

## **Revision of the College Statutes**

In accordance with Statute LXX, the Governing Body has agreed a proposed revision to the College Statutes. The proposed revision has now been communicated to the University and any comments received will then be considered by the Governing Body when it discusses the proposed Statute revision for a second time. The final amending Statute will then be communicated to the Privy Council.

Attached here is the resolution to amend the Statutes which was agreed by the Governing Body along with a copy of the current Statutes with the proposed changes tracked.

Any comments on the proposed revision to the College Statutes should be sent by email to the Bursar ( [bursar@emma.cam.ac.uk](mailto:bursar@emma.cam.ac.uk) ) by Friday 10<sup>th</sup> June 2022.

Dr M J Gross

4<sup>th</sup> May 2022

**“The Governing Body notes that the purpose of this revision of the College Statutes is to:**

Update and simplify various Statutes to align them with modern practice. Specifically to: enable new Fellows to join the Governing Body immediately following their election; to provide for the possibility of fixed-term elections to the Mastership; to allow the Governing Body to appoint a Fellow to act in place of the Master in the event of the incapacity of the Master; to align the provisions for Professorial Fellows with modern University practice; to remove the requirement for Fellows to proceed to the degree of Master of Arts; to revise the terms on which Fellows may be resident in the College; to modernise the Statute relating to student discipline; and to adopt a modern form of the Academic Staff Statute replacing the existing statute with a short enabling statute.

**The revision of the Statutes is:**

- (1) In **Statute II** – Of the Governance of the College, section 3, delete the section entirely, re-numbering other sections appropriately.
- (2) In **Statute V** – Of College Meetings, section 4, delete the words “disciplinary purposes other”
- (3) In **Statute VIII** – Of the Tenure of the Mastership, section 1, delete the existing words entirely and replace with “The Master's tenure of the Master's office shall terminate either at the end of the tenth academical year in which the Master has held the Master's office or at a later date determined by the Governing Body at the time of the Master's election; provided that the Master's tenure determined at the time of the Master's election shall not extend beyond the end of the academic year in which the Master attains the age of sixty-seven years; and provided further that at a meeting of the Governing Body summoned by the Vice-Master for the purpose, and by a vote in which at least two-thirds of its members present concur, that number not being less than a majority of its whole number, the Master may be continued in office for a further period or periods not extending beyond the 30th day of September next after the Master's attainment of the age of seventy years. The Vice-Master shall summon such a meeting if five members of the Governing Body require the Vice-Master in writing to do so, but the Vice-Master may summon such a meeting without such requisition. At this meeting the Master shall not be present.”
- (4) In **Statute XI** – Of the Retirement or Resignation of the Master, section 2, delete the word ‘Visitor’ in two places, replace each with ‘Governing Body’, and delete ‘, after enquiry,’.
- (5) In **Statute XIX** – Of Professorial Fellows, section 1, delete the section entirely; replace section 3 with ‘Election to a Professorial Fellowship shall be in the first instance for a period not exceeding five years, with the possibility of re-election for further periods not exceeding five years at any one time, so long as the Professorial Fellow continues to hold the office in virtue of which the Professorial Fellow was first elected and no longer.’; section 4, delete the section entirely; section 6, delete the section entirely; and re-numbering sections appropriately.
- (6) In **Statute XXIII** – Of the Tenure of Fellowships Generally, section 1, delete the section entirely, re-numbering other sections appropriately.
- (7) In **Statute XX** – Of Life Fellowships, section 3, replace ‘Statute XI, Section 2.’ With ‘Statute XI, Section 3.’

(8) In **Statute XXV** – Of the Removal of Fellows, section 4, delete the words ‘Subject to the provisions of Section 6(1) of Statute LXVIII, ‘

(9) In **Statute XXVI** – Of Payments and allowances to Fellows, section 1, replace “free of rent, rates and taxes” with “for which rent as determined by the Governing Body to be fair and reasonable shall be charged”

(10) In **Statute XLVIII** – Of College Discipline, section 2, delete the existing words entirely; section 3, delete the existing words entirely and replace with “The Master and Tutors shall constitute a Board of Discipline to which on the summons of the Master all grave cases shall be referred; and this Board shall have power, by a vote in which a majority of the whole number of its members concur, to decide any disciplinary matter concerning any member of the College in statu pupillari and any sanction including the removal altogether of that person from the College. The Governing Body shall have the power to specify by Ordinance the manner in which consideration shall be given by the Board of Discipline to these matters so as always to ensure the application of principles of justice and fairness.”; and re-numbering other sections appropriately.

(11) In **Statute LXVIII** – Of Academic Staff, delete the existing words entirely and replace with”

“1. The Governing Body shall have power to specify by Ordinance the circumstances in which a member of the academic staff may be removed or suspended from, or suffer any disciplinary sanction or raise any grievance in relation to, any position in the College held by that member.

2. The Governing Body shall specify by Ordinance

(a) the manner in which consideration is to be given to the removal or suspension from any position in the College held by a member of the academic staff, or to any disciplinary sanction or any grievance relating to such a position, and

(b) the manner in which such matters are to be determined.

3. Ordinances made under this Statute may make different provision for different positions in the College and for different circumstances, and may in particular distinguish between

a. the probationary and post-probationary tenure of a position; the fixed or indefinite term of a position; or the full- or part-time nature of a position; and

b. redundancy and good cause; or between different categories of good cause.

4. Any Ordinance or change to an Ordinance made under section 1 shall be disregarded in any proceedings conducted under section 2 that depend materially on circumstances that occurred before the Ordinance or the change was made. Any Ordinance or change to an Ordinance made under section 2 shall be disregarded in any proceedings that commenced before the Ordinance or the change was made.

5. Any Ordinance made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:

a. to ensure that members of the academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy or losing their jobs or privileges;

b. to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and

- c. to apply this principles of justice and fairness.
- 6. In this Statute expressions shall be given the following meanings:
  - a. “member of the academic staff” refers to the Master or a Fellow or the holder of a College office;
  - b. “position in the College”, in relation to a member of the academic staff, refers to the Mastership or a Fellowship or any College office held by that member, and also to any contract of employment between that member of the academic staff and the College;
  - c. “redundancy”, in relation to a position in the College held by a member of the academic staff, refers to the fact that the College has ceased, or intends to cease, to carry on the activity for which the position exists, or for which the need has ceased or diminished, or is expected to cease or diminish;
  - d. “good cause”, in relation to a position in the College held by a member of the academic staff, means a reason which is related to the conduct of the member or to the capability or qualifications of the member in relation to the duties of the position;
  - e. “capability”, in relation to a member of the academic staff, means capability assessed by reference to the skill, aptitude, health or any other physical or mental quality of the member;
  - f. “qualifications”, in relation to a position in the College held a member of the academic staff, means any degree, diploma or other academic, technical or professional qualification held by the member relevant to that position.
- 7. The Academic Staff Statute that this Statute replaces shall apply in place of it to any person who held a position in the College before the date of commencement of this Statute, unless that person has either
  - a. confirmed in writing that this Statute will apply; or
  - b. ceased to hold all positions in the College held at the date of commencement.”

The Governing Body resolves that the College do hereby approve and adopt the revised form of Statutes produced to this meeting.”

## THE STATUTES OF EMMANUEL COLLEGE, CAMBRIDGE

### I *Of the Foundation of the College*

1. The Foundation of the College shall consist of the Master, Fellows and Scholars.

### II *Of the Government of the College*

1. The Master and Fellows for the time being, with such exceptions as are hereinafter made, shall in all matters whatsoever have the government and control of the College and of its property and income, and they are in these Statutes referred to as the Governing Body.

2. Subject to the provisions of Statute LXX (of changes in these Statutes) no Fellow shall be entitled to vote as a member of the Governing Body after the 30th day of September in the academical year in which the Fellow has attained the age of seventy years, and a Fellow who is thus not entitled to vote shall not be reckoned a member of the Governing Body for the purposes of these Statutes.

- ~~3. Subject to the provisions of Statute LXX no Fellow shall be entitled to vote as a member of the Governing Body until twelve months shall have elapsed after the Fellow's first admission to a Fellowship, and a Fellow who is thus not entitled to vote shall not be reckoned a member of the Governing Body for the purposes of these Statutes, but that Fellow shall receive notice of all meetings of the Governing Body, and shall be entitled to attend all such meetings and to speak thereat.~~

3. The Master shall have the custody of the Common Seal of the College, but it shall not be affixed to any document except in the presence of at least two persons of whom the Master shall be one and the Bursar or the Bursar's deputy another.

4. The Bursar shall be responsible for the safety of the muniments and deeds in the College Treasury, and they shall be open to the inspection of any Fellow at all reasonable times.

### III *Of a College Council*

1. Notwithstanding the provisions of Statute II, Section 1, the Governing Body may at any time, after due consideration and by a vote in which at least two-thirds of its whole number concur, resolve to constitute a Council from among its members, and may by the vote of such a majority delegate to the Council any of its statutory powers and duties, except those powers and duties hereinafter specified as reserved to the Governing Body itself; and if and when this shall have been done, the said Council, to the extent of the authority so entrusted to it, may exercise all powers, and shall perform all duties, which in these Statutes are assigned to the Governing Body by name.

2. The Council shall consist of the following:

- (i) the Master, the Vice-Master, the Bursar and the Senior Tutor, who shall *ex officio* be members of the Council;

- (ii) such other of its members as the Governing Body shall appoint by name for such period (subject to the provisions of Section 3 of this Statute) as the Governing Body shall direct; provided that the Council so constituted shall consist of not less than nine nor more than twelve members in all.

3. No person shall, except *ex officio*, be a member of the Council for more than four years in any period of five years, unless the Governing Body, by a vote in which at least three-fourths of its whole number concur, shall in any case determine otherwise.

4. If a member of the Council ceases at any time to be a member of the Governing Body that member shall thereupon cease to be a member of the Council.

5. Any member of the Council, other than an ex officio member, who shall not have been present at one-half at least of the Meetings of the Council in any one University Term shall from the date of the next meeting of the Governing Body cease to be a member of the Council unless at such meeting the Governing Body otherwise directs.

6. On a vacancy or vacancies occurring in the Council the continuing members of the Council may act notwithstanding any such vacancy; but subject to the provisions of Section 7 of this Statute the Governing Body at its next meeting shall either appoint another of its members to fill the vacancy or vacancies or resolve that no such appointment be made.

7. If a vacancy or vacancies occurring in the Council shall reduce the number of its members to less than nine, the Governing Body shall at its next meeting appoint at least sufficient members to bring the whole number of members of the Council up to nine; provided that the Governing Body may at any time resolve that no appointment shall be made to the Council which would bring its membership to a number greater than half the number of persons who are at that time members of the Governing Body; but such a resolution shall not be passed if in result thereof the ex officio members of the Council would be a majority of its whole number.

8. The authority of any Council constituted as above shall terminate on the last day of every third academical year, unless in the Michaelmas Term of that year the Governing Body, by a vote in which at least two-thirds of its whole number concur, shall have authorised the continuance of the authority of the Council during the three academical years next ensuing, whether with the same powers and duties as before or with others.

9. Notwithstanding the provisions of Section 8 of this Statute, if at any time during the existence of a Council the number of the members of the Governing Body shall for six months have been less than sixteen, the Council shall be dissolved automatically on the 30th day of September next ensuing.

10. The Governing Body may at any time, after due consideration and by a vote in which at least two-thirds of its whole number concur, terminate the authority of the Council or alter its powers.

11. The Council may act by a majority of its members present at a meeting, but shall not act unless a majority of the Council or five of its members, whichever be the greater number, are present at the meeting.

12. The transactions of the Council shall be recorded in a Minute Book which shall be open to the inspection of any member of the Governing Body at all reasonable times; and information thereon, in such form as the Governing Body shall order, shall as soon as possible be communicated to all Fellows.

13. The following powers and duties, in addition to those specified in this Statute, shall be reserved to the Governing Body itself and may not be delegated to the Council or to any other authority:

- (i) the election of the Master;
- (ii) the election of Honorary Fellows;
- (iii) the election (subject to the provisions of Statute XXII Of the Election of Fellows) and the removal of Fellows;
- (iv) the election and removal of College Officers as defined in Statute XL;
- (v) the election of members of the Council;
- (vi) the final passing of accounts at the audit thereof;
- (vii) the determination of payments and allowances to Fellows and of all other rights of Fellows as such;
- (viii) the making, amendment and interpretation of Statutes;
- (ix) the decision of any matters for which these Statutes require the concurrence of more than a majority of the whole Governing Body;

#### IV *Of the Visitor*

1. For the purposes of these Statutes the Visitor shall be the Vice-Chancellor. There shall be two Assessors to the Visitor, namely, those two Regius Professors of the University who (being other than the Visitor or the Master and not being Fellows of the College) are highest in the order of seniority of Graduates; and the Visitor shall act only with the consent of one at least of the Assessors.

2. Any right reserved by these Statutes to any member of the College to appeal to the Visitors against a decision of the Governing Body shall lapse upon the expiry of thirteen weeks of Term from the date of the aforesaid decision.

3. In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor:

(a) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute LXVIII applies which concerns the member's appointment or employment or the termination of that appointment or employment; or

(b) to disallow or annul any Regulations of the Governing Body made under or having effect for the purposes of Statute LXVIII.

#### V *Of College Meetings*

1. Meetings of the Governing Body shall be summoned by, or by direction of; the Master at such times (subject to the provisions of these Statutes) as the Master may deem expedient. There shall be at least one such meeting, other than any meetings held under Sections 2 and 4 of this Statute, in each University Term, which meeting shall be held on a day determined at least six months beforehand.

