to as “the Council”) for promoting and supporting research into the Earth sciences and ecology and related matters:

AND WHEREAS We did grant a Supplemental Charter to the Council on the sixteenth day of December 1993 (hereinafter referred to as “the 1993 Supplemental Charter”) to amend the provisions of the original Charter:

AND WHEREAS it has been represented unto Us that, following a Quinquennial Review of the Council and its activities, it is expedient for the better execution of the purposes of the Science and Technology Act 1965, and of the objects of the Council, to grant a further Supplemental Charter to the Council:

NOW THEREFORE Know Ye that We, by virtue of Our Prerogative Royal and of all other powers enabling Us so to do, have of Our especial grace, certain knowledge and mere motion granted and declared and do by these Presents for Us, Our Heirs and Successors, grant and declare as follows:

1. With the exception of Article 1, the provisions of the original Charter as amended by the 1993 Supplemental Charter are hereby revoked without affecting anything lawfully done under such Charter.
2. (1) The objects for which the Council is established and incorporated are:
  - (a) to promote and support, by any means, high-quality basic, strategic and applied research, survey, long-term environmental observation and monitoring and related post-graduate training in environmental and related sciences including: terrestrial, marine and freshwater biology and Earth, atmospheric, hydrological, oceanographic and polar sciences; and in Earth observation and the Earth’s system;
  - (b) to advance knowledge and technology (including the promotion and support of the exploitation of research outcomes), and to provide services and trained scientists and engineers, which meet the needs of users and beneficiaries (including the agricultural, construction, Earth observation, energy, environmental services, fishing, forestry, hydrocarbons, financial services, minerals, process, remote-sensing, water and other industries), thereby contributing to the economic competitiveness of Our United Kingdom, the effectiveness of public services and policy, and the quality of life;

(c) in relation to the activities as engaged in by the Council under (a) and (b) above and in such manner as the Council may see fit:

to generate public awareness;  
to communicate research outcomes;  
to encourage public engagement and dialogue;  
to disseminate knowledge; and  
to provide advice.

(2) The Council may pursue its objects in Our United Kingdom of Great Britain and Northern Ireland or elsewhere.

(3) Without prejudice to the fulfilment of the objects for which the Council is established and incorporated, in pursuing its objects, the Council shall use its best endeavours to identify and pursue opportunities for mutually beneficial joint working with any one or more of the other Research Councils.

3. All moneys and property howsoever received by the Council, including any moneys voted by Parliament, shall be applied solely towards the promotion of the objects of the Council and no portion thereof (except as otherwise provided in this Our further Supplemental Charter) shall be paid or transferred directly or indirectly to the members thereof.

4. (1) The Council shall consist of a Chair, a Chief Executive and Deputy Chair, and not less than ten nor more than eighteen other members, at least half of whom shall be appointed by reason of their qualifications in science or engineering.

Subject to the provisions of paragraph (3) of this Article, the Chair, the Chief Executive and Deputy Chair, and the other members shall be appointed and the terms of their appointment or the revocation of any appointment determined by Our Secretary of State.

(3) (a) Before appointing any member, including the Chair and the Chief Executive and Deputy Chair, on account of his qualifications in science or engineering, Our Secretary of State shall consult the President for the time being of Our Royal Society or of Our Royal Academy of Engineering as Our Secretary of State shall see fit.

(b) Before appointing any member, including the Chair and the Chief Executive and Deputy Chair, Our Secretary of State shall consult the Chair for the time being of the Council, who may consult other members of the Council as he shall see fit.

(4) Every member, including the Chair and the Chief Executive and Deputy Chair, shall hold and vacate his office solely in accordance with the terms of his appointment, and shall, on the expiry of his term of appointment, be eligible for re-appointment but

(a) a member shall not be appointed for a term of more than four years;

(b) a member who is re-appointed on ceasing to be a member shall not again be eligible for re-appointment before the expiration of one year from the end of the period for which he is re-appointed: provided that this sub-paragraph shall not apply to a person appointed to serve as Chair or Chief Executive and Deputy Chair or to a person who is a civil servant or who is employed by a Research Council;

(c) a member may at any time by notice in writing to Our Secretary of State resign his office; and

(d) any member who is also employed as a civil servant or who is also employed by a Research Council shall hold his office only so long as he is so employed.