2. If the Master during any University Term shall be required in writing by five members of the Governing Body to summon a meeting for some purpose specified in the writing, the Master shall comply with such requisition and the meeting shall be held before fourteen days of Term have elapsed thereafter.

3. The Master shall give or cause to be given to each member of the Governing Body at least seven days' notice of every meeting, and of all important business proposed to be transacted thereat: that is to say, at least six clear days must elapse between the day of issuing the notice and the date of meeting. At any meeting thus summoned any item of business may be brought forward without such notice; provided that any member of the Governing Body shall thereupon be entitled to move a resolution for its exclusion from the business of that meeting, and that it shall be so excluded unless a majority of the whole Governing Body shall otherwise determine.

4. The Master may summon meetings of the Governing Body for ~~disciplinary purposes or other~~ urgent business without such notice as is prescribed by Section 3. The Master shall be sole judge, for this purpose, of what business IS to be held urgent.

5. At all meetings of the Governing Body the Master, or in the Master's absence the Vice-Master or the Vice-Master's deputy, shall be present and preside; and in default thereof the senior of the members present shall either preside in person or nominate some other member to preside; and for the purposes of that meeting the member so presiding shall have all the power and authority of the Master.

6. Except where it is otherwise provided in these Statutes, at all meetings of the Governing Body, if no Council be in office in accordance with Statute III, the Master or the Master's substitute as determined in accordance with Section 5 of this Statute, together with one-quarter of the whole number of the Governing Body, shall constitute a quorum; but if such a Council be in office, a quorum shall be constituted by the Master or the Master's substitute together with two other members of the Council and one-quarter of the Governing Body who are not members of

the Council; provided that if at any time there shall be less than six members of the Governing Body who are not members of the Council a quorum shall be constituted by the Master or the Master's substitute together with two other members of the Council and a majority of those members of the Governing Body who are not members of the Council.

7. At any meeting of the Governing Body any member shall be entitled to bring forward any resolution of which that member shall have given to the Master at least ten days' previous notice in writing. The Master shall insert such resolution in the list of business to be transacted at the first meeting after the expiration of ten days from the date of such notice, and shall put such resolution to the vote if seconded.

8. The Master shall keep a Minute Book in which shall be entered a record of the resolutions passed and other business transacted at meetings of the Governing Body. When the Minutes of any meeting have in due course been confirmed by the Governing Body they shall be signed by those present at that meeting. The Minute Book shall be open to the inspection of any Fellow at all reasonable times.

9. At all meetings of the Governing Body the Master and each member who is present and is qualified to vote shall have one vote on each question. Each question (except where these Statutes provide otherwise) shall be decided by a majority of those present and voting, and if there be an equality of votes the Master shall have a second or casting vote. Where these Statutes require a question to be determined other than by a majority of those present and voting, Fellows who have been granted leave by the Governing Body according to Statute XXIII Section 2 shall not be counted in the calculation of the majority required.

10. Subject to the provisions of Section 11 of this Statute and to the provisions of Statute LXX, no person who on the 30th day of September in any year has been a member of the Governing Body for two years or more shall have a vote unless that person shall have been present at one-half at least of those meetings held during Term in the two years ending on the aforesaid 30th day of September, of which due notice shall have been given in accordance with Section 3 of this Statute; and such a person shall not be reckoned a member of the Governing Body for the purposes of these Statutes during the year following the aforesaid day. But every such person shall receive notice of all meetings of the Governing Body and shall be entitled to attend such meetings to speak thereat.

11. At the first meeting held after the 30th day of September in each year the Master shall, before proceeding to any other business, declare the names of those persons who under the provisions contained in Section 10 of this Statute are disqualified from voting during the current year, and their names shall be entered in the Minute Book; provided that the Governing Body at the first meeting may declare, upon grounds which shall be stated and recorded, that the disqualification of any such person shall be removed and the said person shall thereupon (except for the purpose of voting upon or calculating the majority in favour of any resolution under this section) be entitled to a vote, and be reckoned a member of the Governing Body for the current year. At the request of a Fellow who under the provisions contained in Section 10 of this Statute is disqualified from voting during the current year, and for whom the vote has not been restored at the first meeting held after 30th September, the Governing Body may, at the first meeting held within each following Term and before proceeding to any other business, consider a resolution to remove the disqualification from voting and to restore that Fellow as a member of the Governing Body.

12. After each meeting of the Governing Body, a copy of the record of the business transacted thereat, in the form proposed for insertion in the Minute Book, shall be sent to each Fellow of the College as soon as is practicable.

## VI *Of the Qualification and Duties of the Master*

1. In elections to the Mastership the electors shall choose a person with due regard to that person's fitness to govern the College as a place of education, religion, learning and research.

2. The duties of the Master shall be to exercise a general superintendence and control over the affairs of the College, to enforce the observance of the College Statutes by the Fellows, Scholars, Officers and Students of the College, to preside at all meetings of the Governing Body (other than those summoned under Statute VIII, Section

l) and of the Council, to be responsible for the safe custody of the Common Seal of the College and for its proper use in accordance with the orders of the Governing Body, and in all matters not provided for by the Statutes or by College Orders to make provision for the good government and discipline of the College.

## VII *Of the Election of the Master*

1. The electors to the Mastership shall be the members of the Governing Body, with the exception of that person who is or has last been Master at the time of election.

2. Whenever a vacancy occurs in the office of Master, the Vice-Master shall as soon as the vacancy becomes known to the Vice-Master give notice in writing to every elector of the vacancy, and of the day and hour at which a Meeting for the election of a new Master will be held.

3. The Meeting mentioned in the foregoing section (hereinafter called the original Meeting) shall be held in the College, and if the vacancy occurs during vacation shall be held on the fourteenth day of the next University Term, or if the vacancy occurs during Term time on the fourteenth day of Term after the notice aforesaid has been given or if delivered by post has been posted to the electors, or if in either case this fourteenth day shall be a Sunday, on the Monday following this Sunday.

4. At this Meeting the Vice-Master shall declare the Meeting convened, and the Meeting shall thereupon proceed to the election of a Chairman. Before proceeding to the election, the Chairman shall read audibly the foregoing Statute Of the Qualification and Duties of the Master And the Chairman, and all the electors present, each in the order of their seniority, shall make the following declaration:-

"I, A.B., hereby declare that in this election I will faithfully observe the Statute which has just been read and that without favour or partiality I will perform my duty as an elector in such a way as shall in my judgement best serve the honour and interests of the College."

5. Voting in the election of the Master shall be by means of a secret ballot or ballots. In the election the University Proctor with the longest standing as a member of the Senate, provided that that person is not a Fellow of the College, shall act as Returning Officer, administering the secret ballot or ballots and being present at the original Meeting and at any adjournment thereof. The votes shall be taken by means of written voting papers, which shall be filled up and delivered to the Returning Officer by those present. The Returning Officer shall privately count the votes taken, observing the confidentiality of the electors to the Mastership at all times, and present a written record of the total number of votes and the number of votes cast for each person for whom one or more votes has been cast to the Chairman. Once the votes have been counted and the written record of the votes cast delivered to the Chairman, the Returning Officer shall destroy the written voting papers. The Chairman shall then audibly declare the total number of votes cast and number of votes cast for each person for whom one or more votes have been cast and shall declare that person to be elected Master who shall have obtained the votes of a majority of the electors. In administering the secret ballot or ballots the Returning Officer shall have discretion to determine the form of the written voting papers, and the means by which those papers are collected, so as to ensure the accuracy, fairness and confidentiality of the voting, along with the observance of Section 14 of this Statute, and in these matters the decision of the Returning Officer shall be final.

6. If no person be found to be elected on the first scrutiny, the votes (subject to the provisions of Section 10 of this Statute) shall be taken again in like manner, and the Chairman shall declare that person elected who shall have obtained the votes of a majority of those present.

7. If no person be found to be elected on the second scrutiny, the votes shall be taken a third time, and the Chairman shall declare that person elected who shall have obtained the votes of a majority of those present and voting.

8. The Returning Officer once appointed shall continue in the role defined in Section 5 of this Statute until the Master is elected or until the appointment of the Master shall lapse to the Chancellor of the University according to Sections 11 and 12 of this Statute. If the University Proctor with the longest standing as a member of the Senate,

who is not also a Fellow of the College, is unable or unwilling to serve as Returning Officer, or is unwilling or unable to continue to serve as Returning Officer, the electors to the Mastership shall appoint an Alternate. The Alternate appointed to act as Returning Officer shall be another University Proctor or a person who holds judicial office or who is a barrister or solicitor of at least ten years' standing, so long as the Alternate chosen is not a Fellow of the College.

9. The Returning Officer shall be paid a fee, the level of which shall be determined by the Governing Body at its first meeting following the original Meeting of the electors to the Mastership.

10. At the said original Meeting, and also at any adjournment thereof, until some person shall have been elected, the electors may, by a resolution in which a majority of those present concur, adjourn the meeting to a day (not later than the thirtieth day of Term thereafter) and hour then agreed upon or (failing such agreement) named by the Chairman, and the Chairman shall immediately send notice of the meeting to all the electors and to the Returning Officer. Such adjournment shall be obligatory if when the votes have been taken for the first time in any election no person shall have obtained the votes of a majority of the electors, and the adjournment shall in that case be to a date not earlier than the third day following. After any subsequent scrutiny, if no person shall be found to be elected, the Chairman shall put to the electors the question of whether the meeting shall be adjourned or not. At any adjourned meeting the election shall proceed in the manner hereinbefore prescribed, without regard to any previous scrutiny.

11. If at any time no person shall be found to be elected on the third scrutiny, and if thereupon a majority of the electors present shall not concur in voting for an adjournment, the meeting for the election of a Master shall terminate, and the appointment for that turn shall lapse to the Chancellor of the University.

12. If by the end of the ninetieth day of Term after the day on which the Mastership has become vacant no person shall have been elected, the appointment of a Master shall lapse to the Chancellor of the University.

13. When it shall be known that the Mastership will be vacant on a certain date by the retirement of the Master in accordance with the provisions of Statute VIII, Section 1, or if the Master shall have declared the Master's intention of resigning the Master's office at a certain date in accordance with the provisions of Statute XI, Section 3, the Vice-Master shall (subject to the approval of the Governing Body) summon a meeting of the electors, which shall be held not more than eight months before the date on which the vacancy will occur, and at a time approved by the Governing Body. At this meeting the electors may without delay proceed to the election of a new Master in accordance with the provisions of this Statute; and if any person shall be elected Master, that person's tenure of the Mastership shall begin as soon as the previous Master shall have vacated the previous Master's office. But it shall not be obligatory to proceed to the election of a new Master before the Mastership has become vacant.

14. Any vote given by any elector in that elector's own favour shall be null and void.

15. As soon as possible after the election the Master-elect shall make the following declaration:-

"I, A.B., elected Master of Emmanuel College, do solemnly promise that I will perform the duties of the office with care and diligence; that I will faithfully observe the Statutes of the College; and will endeavour to the utmost of my power to promote the honour and interests of the College as a place of education, religion, learning and research."

16. Thereupon the Vice-Master, or, if the Vice-Master shall have been elected Master, the senior of the other electors present, shall forthwith admit the Master-elect in the accustomed form, and as soon as conveniently may be shall declare the result of the election to the Vice-Chancellor of the University.

17. If the person elected declines to be admitted to the Mastership, the Vice-Master shall forthwith give notice in writing to every elector of the day and hour of proceeding to another election, which day shall be determined (in accordance with the provisions of Section 3 of this Statute) as though the day on which the aforesaid refusal by the person elected became known to the Vice-Master were the day on which a vacancy in the Mastership

became known to the Vice-Master; and the ensuing election shall be conducted in all respects in accordance with the provisions of this Statute and as though the vacancy in the Mastership had begun that day.

18. Within one year of the admission of a Master, an inventory of all furniture, pictures and other College property reserved for the Master's use in the Lodge shall be verified by and signed by the Master, the Vice-Master and the Bursar and deposited in the College Treasury.

#### VIII *Of the Tenure of the Mastership*

1. The Master's tenure of the Master's office shall terminate either at the end of the tenth academical year in which the Master has held the Master's office or at a later date determined by the Governing Body at the time of the Master's election; provided that the Master's tenure determined at the time of the Master's election shall not extend beyond the end of the academic year in which the Master attains the age of sixty-seven years; and provided further that at a meeting of the Governing Body summoned by the Vice-Master for the purpose, and by a vote in which at least two-thirds of its members concur, that number not being less than a majority of its whole number, the Master may be continued in office for a further period or periods not extending beyond the 30th day of September next after the Master's attainment of the age of seventy years. The Vice-Master shall summon such a meeting if five members of the Governing Body require the Vice-Master in writing to do so, but the Vice-Master may summon such a meeting without such requisition. At this meeting the Master shall not be present.

2. If the Master shall accept or if the Master shall after the Master's election retain any College or other office or offices which the Governing Body shall not have declared, or shall not within thirteen weeks of the Master's acceptance of such office or of the Master's election declare, to be tenable with the Mastership, the Mastership shall, if the Master continues to retain such office, be vacated on the expiry of thirteen weeks from the Master's acceptance of such office or from the Master's election as the case may be; provided that the Mastership shall in any event be vacated if and when the Master shall accept or if the Master shall after the Master's election retain the Headship or a Fellowship (other than an Honorary Fellowship) of any other College in Cambridge or in Oxford. A majority of members of the Governing Body who are present and voting will be required to declare an office or offices tenable with the Mastership provided that at least seven days' notice, as set out in Section 3 of Statute V of that resolution has been given, but if less than seven days' notice has been given a vote in which two-thirds of the whole number of the Governing Body concur shall be required.

#### IX *Of the Residence of the Master*

1. The Master shall reside within the precincts of the University under conditions determined by the Governing Body at the time of the Master's election, or at a subsequent time with the Master's consent. The Master shall not be absent for more than thirty nights in any Term without the express leave of the Governing Body, nor for more than one hundred and fifty nights in any academical year unless permission shall have been given by a vote in which not less than two-thirds of the whole Governing Body concur.

#### X *Of the Vice-Master*

1. The office of Vice-Master shall be a College Office as defined in Statute XL.

2. The Vice-Master shall be appointed by the Governing Body from among its members for such period (subject to the provisions of Statutes II, Section 2 and XLII) not exceeding four years, as the Governing Body shall decide at the time of the Vice-Master's appointment. The Vice-Master shall be capable of reappointment in the first instance for a period not exceeding four years, and thereafter, by a resolution in which at least three-fourths of the Governing Body concur, for a further period or periods; provided that no single period shall exceed four years; and provided always that the Vice-Master shall cease to be Vice-Master if the Vice-Master ceases to be a member of the Governing Body. The Vice-Master shall receive such emolument, and be subject to such regulations, as the Governing Body shall direct.

3. In the absence of the Master, or if, and for so long as, the Master is unable by reason of mental or bodily infirmity to discharge the duties of the Master's office, or during a vacancy in the Mastership, the Vice-Master

shall exercise all the power and authority and discharge all the duties of the Mastership; provided that no election of Fellows shall take place while the Mastership is vacant. Subject to Statute LXVIII, if at any time doubt shall arise whether the authority of the Mastership belongs to the Master or the Vice-Master it shall belong to the Master.

4. During any temporary absence or temporary incapacity of the Vice-Master, a member of the Governing Body appointed by the Vice-Master as the Vice-Master's deputy, or in default of such appointment the senior resident member of the Governing Body shall fulfil the duties and in all respects have the power and authority of the Vice-Master.

5. The office of Vice-Master shall be tenable with any other office or offices.

6. If the Vice-Master dies, or resigns the Vice-Master's office, or ceases to be a member of the Governing Body, or becomes (in the judgement of the Governing Body) incapable of discharging the Vice-Master's duties, another Vice-Master shall be appointed in replacement.

#### XI *Of the Retirement or Resignation of the Master*

1. Upon the retirement of the Master from the Mastership under Section 1 of Statute VIII, the Master shall thereupon without election become a Life Fellow of the College.

2. If the Master shall at any time become incapable of performing the duties of the Master's office the ~~Visitor~~ Governing Body shall have power, ~~after enquiry,~~ to appoint one of the Fellows to act in the Master's place during the Master's incapacity, and to assign to the person so appointed such portion of the stipend provided for the Master under these Statutes as the ~~Visitor~~ Governing Body shall think fit.

3. The Master may at any time resign the office of Master by notice in writing under the Master's hand addressed to the Vice-Master, the Dean or the Bursar.

4. A Master resigning the Master's office in accordance with Section 3 of this Statute may be elected (subject to the provisions of Statute XIX) into a Fellowship of any of the Classes specified in Statute XIV, and shall in that case have such seniority as the Governing Body shall determine.

#### XII *repealed by Amending Statute approved by Order in Council dated 26th July 1995*

#### XIII *Of Payments and Allowances to the Master*

1. The Master shall be entitled to the use of a lodge provided by the College free of rent, rates and taxes; and if the lodge so provided is not within the College precincts, or if the Master, under the conditions determined in accordance with Statute IX, Section 1, is resident outside the College precincts, the Master shall be entitled to the use free of rent, rates and taxes of such rooms in College as the Governing Body may decide to be necessary for the proper execution of the Master's duties. The Master shall receive a stipend determined in the manner prescribed by Statute LXI.

2. The cost of keeping the lodge in a proper state of repair, both external and internal, shall be paid out of the general revenue of the College.

3. The Master shall also be entitled to dinner in Hall free of charge: that is to say, to dinner at approximately the same time and on approximately the same scale as usual, and on any day in the year whether others are dining or not.

#### XIV *Of the Classes of Fellows*

There shall be the following classes of Fellows:

Class A, Research Fellows, having tenure under Statute XVI.

Class B, Official Fellows, having tenure under Statute XVII.

Class C, Professorial Fellows, having tenure under Statute XIX.

Class D, Life Fellows, having tenure under Statute XX.

Class E, Supernumerary Fellows, having tenure under Statute XXI.

#### *XV Of Fellowships Generally*

1. Except as is otherwise provided in these Statutes the number of Fellowships in each class may vary from time to time as the Governing Body may determine.
2. If from any cause the number of persons holding Official Fellowships shall at any time fall below ten, the number shall be made up to ten within a period of twelve months from that time unless the Visitor shall, on the request of the Governing Body, authorise an extension of that period.

#### *XVI Of Research Fellowships*

1. The tenure of a Research Fellowship shall be associated with conditions of research, and with such other conditions, if any, as the Governing Body shall think fit; and the Governing Body shall determine these conditions at the time of election or re-election.
2. The tenure of a Research Fellowship shall be in the first instance for three years. At any time within eighteen months before the date of the expiration of the tenure of the Research Fellowship, the Electors to Fellowships may re-elect a Research Fellow to a Research Fellowship for a second period not exceeding three years from the aforesaid date of expiration. The Research Fellow shall not be re-elected again to a Research Fellowship for any further period.
3. The Governing Body shall have power to pretermite for a single period not exceeding one year any condition of research associated with the tenure of a Research Fellowship, and to pretermite for any period during the tenure of a Research Fellowship any other conditions associated therewith.
4. Without prejudice to the power conferred on the Governing Body by Statute XVI Section 3 no period during which a Research Fellow is taking maternity leave in accordance with any maternity leave policy for Research Fellows approved from time to time by the Governing Body shall count towards the period of a Research Fellowship nor shall it be treated as intermission under Statute XVI section 3.

#### *XVII Official Fellowships*

1. The Governing Body shall have power to specify from time to time with what College or University Offices an Official Fellowship may be associated, and any person holding any office so specified shall be qualified for election to an Official Fellowship; provided that the tenure by any person of such office shall in no case be regarded as conferring a right to election to an Official Fellowship.

2. When a person is elected or re-elected to an Official Fellowship the Electors to Fellowships shall at that time determine with what qualifying office or offices the Official Fellow's Fellowship is associated, and the Official Fellow's Fellowship shall lapse if the Official Fellow ceases to occupy the office or offices so determined.

3. Election to an Official Fellowship associated with a University office shall be in the first instance for a period not exceeding five years, with the possibility of re-election for farther periods not exceeding five years at any one time.

4. Election to an Official Fellowship associated with a College office shall be for a period conterminous with the tenure of that office by the person elected.

5. The Governing Body shall have power to associate with the tenure of an Official Fellowship any conditions which they may think proper; provided that the said conditions shall be consistent with the duties of the qualifying office or offices with which the Fellowship is associated under Section 2 of this Statute.

*XVIII repealed by the Amending Statute approved by Order in Council dated 28 November 1967*

#### *XIX Of Professorial Fellowships*

~~1. The number of Professorial Fellowships shall be at least the number determined for the College from time to time by the University. It shall be the duty of the Master to inform the Vice-Chancellor of any vacancy in a Professorial Fellowship.~~

21. Subject to the provisions of Statute XV, Section 1, the Electors to Fellowships shall have power to elect to a Professorial Fellowship any person holding any University appointment which may from time to time be determined by the University to qualify the holder for a Professorial Fellowship.

32. Subject to the provisions of Statute ~~XXV~~LXVIII the holder of a Professorial Fellowship shall be entitled to retain the Professorial Fellowship so long as the Professorial Fellow holds the office in virtue of which the Professorial Fellow was elected under Section 21 of this Statute, and no longer.

~~4. No person qualified under Section 2 of this Statute may be elected to a Professorial Fellowship of the College in excess of the minimum number of such Fellowships prescribed by Section 1 of this Statute, except in so far as it shall be otherwise provided by the Statutes of the University.~~

53. One of the Professorial Fellowships shall be permanently associated with the tenure of the Dixie Professorship of Ecclesiastical History, except during any period for which the said Professorship shall be held by the Head of any College in Cambridge.

~~6. When the number of Professorial Fellowships does not exceed the number required by Section 1 of this Statute, any vacant Professorial Fellowship shall be filled before the end of the academical year next following the academical year in which the vacancy occurs.~~

#### *XX Of Life Fellowships*

1. The tenure of a Life Fellowship shall, subject to the provisions of Statute XXV, terminate only with the death or resignation of the holder.

2. Any person who for twenty-five years, whether continuously or not, shall have been a Fellow of the College shall be entitled without re-election or re-admission to become a Life Fellow; provided that the tenure of a

Research Fellowship or of a Supernumerary Fellowship shall be reckoned as qualifying for a Life Fellowship only in such cases, and so far in each case, as the Governing Body shall determine.

3. The Electors to Fellowships may, subject to Statute XXII, Section 10, elect to a Life Fellowship any person who has previously held a Fellowship of the College; provided that that person has either held a Fellowship of the College for fifteen years (whether continuously or not), or having held a Fellowship of the College for at least ten years (whether continuously or not) has attained the age of sixty years, or having been Master has resigned under Statute XI, Section 2.

#### *XXI Of Supernumerary Fellowships*

1. Subject to the provisions of Statute XV, Section 1, the Electors to Fellowships may elect to a Supernumerary Fellowship any person, whether already a Fellow or not, who is not eligible to a Professorial Fellowship.

2. The number of those Supernumerary Fellows who have not previously been elected to Fellowships of any other class in the College shall not at any one time exceed eight; provided that the Governing Body may take power to exceed that number for a specified period.

3. The tenure of a Supernumerary Fellowship shall be determined in each case by the Governing Body, and shall not exceed five years, but the holder shall always be eligible for re-election.

#### *XXII Of the Election of Fellows*

1. For the election of a Professorial Fellow or a Life Fellow the Electors to Fellowships shall be all the members of the Governing Body.

2. For the election of a Research Fellow, an Official Fellow, or a Supernumerary Fellow, the Electors to Fellowships shall be the members of the Governing Body, save that no Research Fellow or Supernumerary Fellow shall be an Elector unless on the date of the first meeting for any election that Research or Supernumerary Fellow shall have been a member of the Governing Body for at least three years whether continuously or not; provided that the Governing Body may in the Michaelmas Term, at the meeting prescribed in Statute V, Section 1, by a resolution in which not less than two-thirds of its whole number concur, appoint as additional Electors for specified periods members of the Governing Body who are not qualified as aforesaid.

3. In the election of Fellows, persons shall be chosen whom the Electors believe to be of good moral character and well qualified to share in the work of the College as a place of education, religion, learning and research.

4. Meetings of the Electors to Fellowships shall take place during Term, at such times as the Governing Body shall direct, and for the election of one or more Fellows as shall be ordered by the Governing Body; provided that no election shall take place while the Mastership is vacant; provided also that the Governing Body may direct that a meeting of the Electors may take place on a specified date out of term.

5. Twelve days' notice of every meeting summoned for the purpose of an election shall always be given by or by direction of the Master to each Elector, by a communication directed to the Elector in College or at an address which the Elector shall from time to time give to the Master That is to say, at least eleven clear days must elapse between the day of issuing the notice and the day of meeting; but for the purpose of this Section some of these days or all of them may be days of Vacation.

6. The Master shall always be present at an election unless prevented by some grave cause.

7. The Electors having been duly convened in accordance with the provisions of these Statutes, and being met together in the College, there shall be read in their presence Section 3 of this Statute. And the Master and each of the Electors there present shall make the following declaration:

"I, A.B., hereby declare that in this election I will faithfully observe the Statute which has just been read, and that without favour or partiality I will perform my duty as an elector in such a way as shall in my judgement best serve the honour and interests of the College and of the University."

8. The votes shall be taken by means of written voting papers, which shall be filled up and delivered to the Master by those present.

9. The Master shall audibly declare the Master's own vote and the other votes, and shall declare that person to be elected Fellow who shall have obtained the votes of a majority of the Electors present, or of a moiety including the Master; provided that this number is not less than one-third of the whole number of the Electors. If no person be found to be elected on the first scrutiny, the votes shall be taken again in like manner, and the Master shall declare that person elected who shall have obtained the votes of a majority of the Electors present, or of a moiety including the Master; provided that the number of those who vote in favour of that person is not less than one-third of the whole number of the Electors. If after the second scrutiny it be found that no person is elected, that election shall thereupon terminate.

10. Notwithstanding the provisions of Section 9 of this Statute, in an election to a Life Fellowship under Statute XX, Section 3 voting shall be by a single scrutiny, and a person shall be declared elected only if that person has obtained the votes of not less than two-thirds of the whole number of the Electors.

11. Any vote given by any Elector in the Elector's own favour shall be null and void.

12. If the Governing Body shall have ordered the election of more Fellows than one, the Electors shall so far as possible observe the procedure prescribed in this Statute, save that, with the concurrence of a majority of the Electors present, or of a moiety including the Master (provided that this number is not less than one-third of the whole number of the Electors), the procedure prescribed in Section 9 may be modified so far as shall seem necessary.

13. Subject to the provisions of Statute XV, Section 2, the Electors may, with the consent of a majority of those present, at any stage of the proceedings adjourn the election to a meeting on a day and at an hour then agreed upon or (failing such an agreement) named by the Master, and notice of the meeting thus appointed shall be sent immediately to all Electors. At any such appointed meeting the election shall proceed without regard to any previous scrutiny.

14. The Governing Body shall have power at the time of any election to a Fellowship to attach to the tenure of the Fellowship any special conditions which may seem to them desirable.

15. Each person who is elected shall be admitted at such date as may be appointed by the Governing Body; but the date of admission shall not be postponed beyond the end of the academical year next following that in which the person is elected, except with the consent of the Governing Body. Before the elected person is admitted the elected person shall make the following declaration:

"I, A.B., hereby declare that I will faithfully observe the Statutes of this College, and will endeavour to the utmost of my power to promote the honour and interests of the College as a place of education, religion, learning and research."

Thereupon the Master shall admit the person or persons elected in the customary form.

16. A Fellow shall enter upon the advantages of Fellowship on the date of the Fellow's admission, but the Governing Body may allow the Fellow such privileges as they think fit for the period between the election and the admission of the Fellow.

17. The election or re-election of any person to a Fellowship shall be specifically to a Fellowship of one of the classes defined by these Statutes.

18. Subject to the provisions of Statute XVI, Section 2, the Electors shall have power to re-elect any Fellow to a Fellowship (whether of the same or of another class) at any time before or after the expiration of the Fellow's existing tenure. The date of the commencement of the tenure of the Fellowship to which the Fellow is thus elected shall be determined by the Electors at the time of the election; but if at the date thus determined he or she be a Fellow the existing tenure shall be terminated by the commencement of the new tenure.

19. The election to a Fellowship of any person who has not previously held one, or of any person whose previous tenure of a Fellowship has lapsed, or of any Fellow to a Fellowship of another class, shall be performed in strict accordance with the foregoing provisions of this Statute; but the continuation of the tenure by any Fellow of a Fellowship of the same class as before may be effected by an ordinary resolution of the Electors.

### XXIII *Of the Tenure of Fellowships Generally*

~~1. Every Fellow who has not proceeded to the degree of Master of Arts or some higher degree shall, unless prevented by some cause approved by the Governing Body, proceed to such a degree within a reasonable time of being allowed to do so by the regulations of the University, and if the Fellow fails to do so the Fellow shall vacate the Fellowship.~~

21. If any Fellow shall make application for leave of absence on grounds satisfactory to the Governing Body, or shall be prevented by ill health or by any other grave cause from fulfilling continuously any conditions associated by the College with the tenure of the Fellowship, the Governing Body may allow that Fellow to intermit that Fellow's duties for a period not exceeding one year; and a similar intermission may by a like vote be allowed to the Fellow at the end of that period; and so on from time to time as the Governing Body may think fit.

32. If a Fellow shall be admitted to the Headship or a Fellowship (other than an Honorary Fellowship) of any other College in Cambridge or in Oxford, that Fellow shall thereby vacate that Fellow's existing Fellowship.

43. Subject to Statute LXVIII, a Fellowship shall be tenable so long as all the conditions associated with its tenure are being fulfilled, and no longer; and the date on which its tenure lapses shall in any doubtful case be determined by the Governing Body.

### XXIV *Of the Seniority of Fellows*

1. Notwithstanding any other provisions of these Statutes, the Vice-Master shall at all times and in all places rank in seniority next to the Master and before the remaining Fellows.

2. Subject to Section 4 of Statute XI, Fellows shall rank in seniority according to the length of time during which they have been Fellows of the College, whether continuously or not; provided that the Governing Body may upon the admission of any Fellow, or at any later time, grant that Fellow a definite amount of seniority.

3. Subject to Section 1 of this Statute, Fellows elected on the same day shall rank in seniority in College as shall be determined by the Governing Body at the time of their election.

### XXV *Of the Removal of Fellows*

1. If the Governing Body by a vote in which at least two-thirds of its whole number concur shall declare that any Fellow has without sufficient cause failed to fulfil the conditions associated by the College with the tenure of the Fellowship held, that Fellow shall vacate the Fellowship from such date as the Governing Body shall direct.

2. If the Master shall in any case think it proper to cause to be instituted an enquiry whether the conduct of any Fellow has been such as to render that Fellow unfit to be a Fellow of the College, or if any three Fellows shall prefer before the Master against any Fellow a charge of conduct rendering that Fellow unfit in their judgement to

be a Fellow of the College, the Master shall summon a meeting of the Governing Body to consider the matter. The Governing Body at such a meeting shall investigate the matter, giving the Fellow in question or that Fellow's representative an opportunity of being heard in the Fellow's defence. At such meeting the Fellow in question and the Fellows, if any, preferring the charge shall be entitled to be present but shall not be entitled to vote. If it is determined, by a vote which has the concurrence of a majority of the whole number of the Governing Body (excluding from such number the Fellow in question and the Fellows, if any, preferring the charge), that the conduct of the Fellow in question has been such as to render the Fellow unfit to be a Fellow of the College, the Master shall deprive the Fellow in question of the Fellowship held.

3. A Fellow removed under this Statute shall have the right of appealing to the Visitor, who after due enquiry shall have power to confirm or to reverse the decision of the Governing Body.

4. ~~Subject to the provisions of Section 6(1) of Statute LXVIII,~~ Nothing in this Statute shall apply to the removal of a Fellow who is a member of the academic staff for the purposes of Statute LXVIII.

#### *XXVI Of Payments and Allowances to Fellows*

1. Each Fellow shall be entitled without payment to dinner in Hall on any day in the year, whether other Fellows are dining or not; and to buttery commons or such victuals as the Governing Body may from time to time direct. If in the judgment of the Governing Body a Fellow shall be held to be regularly residing in College, that Fellow shall also be entitled to occupy for that Fellow's own reasonable use ~~free of rent, rates and taxes~~ any one vacant set of rooms not required by a more senior Fellow resident in College for which rent as determined by the Governing Body to be fair and reasonable shall be charged. The Governing Body may, however, for any special reason, direct that any vacant set of rooms be offered to any Fellow or Officer residing in College, and may also assign to any Fellow or Officer, though not residing in College, the use or partial use of a set of rooms to assist in the performance of the Fellow's duties either to the College or to the University.

2. A Fellow shall not, except as provided under Statute LXI, Section 1(h) or 1(l), receive any payment from the College in respect of a Fellowship.

#### *XXVII Of Honorary Fellows*

1. It shall be lawful for the Governing Body (by a vote in which not less than a majority of its whole number concur) to elect to an Honorary Fellowship any distinguished person who is or has been a member of the College. It may by a like vote terminate the tenure of an Honorary Fellowship.

2. An Honorary Fellow shall not be reckoned as a Fellow for any of the purposes of these Statutes.

3. An Honorary Fellow shall enjoy such privileges, with respect to rooms and other matters, as the Governing Body shall determine. These privileges shall not necessarily be the same for all Honorary Fellows alike.

#### *XXVIII Of the Scholars and Exhibitioners*

1. The Scholars and Exhibitioners shall be elected by the Governing Body and shall be chosen from the members of the College or from such other persons as the Governing Body shall think fit. In the election of Scholars and Exhibitioners the Governing Body shall have regard to moral character, ability and promise of future distinction.

2. There shall be an election of Scholars and Exhibitioners at least once a year, and oftener if the Governing Body so determine, and the Governing Body shall endeavour to ensure that at all times there shall be at least twelve Scholars.

3. Scholarships and Exhibitions open to candidates who have not begun residence (hereinafter entitled Entrance Scholarships and Entrance Exhibitions) shall be awarded according to criteria to be determined by the Governing Body.
4. The Governing Body shall in each year offer such number of Entrance Scholarships and Entrance Exhibitions as they shall think fit. The annual emolument of an Entrance Scholarship and that of an Entrance Exhibitioner shall be determined by the Governing Body. The Governing Body shall have power to determine that the full emolument shall be payable only if and in so far as the financial circumstances of the holder justify that payment.
5. When an Entrance Scholar does not receive the full amount of that Scholar's emolument, the sum constituting the difference between the full amount awarded and the amount actually paid to the Entrance Scholar shall be paid into a separate fund called the Scholarship Auxiliary Fund.
6. In addition to Entrance Scholarships and Entrance Exhibitions, the Governing Body shall have power to award Scholarships and Exhibitions (hereinafter entitled Senior Scholarships and Senior Exhibitions) to members of the College who have already begun residence. The annual emolument of a Senior Scholarship and that of a Senior Exhibition shall be determined by the Governing Body.
7. The Governing Body shall have power to allow to any Scholar or Exhibitioner residing in College during all or part of the Long Vacation, or pursuing approved studies elsewhere during that period, the further privilege of free rooms in College for such Long Vacation residence, or to make an allowance in lieu thereof. The cost of such allowance shall be charged to the Scholarship Fund.
8. The tenure of Entrance Scholarships and Entrance Exhibitions shall be determined by the Governing Body at the time that the award is made; provided that the tenure can be reduced if the holder's academic performance during the first three terms of his or her tenure is considered by a majority of the whole number of the Master and Tutors not to have been of a standard deserving the continuance of an award. The tenure shall be from the beginning of the term in which the holder matriculates in the University; provided that if a person elected to an Entrance Scholarship or an Entrance Exhibition fails to matriculate at the time approved by the Governing Body, that person shall forfeit such period of that person's tenure as the Governing Body may direct.
9. The tenure of Senior Scholarships and Senior Exhibitions shall be determined by the Governing Body at the time that the award is made; provided that the tenure can be reduced if the holder's academic performance during the first three terms of his or her tenure is considered by a majority of the whole number of the Master and Tutors not to have been of a standard deserving the continuance of an award. The holder of any Senior Scholarship or Senior Exhibition shall be eligible for further election, in accordance with Section 6 of this Statute, on one or more occasions; provided that no such Scholar or Exhibitioner shall in any case retain a Scholarship or Exhibition after that person is of standing to proceed to the degree of Master of Arts or higher degree in the University. The re-election of a Scholar shall not entail the Scholar's re-admission, unless the Scholar's previous tenure had lapsed at the time of the Scholar's re-election.
10. The Governing Body shall also have power to establish Scholarships (hereinafter entitled Bachelor Scholarships) for the encouragement of research or advanced study in any branch of learning, the number and value of such Scholarships being determined by the Governing Body.
11. Bachelor Scholars shall be elected by the Governing Body for such period, and under such conditions, as the Governing Body shall think fit; and there shall be no restriction of age for a Bachelor Scholar.
12. The emoluments of Scholars and Exhibitioners shall be paid in equal termly instalments; but no Scholar or Exhibitioner shall be entitled to receive the instalment in respect of any term which has not been kept by residence unless the Governing Body shall in any particular case otherwise determine.
13. The Governing Body shall have power to require at any time from any Scholar or Exhibitioner a statement in a prescribed form of the Scholar's or Exhibitioner's financial circumstances, and to withdraw or alter the

emolument accordingly; provided that no diminution of the emolument shall be made in respect of any increase of the Scholar's or Exhibitioner's income arising from:

(a) a Cambridge University Scholarship which in the opinion of the majority of the Master and Tutors is of great intellectual distinction, or

(b) a College or University Prize.

14. If the Governing Body are fully assured that the pecuniary need of a Scholar or Exhibitioner cannot be met by the payment to the Scholar or Exhibitioner of the full amount of the emolument, and that all reasonable steps have been taken to obtain assistance for the Scholar or Exhibitioner from sources outside the College, they may award the Scholar or Exhibitioner a grant either from the Scholarship Auxiliary Fund or from any income of the College assigned to this purpose. The possibility of the award of such grants may be advertised in any notice of competition for Scholarships or Exhibitions, but no specific amount of any such possible grant shall be stated in any such notice. When such purposes have been fully met, the Scholarship Auxiliary Fund may be used for making grants in aid of research.

15. The Scholars shall be elected by the Governing Body at a meeting duly summoned in accordance with the provisions of these Statutes, and the persons elected as Scholars shall be admitted at the earliest meeting of the Governing Body which may be convenient. Each Scholar before being admitted shall make the following declaration before the Governing Body:

"I, A.B., hereby declare that I will faithfully observe the Statutes of this College so far as they concern me. I will pay due respect and obedience to the Master and all others in authority, and will set an example of order and diligence and good conduct, and to the best of my ability I will promote everything which shall tend to the honour and advantage of the College and the University."

And thereupon the Master shall in the customary form admit the Scholars elected.

16. The Scholars and Exhibitioners shall in all respects conform to such regulations concerning them and perform such duties as the Governing Body shall determine.

17. Any Scholar shall vacate the Scholarship, and any Exhibitioner shall vacate the Exhibition, upon that Scholar's or Exhibitioner's acceptance of a Scholarship or Exhibition of a different class or of a Fellowship in the College, or upon that Scholar's or Exhibitioner's acceptance of an Exhibition, Scholarship, Studentship or Fellowship of any other College in Cambridge or in Oxford.

18. If the Governing Body shall decide that the conduct or diligence of any Scholar or Exhibitioner has been gravely unsatisfactory, they shall have power to deprive that Scholar or Exhibitioner of a Scholarship or an Exhibition awarded, or to withhold all or part of the emolument thereof, and the decision of the Governing Body shall be final.

19. All emoluments payable in respect of Entrance and Senior Scholarships and Exhibitions shall be paid from the Scholarship Fund, except in so far as is otherwise provided by Section 14 of this Statute.

#### *XXIX Of the sizar*

1. There shall be such number of Sizar as may be determined by the Governing Body.

2. The Governing Body shall have power to award a Sizarship to any member of the College already in residence who is in need of financial assistance and is qualified by that member's attainments. There shall be no restriction of age for a Sizarship, but no person shall hold or retain a Sizarship after that person is of standing to proceed to the degree of Master of Arts or higher degree in the University.

3. The emolument, tenure and conditions attached to a Sizarship shall be determined by the Governing Body.
4. The emoluments of a Sizarship shall be paid from the Scholarship Fund in equal termly instalments; provided that no Sizar shall be entitled to receive the instalment in respect of any term in which residence has not been kept, unless the Governing Body shall in any particular case determine otherwise.
5. A Sizar shall vacate the Sizarship upon admission to an Exhibition or Scholarship.
6. If the Governing Body shall declare the conduct or diligence of any Sizar to be gravely unsatisfactory, they shall have power to deprive that Sizar of the Sizarship, or to withhold all or part of the emolument thereof.

### *XXX Of the Closed Scholarships and Exhibitions*

1. There shall be closed Scholarships and Exhibitions of such number and titular value as may be established from funds given or bequeathed to the College for that purpose; and these Scholarships and Exhibitions shall be so named as may be decided by the Governing Body, but so far as possible in accordance with the intentions of their founders, and so as to perpetuate their names in the College.
2. Unless the terms of the instrument creating it, whether as originally drafted or subsequently amended, require otherwise, the emolument of a closed Scholarship or a closed Exhibition shall be determined by the Governing Body. The Governing Body shall have the power to determine that the full emolument shall be payable only if and in so far as the financial circumstances of the holder justify that payment.
3. The closed Scholarships and Exhibitions shall in all other respects be awarded and held in accordance with the conditions defined in Statute XXVIII, and subject always to the conditions contained in any trust which is legally binding on the College.

### *XXXI Of the Limitation of Emoluments of Persons in statu pupillari*

1. The following emoluments may be paid to persons in *statu pupillari* without regard to their financial circumstances:
  - (a) prizes awarded for success in any examination or competition of the College or University;
  - (b) emoluments which are payable out of any trust fund, and which, by the direction of the donor (so long as the donor's direction is legally binding on the College) or by regulations made for the time being by any legally competent authority other than the College, are required (either expressly or by necessary implication) to be paid without regard to financial circumstances.

### *XXXII Of the Archdeacon Johnson Exhibition Fund and Reserve Fund*

1. If in any year the income of the Archdeacon Johnson Exhibition Fund shall be more than sufficient to pay the emoluments of such Archdeacon Johnson Exhibitions as are held by resident members of the College, then the surplus shall be paid to the Archdeacon Johnson Reserve Fund. The said Reserve Fund may, subject to the provisions of Statute XXXI, be applied at the discretion of the Governing Body to make grants to any member of the College who was formerly a member of Oakham School or Uppingham School and who is engaged in study or research leading to a University examination or degree. Such grants shall be awarded only to persons who in the opinion of the Governing Body have attained a sufficient academic standard.
2. Notwithstanding the provisions of Section 1 of this Statute, if at any time the Archdeacon Johnson Reserve Fund shall exceed £500, the excess over £500 or any part thereof may be transferred to the Scholarship Fund.

XXXIII *Of the Foundation of Dr. George Thorpe*

1. There shall be kept as heretofore a separate account of the estate of the Thorpe Foundation, which shall be managed as the other estates of the College by the Bursar under the direction of the Governing Body. The account shall be audited at the same time and in the same manner as the other accounts of the College.
2. The net income of the Foundation remaining after deduction of the necessary and customary payments, inclusive of such payment, if any, as shall be ordered by the Governing Body towards the maintenance of a reserve fund for the purposes of the Foundation, shall be divided into six equal parts. Of these parts one shall be paid into the general revenue of the College; three shall be paid into the Scholarship Fund; and two shall be paid into a special fund, which shall be called the Thorpe Theological Studies Fund.
3. The moneys in the Thorpe Theological Studies Fund shall be applied exclusively (according to such regulations as shall be made by the Governing Body) to the encouragement of the study of Theology in the College. But no emolument from the Fund may be paid to any person who has attained the standing of Master of Arts.
4. This Foundation, notwithstanding the will of Dr. Thorpe or any other instrument, shall be governed exclusively by the provisions of this Statute.

XXXIV *Of the Application of the Income of Trust Funds*

1. This Statute shall apply to any specific trust for a purpose or purposes connected with the College of which the College is trustee, but shall not apply to the Sancroft Educational Foundation or to any trust held partly or wholly for a purpose or purposes not connected with the College.
2. In the absence of any specific provision to the contrary in any instrument creating a trust, the Governing Body shall have power to carry forward any unexpended income of any trust fund in any year, and either to apply it as income in any future year or to add it to the capital of the trust fund. The Governing Body shall have power to invest any such income carried forward and to realise any investment so acquired and to apply the proceeds of such realisation in the same way as uninvested income of the trust fund brought forward from previous years.
3. Where under any instrument the College is sole trustee of a fund and is directed to make payments from it for the benefit of persons holding a Fellowship, Studentship, Scholarship, Prize or other emolument in the College, the Governing Body may, notwithstanding any term of the instrument, make ordinances:
  - (a) enlarging the field of study or research for which the emolument may be awarded; provided always that the Governing Body shall have regard to the spirit in which the trust was established;
  - (b) determining the qualifications of candidates for the emolument, the duration of its tenure and its titular value;
  - (c) making payments to the holder of the emolument additional to its titular value in cases of financial need;
  - (d) making payments for expenses in connection with the operation of the trust;
  - (e) directing that unexpended income of the trust fund be transferred to the Scholarship Fund or be applied to the general educational purposes of the College. In applying any such transferred income to any other purpose or purposes connected with the College the Governing Body shall so far as possible have regard to the objects of the trust fund concerned.

(f) in this Statute 'unexpended income' means income unexpended in any year after the purposes of the trust have been fully provided for in that year (whether wholly by income from the trust or partly by income from the trust and partly by other moneys).

XXXV-XXXVIII: *repealed by the Amending Statutes approved by Order in Council dated 31 July 1957*

#### XXXIX *Of Admission to Membership of the College*

1. The Governing Body shall have power to make such regulations as they may think fit concerning the admission of persons to membership of the College, and concerning their residence and discipline, subject always to the provisions of University Statutes concerning membership of a College.

2. A person shall not be admitted a member of the College *in statu pupillari* in the absence of evidence that he or she is qualified for matriculation by the University.

3. The failure of any person in *statu pupillari* to matriculate in accordance with the requirements of the University shall render invalid his or her admission to membership of the College.

#### XL *Of the Definition of College Office*

1. For the purpose of these Statutes the term "College Office" shall mean (a) the office of Master, Vice-Master, Dean, Bursar, Second or Assistant Bursar, Praelector, Tutor, Assistant Tutor, Domestic Bursar, Librarian, or Lecturer, (b) any other office which the Governing Body may declare to be a College Office, (c) the office of deputy to the holder of any College Office; provided that the deputy shall have been appointed by the Governing Body or in accordance with its directions.

2. The Governing Body may create such new College Offices as they shall deem expedient for the better management of the affairs and estates of the College and for the instruction and discipline of its members, and may assign to any such new College Offices such stipends or emoluments as they shall think proper, and may determine the method of appointment thereto and the tenure subject to Statute LXVIII and the powers and duties thereof.

3. The Governing Body may at any time determine that any office shall no longer be a College Office, but shall not take any action in respect of the existing tenure of any office without consent of the person holding that office.

4. If a person appointed to any College Office as defined in Sections 1 and 2 of this Statute, other than that of Lecturer, be not a Fellow of the College it shall be necessary for at least a majority of the whole number of the Governing Body to concur in the appointment.

#### XLI *Of the Removal of College Officers*

1. Any holder of a College Office (other than the Mastership) as defined in Statute XL may at any time be removed from that office by a vote of the Governing Body in which a majority of its whole number concur, if it think such removal expedient in the interests of the College; but the person so removed shall have the right of appealing to the Visitor, who after enquiry shall have power to confirm or to reverse the decision of the Governing Body; provided that, subject to the provisions of Section 6(1) of Statute LXVIII, nothing in this Statute shall apply to the removal of a College Officer who is a member of the academic staff for the purposes of Statute LXVIII.

#### XLII *Of the Retirement of College Officers*

1. No one shall hold a College Office (other than the Mastership) as defined in Statute XL after the end of the academical year in which he or she attains the age of sixty years, unless the Governing Body, by a vote in which

a majority of its whole number concur, shall have appointed or re-appointed that person to such office. Such an appointment or re-appointment shall be for a period not exceeding three years at any one time.

2. No one shall in any event hold a College Office (other than the Mastership) as defined in Statute XL after the end of the academical year in which he or she attains the age of sixty-seven years.

#### XLIII *Of the Dean*

1. The Governing Body shall appoint a Dean, who shall be in Holy Orders of the Church of England or of some Province of the Anglican Communion certified by the Archbishop of Canterbury for the time being to be in communion with the See of Canterbury, and if not in priest's orders that person shall proceed to priest's orders within twelve months from the date of his or her appointment.

2. Subject to the provisions of Statute XLII the Governing Body shall decide the period for which the Dean is to be appointed at the time of appointment and the Dean shall receive such emolument and be subject to such regulations as the Governing Body shall from time to time direct.

3. The Dean shall make all arrangements, subject to Statute XLIV, for holding divine service in the College Chapel and shall take such part in the services as the Governing Body may from time to time direct. The Dean shall take care that such regulations as shall from time to time be laid down by the Governing Body under Statute XLIV are observed; and it shall also be the Dean's duty in co-operation with the Tutors to watch over the morals and behaviour of the members of the College *in statu pupillari*. The Dean shall perform such other duties as the Governing Body may assign from time to time.

#### XLIV *Of Divine Service and Religious Instruction*

1. Having regard to the provisions of the fifth and sixth sections of the Universities Tests Act 1871 the Governing Body shall

(a) provide such religious instruction as may be required

for members of the College *in statu pupillari* belonging to the Established Church; and

(b) make from time to time such regulations as it shall

deem expedient for the due celebration of divine service according to the rites of the Church of England and for requiring or dispensing with the requirement for attendance thereat.

2. The Governing Body may if it think fit provide stipends from the general revenue of the College for persons who may be appointed to carry out the provisions referred to in Section 1 of this Statute.

3. The Commemoration of the Founder and other Benefactors shall be held on the 24th day of November in each year, or on such other day as the Governing Body may from time to time determine. The Governing Body may from time to time regulate the form and manner of such Commemoration.

#### XLV *Of the Bursar*

1. The property and the income of the College shall be managed in accordance with the directions of the Governing Body by a Bursar, who shall also perform such other duties as the Governing Body may from time to time prescribe. The Bursar shall be nominated by the Master and appointed by the Governing Body. If the Governing Body do not appoint the person nominated within seven days from the date of nomination, the Master shall within fourteen days of this first nomination nominate some other person. If the Governing Body do not appoint this person within seven days from this second nomination the duty of nominating and appointing a Bursar shall devolve upon the Governing Body.

2. Subject to the provisions of Statute XLI, the Governing Body shall decide the period for which the Bursar is to be appointed at the time of appointment, and the Bursar shall receive such emolument and be subject to such regulations as the Governing Body shall from time to time direct.

3. The Governing Body may appoint in addition to the Bursar a Second or Assistant Bursar to discharge such part of the Bursar's duties as may be from time to time decided by the Governing Body.

4. If the duties of the Bursar are temporarily unable to be discharged, the Second or Assistant Bursar shall act as Deputy, or if there be no Second or Assistant Bursar the Master may appoint one of the Fellows to act as the Bursar's Deputy.

*XLVI repealed by the Amending Statute approved by Order in Council dated 28 October 1988*

#### *XLVII Of the Tutors*

1. There shall be such number of Tutors and Assistant Tutors as the Governing Body may from time to time determine. Every Tutor or Assistant Tutor shall be nominated by the Master and appointed by the Governing Body. If the Governing Body shall not appoint the person so nominated within seven days from the date of nomination, the Master shall within fourteen days of this first nomination nominate some other person. If the Governing Body does not appoint this person within seven days from this second nomination, the duty of nominating and appointing a Tutor or Assistant Tutor for that turn shall devolve upon the Governing Body.

2. Subject to the provisions of Statute XLII, the Governing Body shall decide the period for which the Tutor or Assistant Tutor is to be appointed at the time of their appointment. The Tutor or Assistant Tutor shall receive such emoluments and be subject to such regulations as the Governing Body shall from time to time direct.

3. The duty of the Tutors and Assistant Tutors shall be to promote the studies of all members of the College in *statu pupillari*, to arrange for their preparation for the University Examinations, to watch over their conduct, and to exercise a general supervision over them. They shall also perform such other duties as the Governing Body may from time to time assign to them.

4. If there shall be at any time more than one Tutor, the Governing Body shall appoint one of them to be the Senior Tutor, and shall assign to that person special duties to perform as it so decides.

5. There-appointment to office of a Tutor or Assistant Tutor may be effected by the Governing Body without nomination by the Master; provided that their tenure of the office has not lapsed.

#### *XLVIII Of College Discipline*

1. All members of the College in *statu pupillari* shall show proper respect to the Master and other officers of the College, and shall behave themselves quietly and soberly, and shall be obedient to all regulations concerning them made from time to time by the Governing Body.

~~2. — If any such person shall fail to observe the regulations aforesaid or be otherwise guilty of misconduct, he or she shall be punished by the Master or by a Tutor in such manner (short of rustication from the College) as the offence may appear to deserve.~~

~~3. The Master and Tutors shall constitute a Board of Discipline to which in addition the Master and the Senior Tutor (or the Tutor if there be only one) may each nominate an Assistant Tutor, and to which on the summons of the Master all grave cases shall be referred; and this Board shall have power, by a vote in which a majority of the whole number of its members concur, to rusticate for one term decide any disciplinary matter concerning any member of the College in *statu pupillari* other than a Scholar. No one shall be rusticated for more than one term or removed altogether from the College, nor shall any Scholar be rusticated or deprived of his or her Scholarship~~

~~or of any of his or her emoluments, except by a resolution of the Governing Body passed at a College Meeting summoned by the Master for disciplinary purposes, at which the person concerned shall be entitled to be heard in their defence and any sanction including the removal altogether of that person from the College. The Governing Body shall have the power to specify by Ordinance the manner in which consideration shall be given by the Board of Discipline to these matters so as always to ensure the application of principles of justice and fairness.~~

#### XLIX *Of the Librarian*

1. The Governing Body shall appoint a Librarian, who shall receive such stipend, and perform such duties, and be subject to such conditions of tenure, as the Governing Body shall assign to the office.

#### L *Of the College Staff*

1. The engagement, dismissal, and general control and supervision of the College staff shall be in the hands of such College Officer or Officers or such other persons as may be from time to time authorised by the Governing Body.

#### LI *Of Investment*

1. The Governing Body shall have power to purchase, retain, sell, or transfer property, real or personal, and securities (which term includes stocks, funds and shares) of any description whether or not authorised by Law for the investment of trust funds, on behalf of the College.

2. Any investments may be held in the name of or under the control of the College or at the discretion of the College in the name of or under the control of any trust, corporation or any other body or institution as nominee for the College and in the latter case the College may out of the income of the investment remunerate any such nominee.

3. The power conferred by this Statute shall extend to the investment (including the variation of the investment) of all endowments or other funds of the College and of the funds of any specific trust for purposes connected with the College of which the College is trustee.

4. The Governing Body may at any time and from time to time resolve that all or any part of the endowment or all or any part of any other funds of the College and of the funds of any specific trust for purposes connected with the College of which the College is trustee (hereinafter called the constituent funds) be treated as one amalgamated fund invested for the rateable benefit of the constituent funds and to and upon any such resolution the following provisions shall apply:

(a) an investment shall not be brought into an amalgamated fund upon its first constitution or upon any change of investment unless it is an authorised investment for all the constituent funds;

(b) an amalgamated fund shall be held on behalf of the constituent funds in shares as nearly as may conveniently be proportionate to their respective capital values upon the first constitution of the amalgamated fund, such shares shall be fixed by resolution of the Governing Body, and the divisible income of the amalgamated fund shall be distributed among the constituent funds in proportion to the shares so fixed;

(c) the Governing Body may at any time as provision against capital depreciation or reduction of income withhold from division and credit to reserve any part of the income of an amalgamated fund; and may from time to time at their discretion either add the whole or any part of such reserve to capital or distribute the whole or any part as income in any subsequent year in proportion to the shares of the constituent funds at the time of distribution;

(d) the Governing Body may at any time increase any amalgamated fund by adding thereto new constituent funds and upon any such increase shall fix the share of such new constituent funds in the resulting aggregate fund and the Governing Body may at any time wind up any amalgamated fund and divide the investments thereof

between the constituent funds in proportion to their respective shares therein or may bring all or any of the shares into a new or other amalgamated fund in accordance with the provisions of this section;

(e) the College may retain for itself in or towards reimbursement of the expenses incurred by it in administration of any amalgamated fund any yearly sum not exceeding four per centum of the gross income for the time being of any amalgamated fund (and of any reserves).

5. The Governing Body may appropriate for expenditure so much of the fair value of the property and securities to which this Statute applies as it considers in its absolute discretion is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term of the property and securities of the College or, as the case may be, of the funds to which this Statute applies.

6. Any appropriation under Section 5 of this Statute shall in the case of the property and securities of the College be made for the purposes of the College and in the case of a fund shall be made for the purposes of that fund.

7. Any reference in these Statutes to the income or revenues of the College or of any fund shall include the total sums appropriated in accordance with Section 5 of this Statute.

8. In this Statute:

(a) "fair value" means the amount at which an asset could be exchanged in an arm's length transaction between informed and willing parties, other than in a forced or liquidation sale.

(b) "total return" means a return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

9. Provided that at least seven days' notice has been given to each member of the Governing Body of any resolution under this Section, and that that resolution is to be considered at a Governing Body meeting held within Term, including the long vacation Term, the Governing Body may delegate the powers conferred by the preceding Sections of this Statute to a Committee of not less than five persons appointed from among its members, for such period not exceeding two years and subject to such other conditions as the Governing Body may at the time of any such delegation direct; provided also that the Governing Body may at any time resume the powers so delegated. If such notice has not been given, or if the resolution is to be considered at a meeting of the Governing Body held outside of Term, a vote in which a majority of the whole number of the Governing Body concur shall be required.

## LII *Of the Reserve Fund*

1. The income of the Reserve Fund shall consist of the payments prescribed under Statute LXI, of investment income due to the Fund, and of such other payments as may from time to time be made to the Fund by order of the Governing Body.

2. The Reserve Fund shall be used to supply any deficiency of the Repair Fund, to meet any unusual expenditure, or to meet any unforeseen deficit of current revenue as provided under Statute LXI, Section 2.

## LIII *Of the Repair Fund*

1. The income of the Repair Fund shall, under the provisions of Statute LXI, consist of an annual payment from the general revenue of the College of a sum not exceeding twenty-five per centum of the gross receipts from lands at rack rent and houses at rack rent, and any further or special payments which may from time to time be made to it from the general revenue of the College by order of the Governing Body which are allowed as a deduction under Statute G, Chapter 2 of the University Statutes.

2. The Repair Fund shall, so far as possible, bear the charge of all repairs done, and may if the Governing Body so decide bear in whole or in part the cost of improvements made, in respect of the College buildings and of the College estates.

#### *LIV Of the Education Fund*

1. The Governing Body shall fix the fees to be paid by Students of the College for Supervision with a view to providing completely the payments due under Section 2 of this Statute, and these fees shall be paid to the Education Fund.

2. The Governing Body shall fix the payments to be made to College Lecturers and the Supervisors of studies, and these payments shall be made from the Education Fund; provided that the Governing Body may determine that the stipend of a College Lecturer who is not the holder of a University Office may be payable in whole or in part from the general revenues of the College.

3. The Governing Body shall have power to transfer from the general revenue of the College such sum as will meet any exceptional deficit in the Education Fund.

#### *LV Of the Tutorial Fund*

1. The Governing Body shall fix the Tutorial Fees to be paid by Students of the College, and these fees shall be paid to the Tutorial Fund.

2. From the Tutorial Fund shall be paid the stipends of the Tutors and of such other officers as the Governing Body may from time to time determine, and a proportion of the wages and expenses of the College Office. If in any year there shall remain a balance after making these payments the excess may be used at the discretion of the Master and Tutors for the benefit of members of the College in *statu pupillari*, or may be carried forward.

#### *LVI Of the Annual Statement of Accounts*

1. The year of account or financial year shall run from the 1st day of August in each year to the next succeeding 31st day of July, or between such other dates as may be prescribed by the Governing Body; provided that such dates are in accordance with the Statutes and Ordinances of the University.

2. Any College Officer having responsibility for a financial budget shall make or cause to be made an annual statement or summary of all moneys received by them, and also of all payments and expenses incurred by them, arranged in such manner as the Governing Body may deem necessary and sufficient.

3. Any fellow of the College shall be entitled at any reasonable time to inspect the full accounts of the receipts and payments of each financial officer.

4. A return of the several accounts of the College relating to funds administered either for general purposes or in trust or otherwise shall be sent to the Vice Chancellor at the time appointed by the Statutes of the University, and this return shall be in the form prescribed by the University.

5. The Bursar shall be entitled to call on the other College Officers having responsibility for a financial budget for assistance in the preparation of this return, and the Bursar shall send the return so prepared to the Vice-Chancellor.

6. The accounts of the receipts and expenditure of moneys (if any) raised under the borrowing powers of the College shall be sent annually at the same time to the Vice-Chancellor.

#### *LVII Of the Auditors and the Audit*

1. All accounts of the College shall be audited every year, and all holdings of securities in the ownership or control of the College shall be verified every year. For these purposes the Governing Body shall appoint two or more Auditors (of whom at least one shall be a Fellow, and one a Professional Accountant not being the Master or a Fellow) for a period of one year or more.
2. The Auditors shall examine and verify the several accounts and pass them by signing them, or shall state in writing to the Governing Body their reasons for not signing some or all of the accounts. They shall also sign such certificates as may be required by the Statutes of the University verifying the correctness of the several abstracts or summaries of such accounts required to be sent to the Vice-Chancellor.
3. The Auditors shall at their discretion report to the Governing Body on matters of general policy in relation to College finance.
4. A meeting of the Governing Body shall be called as soon as may be convenient in the term following the end of the financial year. Not less than three days before this meeting the Bursar shall send summaries of the accounts as audited to the Master and all the Fellows. At this meeting any College Officer with responsibility for a financial budget shall present their accounts duly audited, with such observations thereon as they may deem necessary, and the reports of the Auditors shall be submitted at the same time.

#### *LVIII Of the Accounts of the Dixie Foundation*

1. There shall be kept as heretofore a separate account of the estates of the Dixie Foundation, and of the investments of the Foundation, but the income arising from such estates and investments shall in all respects be treated as part of the general revenue of the College.

#### *LIX Of Contribution to the University*

1. The College shall pay annually to the University such sum as shall in each year by the Statutes of the University be authorised to be levied from the College; provided that so much of the sum to be thus paid as shall be levied in respect of any Trust or other separate Fund may be charged to the income of such Trust or separate Fund, if the Governing Body shall in any case so determine.

#### *LX Of the Dixie Professorship of Ecclesiastical History*

1. This Statute shall be for the University of Cambridge and for Emmanuel College in common.
2. There shall be established as heretofore in the University of Cambridge a Professorship to be called the Dixie Professorship of Ecclesiastical History.
3. The Professor shall comply with the provisions of the Statutes of the University relating to the duties of Professors.
4. The election to the Professorship shall be in accordance with the provisions of University Statute D, XV, 4, the Master of Emmanuel College being added to the Board of Electors as therein defined; provided that if the Mastership of Emmanuel College be vacant, or if the Master be also a candidate for the Professorship, the senior member of the Governing Body of Emmanuel College who is not a candidate shall take the Master's place on the Board; provided also that if the Master of Emmanuel College or the senior member of the Governing Body as aforesaid at any time be in any other capacity a member of the Board, such person shall not on that ground have two votes.

5. The Dixie Professor Of Ecclesiastical History shall by virtue of admission to the Professorship, without need of any further election, be entitled to admission to the Professorial Fellowship permanently associated under the provisions of Statute XIX, Section 5 with the tenure of the Dixie Professorship at Emmanuel College (except during any period for which the said Professorship shall be held by the Head of any College in Cambridge) upon making the declaration required under the provisions of Statute XXII to be made by other Fellows of the College, and shall be entitled (subject to the provisions of Statute XXV) to hold the said Fellowship while continuing to hold the office of Dixie Professor, but no longer.

6. In respect of the Professorial Stipend of the Dixie Professor of Ecclesiastical History the College shall pay to the University in each quarter of the financial year the sum of one hundred and ninety-two pounds and fifty pence (which sum shall include the contribution due in respect of Superannuation) out of the general revenue of the College.

7. From such sum as shall in each year be authorised to be levied by the University from the College in accordance with the Statutes of the University for contributions of Colleges for University purposes, the College shall be entitled to deduct annually the sum of three hundred and fifty pounds on account of the payment made by the College in respect of the Dixie Professor.

8. For any period during which this Professorship shall be vacant there shall be a pro rata diminution of the amount payable under Section 6 of this Statute, and also a pro rata diminution of the deduction made under Section 7 of this Statute from the College's contribution to the University.

#### *LXI Of the Distribution of the College Revenue*

1. The balance of the external revenue of the College as set out in the Schedule annexed to the University Statutes shall in each year be applied as follows:

(a) such sum as shall be payable to the University under Statute LIX;

(b) any sum which may be ordered by the Governing Body to be set aside towards the maintenance or replacement of the capital value of any investment held by the College;

(c) the payment to the Reserve Fund of one-fortieth of the balance remaining after making the payments provided for under (a) and (b);

(d) a sum for the maintenance of the College Chapel and the services therein; a sum towards the maintenance of the College Library;

(f) such stipend to the Master as may from time to time be determined by the Electors to the Mastership after consultation with the Master-elect or with the Master; provided that the stipend so determined shall not during the tenure of the Mastership be diminished without the Master's consent, except by reason of the Master's acceptance of an additional College or other office;

(g) all other stipends, salaries, wages and other ordinary expenses of whatever kind sanctioned by the Governing Body and not otherwise provided for;

(h) the payment of each Research Fellow of such fixed sum, if any, as shall in each case be determined by the Governing Body;

(i) such sums as the Governing Body may from time to time

order to be paid to the Scholarship Fund and the Bachelor Scholarship Fund;

(j) any extraordinary payments not charged to the Reserve Fund or other special funds, and not being of a capital nature, which the majority of the whole Governing Body shall judge to be required in the interests of the College;

(k) such payment to the Education Fund as the Governing Body may decide under Statute LIV;

(l) such occasional payment to any Fellow for a particular purpose as may be approved by the Governing Body.

2. If in any year the revenue of the College, together with any payments made to the College by the University or by the Colleges Fund is more than sufficient to meet the payments prescribed by this Statute, the excess shall be devoted to such other College purposes as the Governing Body shall determine, or failing such determination shall be paid to the Reserve Fund. But if in any year there shall be an unforeseen deficiency, the balance required to make the payments prescribed by this Statute shall be provided by the Reserve Fund.

#### *LXII Of Income Tax*

1. No person shall receive from the College any payment expressed to be free of income tax, nor shall any allowance be paid by the College to any person on account of income tax.

#### *LXIII Of the Superannuation System*

1. The College shall participate in the Universities Superannuation Scheme (hereinafter called the U.S.S.).
2. The College shall continue to participate in the Federated Superannuation System for Universities (hereinafter called the F.S.S.U.) in respect of those persons who remain in that System.
3. The College shall make regulations for the administration of its superannuation arrangements; provided that in so far as such regulations relate to the U.S.S. or to the F.S.S.U. they shall be compatible with the constitution and rules of the U.S.S. or the F.S.S.U. respectively.

#### *LXIV Of Presentations to Benefices*

1. In presenting to the several benefices in the patronage of the College, the Governing Body shall have regard to the Master and Fellows, the former Fellows of the College, the present or former officers and former Scholars of the College; but it shall not be necessary to present any of these persons.

#### *LXV Of the Advowson Fund*

1. Any moneys in possession of the College which have been obtained by the sale of Advowsons shall as heretofore constitute a Fund to be called the Advowson Fund, and any income arising from their investment shall be applied at the discretion of the Governing Body for any one or more of the following purposes, that is to say-

(a) for any purpose connected with the maintenance and celebration of Divine Service in the College Chapel;

(b) for providing in whole or in part for the stipend of the Dean;

(c) for the benefit of any livings of parishes in which the College is interested as patron of the living.

#### LXVI *Of Power to Accept Endowments*

1. The College shall have power to accept endowments for any purposes in furtherance of the interests of the College as a place of education, religion, learning and research, and to make regulations giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments and regarding any place or emolument to be supported thereby, even though the regulations may be inconsistent with the provisions of the Statutes of the College; provided always that no such regulation shall derogate from any obligation imposed on the College by the Statutes of the University.

#### LXVII *Of the Set of Rooms reserved to Founders' Kin*

1. Any resident member of the College who shall prove to the satisfaction of the Governing Body that he or she is directly descended from the Founder of the College shall be entitled to occupy rooms in College rent free, whether the set reserved for that purpose by the original Statutes of the College, *videlicet* the easternmost set on the first floor of the Founder's Range, now known as the Westmorland Building, or some other rooms.

2. If two or more persons claim at the same time the privilege reserved under this Statute, the Governing Body shall determine to which person or persons the privilege shall be accorded, preference being given always to one who bears the Founder's name.

#### LXVIII *Of Academic Staff*

#### ~~PART I CONSTRUCTION APPLICATION AND INTERPRETATION~~

~~1. This Statute and any Regulation made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:~~

~~(a) to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;~~

~~(b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and~~

~~(c) to apply the principles of justice and fairness.~~

~~2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.~~

~~3. (1) This Statute shall apply:~~

~~(a) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;~~

~~(b) to any person employed by the College to carry out teaching or research save for those excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and~~

~~(c) to the Master, to the extent and in the manner set out in Part VII of this Statute.~~

4. — (1) For the purposes of this Statute the following terms have the meanings specified:

~~"dismiss" and "dismissal" refer to dismissal of a member of the academic staff and~~

~~(a) include remove or, as the case may be, removal from office; and~~

~~(b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.~~

~~(2) "good cause" in relation to the dismissal or removal from office of a member of the academic staff of the College, being in any case a reason which is related to conduct or capability or qualifications for performing work of the kind which the member was appointed or employed to do, means:~~

~~(a) conviction for an offence which may be deemed by a Disciplinary Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of his or her office or for employment as a member of the academic staff of the College; or~~

~~(b) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or~~

~~(c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or~~

~~(d) wilful disruption of the activities of the College; or~~

~~(e) wilful disobedience of any of the Statutes or Regulations of the College in force for the time being; or~~

~~(f) physical or mental incapacity established under Part IV.~~

~~(3) In this Section:~~

~~(a) "capability" means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and~~

~~(b) "qualifications" means any degree, diploma, or other academic, technical, or professional qualification relevant to an office or position held.~~

5. — For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:

~~(a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or~~

~~(b) the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.~~

6. — (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statutes of the College in force on the date on which the instrument making these modifications was approved under subsection

~~(9) of section 204 of the Education Reform Act 1988, and over those of any Regulation, and the provisions of any Regulation made under this Statute shall prevail over those of any Regulation made under such other Statutes; provided that Part III, Part IV and Part VII shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988; provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant College Statutes in force before that date.~~

~~(2) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff of the College by reason of redundancy or for good cause; provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.~~

~~(3) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under Section 10(2).~~

~~(4) For the avoidance of doubt it is hereby declared that nothing in Part III shall be construed as affecting the Statutes and Regulations of the College concerning re-election on the expiry of a fixed term of a Fellowship.~~

~~(5) In this Statute references to numbered Parts, Sections and sub-sections are references to Parts, Sections and sub-sections so numbered in this Statute.~~

~~7. (1) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such a body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by any Regulation made under this Statute.~~

~~(2) Under procedures prescribed by a Regulation made under this Statute, the Governing Body may appoint an alternate to act in place of an officer of the College or any person designated to perform any duties or exercise any powers under this Statute, where such an officer or person is himself involved in the matter in question.~~

## *PART II: REDUNDANCY*

~~8. This part enables the appropriate body to dismiss any member of the academic staff by reason of redundancy.~~

~~9. (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless:~~

~~(a) his or her appointment is made, or his or her contract of employment is entered into, on or after the 20th day of November 1987; or~~

~~(b) he or she is promoted on or after that date.~~

~~(2) For the purposes of this Section in relation to a person, a reference to an appointment made or a contract entered into on or after the 20th day of November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.~~

~~10. (1) The appropriate body for the purposes of this Part shall be the Governing Body.~~

~~(2) This Part applies where the Governing Body has decided that there should be a reduction in the academic staff:~~

~~(a) of the College as a whole; or~~

~~(b) of any area of academic work within the College by way of redundancy.~~

~~11. (1) Where the Governing Body has reached a decision under Section 10(2) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy, if such a course satisfies the guiding principles set out in Section 1, or it shall appoint a Redundancy Committee to be constituted in accordance with sub-section (3) of this Section to give effect to its decision by such date as it may specify and for that purpose:~~

~~(a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and~~

~~(b) to report their recommendations to the Governing Body.~~

~~(2) The Governing Body shall either approve any selection recommendation made under sub-section (1)(b), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.~~

~~(3) A Redundancy Committee appointed by the Governing Body shall comprise:~~

~~(a) a Chairman; and~~

~~(b) two Fellows not being members of the academic staff to whom this Statute applies; and~~

~~(c) two members of the academic staff.~~

~~(4) A member of the academic staff shall not be selected for dismissal under this Section unless he or she has been afforded a reasonable opportunity to make representations to the Governing Body.~~

~~12. (1) Where the Governing Body has made a selection it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.~~

~~(2) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.~~

~~(3) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include:~~

~~(a) a summary of the action taken by the Governing Body under this Part;~~

~~(b) an account of the selection processes used;~~

~~(c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and~~

~~(d) a statement as to when the intended dismissal is to take effect.~~

### *PART III: DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE*

~~13. (1) The Master shall have the following duties where it appears that the conduct or performance of a member of the academic staff is or has been unsatisfactory:~~

~~(a) to enquire into the matter;~~

~~(b) if, after investigation, the Master concludes that the member is or has been at fault, to consider issuing an oral warning to the member;~~

~~(c) to specify the reason for the warning;~~

~~(d) to indicate that the warning constitutes the first stage of the College's disciplinary procedure; and~~

~~(e) to advise the member that the appeal may be made against the warning under sub-section (4) of this Section.~~

~~(2) If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, a written warning may be issued to the member by the Master. Such a warning shall specify the complaint made against the member, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Master shall advise the member that an appeal may be made against the warning under sub-section (4), and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made seeking the institution of charges to be heard by a Disciplinary Tribunal.~~

~~(3) The Master shall keep a written record of any warning issued under subsection (1) or sub-section (2). No further account shall be taken of an oral warning when one year has elapsed after the date of issue, and no further account shall be taken of a written warning when two years have elapsed after the date of issue.~~

~~(4) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Master within two weeks. An Appeals Committee appointed by the Governing Body shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded.~~

~~14. (1) If there has been no satisfactory improvement following a written warning given under sub-section (2) of Section 13, or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Disciplinary Tribunal appointed under Section 15 may be made to the Master.~~

~~(2) The Master shall institute such enquiries (if any) as appear to the Master to be necessary so as to enable the Master to deal fairly with any complaint brought under sub-section (1).~~

~~(3) If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the College could constitute good cause for dismissal, it is the duty of the Master to:~~

~~(a) write to the person concerned inviting comment in writing; and~~

~~(b) suspend the member from performance of duties without loss of emolument if it is considered that the College might otherwise suffer significant harm.~~

~~(4) As soon as may be following the comments (if any) or in any event not later than twenty eight days after they were invited the Master shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal warning to the person concerned, or determine that the matter be considered by a Disciplinary Committee appointed under Section 15.~~

~~15. (1) If the Master has determined that the matter is to be considered by a Disciplinary Committee, the Governing Body shall at the request of the Master appoint such a committee to:~~

~~(a) — hear the charge or charges;~~

~~(b) — determine whether the conduct or performance of the person concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to his or her appointment or employment; and~~

~~(c) — make recommendations concerning the action (if any) to be taken as a result of the Committee's findings.~~

~~(2) — Pending the consideration of such recommendations, the Master, after consulting the Governing Body, may suspend the person charged from the performance of his or her duties without loss of emolument.~~

~~16. — A Disciplinary Committee shall consist of three persons selected by the Governing Body from a panel of seven persons appointed annually by the Governing Body. The members of the panel shall be Fellows of the College or other persons, being members of the Regent House of the University. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Governing Body shall exclude the person charged, any person responsible for originating the charge (whether by making a complaint to the Governing Body or otherwise), and any person who has been involved at an earlier stage in considering the charge or charges.~~

~~17. — (1) When a Disciplinary Committee has been appointed, the Governing Body shall instruct a suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Disciplinary Committee.~~

~~(2) — It shall be the duty of the person formulating the charge or charges:~~

~~(a) — to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and~~

~~(b) — to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.~~

~~18. — The procedure to be followed in respect of the preparation, hearing, and determination of charges by a Disciplinary Committee shall be prescribed by Regulations made under this Statute. Such Regulations shall ensure:~~

~~(a) — that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by a Disciplinary Committee;~~

~~(b) — that a charge shall not be determined without an oral hearing at which the person charged and any person appointed as a representative of that person are entitled to be present;~~

~~(c) — that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;~~

~~(d) — that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow them to consider and respond to the new evidence; and~~

~~(e) — that any charge is heard and determined as expeditiously as is reasonably practicable.~~

~~19. (1) — The Disciplinary Committee shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate~~

penalty) to the Master, the person charged, the person presenting the charge and any person who shall have been added as a party by the Disciplinary Committee.

~~(2) The Disciplinary Committee shall draw attention to the period of time within which M appeal should be made by ensuring that a copy of Part V accompanies each copy of its decision sent to a party to the proceedings under this Section.~~

~~20. (1) If the charge or charges are upheld and the Disciplinary Committee finds that the member's conduct constitutes good cause for dismissal and recommends that the member be dismissed, but in no other case, the Master, after consulting the Governing Body, may dismiss the member.~~

~~(2) In any case where the charge or charges are upheld, other than where the Master has decided under subsection (1) to dismiss the member of the academic staff concerned, the action available to the Master after consulting the Governing Body (not comprising a greater penalty than that recommended by the Disciplinary Committee) may be:~~

~~(a) to discuss the issues raised with the member concerned; or~~

~~(b) to advise the member concerned about his or her future conduct; or~~

~~(c) to warn the member concerned; or~~

~~(d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable; provided that the suspension shall not extend beyond three months after the date on which the Governing Body shall have considered the Disciplinary Committee's decision; or~~

~~(e) to take such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or~~

~~(f) to combine any of the courses of action specified above.~~

~~21. (1) An officer acting as the Master's delegate shall be included under any reference under Section 20 to the Master.~~

~~(2) Any action taken by the Master or the Master's delegate shall be confirmed in writing.~~

#### *PART IV REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS*

~~22. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.~~

~~(2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.~~

~~(3) In this Part the Master shall be the appropriate officer to perform any duties or exercise any powers; provided that such person may appoint an officer to act as his or her delegate.~~

~~(4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.~~

~~23. (1) — Where it appears that the removal of a member of the academic staff on medical grounds should be considered, the Master:~~

~~(a) — shall inform the member accordingly; and~~

~~(b) — shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988; and~~

~~(c) — may suspend the member from the performance of his or her duties without loss of emolument.~~

~~(2) — Should the member agree to the consideration of removal on those grounds, the College shall meet the reasonable costs of any medical opinion required.~~

~~(3) — If the member does not agree the Master shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Master; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.~~

~~(4) — The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board shall be prescribed by Regulations made under this Section. Such Regulations shall ensure:~~

~~(a) — that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;~~

~~(b) — that a case shall be determined with an oral bearing at which not the member, but the member's representative is entitled to be present;~~

~~(c) — that witnesses may be called and questioned concerning any relevant evidence; and~~

~~(d) — that the case is heard and determined as expeditiously as is reasonably practicable.~~

~~(5) — The Board may require the member concerned to undergo medical examination at the College's expense.~~

~~24. — If the Board determines that the member should be required to retire on medical grounds, the Master, after consulting the Governing Body, may terminate the employment of the member concerned on those medical grounds.~~

#### *PART V APPEALS*

~~25. — This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.~~

~~26. — (1) This Part applies:~~

~~(a) — to appeals against the decisions of the Governing Body as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;~~

~~(b) — to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13;~~

~~(c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;~~

~~(d) to appeals against disciplinary decisions otherwise than in pursuance of Part III;~~

~~(e) to appeals against decisions reached under Part IV; and~~

~~(f) to appeals arising in any proceedings, or out of any decision reached, under Part VII, including appeals against decisions reached in pursuance of Section 47~~

~~and "appeal" and "appellant" shall be construed accordingly.~~

~~(2) No appeal shall however lie against:~~

~~(a) a decision of the Governing Body under Section 10(2);~~

~~(b) the findings of fact of a Disciplinary Committee under Part III, or of a Tribunal under Part VII save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;~~

~~(c) any medical finding by a Board set up under Section 23(3) save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.~~

~~(3) In this Part references to "the person appointed" are references to the person appointed by the Governing Body under Section 29 to hear and determine the relevant appeal.~~

~~(4) The parties to an appeal shall be the appellant and the Vice Master and any other person added as a party at the direction of the person appointed.~~

~~27. A member of the academic staff shall institute an appeal by serving on the Vice Master, within the time allowed under Section 28, notice in writing setting out the grounds of the appeal.~~

~~28. (1) A notice of appeal shall be served within twenty eight days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-section (3).~~

~~(2) The Vice Master shall:~~

~~(a) bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body; and~~

~~(b) inform the appellant that such action has been taken under (a).~~

~~(3) Where the notice of appeal was served on the Vice Master outside the twenty eight day period the person appointed under Section 29 may permit the appeal to proceed if it is considered by that person that justice and fairness so require in the circumstances of the case.~~

~~29. (1) Where an appeal is commenced under this Part the appeal shall, subject to the provisions of Section 28(3) and sub-section (3) of this Section, be heard and determined by a person appointed by the Governing Body in accordance with Regulations made under this Section.~~

~~(2) A person appointed under sub-section (1) above shall be a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing.~~

~~(3) The person appointed shall sit alone unless that person considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons appointed in accordance with Regulations made under this Section.~~

~~(4) The other persons who may sit with the person appointed shall be:~~

~~(a) one member of the Regent House of the University not being a Fellow; and~~

~~(b) one other member.~~

~~30. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that prescribed by Regulations made under this Section.~~

~~(2) Without prejudice to the generality of the foregoing such Regulations shall ensure:~~

~~(a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of the relevant appeal;~~

~~(b) that an appeal shall not be determined without an oral hearing at which the appellant, and any representative appointed by the appellant are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;~~

~~(c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and~~

~~(d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.~~

~~(3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:~~

~~(a) remit an appeal from a decision under Part II to the Governing Body as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or~~

~~(b) remit an appeal arising under Part III for re-hearing by a differently constituted Disciplinary Committee to be appointed under that Part; or~~

~~(c) remit an appeal from a decision of the Master under Part IV for further consideration as the person or persons hearing the appeal may direct; or~~

~~(d) remit an appeal by the Master arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or~~

~~(e) substitute any lesser alternative penalty that would have been open to the Master following the finding by the Disciplinary Committee which heard and pronounced upon the original charge or charges.~~

~~31.—The person appointed shall send the decision on any appeal together with any findings of fact different from those come to by the Governing Body as the appropriate body under Part II or by the Disciplinary Committee under Part III, as the case may be, to the Master and to the parties to the appeal.~~

#### ~~PART VI. GRIEVANCE PROCEDURES~~

~~32.—The purpose of this Part is to provide for the settlement or redress of individual grievances promptly, fairly and so far as may be, within the relevant area by methods acceptable to all parties.~~

~~33.—The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate:~~

~~(a)—to matters affecting themselves as individuals; or~~

~~(b)—to matters affecting their personal dealings or relationships with other staff of the College.~~

~~not being matters for which express provision is made elsewhere in this Statute.~~

~~34.—(1) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Master.~~

~~(2)—The Master may dismiss or take no action upon the matter if it appears that:~~

~~(a)—the matter has been finally determined under Part III, IV or V; or~~

~~(b)—the grievance is trivial or invalid.~~

~~If it so appears, the Master shall inform the member accordingly.~~

~~(3)—If the Master is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):~~

~~(a)—a complaint under Part III;~~

~~(b)—a determination under Part IV; or~~

~~(c)—an appeal under Part V~~

~~action upon it shall be deferred under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed. The Master shall notify the member accordingly.~~

~~(4)—If the Master:~~

~~(a)—does not reject the complaint under sub-section (2); or~~

~~(b)—does not defer action upon it under sub-section (3)~~

~~it shall be decided by the Master whether it would be appropriate, having regard to the interests of justice and fairness, to seek to dispose of it informally. If it is so decided, the Master shall notify the member and proceed accordingly.~~

~~35.—If the grievance has not been disposed of informally under Section 34(4), the Master shall refer the matter to the Grievance Committee for consideration.~~

~~36.—A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.~~

~~37.—The procedure in connection with the consideration and determination of grievances shall be determined in Regulations in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.~~

~~38.—The Committee shall inform the Governing Body whether the grievance is or is not well found and if it is well found the Committee shall make such proposals for the redress of the grievance as it sees fit.~~

#### ~~PART VII: REMOVAL OF THE MASTER FROM OFFICE~~

~~39.—Any three members of the Governing Body may make a complaint to the Vice Master seeking the removal of the Master from office for good cause.~~

~~40.—The Vice Master shall refer such a complaint to the Governing Body, exclusive of the Master and the members making the complaint. If it appears to the Governing Body that the complaint does not raise a prima facie case, or that it is trivial or invalid or unjustified, they may determine that no further action shall be taken upon it.~~

~~41.—If it appears to the Governing Body, on material presented, that the complaint raises a prima facie case which could, if proved, constitute good cause for the dismissal or removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal appointed by the Governing Body shall consist of three persons who are not Fellows of the College and are not employed by the College, as follows:~~

~~(a)—one person who holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, who shall be Chairman;~~

~~(b)—two other persons.~~

~~42.—A complaint referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in Sections 17 to 19; provided that the Vice Master shall perform any duty and exercise any power there assigned to the Master, and that for the purposes of this Part references in those Sections to a Disciplinary Committee shall be construed as referring to the Tribunal.~~

~~43.—The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Master and the Vice Master. The Tribunal shall draw attention to the period of time within which any appeal should be instituted by ensuring that a copy of Part V of this Statute accompanies the notification of its decision sent to the Master.~~

~~44.—If the Tribunal finds that the complaint constitutes good cause for dismissal, the Vice Master, after consulting the Governing Body, may dismiss the Master.~~

~~45.—The Master may institute an appeal against the findings of a Tribunal by serving on the Vice Master a notice in writing setting out the grounds of the appeal. A notice of appeal shall be served within twenty eight days of the date on which the document recording the decision appealed from was sent to the Master; provided that the person appointed to hear an appeal shall have power to hear an appeal submitted after that date if it is considered that justice and fairness so require in the circumstances of the case.~~

~~46.—An appeal commenced under Section 45 shall be heard in accordance with the provisions of Part V of this Statute; provided that the Vice Master shall perform any duty and exercise any power there assigned to the Master.~~

~~47.—For the purpose of the removal of the Master for incapacity on medical grounds, the provisions of Part IV and Part V shall have effect; provided that the Vice Master shall perform any duty or exercise any power there assigned to the Master.~~

~~48.—For the purposes of this Part, references to the Vice Master shall, if the Vice Master is not in residence, or is incapacitated by illness or otherwise, be construed as referring to a College Officer nominated by the Governing Body for those purposes.~~

1. The Governing Body shall have power to specify by Ordinance the circumstances in which a member of the academic staff may be removed or suspended from, or suffer any disciplinary sanction or raise any grievance in relation to, any position in the College held by that member.
2. The Governing Body shall specify by Ordinance
  - (a) the manner in which consideration is to be given to the removal or suspension from any position in the College held by a member of the academic staff, or to any disciplinary sanction or any grievance relating to such a position, and
  - (b) the manner in which such matters are to be determined.
3. Ordinances made under this Statute may make different provision for different positions in the College and for different circumstances, and may in particular distinguish between
  - (a) the probationary and post-probationary tenure of a position; the fixed or indefinite term of a position; or the full- or part-time nature of a position; and
  - (b) redundancy and good cause; or between different categories of good cause.
4. Any Ordinance or change to an Ordinance made under section 1 shall be disregarded in any proceedings conducted under section 2 that depend materially on circumstances that occurred before the Ordinance or the change was made. Any Ordinance or change to an Ordinance made under section 2 shall be disregarded in any proceedings that commenced before the Ordinance or the change was made.
5. Any Ordinance made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
  - (a) to ensure that members of the academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy or losing their jobs or privileges;
  - (b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
  - (c) to apply this principles of justice and fairness.
6. In this Statute expressions shall be given the following meanings:
  - (a) “member of the academic staff” refers to the Master or a Fellow or the holder of a College office;
  - (b) “position in the College”, in relation to a member of the academic staff, refers to the Mastership or a Fellowship or any College office held by that member, and also to any contract of employment between that member of the academic staff and the College;

- (c) “redundancy”, in relation to a position in the College held by a member of the academic staff, refers to the fact that the College has ceased, or intends to cease, to carry on the activity for which the position exists, or for which the need has ceased or diminished, or is expected to cease or diminish;
  - (d) “good cause”, in relation to a position in the College held by a member of the academic staff, means a reason which is related to the conduct of the member or to the capability or qualifications of the member in relation to the duties of the position;
  - (e) “capability”, in relation to a member of the academic staff, means capability assessed by reference to the skill, aptitude, health or any other physical or mental quality of the member;
  - (f) “qualifications”, in relation to a position in the College held a member of the academic staff, means any degree, diploma or other academic, technical or professional qualification held by the member relevant to that position.
7. The Academic Staff Statute that this Statute replaces shall apply in place of it to any person who held a position in the College before the date of commencement of this Statute, unless that person has either
- (a) confirmed in writing that this Statute will apply; or
  - (b) ceased to hold all positions in the College held at the date of commencement.

#### *LXIX Of the Interpretation of these Statutes*

1. If any doubt shall arise as to the meaning of anything in these Statutes, the matter shall be discussed by the Governing Body, and that interpretation which shall be approved by a majority of the whole Governing Body shall be deemed to be thenceforth the correct one, unless and until some other interpretation shall in like manner be approved.
2. If no such majority can be obtained, or if within ten days of the aforesaid discussion the Master so demand, or any one of the Fellows or Scholars by notice in writing addressed to the Master so demand, then the Master shall without delay refer the matter to the Visitor and the Assessors to the Visitor, who shall hear such arguments as they think fit; and the decision of a majority of these three shall be final.
3. If any doubt shall arise as to the meaning of anything in Statute LX, the matter shall be referred to such person or persons as shall be jointly agreed upon by the Council of the University and the Governing Body of the College, and the interpretation approved by such person or persons shall be final.

#### *LXX Of Changes in these Statutes*

1. Notwithstanding the provisions of Statute II and Statute V, Sections 10 and 11, every Fellow shall (in accordance with section 2 of the Schedule to the Universities of Oxford and Cambridge Act 1923) be reckoned a member of the Governing Body for the purpose of discussion of, and voting upon, any proposed changes in these Statutes, and shall for this purpose have all the rights conferred by these Statutes upon members of the Governing Body.
2. Any Statute made by the College to amend or add to these Statutes shall (in accordance with the Universities of Oxford and Cambridge Act 1923, section 7) be passed at a general meeting of the Governing Body specially summoned for the purpose, by a vote in which not less than two-thirds of the members of the Governing Body present and voting concur; provided that this number is not less than a majority of the whole Governing Body. Such Statute shall then be communicated to the Vice-Chancellor for the consent of the University; and shall, one month at least (exclusive of any University vacation) after its communication to the Vice-Chancellor, be again passed at a general meeting of the Governing Body specially summoned for the purpose, by a vote in which not less than two-thirds of the members of the Governing Body present and voting concur; provided that this number is not less than a majority of the whole Governing Body. Within one month after this second passing of the Statute it shall be submitted to the Crown for approval.

## *LXXI Of Temporary Provisions*

1. The Statutes set forth above shall operate subject to the following Temporary Provisions, which are enacted herewith and which shall form part of the Statutes so long as any circumstances exist to which they are severally applicable.

2. Any person who on or before the 30th day of September 1966 had been elected to the Mastership or to a Fellowship with dividend under the Statutes then in force shall be entitled to receive from the general revenue of the College, during the period for which at that date he had been elected but for no further period, the dividend assigned to him by the said Statutes, the modulus being reckoned at Fifty pounds. Such a person may, however, by notice in writing to the Master (which shall be irrevocable), renounce his claim to dividend in whole or in part either unconditionally or on terms which the Governing Body may have approved, and from the date of such renunciation no dividend thus renounced shall be payable; such renunciation may be made retrospectively with effect from a date not earlier than the 1st day of October 1966.