(5) Except as provided in paragraph (7) of this Article, the Council shall in the case of any such member as Our Secretary of State may determine

pay to him such remuneration and allowances as may be so determined in his case; and

pay to or in respect of him such pension, allowance or gratuity on his retirement or death, or make such payments towards provision for such a pension, allowance or gratuity, as may be so determined in his case.

(6) If a person ceases to be a member of the Council otherwise than on the expiration of his term of office, and it appears to Our Secretary of State that there are special circumstances which make it right that that person should receive compensation, the Council shall make to that person a payment of such amount as Our Secretary of State may determine.

(7) The Council shall not in any circumstances or at any time make to or in respect of any person in his capacity as a member of the Council any payment of any kind whatsoever for or in respect of any period when he is also a member of the House of Commons, the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly (when so constituted), other than a payment by way of reimbursement to him of actual out of pocket expenses previously and necessarily incurred by him in the performance of his duties as such member of the Council.

(8) The provisions of paragraphs (5) and (6) of this Article shall not apply to a member who is an officer of a Department of Our Government.

5. (1) The Council may act notwithstanding a vacancy among the members thereof and the validity of any proceedings of the Council shall not be affected by any defect in the appointment of a member thereof.

(2) The quorum of the Council shall be six members personally present or such greater number as the Council may from time to time so determine.

6. Subject to the provisions of this Our further Supplemental Charter the Council may regulate its own procedure.

7. (1) The Council may appoint Committees to exercise, or advise it on the exercise of, any of its functions and may

(a) appoint to any such Committee persons who are not members of the Council;  
and  
at any time revoke the appointment of any member of any such Committee.

Where the Council appoints to any such Committee any person who is not a member of the Council it may, with the approval of Our Secretary of State, pay to that person such remuneration and allowances as may be so determined in his case, but Article 4(7) of this Our further Supplemental Charter shall apply to any such person as though he were a member of the Council.

8. (1) The Council may appoint such officers and take into their employment such other persons as the Council may determine.

(2) The Council may

pay to its officers and to other persons employed by them such remuneration and allowances as the Council may, with the approval of Our Secretary of State, from time to time determine; and

as regards any officers or other persons employed by the Council or by any institution or department of an institution which is supported by the Council by grants made under the provisions of Article 2(1) of this Our further Supplemental Charter, in whose case it may be determined by the Council with the approval of Our Secretary of State so to do, pay to or in respect of them such pensions and other benefits or compensation (including gratuities), or provide and maintain for them such pension, benefit or compensation schemes (whether contributory or not) as may be determined.

Where the holder of an office or employment with the Council or with the Marine Biological Association of the United Kingdom of Great Britain and Northern Ireland or the Scottish Association for Marine Science or the Freshwater Biological Association, being a participant in any pension, benefit or compensation scheme applicable to the office or employment, is or becomes a member of the Council he may be treated for the purposes of the pension, benefit or compensation scheme as if his service as a member of the Council were service in an office or employment with the Council, and his rights under the scheme shall not be affected by any provision of this Our further Supplemental Charter which requires that pensions, allowances, gratuities, benefits, compensation or payment towards the provision of them payable in the case of members of the Council shall be determined by Our Secretary of State .

9. The application of the Seal of Council shall be authenticated by the signatures of the Chair, or of some other member of the Council authorised generally or especially by the Council to act for that purpose, and of one of such officers of the Council as may be so authorised by the Council so to act.

10. The Council may by resolution in that behalf passed at a meeting of the Council by a majority of not less than three-quarters of the members present and voting (being an absolute majority of the whole number of the members of the Council) add to, amend or revoke any of the provisions of this Our further Supplemental Charter, and such addition, amendment or revocation, when allowed by Us Our Heirs or Successors in Council, shall become effectual, so that this Our further Supplemental Charter shall thenceforward continue and operate as though it had been originally granted and made accordingly: and this provision shall apply to this Our further Supplemental Charter, as added to, amended or revoked in manner aforesaid.

11. In this Our further Supplemental Charter references to Our Secretary of State are to Our Secretary of State for Trade and Industry, references to Research Councils are to Research Councils within the meaning of the Science and Technology Act 1965, and words importing the masculine gender shall include the feminine.

12. This Our further Supplemental Charter shall have effect from 21st July 2003.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the    day of    in the    year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL