

ST JOHN'S COLLEGE

STATUTES I to LVIII inclusive (all Statutes)

EXPLANATORY NOTES

These changes are being proposed as the Governing Body now wishes to have the College's Statutes expressed in gender-neutral language, but without making any substantive changes to the meaning of any.

In connection with this, it is proposed to remove Clause (7) of Statute XLIII, which currently states that "the masculine gender shall import the feminine" in the Statutes, the Governing Body having been assured that such removal will not affect the instruments governing any trust funds.

In the version of the Statutes provided here:

(a) yellow highlighting has been used to denote the gendered pronouns;

(b) red text has then been used to show the necessary alterations to produce gender-neutrality - within the existing Clauses where the change is simple, or by reproducing the entire Clause where longer rewording was required; and

(c) green text has been used to reflect minor amendments made between the two Governing Body meetings at which these changes were discussed.

The text of Statutes II, III, V, X, XV and XXIV presented here is already in gender-neutral language, these being the Statutes concerning the election and tenure of the Master that are currently under revision (now with the Privy Council) which the University has already determined do not affect it.

STATUTE I

Constitution of the College

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

STATUTE II

Qualification and Duties of the Master

- (1) The Master of the College shall be chosen by the electors as the person best qualified in their judgment to secure the good government of the College as a place of education, religion, learning, and research. The Master, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible.
- (2) The Master shall exercise a general superintendence over the affairs of the College; shall preside *ex officio* at all meetings, whether of the Governing Body or of the Council; shall, except where otherwise provided, have, in case of equality of votes, a second or casting vote; and shall have the power, in all cases not provided for by the Statutes of the College or by

any College Order, to make such provision for the good government and discipline of the College as the Master shall think fit.

- (3) All members of the College shall shew the Master becoming reverence and obedience.

STATUTE III

Election and Admission of the Master

- (1) The Master shall be elected by the Fellows of the College.
- (2) When the office of Master is about to become vacant, whether by virtue of Statute XV(1) or by operation of a notice of resignation already communicated by the Master to, and accepted by, the Governing Body, such notice specifying the date of such resignation, the President shall summon a meeting of the electors to fix the day and hour for the election of a new Master, such day to be not more than twelve calendar months before the day on which the office becomes vacant, and (if they see fit) to fix a day on which the new Master shall assume office. Such election shall take effect from the day so specified (if any), and otherwise from the day on which the office becomes vacant.
- (3) If a vacancy in the office of Master occurs and the procedure in section (2) of this Statute has not been followed, the President shall summon a meeting of the electors to fix a day and hour for the election of a new Master, such day to be within twelve calendar months of the day on which the vacancy occurred, and to fix a day on which the new Master shall assume office.
- (4) Notice of the day and hour fixed for the election of a Master shall be given to all the electors. On that day and hour, the electors shall assemble in the College Chapel, where the President, followed by the other Fellows in their order, shall make the following declaration:

'I, N.N., do solemnly declare that I will choose as Master the person that shall be in my judgment best qualified, according to the Statutes, to secure the good government of this College as a place of education, religion, learning, and research.'

After this declaration has been made by each elector in turn, the President and two Fellows appointed for the purpose by the electors present shall stand in scrutiny in the following manner: they shall first record their own votes and afterwards receive the votes of all the other Fellows. Voting shall be by separate ballot papers, each of which shall bear only the name of the person for whom the vote is given. The junior of the three scrutineers shall read the number of votes for each person for whom votes are given. If the votes of a majority of the Fellows present are given for one person the President shall pronounce such person duly elected Master of the College. If at this first scrutiny there is no such majority of votes given for one person, the scrutineers shall proceed to make a second scrutiny in the same manner as before, and the person, if any, who on this second scrutiny has the votes of a majority of the Fellows present shall be pronounced to be elected Master. If, however, at this second scrutiny no election shall be made, the scrutineers shall proceed to a third and final scrutiny, when that person shall be pronounced elected who has the greatest number of votes, whether they form a majority of the whole number of votes or not; and in case there be no such greatest number of votes, in consequence of an equality of votes given to the two or more persons who have the most votes, then that one of the two or more such persons shall be elected for whom the President shall give a casting vote.

Provided that if at this third scrutiny the President shall be one of the persons for whom a casting vote has to be given that casting vote shall be given by the Senior Fellow present who is a member of the Council and not one of those voted for.

- (5) If the Master-elect, being present, decline to accept the office, the Fellows shall proceed to another election at the same hour on the following day, unless such day be Sunday, and then on the day following; but if the Master-elect be absent, and refuse to accept the office, the President shall forthwith call together the electors then in residence, and they shall then fix the day and hour, after an interval of not less than three nor more than seven days, for the election of a new Master; and shall cause notice thereof to be given to all the electors.
- (6) On the day when the election of the new Master takes effect, or as soon as conveniently may be after that day, the Fellows and other members of the College shall assemble in the College Chapel at an hour of which due notice has been given, at which hour the President, or, if the President has been elected Master, the Senior Fellow present, shall require the Master to make and sign the following declaration:

I, A.B., elected Master of the College of St John the Evangelist, do hereby promise that I will faithfully perform the duties of the office with care and diligence, observe all the Statutes and in all things endeavour to the utmost of my power to promote the peace, honour and well being of the College as a place of education, religion, learning and research.'

After this declaration is made and signed, the new Master shall be admitted by the President or Senior Fellow present, as the case requires, by being placed in the Master's Stall.

The Master shall in no case enter upon the duties or enjoy the emoluments of the office before being duly admitted thereto.

- (7) The Master shall not be present at any meeting of the electors held under the provisions of this Statute.

STATUTE IV

Residence of the Master

- (1) The Master shall not be absent from the College more than one hundred and eighty days in any year, or, without the prior approval of the Council, more than one-third of any Term, unless on account of sickness or other urgent cause, to be signified by **him the Master** to the Council within one month before or after the expiration of the period of **his [cut 'his']** absence, and to be approved by the majority of them.
- (2) In any case in which notice is required to be given to the Master, it shall be sufficient that the notice be left at the Master's Lodge.

STATUTE V

Provision in case of Incapacity of the Master or Vacancy in the Mastership

- (1) Should the Master at any time become temporarily incapable of performing the duties of the office, and should it appear that such incapacity is likely to continue for a prolonged period, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint one of

the Fellows to act in the Master's place during such incapacity, for periods not exceeding one year at a time or two years in all, and to assign to the Fellow so appointed such stipend as they shall think fit.

- (2) It shall be incumbent upon the President to summon the meeting of the Governing Body, for the purpose in the foregoing paragraph mentioned, upon the request of eight or more of the Fellows, and not less than ten days' notice of such meeting shall be sent to each of the Fellows.
- (3) The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. If the Fellow appointed to be Vice-Master be a Member of the Council that place on the Council shall be vacated. The Vice-Master shall retain the office, and receive the assigned stipend for the period for which the appointment was made, unless and until the Master shall be reinstated in office, or shall cease to be Master, and the Vice-Master shall exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master.
- (4) If in the judgment of the Governing Body the Master shall at any time after the appointment of a Vice-Master again become capable of performing the duties of the office, the Governing Body shall have power in the like manner to reinstate the Master in power and functions.
- (5) Should the incapacity of the Master still continue at the expiration of the period or periods for which a Vice-Master has been appointed, or should it appear at any time that the Master has become permanently incapable of performing the duties of the office, the Governing Body may, by the vote of a majority of the Fellows present at a meeting specially summoned for the purpose in the manner prescribed in this Statute, provide for the retirement of the Master from office and the Council shall assign the outgoing Master such pension or other allowance, in addition to any amounts accruing under any pensionary or insurance scheme adopted under Statute XXVI, as may appear to them to be reasonable, having regard to all the circumstances of the case.
- (6) Should a vacancy in the office of Master occur, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint, for duration of the vacancy, one of the Fellows to exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and to assign to the Fellow so appointed such stipend as they shall think fit. The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. The Fellow so appointed shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master, and if the Vice-Master be a Member of the Council that place on the Council shall be vacated.
- (7) If the Vice-Master shall die, or resign the office, or vacate or be deprived of a Fellowship, or become permanently incapable of discharging the duties of the office, the Governing Body shall have the like power in the like manner of appointing instead another of the Fellows to be Vice-Master, and of assigning a stipend to such Vice-Master.

[STATUTE VI repealed]

STATUTE VII

Emoluments of the Master

(1) The Master shall be entitled to such stipend as the Council may from time to time determine; provided that no change in the amount of the stipend shall affect the person then Master without **his** consent.

The Master shall be entitled to such stipend as the Council may from time to time determine; provided that no change in the amount of the stipend shall without consent affect the person then Master.

(2) The College shall continue as heretofore to pay all rates and taxes upon the Master's Lodge and to keep the same in good and substantial repair. The College may also defray the cost of the internal repairs, decoration, and furnishing of the Lodge.

STATUTE VIII

The Governing Body

(1) Except as prescribed in Statute XLIII(2) the Governing Body of the College shall consist of the Master and all actual Fellows.

(2) The Governing Body shall possess the ultimate authority in the government of the College, which authority they shall exercise in accordance with, and subject to the provisions of, these Statutes.

(3) The Governing Body shall elect twelve of their number in the manner prescribed in Statute IX to act with the Master as a Council for the administration of the affairs of the College and the management of its property and income.

(4) The Governing Body shall, subject to the provisions of these Statutes, from time to time make rules for the regulation of their own proceedings and revise or alter such rules as they may see fit. Such rules shall prescribe the procedure to be followed in the election of the President and in elections to the Council.

(5) The Governing Body shall hold an annual meeting in the manner prescribed in Statute XLI to receive and consider the annual statement of accounts by the College Officers and the Reports of the Auditor and the Audit Committee.

(6) The Governing Body shall hold such other meetings as may be required for the performance of the duties assigned to them by The Universities of Oxford and Cambridge Act 1923 or by these Statutes.

(7) Except where otherwise provided in these Statutes, meetings of the Governing Body shall be summoned by the Master. A notice of the time and object of the meeting shall be sent to every Fellow not less than seven days before the day for which the meeting is summoned and a notice of any motion to be moved at the meeting not less than three days before.

(8) The Master may when **he** thinks fit and **he** shall at the request of the Council, or at the request in writing of not less than eight Fellows, summon a meeting of the Governing Body. Such request by a number of the Fellows shall state the object of the meeting they propose. If the Master do not proceed within fourteen days of such request being made to **him** to summon a meeting of the Governing Body it shall be competent for the Council or for not less than eight Fellows to summon the meeting. In such event not less than fourteen days' notice of the time and object of the meeting and of any motion to be proposed shall be sent to the Master and all the Fellows.

The Master may, and shall at the request of the Council or at the request in writing of not less than eight Fellows, summon a meeting of the Governing Body. Such request by a number of the Fellows shall state the object of the meeting they propose. If the Master do not proceed within fourteen days of such request being made to summon a meeting of the Governing Body it shall be competent for the Council or for not less than eight Fellows to summon the meeting. In such event not less than fourteen days' notice of the time and object of the meeting and of any motion to be proposed shall be sent to the Master and all the Fellows.

(9) At any meeting of the Governing Body any motion whereof due notice has been given may be put to the vote; and the motion, if carried by a majority of the whole Governing Body or by a majority of at least two-thirds of the persons present and voting on the motion, shall, subject to the provisions hereinafter set forth, be binding on the College; and an amendment on any such motion if delivered in writing to the Chairman shall be deemed to be part of such motion and to have been proposed with like notice.

(10) Any resolution of the Governing Body which has been duly carried as hereinbefore provided shall be forthwith communicated by the Chairman to the Council, and if the Council do not within one week (exclusive of any University vacation) of such communication disapprove such resolution as carried by the Governing Body, it shall be binding on the College. If the Council within such week express their dissent from such resolution by a resolution in which the votes of a majority of the whole Council shall have concurred, the question shall not be deemed to have been decided by the vote of the Governing Body, but shall be adjourned till a subsequent meeting of the Governing Body to be held on a day appointed by the Council, being not less than two months nor more than three months (exclusive of any University vacation) after the meeting of the Governing Body at which such resolution was carried. If at this second meeting of the Governing Body the resolution be confirmed by a majority of the whole Governing Body or by a majority of at least two-thirds of those present and voting it shall be forthwith binding on the College; provided always that such resolution shall not contravene any of these Statutes and provided that at all the meetings of the Governing Body at which such resolution has been voted upon at least one-half of the members of the Governing Body have been present.

STATUTE IX

The Council

(1) The affairs of the College shall be administered by a Board to be called the Council, consisting of the Master and twelve Fellows who shall be elected by the Governing Body as hereinafter directed.

(2) Elections to the Council shall be held annually on a day to be appointed by the Council subject to any rules made by the Governing Body under section (4) of Statute VIII. The Council shall give not less than fourteen days' notice thereof.

(3) At each annual election three Fellows shall be elected to hold office for four years, at the expiration of which period they shall retire, but shall be capable of re-election.

(4) Such Fellows shall be elected by those members of the Governing Body present, and the votes shall be given openly by voting papers and may not be accumulated. In the case of an equality of votes for any two or more Fellows, as many of them as shall be required to complete the number to be then elected shall be added to the Council according to their seniority on the roll of Fellows.

(5) Any member of the Council who shall cease to be a Fellow of the College shall at the

same time vacate **his** place on the Council.

The place of any member of the Council who shall cease to be a Fellow of the College, [cut ,] shall thereupon be vacated.

(6) If any member of the Council other than the Master shall be absent from all the meetings of the Council for the whole of one Term, **he** shall at the close of such Term vacate **his** place on the Council.

The place of any member of the Council, other than the Master, who shall be absent from all the meetings of the Council for the whole of one Term shall at the close of such Term be vacated.

(7) Any vacancy occurring by death, resignation or otherwise shall be filled up by the election of a Fellow to hold office for so much as remains of the period for which the person to whose place **he** succeeds was elected.

Any vacancy occurring by death, resignation or otherwise shall be filled up by the election of a Fellow to hold office for so much as remains of the period for which the person whose place was vacated was elected.

(8) The Master shall appoint a day for such an election, giving not less than seven days' notice thereof, or **he** may at **his** discretion postpone the election to such a vacancy until the next annual election; provided that such postponement shall not be for a period of more than one month exclusive of vacations.

The Master shall appoint a day for such an election, giving not less than seven days' notice thereof, or shall have discretion to postpone the election to such a vacancy until the next annual election; provided that such postponement shall not be for a period of more than one month exclusive of vacations.

(9) The rights and duties assigned to the Master and Seniors by any Act of Parliament, Deed of Foundation, or other instrument other than these or any preceding Statutes of the College, shall belong to and be fulfilled by the Council.

(10) The Council shall, subject to the provisions of these Statutes, have the administration of the affairs of the College, and the management of all the property and income thereof. They shall exercise the powers specifically assigned to them by these Statutes and shall have power to make orders for the good government of the College, and for maintaining and improving the discipline and studies of the students thereof.

(11) At their first meeting after the annual election the Council shall in each year elect the Dean or Deans, and on the day after the completion of the annual audit, the Bursars and Steward. But the Council shall have power to change the days of these elections in any year if they think fit.

(12) The Council shall have power, subject to the provisions of these Statutes, to define the duties of the various officers of the College, and to vary such duties from time to time. They may if they think fit combine College offices in the tenure of the same person. They shall prescribe the extent and conditions under which expenditure may be incurred by the Bursars or other administrative officers, and the extent to which control over expenditure generally shall be exercised by the Senior Bursar on their behalf.

(13) The Council may, from time to time, with the consent of not less than nine members present and voting, create any new offices which they may think necessary for the

more efficient management of the affairs of the College, or for the promotion of its interests as a place of education, religion, learning and research, and may assign to the holders thereof such stipends as they may think fit. Such offices may be annulled or the duties of them varied from time to time by the same authority, and the holders of them shall not be entitled to claim any compensation in case of their suppression. The holders of such new offices shall be appointed by the Council and shall be removable by them at pleasure.

(14) The Council shall have power to assign from time to time to the officers of the College such stipends and salaries as they shall think fit. In particular they may provide for a system of increments in stipends after specified periods of service.

(15) The Council shall have power to elect or appoint any representative of the College or to do any act authorised or directed by the Statutes of the University or otherwise to be elected or appointed or to be done by the College.

(16) Meetings of the Council shall be held as often as the Master, or in his the Master's absence the President, shall think fit to summon them. There shall be given (in all cases where it is practicable) at least two days' notice of the meeting, and of the business to be transacted at such meeting. The Master, or in his the Master's absence the President after notice to the Master, shall summon a meeting in Term time as often as any two or more members of the Council shall prefer a request in writing for the same, and within fourteen days after receiving such request.

(17) Any member of the Council may bring forward at any meeting of the Council any motion of which he shall previously have given ten days' notice in writing to the Master, or in his absence to the President, and the Master, or in his absence the President, shall be bound to put such motion to the vote if the member bringing it forward shall so require.

Any member of the Council who has given ten days' notice of a motion in writing to the Master, or in the Master's absence to the President, may bring forward the motion at any meeting of the Council and the Master, or in the Master's absence the President, shall be bound to put such motion to the vote if the member bringing it forward shall so require.

(18) The Master, or in his the Master's absence the President, shall preside at the meetings of the Council. No business shall be transacted at any meeting unless five members at least be present. All questions submitted to the Council shall, except so far as is otherwise provided in these Statutes, be decided by a majority of votes; provided always, that in the transaction of business other than elections, in case of a difference of opinion between the Master or other acting chairman and the majority of the members of the Council present at any meeting, the question as to which such difference may exist shall not be deemed to be decided by such majority, but shall, if the Master or other acting chairman so declare, be adjourned to another meeting, which shall be held within ten days, at which meeting the question so adjourned shall be finally decided by a majority of votes.

(19) The Council shall have power, subject to the provisions of these Statutes, to make rules for the regulation of their own proceedings and to revise or alter such rules from time to time.

STATUTE X

The President

- (1) The President shall be elected by the Governing Body from among the Fellows of the College on a day to be appointed by the Council, who shall determine the day of the entry of the President-elect into office, subject to any rules made by the Governing Body under

Statute VIII(4). The Council shall give not less than fourteen days' notice of the day appointed for the election. The President may be elected for a period not exceeding four years. A casual vacancy in the office of President shall be filled up as soon as conveniently may be, and in any case within three calendar months.

- (2) The President shall attend, under the Master, to the good government of the Fellows, Scholars, Students, Officers, and Servants of the College. The President shall enforce the observance of the Statutes, act as the Master's deputy in case of absence, and perform such other acts as are prescribed by these Statutes, or by any College Order. In the absence of the President the Senior Fellow present who is a member of the Council shall in all cases take the President's place. The President shall not, during Term, be out of residence at the same time as the Master, except for some grave cause to be approved by the Council.
- (3) If the President be appointed Vice-Master, then, for the duration of the tenure of that office, another Fellow of the College shall be elected by the Governing Body to be President instead.

STATUTE XI

The Deans

- (1) The Dean or Deans shall superintend the conduct and behaviour of members of the College *in statu pupillari*, and give effect to such rules and regulations for the celebration of Divine Service in the College Chapel, as may from time to time be made by the Council, and see that all persons conduct themselves decently therein.
- (2) A Dean shall not be absent from College during any period when **he** is **[cut 'he is']** required by these Statutes, or by order of the Council, to be in residence, without appointing a deputy, to be approved by the Master, or in **his** **the Master's** absence by the President.
- (3) The Council may appoint a Chaplain to assist a Dean in that part of **his** duties which does not immediately concern College discipline.

The Council may appoint a Chaplain to assist in that part of a Dean's duties which does not immediately concern College discipline.

STATUTE XII

The Bursars

- (1) The Bursars shall have the care of the property of the College, receive all rents and moneys due to the College, and make such payments, under the orders of the Council, as may be due from the College; they shall superintend the buildings, offices, rooms, courts and gardens of the College, and provide, under the orders of the Council, what is necessary for their maintenance and repair. The Senior Bursar shall, so far as possible, take charge of the external affairs of the College and shall exercise supervision over College finances as a whole. The Junior Bursar shall, so far as possible, take charge of the domestic affairs of the College.
- (2) The moneys of the College received by the Bursars, and not required for immediate College purposes, shall be kept by them in some bank or banks, or invested according to the orders of the Council. No loan or temporary or other investment thereof shall be made by them,

unless in conformity with such orders.

STATUTE XIII

The Steward

(1) The Steward shall, under the direction of the Council, superintend the purchase and supply of provisions for the common table, keep the cooks and servants to their duty, make such payments as may be required for such purposes, and receive the sums of money due from the several members of the College whether for commons or other like charges. He The Steward shall receive from the Senior Bursar such moneys, from time to time, as may be necessary to meet such ordinary expenses of the College as are not otherwise provided for.

(2) The Kitchen accounts and statistics shall be kept in such form as may be prescribed by the Statutes or Ordinances of the University. The Kitchen shall bear the cost of the inspection of its accounts and of any report to be made thereon by any body, or firm, appointed by the University.

STATUTE XIV

The Tutors and Lecturers and the Tuition Fund

(1) There shall be such number of Tutors, Lecturers and other persons engaged in the educational work of the College as the Council shall from time to time determine. They shall be appointed by the Council and, subject to Statute LVIII in the case of any person to whom that Statute applies, shall hold office during the pleasure of the Council.

(2) A Tutor or Lecturer or Assistant Lecturer shall be appointed in the first instance for not more than three years. He may be re-appointed thereafter for such periods as the Council may from time to time determine, provided that a Tutor shall not be re-appointed for more than five years at a time, and shall not continue to hold his office beyond twenty years from the date of his first appointment unless he shall again have been expressly appointed to continue in his office by the votes of not less than nine members of the Council; provided that a Lecturer shall not continue to hold his office after reaching the age of sixty-two years unless he shall again have been expressly appointed to continue in his office by the votes of not less than nine members of the Council; and provided that an Assistant Lecturer shall not hold office for a total period exceeding five years, unless the Council expressly decide in his case to extend the total period to seven years.

A Tutor or Lecturer or Assistant Lecturer shall be appointed in the first instance for not more than three years and may be re-appointed thereafter for such periods as the Council may from time to time determine: provided that a Tutor shall not be re-appointed for more than five years at a time, and shall not continue to hold office beyond twenty years from the date of first appointment unless expressly appointed to continue in office by the votes of not less than nine members of the Council; provided that a Lecturer shall not continue to hold office after reaching the age of sixty-two years unless expressly appointed to continue in office by the votes of not less than nine members of the Council; and provided that an Assistant Lecturer shall not hold office for a total period exceeding five years, unless the Council expressly decide to extend the total period to seven years.

(3) No Bachelor, not being a Fellow, and no Undergraduate member of the College, shall be without a Tutor.

(4) The Council shall from time to time review and determine the amount of the Tuition Fees to be paid by the several students of the College. Such Fees shall be paid into a fund to be called the Tuition Fund. The Council shall similarly from time to time review and determine the stipends of Tutors, Lecturers, Assistant Lecturers and other persons engaged in the educational work of the College, which stipends shall be paid out of the Tuition Fund. The Council shall have power to pay into the Tuition Fund from general revenues or other sources such sums as they may from time to time direct.

(5) The Council shall have power to make payments from Corporate Revenue for special teaching, or research, undertaken by members of the College.

(6) The moneys payable into the Tuition Fund shall be collected, and the account of this Fund shall be kept, by such officer or officers as the Council may appoint.

STATUTE XV

Retiring Age

- (1) The Master shall retire on the last day of August of the tenth year in office.
- (2) The President shall retire on reaching the age of sixty-seven years, but may be re-elected by the Governing Body, provided that a President shall not hold office after reaching the age of seventy years.
- (3) A Bursar, a Steward, or other administrative officer shall retire on reaching the age of sixty-seven years, but may be re-elected to office by the votes of not less than nine members of the Council, exclusive of such officer if a member thereof, for periods not exceeding three years in all, provided that the officer shall retire after reaching the age of seventy years.
- (4) A Tutor, a Dean, a Lecturer, or other educational officer of the College, shall retire on reaching the age of sixty-seven years.
- (5) The actual retirement of any person under this Statute other than the Master shall take effect not later than the first day of October following the date at which the specified age has been reached.
- (6) The provisions of this Statute shall not apply to a Vice-Master.

STATUTE XVI

The Fellows

- (1) It shall be an obligation on the Fellows to promote the advancement of education, learning and research so far as opportunity is afforded to them.
- (2) Every Fellow holding **his** a Fellowship under these Statutes shall hold it under Title described in one of the following Statutes:

That is to say under Title A as described in Statute XVIII, or under Title B as described in Statute XIX, or under Title C as described in Statute XX, or under Title D as described in Statute XXI, or under Title E as described in Statute XXII.

STATUTE XVII

Election and Admission of Fellows

(1) The Fellows of the College shall be elected by the Council, who shall determine a day for the entry of each Fellow elect into **his** the Fellowship.

[Section (2) repealed]

(3) In all elections save those of Fellows under Title E, for which special provision is made in Statute XXII, that person shall be held to be elected who has received the majority of the votes of those present and voting; provided such majority consist of not less than seven.

(4) Fellows who enter into their Fellowships on the same day shall take rank on the Roll of Fellows according to the seniority of their degrees.

(5) A Fellow shall be admitted on the earliest convenient day after entry into **his** Fellowship.

Fellows shall be admitted on the earliest convenient day after entry into their Fellowships.

(6) Every Fellow previously to **his** admission shall make and sign the following declaration:

Every Fellow before admission shall make and sign the following declaration:

I, A.B., elected Fellow of the College of St John the Evangelist do hereby promise that I will loyally observe the Statutes and good customs of the College, and in all things endeavour to the utmost of my power to promote the peace, honour and well being of the College as a place of education, religion, learning and research.'

(7) After this declaration **he** shall be admitted by the Master, or in **his** absence by the President, and shall enter upon the full emoluments of **his** Fellowship.

After this declaration the Fellow shall be admitted by the Master, or in the Master's absence by the President, and shall enter upon the full emoluments of the Fellowship.

STATUTE XVIII

Tenure of Fellowships under Title A

(1) The Council shall in each year hold a meeting for the election of Fellows under Title A, whose duty it shall be to devote themselves to the advancement of learning and research. They shall elect such number as they think fit.

The Council shall make regulations determining the conditions of candidature for Fellowships under Title A, and may alter such regulations.

(2) The annual meeting for the election of Fellows under Title A shall take place on a day to be appointed by the Council.

(3) The intellectual qualifications of the candidates, and their proficiency and promise in any branch or branches of learning, shall be ascertained in such mode as the Council shall determine, and the electors before choosing the candidates to be elected shall severally make

the following declaration:

'I do solemnly declare that I will vote for the persons who are, in my judgment, the most fit to be Fellows of the College, as a place of education, religion, learning and research'.

(4) Subject to the conditions specified in the following paragraph of this section, every Fellow holding **his** Fellowship under this Statute shall vacate **his** Fellowship on the first day of October in the calendar year next but two after that in which **he** was elected, unless **he** shall have been permitted to retain **his** Fellowship for a further period under section (5) of this Statute.

Subject to the conditions specified in the following paragraph of this section, every Fellow holding a Fellowship under this Statute, unless permitted to retain it for a further period under section (5) of this Statute, shall vacate it on the first day of October in the calendar year next but two after that in which the Fellow was elected.

During the first year of **his** tenure **he** shall hold **his** Fellowship without condition of residence or research and thereafter on condition that **he** resides within the University unless excused by the Council and devotes **himself** to research or to a course of study as a preparation for research to the satisfaction of the Council unless excused by the Council for grave cause.

During the first year of tenure the Fellowship shall be held without condition of residence or research and thereafter on condition of residence within the University, unless excused by the Council, and of devotion to research or to a course of study as a preparation for research to the satisfaction of the Council, unless excused by the Council for grave cause.

(5) At any time within one year before the expiration of the tenure of a Fellow under section (4) of this Statute the Council may, by a resolution in which a majority of the members present and voting, such majority consisting of not less than seven persons (exclusive of such Fellow if **he** be a member thereof), shall have concurred, permit **him** to retain **his** Fellowship for a further period of not more than three years, if they be satisfied that such extension of tenure is desirable in the interests of education, religion, learning, and research.

At any time within one year before the expiration of the tenure of a Fellow under section (4) of this Statute the Council may, by a resolution in which a majority of the members present and voting, such majority consisting of not less than seven persons (exclusive of such Fellow if a member thereof), shall have concurred, permit a continuation of tenure for a further period of not more than three years, if they be satisfied that such extension of tenure is desirable in the interests of education, religion, learning, and research.

(6) At any time within the tenure of a Fellow under section (5) of this Statute, the Council may, by a resolution in which the votes of at least nine members of the Council (exclusive of such Fellow if **he** be a member thereof) shall have concurred, permit **him** to retain **his** Fellowship for a further period not exceeding five years from the date at which the tenure of **his** Fellowship would expire, if they be satisfied that such extension of tenure is desirable in the interests of education, religion, learning, and research. Such permission may be renewed from time to time by the same authority, and in the same manner, for periods of not more than five years at any one time.

At any time within the tenure of a Fellow under section (5) of this Statute, the Council may, by a resolution in which the votes of at least nine members of the Council (exclusive of such Fellow if a member thereof) shall have concurred, permit a continuation of tenure for a further period not exceeding five years from the date at which it would otherwise expire, if they be satisfied that such extension of tenure is desirable in the interests of education, religion, learning, and research. Such permission may be renewed from time to time by the

same authority, and in the same manner, for periods of not more than five years at any one time.

(7) As a condition of the tenure of **his** Fellowship under section (5) or (6) of this Statute, a Fellow shall reside within the University unless excused by the Council and shall devote **himself** to research to the satisfaction of the Council unless excused by the Council for grave cause; and the Council may require of **him** that **he** shall perform within the College such duties of teaching or such other duties as they may prescribe.

A Fellowship under section (5) or (6) of this Statute shall be held on condition of residence within the University, unless excused by the Council, and of devotion to research to the satisfaction of the Council, unless excused by the Council for grave cause; and on condition to perform within the College such duties of teaching or such other duties as the Council may prescribe.

(8) The Council may assign to a Fellow holding **his** Fellowship under this Statute such stipend, and may make to **him** such other payments, as they may determine. They may also make regulations governing the stipends of, or other payments to, Fellows holding their Fellowships under this Statute and may amend such regulations.

The Council may assign to a Fellow under Title A such stipend, and may make to the Fellow such other payments, as they may determine. They may also make regulations governing the stipends of, or other payments to, Fellows under Title A and may amend such regulations.

(9) The Council shall have power to make a special grant to meet expenses incurred by a Fellow holding **his** Fellowship under this Statute and arising from the nature of **his** research or the place in which **he** is pursuing it.

The Council shall have power to make a special grant to meet expenses incurred by a Fellow under Title A and arising from the nature of the Fellow's research or the place in which it is pursued.

STATUTE XIX

Tenure of Fellowships under Title B

(1) The Governing Body shall have the power to determine from time to time with what College Offices a Fellowship under Title B may be associated and these offices shall be called qualifying College Offices.

Unless and until the Governing Body shall otherwise determine, the offices of Vice-Master, President, Dean, Tutor, Lecturer, Assistant Lecturer, Bursar or Steward of the College shall be qualifying College Offices and the Council shall have the power to elect to a Fellowship under this Statute any person holding one or more of these offices.

A Fellow under Title A elected to a College Office shall retain **his** Fellowship under that Title unless **he** shall be elected to a Fellowship under Title B.

A Fellow under Title A elected to a College Office shall remain a Fellow under that Title unless elected to a Fellowship under Title B.

The Council may require of any Fellow under Title B that **he** shall pursue such duties of teaching or research within the College as they may prescribe.

The Council may require that any Fellow under Title B shall pursue such duties of teaching or

research within the College as they may prescribe.

(2) A Fellow under Title B shall not vacate his Fellowship by reason of lapse of time so long as he continues to hold one of the offices enumerated above. He shall however vacate his Fellowship on ceasing to hold such office; provided:

A Fellowship under Title B shall not be vacated by reason of lapse of time so long as the Fellow continues to hold one of the offices enumerated above. It shall however be vacated on the Fellow on ceasing to hold such office; provided:

(a) That it shall be in the power of the Council to continue his Fellowship for one year after vacation of such office, and

That it shall be in the power of the Council to continue the Fellowship for one year after vacation of such office, and

(b) That he shall retain his Fellowship if he shall actually accept and hold some other of the above qualifying offices or be re-elected to his previous office within a time not later than the end of the next succeeding Term.

That the Fellowship shall continue if the Fellow shall actually accept and hold some other of the above qualifying offices or be re-elected to the previous office within a time not later than the end of the next succeeding Term.

(3) The Council shall also have the power to elect to a Fellowship under Title B for a period not exceeding five years in the first instance any person holding the appointment of University Lecturer or University Assistant Lecturer or other post which the University may place in the same category. They shall also have power to re-elect such Fellow for further periods, not exceeding five years at any one time.

The Council may require of any such Fellow, as a condition of the tenure of his Fellowship, that he shall reside in the University during such parts of each academic year as they shall determine and that he shall perform such duties of teaching or research within the College as they may prescribe, provided these are not in excess of the amount permitted by the tenure of his University post, and they may provide that his Fellowship shall lapse should he cease to hold his University appointment.

The Council may require as a condition of the tenure of any such Fellowship, that the Fellow shall reside in the University during such parts of each academic year as they shall determine and shall perform such duties of teaching or research within the College as they may prescribe, provided these are not in excess of the amount permitted by the tenure of the University post, and they may provide that the Fellowship shall lapse should the Fellow cease to hold a University appointment.

(4) The Council shall have power to elect to Fellowships under Title B men persons of exceptional distinction, to whom, as a condition of their tenure, they may assign special functions of research or teaching; such Fellowships to be tenable only so long as the special conditions are complied with.

(5) The Council shall have power to assign to a Fellow holding his a Fellowship under this Statute and primarily engaged in research or teaching within the College such stipend, and to make to him make the Fellow such other payments, as they may from time to time determine, and as a condition of entitlement to such stipend and payments they may require him the Fellow to perform such duties of research or teaching within the College and to reside during such parts of each academic year as they may from time to time prescribe.

STATUTE XX

Tenure of Fellowships under Title C

(1) Fellows to have tenure under Title C shall be elected by the Council under the procedure prescribed in Statute XVII for the election of Fellows. They shall be elected from amongst persons holding a Professorship in the University or other such University Office as may be specified by the Council for the purpose of this Statute. Any Fellow of the College elected to a Professorship or other specified University Office shall thereupon have the option, without re-election, to become a Fellow under Title C.

(2) The Council may impose such conditions of tenure of a Fellowship under Title C as they in each case determine, and may vary such conditions from time to time. Such conditions may include the holding of a College office or the undertaking of duties for the College, provided always that the holding of such office or the undertaking of such duties shall not conflict with the requirements of any University Statute binding on the Fellow. Fellows under Title C shall comply with any conditions of tenure imposed under this section, and subject to such compliance, shall hold their Fellowships so long as they hold the University Office with which such Fellowships are associated.

(3) Section (2) of this Statute shall not apply in respect of any Fellow under Title C who held their Fellowships before that section came into operation, and any such Fellow shall hold their Fellowships so long as they hold the University Office with which such Fellowships are associated.

Section (2) of this Statute shall not apply in respect of Fellows under Title C who held their Fellowships before that section came into operation, and such Fellows shall hold their Fellowships so long as they hold the University Office with which such Fellowships are associated.

STATUTE XXI

Tenure of Fellowships under Title D

(1) A Fellow under Title D shall have tenure of his Fellowship for life.

The tenure of a Fellowship under Title D shall be for life.

(2) The Master on vacating his office by resignation or by retirement under Statute XV, shall, without election, become a Fellow under Title D.

The Master, on vacating office by resignation or by retirement under Statute XV, shall, without election, become a Fellow under Title D.

(3) A Fellow who has attained the age of sixty years and who whilst a Fellow of the College has held one or more of the qualifying College Offices specified in or determined under Section (1) of Statute XIX for a period or periods amounting in all to not less than twenty years shall have the option, without re-election, to become a Fellow under Title D and shall continue to have that option so long as he holds a Fellowship under any other Title.

A Fellow who has attained the age of sixty years and who whilst a Fellow of the

College has held one or more of the qualifying College Offices specified in or determined under Section (1) of Statute XIX for a period or periods amounting in all to not less than twenty years shall have the option, without re-election, to become a Fellow under Title D. That option shall continue so long as the person concerned holds a Fellowship under any other Title.

(4) It shall be within the power of the Council to elect to a Fellowship under Title D any Fellow who has held his Fellowship for twenty years, including his tenure if any as a Fellow under Title A under Section (6) of Statute XVIII but excluding his tenure if any under Sections (4) and (5) of that Statute.

It shall be within the power of the Council to elect to a Fellowship under Title D any Fellow who has held a Fellowship for twenty years, including any tenure as a Fellow under Title A under Section (6) of Statute XVIII but excluding any tenure under Sections (4) and (5) of that Statute.

STATUTE XXII

Tenure of Fellowships under Title E

(1) The Council may, by a resolution in which the votes of not less than nine persons shall have concurred, elect to a Fellowship under Title E:

(a) any person who, through resignation or otherwise has ceased to be a Fellow under Title B before the age of retirement has been reached;

(b) any person who has vacated a Fellowship, other than a Fellowship under Title B, either by resignation or by reason of non-fulfilment of the conditions imposed upon him by the College at the time of his election or because his tenure has expired; or

any person who has vacated a Fellowship, other than a Fellowship under Title B, either by resignation or by reason of non-fulfilment of the conditions imposed by the College at the time of election or because the period of tenure has expired; or

(c) any other person whom it shall appear to the Council to be in the interests of the College to elect as a Fellow.

(2) The tenure of a Fellow so elected shall be for such period and subject to such conditions as the Council shall in each case determine.

(3) The Council shall have power to assign to a Fellow holding his a Fellowship under this Statute and primarily engaged in research or teaching within the College such stipend, and to make to him [cut 'to him'] such other payments, as they may from time to time determine, and as a condition of entitlement to such stipend and payments they may require him the Fellow to perform such duties of research or teaching within the College and to reside during such parts of each academic year as they may from time to time prescribe.

(4) The Council shall have power to assign to a Fellow holding a Fellowship under this Statute and primarily engaged in research or teaching within the College such stipend, and to make such other payments, as they may from time to time determine, and as a condition of entitlement to such stipend and payments they may require the Fellow to perform such duties of research or teaching within the College and to reside during such parts of each academic year as they may from time to time prescribe.

STATUTE XXIII

Honorary Fellows

- (1) The Council may, at a meeting to be held for that purpose, and by a resolution in which not less than nine votes shall have concurred, elect to an Honorary Fellowship any person distinguished for learning or public service.
- (2) The Council may by a like vote terminate the tenure of an Honorary Fellowship.
- (3) An Honorary Fellow shall not be a member of the Governing Body, or possess any voice or authority in the College, but **he** [cut 'he'] may enjoy such other privileges and advantages as the Council may from time to time determine.
- (4) An Honorary Fellow shall not be a member of the Governing Body, or possess any voice or authority in the College, but may enjoy such other privileges and advantages as the Council may from time to time determine.

STATUTE XXIV

General provisions with regard to Fellows other than Honorary Fellows

- (1) Every Fellow, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible.
- (2) The Fellowship of any Fellow not proceeding to such degree in due course (unless prevented by illness, or other grave cause to be approved by the Council) shall be forfeited.
- (3) The admission of a Fellow to a superior degree, or the transfer of a Fellow from one Title to another, shall not affect the order of seniority on the Roll of Fellows.
- (4) The Fellowship of a Fellow of the College who becomes Master or Fellow, other than Honorary Fellow, of any other College, shall be vacated.
- (5) All Fellows of the College shall, if in residence, be entitled to rooms and commons, or to such pecuniary allowances in lieu thereof as the Council shall from time to time determine.
- (6) All Fellows shall register with such officer as the Council shall appoint a place of address to which all notices intended for them are to be sent; and in all cases in which by these Statutes notice is required to be given to any Fellow, it shall be sufficient that the notice be sent by post or otherwise to this address.

STATUTE XXV

Power of Removal of Fellows

- (1) If any Fellow shall be convicted by a court of competent jurisdiction of any crime, of whatsoever nature or description, the Master may summon a meeting of the Council exclusive of such Fellow, if a member of the Council. The Council may, if they think fit, proceed to inquire into the case, and, if the fact of such conviction be established, may deprive such Fellow of

his Fellowship and expel **him** from the College.

If any Fellow shall be convicted by a court of competent jurisdiction of any crime, of whatsoever nature or description, the Master may summon a meeting of the Council exclusive of such Fellow, if a member of the Council. The Council may, if they think fit, proceed to inquire into the case, and, if the fact of such conviction be established, may subject such Fellow to deprivation of Fellowship and expulsion from the College.

(2) If any three Fellows of the College shall prefer before the Master against any Fellow a charge of disgraceful conduct, rendering **him** unfit to be a Fellow of the College, the Master shall with all convenient speed summon a meeting of the Council other than the accused and the Fellows preferring such charge, if themselves members of the Council. The Council shall proceed to inquire into the case, and, if the charge be proved, may deprive the Fellow so offending of **his** Fellowship and expel **him** from the College.

If any three Fellows of the College shall prefer before the Master against any Fellow a charge of disgraceful conduct, rendering the Fellow unfit to be a Fellow of the College, the Master shall with all convenient speed summon a meeting of the Council other than the accused and the Fellows preferring such charge, if themselves members of the Council. The Council shall proceed to inquire into the case, and, if the charge be proved, may subject such Fellow to deprivation of Fellowship and expulsion from the College.

(3) If the Master shall in any case think it proper to cause an inquiry to be instituted as to whether or not the conduct of any Fellow has been disgraceful and such as to render **him** unfit to be a Fellow of the College, **he** may summon a meeting of the Council other than the Fellow whose conduct is to be inquired into, if a member of the Council. The Council shall proceed to investigate the case, and, if such disgraceful conduct be proved, may deprive the offending Fellow of **his** Fellowship and expel **him** from the College.

If the Master shall in any case think it proper to cause an inquiry to be instituted as to whether or not the conduct of any Fellow has been disgraceful and such as to render the Fellow unfit to be a Fellow of the College, the Master may summon a meeting of the Council other than the Fellow whose conduct is to be inquired into, if a member of the Council. The Council shall proceed to investigate the case, and, if such disgraceful conduct be proved, may subject the offending Fellow to deprivation of Fellowship and expulsion from the College.

(4) If any Fellow of the College shall pertinaciously disturb the concord or discipline of the College, or shall wilfully violate or neglect to comply with any of the Statutes of the College for the time being, it shall be the duty of the Council, on proof of such misconduct, to admonish such Fellow, and if, notwithstanding such admonition, such Fellow shall contumaciously persist in such misconduct, it shall be competent for the Council (other than the Fellow whose conduct is impugned, if a member of the Council) to suspend such Fellow from the enjoyment of the benefits and advantages of **his** Fellowship for such time as they shall think fit or to deprive **him** altogether of **his** Fellowship.

If any Fellow of the College shall pertinaciously disturb the concord or discipline of the College, or shall wilfully violate or neglect to comply with any of the Statutes of the College for the time being, it shall be the duty of the Council, on proof of such misconduct, to admonish such Fellow, and if, notwithstanding such admonition, such Fellow shall contumaciously persist in such misconduct, it shall be competent for the Council (other than the Fellow whose conduct is impugned, if a member of the Council) to subject such Fellow to suspension from the enjoyment of the benefits and advantages of Fellowship for such time as they shall think fit or to deprivation of Fellowship.

(5) No sentence of expulsion, suspension or deprivation shall be passed without the

concurrence of at least nine members of the Council.

(6) Any sentence of expulsion, suspension or deprivation shall be liable to be reversed by the Visitor of the College, on appeal being made to **him**, or to be varied by **him** at **his** discretion.

Any sentence of expulsion, suspension or deprivation shall be liable to be reversed on appeal by the Visitor of the College, or to be varied as the Visitor may see fit.

STATUTE XXVI

The Pension Fund

(1) (a) The College may participate in the Universities Superannuation Scheme (hereinafter called the U.S.S.).

(b) 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 entitled to remain in that System.

(c) The Council 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.

(2) The Pension Fund shall consist of all sums of money and investments standing to the credit of the Fund at the time when these Statutes come into operation and of all sums of money paid to its credit from all sources.

(3) The income of the Fund shall be employed for the following purposes:

(a) In payment of pensions authorised under the provisions of previous Statutes.

(b) In payments to Insurance Companies of proportional annual contributions on behalf of regular members of the College Staff under the Federated Superannuation System for Universities or in payments to such other insurance scheme as may be sanctioned by the Statutes of the University.

(c) In payment of special grants or pensions to members of the College Staff on their retirement if exceptional circumstances are deemed to make such payment desirable.

(4) Subject to the provisions of the Statutes of the University the Council may from time to time prescribe the members of the College Staff in respect of whom contributions shall be payable from the Pension Fund under Clause (3)(b) of this Statute and the items in their emoluments to be taken into account in calculating the amount of the contributions.

(5) All income of the Fund not applied in the above manner shall be invested from time to time in augmentation of the capital of the Fund.

(6) The Council shall have the power to prepare a scheme under which payments may be made to approved Insurance Companies or to other insurance schemes in respect of the past services of existing members of the College Staff who elect to be governed by these Statutes: Provided that before such scheme shall become operative it shall be subject to confirmation by a meeting of the Governing Body specially summoned for the purpose under Statute VIII.

STATUTE XXVII

Presentation to Benefices

- (1) When a benefice in the patronage of the College becomes vacant, the Council and such of the Fellows or other persons, if any, as may have been appointed by the Council to take part in the election, shall proceed to elect a suitable person for presentation to the vacant benefice.
- (2) In such election they shall have regard to the Master and Fellows, former Fellows of the College, present and former Officers and former Scholars of the College, but it shall not be necessary to elect any of these persons, and none of them shall have any claim to presentation on the ground of seniority or any other ground.

STATUTE XXVIII

Advowson Fund

The money arising from the sale of any Advowsons which may from time to time be sold by the College shall be carried to a Fund to be called the Advowson Fund. The moneys constituting this Fund shall be invested from time to time and the income shall be applied at the discretion of the Council for any one or more of the following purposes, that is to say,

- (a) For any purpose connected with the repair of the College Chapel and the maintenance and celebration of Divine Service therein,
- (b) For the benefit of any benefices or parishes in which the College is interested either as patron of the benefice or as owner of lands or of tithe rent-charge in the parish.

STATUTE XXIX

The Scholars and Exhibitioners

- (1) The Scholars and Exhibitioners of the College shall be elected by the Council upon such conditions of candidature as the Council shall from time to time determine by order.
- (2) They shall be chosen with special reference to their learning, ability and moral character from students of the College or from such other persons as the Council shall think fit.

[Section (3) repealed]

- (4) A person who is elected to a Scholarship or Exhibition, if not already a member of the College, shall forthwith take steps to become a member but shall receive no emolument until **he** has commenced residence in the University.

A person who is elected to a Scholarship or Exhibition, if not already a member of the College, shall forthwith take steps to become a member but shall receive no emolument before commencing residence in the University.

- (5) Scholars elect shall be formally admitted to their Scholarships as soon as conveniently may be after their election, provided that no person shall be so admitted before **he** has commenced residence.

Scholars elect shall be formally admitted to their Scholarships as soon as conveniently may be after their election, provided that no person shall be so admitted before commencing residence.

Each Scholar elect shall before admission make and sign a declaration as follows:

'I, A.B., elected Scholar of the College of St. John the Evangelist, do solemnly promise that I will submit myself cheerfully to the discipline of the College, and obey its orders, according to the Statutes. So far as in me lies, I will endeavour, by diligence and innocency of life, to promote the peace, honour and well-being of the College, as a place of education, religion and learning.'

After this declaration **he** shall be admitted by the Master, or in **his** absence by the President, and shall enter upon the emolument of **his** Scholarship.

After this declaration the Scholar elect shall be admitted by the Master or, in the absence of the Master, the President, and shall enter upon the emolument of the Scholarship.

(6) Save in the case of Scholars or Exhibitioners whose tenure is regulated by any special Statute or trust, Scholarships and Exhibitions shall be tenable for such periods and under such conditions as the Council shall determine by order.

(7) A Scholar or Exhibitioner shall vacate **his** Scholarship or Exhibition upon admission to a Fellowship in the College or to a Scholarship, Exhibition or Fellowship in any other College.

A Scholarship or Exhibition shall be vacated upon admission of the holder to a Fellowship in the College or to a Scholarship, Exhibition or Fellowship in any other College.

(8) The tenure of every Scholarship or Exhibition and the payment of any emolument assigned to it shall at all times be contingent upon residence, good conduct, and application to study, in accordance with orders made by the Council from time to time.

The Council may if they think fit suspend a Scholar or an Exhibitioner from the enjoyment of **his** emolument or reduce the value of **his** Scholarship or Exhibition or deprive **him** of **his** Scholarship or Exhibition, but they shall not suspend or deprive a Scholar or Exhibitioner except by a resolution in which not less than nine votes shall have concurred.

A Scholar or an Exhibitioner may, if the Council think fit, be deprived of the Scholarship or Exhibition, or suspended from the enjoyment of its emolument, or suffer a reduction in, but the Council shall not suspend or deprive a Scholar or Exhibitioner except by a resolution in which not less than nine votes shall have concurred.

[STATUTE XXX repealed]

STATUTE XXXI

Emoluments and privileges of Scholars, Exhibitioners, and other persons in statu pupillari

(1) Scholars and Exhibitioners shall be granted such emoluments and privileges as the Council shall from time to time determine by order.

[Section (2) repealed]

(3) There shall be a Scholarship and Exhibition Fund from which the emoluments of Scholars and Exhibitioners shall be paid, and into which shall be paid in each year from General Revenue, or other sources, such sums as are prescribed by these Statutes and, subject to the terms of any Statute or trust, such income of existing funds for Scholarships and Exhibitions, and of other funds, as the Council may direct.

(4) The Council may award Prizes for success in any examination or competition of the College or University.

(5) In cases of individual need, as determined by or on behalf of the Council, but not otherwise, the Council may authorise payments additional to **his** **their** emoluments, if any, or award sizarships, to any **[cut 'any']** members of the College *in statu pupillari* either from the General Revenue of the College, or from any Trust Fund or Funds available for the purpose, or in the case of Scholars or Exhibitioners from the Scholarship and Exhibition Fund if there is surplus income in that Fund after payment of the emoluments of Scholars and Exhibitioners.

[STATUTE XXXII repealed]

STATUTE XXXIII

Scholarships and Exhibitions limited by way of preference to certain Schools

(1) This Statute shall replace the Statutes and trusts set out in Schedule A appended to this Statute.

(2) There shall be Scholarships and Exhibitions on the several Foundations set out in Schedule A appended to this Statute, limited in the case of each Foundation by way of preference to the school or schools annexed to the name of that Foundation in the Schedule.

(3) The conditions of tenure and number of such Scholarships and Exhibitions, and the emoluments and means of election of the Scholars and Exhibitioners, shall be determined by the Council from time to time by order, provided that such emoluments shall in no case be less than those determined for open Scholars and Exhibitioners for the time being under the authority of Statute XXXI.

(4) In cases of individual need, as determined by or on behalf of the Council, but not otherwise, the Council may authorise payments in addition to **his** **[cut 'his']** **their** emoluments to **a** **[cut 'a']** Scholars or Exhibitioners on any of the Foundations from the income of that Foundation.

(5) Any part of the income of any of the Foundations not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council either be invested and added to the capital of the Foundation or paid into the Scholarship and Exhibition Fund, provided that in any year when the income of the Scholarship and Exhibition Fund exceeds the expenditure of that Fund the surplus income of any of the Foundations may be applied for the general educational purposes of the College.

SCHEDULE A

<i>Name of Foundation</i>	<i>Instrument and Date</i>	<i>School</i>
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Statute approved:		
Mr Spalding's Foundation	6 April 1858	Bury St Edmund's School
Marquess of Exeter's Exhibition	6 July 1859	Stamford School
Marquess of Salisbury's Exhibition	6 July 1859	Westminster School
Dr John Dowman's Exhibitions	6 July 1859	Pocklington School
Shrewsbury Exhibition	22 February 1860	Shrewsbury School
Duchess of Somerset's Exhibitions	1 August 1860	Hereford School
Duchess of Somerset's Exhibitions	16 April 1861	Marlborough, Hereford and Manchester Schools
Mr Baker's Foundation	16 April 1861	Durham School
Mr Munstevan's Foundation	16 April 1861	Peterborough and Oundle Schools
Dr Newcome's Foundation	16 April 1861	Grantham School
Mr Robin's Foundation	16 April 1861	Sutton Valance School
Lupton and Hebblethwaite Exhibitions	11 May 1895	Sedbergh School
Archdeacon Johnson's Exhibitions And Exhibition Fund	30 April 1926, as amended in 1955, 1957 and 1967	Oakham and Uppingham Schools
Will dated:		
Robert Studley Vidal's Scholarships	11 November 1841	Exeter School
William Patchett's Scholarships	10 September 1912	Manchester School

STATUTE XXXIV

Studentships

- (1) The Council shall have power to establish Studentships in the College for the encouragement of study and research in any branch of learning.
- (2) The number of such Studentships shall be fixed from time to time at the discretion of the Council.
- (3) The funds shall be provided from such sources and the Studentships shall be awarded and held on such conditions and be of such value as the Council shall in each case determine.

STATUTE XXXV

Naden Divinity Studentships

- (1) There shall be one or more Naden Divinity Studentships, the object of which shall be to promote the study of Divinity.

(2) The number of these Studentships and the emoluments of each Student shall be determined from time to time by the Council.

(3) A Student at the time of **his** [cut 'his'] election shall have entered on **his** a ninth term at least having previously kept by residence eight terms or shall have been admitted to the title of the degree of Bachelor of Arts or of Law not being of sufficient standing to be admitted to the degree of Master of Arts or Master of Law.

(4) A Student shall be elected for one year in the first instance: **his** the tenure may be extended for a second year and in special cases for a third year.

(5) Subject to the provisions of these Statutes a Studentship shall be tenable with a Scholarship or Exhibition in the College.

(6) Admission to a Fellowship at any College shall vacate a Studentship.

(7) The unexpended income, if any, accruing from the endowment of the Reverend Thomas Naden may be employed by the Council in such ways as they may think best calculated to promote the study of Divinity in the College and any balance remaining thereafter may be applied in such ways as may be authorised under Section (4) of Statute LIII.

STATUTE XXXVI

Admission to the College and Entrance Examination

[Section (1) repealed]

(2) No person *in statu pupillari* shall be permitted to come into residence until **he** has satisfied such conditions of admission to the University as are prescribed by the University and such other conditions as the Council may see fit to impose.

No person *in statu pupillari* shall be permitted to come into residence who has not satisfied such conditions of admission to the University as are prescribed by the University and such other conditions as the Council may see fit to impose.

STATUTE XXXVII

Discipline of the College

(1) All persons *in statu pupillari* shall show due reverence and obedience to the Master, the Fellows, and the Officers of the College: they shall conduct themselves in a quiet and orderly manner, shall observe the Statutes, and shall conform to all such orders and regulations as may be made by the Council from time to time for the good government of the College. If any such person (not being a Fellow of the College) shall not observe the Statutes or the orders and regulations above referred to, or shall be guilty of any offence contrary to discipline and good order, or tending to bring scandal upon the College, **he** shall be punished by the Master, or in **his** absence by the President, or by a Dean or Tutor acting on their behalf respectively, in such manner (short of removal from the College) as the offence may appear to deserve. The penalty of temporary or final removal from the College, or, in the case of a Scholar, of deprivation of **his** Scholarship or temporary forfeiture of the emoluments and amenities thereof, may be inflicted by the Council.

All persons *in statu pupillari* shall show due reverence and obedience to the Master, the Fellows, and the Officers of the College: they shall conduct themselves in a quiet and orderly manner, shall observe the Statutes, and shall conform to all such orders and regulations as may be made by the Council from time to time for the good government of the College. Any such person (not being a Fellow of the College) who shall not observe the Statutes or the orders and regulations above referred to, or who shall be guilty of any offence contrary to discipline and good order, or tending to bring scandal upon the College, shall be punished by the Master, or in the absence of the Master by the President, or by a Dean or Tutor acting on their behalf respectively, in such manner (short of removal from the College) as the offence may appear to deserve. The penalty of temporary or final removal from the College, or, in the case of a Scholar, of deprivation of Scholarship or temporary forfeiture of the emoluments and amenities thereof, may be inflicted by the Council.

(2) In order to maintain due discipline within the College, the President, Deans and Tutors or such other College Officers as the Council may from time to time determine shall be in residence during such portion of each Term and of the Long Vacation as the Council shall determine, and shall hold office only so long as they shall so reside, except where such residence shall, in the opinion of the Council, have been prevented by sickness or other inevitable cause.

(3) The Council shall make such provision as may from time to time seem to them expedient for the residence of College Officers, or Fellows acting as their deputies, during vacations.

(4) Every College Officer or Fellow who is fulfilling the duty of residence under this Statute shall sleep in College so many nights in each Term or Long Vacation as the Council may determine. Provided always that a house communicating with the College and approved by the Council shall, for the purposes of this section, be deemed to be within the College.

STATUTE XXXVIII

Religious Worship and Instruction

(1) The Council shall, subject to the provisions of The Universities Tests Act 1871, make provision for the celebration of Divine Service in the College Chapel according to the liturgy of the Church of England.

(2) The Council may, if they think fit, provide stipends from the revenues of the College for persons who may be appointed to carry out the provisions of the fifth section of The Universities Tests Act 1871 regarding religious instruction.

STATUTE XXXIX

Contribution to the University

There shall be paid in each year by the College to the University such sum as is by the Statutes of the University authorised to be levied from the College; provided that so much of the sum so to be paid as shall be levied in respect of any Trust or other Fund shall be charged to the income of such Trust or separate Fund, unless the Council shall in any case otherwise determine.

STATUTE XL

Annual Statement of Accounts

- (1) The Council shall determine a day, consistent with the Statutes of the University, on which the College shall close its accounts in each year.
- (2) Each financial officer of the College shall make, or cause to be made, an annual statement or summary of all moneys received by **him** and also a statement or summary of all payments and expenses incurred by **him**; and in making or causing to be made such statements or summaries **he** shall not be required to give a separate entry and description of every particular sum of money so received and paid by **him**, but only such abstract of the receipts and payments so made arranged in such manner as the Council may deem necessary and sufficient.

Each financial officer of the College shall make, or cause to be made, in relation to receipts and payments by the officer, an annual statement or summary of all moneys received and also a statement or summary of all payments and expenses incurred; and in making or causing to be made such statements or summaries it shall not be necessary to give a separate entry and description of every particular sum of money so received and paid, but only such abstract of the receipts and payments so made arranged in such manner as the Council may deem necessary and sufficient.
- (3) Any Fellow of the College shall be entitled 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 annually to the Treasurer of the University by the Senior Bursar at the time appointed by the Statutes of the University.
- (5) This return shall be in the form prescribed by the University and the Senior Bursar shall be entitled to call on the other financial officers of the College for assistance in its preparation.

STATUTE XLI

The Auditor and the Audit

- (1) All accounts of the College shall be audited every year. For this purpose the Council shall appoint as Auditor a professional Accountant or Actuary, not being a member of the Governing Body, and shall pay to **him** **the Auditor** such remuneration as they shall determine. They may also appoint two or more Fellows as an Audit Committee, to whom they may assign such reasonable remuneration as they think fit.
- (2) The Auditor shall examine and verify all the said accounts and the vouchers thereof and shall ascertain the balance of each account and compare these balances with the balances as shown in the books of the College bankers.
- (3) The Auditor shall pass the several accounts by signing the same or shall state in writing to the Council **his** **the** reasons for not passing the accounts, or any of them. **He** **[cut ' He']**, and 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 as are required to be sent to the Treasurer of the University.
- (4) The Audit Committee shall be entitled to examine the several accounts and to consult with

the Auditor; they shall report to the Governing Body on matters of general policy in relation to the accounts as they shall see fit.

(5) A meeting of the Governing Body shall be called as soon as may be convenient in the Michaelmas Term, at least fourteen days' notice of such meeting being given after the commencement of Term. Not less than three days before this meeting the Senior Bursar shall circulate copies of the accounts, summarised as aforesaid, to all members of the Governing Body in residence.

(6) At this meeting the financial officers shall present their accounts with such observations thereon as they may deem necessary and the reports of the Auditor and the Audit Committee shall be submitted.

STATUTE XLII

Payment of Stipends and other Emoluments

(1) If any person shall be Master, Fellow, or Officer of the College for part only of the year, **he** shall be entitled to such proportionate part of **his** emoluments as the Council may determine.

Any person who shall be Master, Fellow, or Officer of the College for part only of the year, shall be entitled to such proportionate part of the emoluments of office as the Council may determine.

(2) All stipends and other emoluments shall be liable to income tax in the hands of the recipients and no allowance shall be made to any person in respect of income tax on **his** such emoluments.

STATUTE XLIII

Interpretation

In the interpretation of these Statutes:

(1) The term 'Council' shall mean the Council of the College as constituted by these Statutes.

(2) For meetings held for the purpose of making alterations in these Statutes, in accordance with Statute XLVII, the Governing Body shall consist of the Master and all actual Fellows being graduates, as required by Section 2 of the Schedule of the Universities of Oxford and Cambridge Act 1923.

(3) The terms 'Master or Fellow of any other College' or 'Fellow of any other College' shall extend so as to mean the Head or Fellow of any College in the University of Cambridge or the University of Oxford, or a Senior Student of Christ Church, but shall not include Honorary Fellows of any College in the University of Cambridge or the University of Oxford.

[Section (4) repealed]

(5) The term 'Emolument' shall include the Mastership and any Fellowship, Studentship, or other place in the College having attached thereto an income payable out of the revenues of the College.

(6) The Council may define from time to time what constitutes 'Residence' for the purpose of these Statutes.

(7) In these Statutes and in any order or regulation made under them words of the masculine gender shall import the feminine unless this interpretation is excluded expressly or by necessary implication or, in the case of trust funds, by the instrument governing the trust.

[Cut]

STATUTE XLIV

Date of commencement of these Statutes and repeal of former Statutes

- (1) These Statutes shall take effect on and after the first day of August 1926.
- (2) From and after that date none of the Statutes of the College in force before that time shall be of any force or effect, save and except in so far as the former Statutes in force immediately before that time or any of them relate to the interests and conditions of tenure of emoluments of persons who held emoluments in the College on the twenty-sixth day of January 1924, and who shall not have elected to be placed under the operation of these Statutes.
- (3) The repeal of such former Statutes shall not be taken to revive the provisions of any previously existing Statutes, deed of foundation or other instrument, which were repealed or regulated by the said former Statutes.

[Section (4) repealed]

[STATUTE XLV repealed]

STATUTE XLVI

Provision in case of change in the value of money

No alteration in the specific sums mentioned in these Statutes shall be made in consequence of any change in the value of money or for any other reason except by Statute made in accordance with the provisions of Section 7, Sub-section (2) of the Universities of Oxford and Cambridge Act 1923.

STATUTE XLVII

Alterations of Statutes

- (1) Meetings of the Governing Body for the purpose of making alterations in these Statutes, in accordance with the provisions of Section 7, Sub-section (2) of the Universities of Oxford and Cambridge Act 1923, shall be summoned in the same way and be subject to the same regulations as meetings of the Governing Body under Statute VIII, except that the provisions of Section (10) of that Statute shall not apply to such meetings.
- (2) If at any such meeting a Statute for the alteration of these Statutes, or any of them, shall be duly approved by the votes of not less than two-thirds of the persons present and voting the Council shall sanction the affixing of the College Seal to an instrument making such Statute.

STATUTE XLVIII

The Muniments of the College

The Letters Patent of the Foundation of the College, and all Muniments, Court Rolls, Rent Rolls, and other documents of the College, shall be kept in some secure place under conditions approved by the Council. None of these writings shall be removed or shewn, except by order of the Council. An exact record of the document removed shall be preserved in a register kept for the purpose.

STATUTE XLIX

The Common Seal

- (1) The Common Seal shall be kept in some secure place, in a chest fastened with three locks, the keys of which shall be severally kept by the Master and two Officers of the College, to be nominated from time to time by the Council.
- (2) If any of them leave the College, **he** shall deposit **his** key with a Deputy, and no one of the three shall have two keys in **his** keeping at the same time.

The key in the keeping of any of them who leaves the College shall be deposited by its keeper with a Deputy, and no one of the three shall have in keeping two keys at the same time.

- (3) (a) The Common Seal shall not be affixed to any writing or document which shall not previously have received the sanction of the Council.

(b) The Council may at any time, if they think it expedient, suspend for such period as they shall direct and in respect of such class or classes of writings or documents as they shall specify the provision contained in the preceding paragraph of this Section. Any writing or document to which the Common Seal is affixed during any such period of suspension shall be reported at the meeting of the Council next after the date at which the seal is so affixed.
- (4) The Common Seal shall not be affixed to any writing or document unless the Master (or in **his** **the Master's** absence the President or the Senior Bursar) be present together with at least four Fellows: provided that one of the persons present shall be a member of the Council. Nor shall it be affixed unless the majority of those present shall first have signified their consent, the number consenting being in no case less than five.

STATUTE L

Construction of the Statutes

If any question shall arise in regard to the construction of these Statutes, or any of them, it shall be decided by the Council, subject to any right of appeal to the Visitor to which any person affected by such decision may be legally entitled.

STATUTE LI

The Visitor

- (1) The Visitor of the College shall be, as heretofore, the Bishop of Ely.
- (2) 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 person to whom Statute LVIII applies which concerns that person's appointment or employment or the termination of that person's appointment or employment; or
 - (b) to disallow or annul any Order of the Council made under or having effect for the purpose of Statute LVIII.

STATUTE LII

Power to accept Endowments with special conditions

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 regulations shall derogate from any obligation imposed on the College by the Statutes of the University.

STATUTE LIII

Investment and Application of Capital Moneys and of Surplus Income of Trust Funds

- (1) The Council shall have power to purchase, retain, sell or transfer on behalf of the College 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, and may also apply moneys to any purpose to which capital moneys arising under the Universities and College Estates Acts, 1925 and 1964, may be applied.
- (2) In relation to the management, development, improvement, sale, lease, mortgage or other disposition of any land, or any estate or interest therein held by the College, or to the acquisition of any land or any estate or interest therein, the College Council may exercise any power and may carry out any transaction which an individual, holding or acquiring such land, estate or interest for **his** the individual's own benefit could exercise or carry out.
- (3) Any money (not being rent) payable as consideration on a sale or exchange of land effected by the College under this Statute shall be capital money.
- (4) The powers conferred by this Statute shall extend to all endowments, land, securities, property or other funds of the College and of any specific trust for purposes connected with the College of which the College is trustee provided that such powers shall not extend to the funds of a specific trust constituted after 10th February 1967.
- (5) (a) Any surplus income of a trust fund may at the discretion of the Council be applied as income in any subsequent year or be invested and added to the capital of the fund or be applied for the general educational purposes of the College.

(b) In the foregoing paragraph 'surplus 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).

(c) This section shall apply to each of the trusts, endowments, foundations, gifts and schemes set out in Schedule A appended to this Statute.

SCHEDULE A

The Endowment of the Reverend Thomas Naden (1712)

Mrs Ann Frey's Hebrew Studentship Fund (1844)

The Rogerson Scholarship Fund (1881)

The Hutchinson Studentship Fund (1884)

The Denney Studentship Fund (1918)

The Hamlet Horace Mayor Scholarship Fund (1936)

The Mullinger Scholarship Fund (1917)

The Henry Arthur Thomas Scholarship Fund (1943)

The Barrow Exhibition Fund (1881)

The Nunn Exhibition Fund (1964)

The Benians Fund (1953)

The Bonney Fund (1924)

The Chivers Fund (1956)

The Diver Fund (1947)

The Graves Fund (1921)

The Harper Wood Fund (1947)

The Hockin Fund (1883)

The Humphreys Fund (1919)

The Hutton Fund (1931)

The Kirkness Fund (1950)

The Larmor Fund (1942)

The Northcott Fund (1965)

The Samuel Nunn Fund (1936)

The Ernest Taylor Fund (1957)

[STATUTE LIV repealed]

STATUTE LV

The McMahon Law Studentship Fund

- (1) The Fund shall be devoted as heretofore to the provision of one or more Studentships known as McMahon Law Studentships.
- (2) A candidate for election to such a Studentship shall be a member of the College who shall *bona fide* intend to prepare **himself** [cut 'himself'] for practice in the profession of the Law.
- (3) The Council shall have power to make from time to time regulations governing the administration of the Fund, the emoluments and length of tenure of a Studentship, the time and method of award and such other matters as they may deem expedient; provided that no such regulation is inconsistent with the provisions of this Statute.
- (4) This Statute shall apply, in lieu of the Scheme appended to an Indenture dated the seventh day of December 1864 made between Thomas Bros Esquire Master of Arts of the one part and the College of the other part, to the residue of the estate of James McMahon of the Inner Temple Barrister-at-Law who died on the thirteenth day of December 1861, which residue was appropriated by his Executor the said Thomas Bros to the foundation of Scholarships in the College in accordance with the terms of his will and codicils.

STATUTE LVI

The Baylis Scholarship Fund

- (1) The Fund shall be devoted to the provision of one or more Scholarships known as Philip Baylis Scholarships to be awarded for the encouragement of study in Mathematics.
- (2) If in any year the net income of the Fund exceeds the amount required for the emoluments of the Scholars, the surplus may be applied for the provision of Studentships or otherwise for the advancement of the study of Mathematics.
- (3) The Council shall have power to make from time to time regulations respecting the qualifications of candidates, their emoluments and tenure, the time and method of award and such other regulations for the administration of the Fund as they may deem expedient; provided that none of these regulations is inconsistent with the provisions of this Statute.
- (4) This Statute shall apply in lieu of the Trusts contained respectively in the wills of Philip Baylis who died on the seventh day of June 1907 and of his sister Charlotte Elizabeth Baylis who died on the first day of April 1916 to the funds bequeathed to the College under those wills.

STATUTE LVII

The Nunn Exhibition Fund

- (1) The Fund shall consist of the investments transferred to the Master Fellows and Scholars of the College under the Deed of Gift dated the fourteenth day of October 1920 and any additions thereto and the College shall either permit the same to remain as invested or shall realise the same or any part thereof and invest the net money arising therefrom in the name of the said Master Fellows and Scholars of the College in any of the investments for the time being authorised by law or by the Statutes of the College for the time being in force for the investment of trust funds with power for the College to vary or transpose such investments into or for others. The said investments and any for the time being representing the same are

hereafter referred to as 'the Fund'.

(2) The Fund shall be called the 'Nunn Exhibition Fund' in memory of the six members of the Founder's family who have been educated at St John's College.

(3) The said Master, Fellows and Scholars of the College shall hold the Fund upon trust for the application of the income thereof subject as hereinafter mentioned in perpetuity for the promotion and encouragement of Education at the College in manner hereinafter appearing.

(4) The income of the Fund shall be applied by the Master and Council in establishing and maintaining one or more Nunn Exhibitions (hereinafter called 'the Exhibitions') at the College to be from time to time awarded by the Master and Council of the College as follows:

(a) No person otherwise eligible shall be debarred from an Exhibition by reason of age.

(b) No person shall be eligible for an Exhibition unless **he** evidences **his** intention (to the satisfaction of the Master and Council) to direct and pursue **his** studies with a view to passing the Classical or Theological Tripos or such other examination as may be instituted by the University of Cambridge to replace the same.

In order to be eligible for an Exhibition a person shall evidence the intention (to the satisfaction of the Master and Council) to study with a view to passing the Classical or Theological Tripos or such other examination as may be instituted by the University of Cambridge to replace the same.

(c) As far as possible preference shall from time to time be given to such candidates for an Exhibition as in the opinion of the Master and Council stand in need of financial assistance to enable them to obtain a University education.

(d) The standard of attainment required shall be such as in the judgment of the Master and Council will be sufficient to enable the candidate receiving an Exhibition after going through the University course to pass with credit either the Classical or Theological Tripos or any examination for the time being established by the University in place of the same, but they shall not necessarily demand such a standard as will render it probable that **he** **the candidate** will attain a First Class in such examinations.

(e) The Founder desires that regard should be had rather to the moral character and financial position of the candidate and to **his** capacity to benefit from a University education than to **his** scholastic attainments at the time of **his** candidature for an Exhibition.

The Founder desires that regard should be had rather to the candidate's moral character, financial position and capacity to benefit from a University education than to the candidate's scholastic attainments at the time of candidature for an Exhibition.

(f) The Master and Council shall from time to time elect such a person to an Exhibition as in their opinion shall be qualified and suitable having regard to the terms and conditions of these presents and shall be most meritorious. The right of selection shall be vested in the Master and Council, and their decision shall not be questioned on any ground.

(g) The person elected to an Exhibition shall (unless **he** resign or vacate it, or be removed therefrom by death, or by the Master and Council in consequence of bad conduct or lack of diligence, or for any other cause which in the uncontrolled opinion of the Master and Council shall render **him** unfit or unsuitable to continue holding an Exhibition) be entitled to hold an Exhibition for one year but it shall be renewable for a further year or years provided

that it shall not be tenable beyond the end of the fifteenth term after the end of **his** first term of residence.

The person elected to an Exhibition shall (unless resigning or vacating it, or being removed therefrom by death, or by the Master and Council in consequence of bad conduct or lack of diligence, or for any other cause which in the uncontrolled opinion of the Master and Council shall render the person unfit or unsuitable to continue holding an Exhibition) be entitled to hold an Exhibition for one year but it shall be renewable for a further year or years provided that it shall not be tenable beyond the end of the fifteenth term after the end of the Exhibitioner's first term of residence.

(h) There shall be such number of Nunn Exhibitions and of such value as the Council shall from time to time determine.

(i) An Exhibition may be held in conjunction with any other Scholarship or Exhibition at the absolute discretion of the Master and Council.

(5) This Statute shall apply in lieu of the Trusts contained in the aforementioned Deed of Gift dated the fourteenth day of October 1920 and executed by the Reverend H.P.V. Nunn in favour of the College.

STATUTE LVIII

Academic Staff

Part I Construction Application and Interpretation

(1) This Statute and any Order 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.

(2) No provision in this Statute 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) (a) This Statute shall apply:

(i) any person holding a full-time qualifying College Office under Section (1) of Statute XIX or other full-time office designated for the purpose by the Council;

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

(iii) to the Master, to the extent and in the manner set out in Part VII.

(b) In this Statute any reference to "academic staff" is a reference to persons to whom this Statute applies.

(4) (a) For the purposes of this Statute, "dismiss" and "dismissal" refer to academic staff and:

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

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

(b) For the purposes of this Statute, "good cause" in relation to the dismissal or removal of a member of the academic staff, 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:

(i) conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or for employment as a member of the academic staff; or

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

(iii) 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

(iv) physical or mental incapacity established under Part IV.

(c) In this Section:

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

(ii) "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 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 person concerned worked; or

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

(6) (a) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute 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 Order, and the provisions of any Order made under this Statute shall prevail over those of any Order 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 Statutes in force before that date.

(b) 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 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.

(c) Nothing in any other Statute shall enable the Council to delegate their power to reach a decision under Sub-section (b) of Section (10).

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

(e) In this Statute references to numbered Parts and Sections and Sub-sections are references to Parts and Sections and Sub-sections so numbered in this Statute.

(7) (a) 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 are considering their decision or discussing a point of procedure, except as provided by this Statute or by any Order made under this Statute.

(b) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is **himself** [cut 'himself'] involved in the matter in question, the Council may appoint an alternate to act in **his** place [cut 'in his place'] **instead** under procedures prescribed by Order made under this Statute.

Part II Redundancy

(8) This Part enables the appropriate body to dismiss any member of the academic staff by reason of redundancy.

(9) (a) 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) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to any person save for one:

(i) **his** appointment is made, or **his** contract of employment is entered into, on or after the twentieth day of November 1987; or

whose appointment is made, or contract of employment entered into, on or after the twentieth day of November 1987; or

(ii) **he** is promoted on or after that date.

who is promoted on or after that date.

(b) 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 twentieth 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) (a) The Council shall be the appropriate body for the purposes of this Part.

(b) This Section applies where the Council have decided that there should be a reduction in the academic staff:

(i) of the College as a whole; or

(ii) of any area of academic work within the

College, by way of redundancy.

(11) (a) Where the Council have reached a decision under Sub-section (b) of Section (10) they may themselves 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 they shall appoint a Redundancy Committee to be constituted in accordance with Sub-section (c) to give effect to their decision by such date as they may specify and for that purpose:

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

(ii) to report their recommendations to the Council.

(b) The Council shall either approve any selection recommended under Sub-section (a), or shall remit it to the Redundancy Committee for further consideration in accordance with their further directions.

(c) A Redundancy Committee appointed by the Council shall comprise:

(i) a Chairman;

(ii) two Fellows not being members of the academic staff; and

(iii) two members of the academic staff.

(d) A member of the academic staff shall not be selected for dismissal under this section unless **he** has been afforded a reasonable opportunity to make representations to the Council.

A member of the academic staff shall not be selected for dismissal under this section without having been afforded a reasonable opportunity to make representations to the Council.

(12) (a) Where the Council have made a selection they may authorise an officer of the College as their delegate to dismiss any member of the academic staff so selected.

(b) Each member of the academic staff selected shall be given separate notice of the selection approved by the Council.

(c) Each separate notice shall sufficiently identify the circumstances which have satisfied the Council that the intended dismissal is reasonable and in particular shall include:

(i) a summary of the action taken by the Council under this Part;

(ii) an account of the selection procedure used;

(iii) 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 instituted under Part V; and

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

Part III Discipline, Dismissal and Removal from Office

(13) (a) If it appears to the Master that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, **he** shall inquire into the matter. If the Master concludes after investigation that the person concerned is or has been at fault, **he** may issue an oral warning to the person concerned. The Master shall specify the reason for the warning, shall indicate that it constitutes the first stage of the College's disciplinary procedure, and shall advise the person concerned that **he** may appeal against the warning under Sub-section (d).

If it appears to the Master that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, the Master shall inquire into the matter. If the Master concludes after investigation that the person concerned is or has been at fault, the Master may issue an oral warning to the person concerned, specifying the reason for the warning, indicating that it constitutes the first stage of the College's disciplinary procedure, and advising the person concerned of the right of appeal against the warning under Sub-section (d).

(b) If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, **he** may issue a written warning to the person concerned. Such a warning shall specify the complaint made against the person concerned, the improvements required in **his** conduct or performance, and the period of time within which such improvements are to be made. The Master shall advise the person concerned that **he** may appeal against the warning under Sub-section (d), 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 Committee.

If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, the Master may issue a written warning to the person concerned specifying the complaint made against the person concerned, the improvements in conduct or performance required, and the period of time within which such improvements are to be made. The Master shall advise the person concerned of the right of appeal against the warning under Sub-section (d), 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 Committee.

(c) The Master shall keep a written record of any warning issued under Sub-section (a) or Sub-section (b). 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.

(d) 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 Council shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded.

(14) (a) If there has been no satisfactory improvement following a written warning given under 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 charges to be heard by a Disciplinary Committee appointed under Section (15) may be made to the Master.

(b) In order to deal fairly with any complaint brought to his attention under Sub-section (a), the Master shall institute such enquiries (if any) as appear to him to be necessary.

In order to deal fairly with any complaint under Sub-section (a), the Master shall institute such enquiries (if any) as appear necessary.

(c) 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 could constitute good cause for dismissal, he the Master shall write to the person concerned inviting comment in writing and may, if he the Master considers that the College might otherwise suffer significant harm, suspend the person concerned from the performance of his [cut 'his'] duties without loss of emolument.

(d) As soon as may be following the comments (if any) the Master shall consider the matter in the light of all the available evidence and may dismiss the matter summarily, or issue an oral or written warning to the person concerned, or determine that the matter be considered by a Disciplinary Committee appointed under Section (15).

(15) If the Master has determined that the matter should be considered by a Disciplinary Committee, the Council shall at his the Master's request appoint such a Committee to hear the charge or charges, to determine whether the conduct or performance of the person concerned constitutes good cause for dismissal or otherwise constitutes serious misconduct relating to his the appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings. Pending the consideration of such recommendations, the Master, after consulting the Council, may suspend the person charged from the performance of his [cut 'his'] duties without loss of emolument.

(16) A Disciplinary Committee shall consist of three persons selected by the Council from a panel of not less than seven Fellows appointed annually by the Council. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Council shall exclude the person charged, any person responsible for originating the charge (whether by making a complaint to the Master or otherwise), and any person who has been involved at an earlier stage in considering the charge or charges.

(17) (a) When a Disciplinary Committee have been appointed, the Council shall instruct a suitable person to formulate the charge or charges and to present, or arrange for the presentation of, the charges before the Disciplinary Committee.

(b) It shall be the duty of the person formulating the charge or charges:

(i) to forward the charge or charges to the Committee and to the person charged, 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

(ii) 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 Orders made under this Statute. Such Orders 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 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 to represent **him** are entitled to be present;

that a charge shall not be determined without an oral hearing at which the person charged and any representative 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 person charged shall be allowed an adjournment sufficient to allow **him** [cut 'him'] time to consider and respond to the new evidence; and

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

(19) (a) The Disciplinary Committee shall send their decision on any charge referred to them (together with their findings of fact and the reasons for their decision regarding that charge and their recommendation, 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.

(b) The Disciplinary Committee shall draw attention to the period of time within which an appeal may be made by ensuring that a copy of Part V accompanies the copy of their decision sent to the person charged.

(20) (a) Where the charge or charges are upheld and the Disciplinary Committee find that the conduct of the person concerned constitutes good cause and recommend dismissal or removal from office, but in no other case, the Master, after consulting the Council, shall decide whether or not to dismiss the person concerned.

(b) In any case where the charge or charges are upheld, other than where the Master has decided under Sub-section (a) to dismiss the person concerned, the action available to the Master, after consulting the Council (not comprising a greater penalty than that recommended by the Disciplinary Committee), shall be:

(i) to discuss the issues raised with the person concerned; or

(ii) to advise the person concerned about **his** [cut 'his'] future conduct; or

(iii) to warn the person concerned; or

(iv) to suspend the person concerned for such period as the Master shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Council shall have considered the Disciplinary Committee's decision; or

(v) to take such further or other action under the contract of employment or terms of appointment of the person concerned as appears fair and reasonable in all the circumstances of the case; or

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

(21) (a) Any reference in Section (20) to the Master shall include a reference to an officer

acting as **his** the Master's delegate.

(b) Any action taken by the appropriate officer Master or **his** the Master's delegate shall be confirmed in writing.

Part IV Removal for Incapacity on Medical Grounds

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

(b) In this Part:

(i) references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality; and

(ii) references to the appropriate officer are references to the Master or an officer acting as **his** the Master's delegate; and

(iii) references to a 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) (a) Where it appears that the removal of a member of the academic staff on medical grounds should be considered, the appropriate officer may proceed under Part III and otherwise:

(i) shall inform the member accordingly; and

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

(iii) may suspend the person concerned from the performance of **his** [~~cut 'his'~~] duties without loss of emolument.

(b) If the member agrees that **his** [~~cut 'his'~~] removal on those grounds should be considered the College shall meet the reasonable costs of any medical opinion required.

(c) If the member does not agree the appropriate officer shall refer the case in confidence, with any relevant medical and other evidence (including any such evidence submitted by the member), to a Medical Committee comprising one person nominated by the Council; one person nominated by the person concerned or, in default of the latter nomination, by the Master; and a medically qualified chairman jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

(d) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Committee shall be prescribed by Orders made under this Section. Such Order shall ensure:

(i) 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 Medical Committee;

- (ii) that a case shall not be determined without an oral hearing at which the member's representative, but not the member **himself** [cut 'himself'], is entitled to be present;
- (iii) that witnesses may be called and questioned concerning any relevant evidence; and
- (iv) that the case is heard and determined as expeditiously as is reasonably practicable.
- (e) The Medical Committee may require the member concerned to undergo medical examination at the College's expense.

(24) If the Medical Committee determine that the member concerned should be required to retire on medical grounds, the appropriate officer, after consulting the Council, 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) (a) This Part applies to appeal against or arising from:

- (i) any decision of the Council (or of a delegate of the Council) to dismiss in the exercise of their powers under Part II;
- (ii) any proceedings, or any decision reached, under Part III other than disciplinary warnings under Section (13);
- (iii) any decision to dismiss otherwise than in pursuance of Part II or Part III;
- (iv) any decision to impose a disciplinary penalty otherwise than in pursuance of Part III;
- (v) any decision reached under Part IV; and
- (vi) any proceedings, or any decision reached, under Part VII, including any decision reached in pursuance of Section (44);

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

(b) No appeal shall however lie against:

- (i) a decision of the Council under Sub-section (b) of Section (10);
- (ii) any findings of fact made by 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;
- (iii) any medical finding by a Medical Committee set up under Sub-section (c) of Section (23), save where, with the consent of the person appointed, fresh evidence is called on behalf of the appellant at that hearing.

(c) In this Part references to "the person appointed" are references to the person appointed by the Council under Section (29) to hear and determine the relevant appeal.

(d) The parties to an appeal shall be the appellant and the Master and any other person

added as a party at the direction of the person appointed.

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

(28) (a) 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 (c).

(b) The Master shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that **he** has done so.

The Master shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that that has been done.

(c) Where the notice of appeal was served on the Master outside the twenty-eight day period the person appointed shall not permit the appeal to proceed unless **he** considers that justice and fairness so require in the circumstances of the case.

Where the notice of appeal was served on the Master outside the twenty-eight day period the appeal shall not be permitted to proceed unless the person appointed considers that justice and fairness so require in the circumstances of the case.

(29) (a) Where an appeal is instituted under this Part the Council shall appoint a person prescribed by Order made under this Section to hear and determine that appeal.

(b) The persons who may be prescribed by Order made under this Section are:

(i) the person who is the Visitor; and

(ii) persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.

(c) The person appointed shall sit alone unless **he** considers that justice and fairness will best be served by sitting with two other persons.

The person appointed shall sit alone unless of the view that justice and fairness will best be served by sitting with two other persons.

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

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

(ii) one other member.

(30) (a) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be set out in Orders made under this Section.

(b) Without prejudice to the generality of the foregoing, such Order shall ensure:

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

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

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

(iii) 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

(iv) 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.

(c) 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:

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

(ii) remit an appeal from a decision under Part III for re-hearing or reconsideration by the same or by a differently constituted Disciplinary Committee to be appointed under that Part; or

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

(iv) 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

(v) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Disciplinary Committee which heard and determined the original charge.

(31) The person appointed shall send the reasoned decision, including any decision reached by the person or persons hearing the appeal in exercise of the powers under paragraphs (i), (ii), (iii) or (iv) of Sub-section (c) of Section (30) on any appeal together with any findings of fact different from those of the Council under Part II or of the Disciplinary Committee under Part III or of the Medical Committee under Part IV, as the case may be, to the Master and to the parties to the appeal.

Part VI Grievance Procedures

(32) The aim of this Part is to settle or redress individual grievances promptly, fairly, and, so far as may be, 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) (a) If other remedies within the College have been exhausted the member of the academic staff may raise the matter with the Master.

(b) If it appears to the Master that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, **he** may dismiss it summarily, or take no action upon it. If it so appears to the Master **he** shall inform the person concerned.

If it appears to the Master that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, the Master may dismiss it summarily, or take no action upon it and shall inform the person concerned accordingly.

(c) 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):

(i) a complaint under Part III;

(ii) a determination under Part IV; or

(iii) an appeal under Part V;

he the Master shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and **he** [cut 'he'] shall notify the person concerned and the Council accordingly.

(d) If the Master does not reject the complaint under Sub-section (b) or if **he** does not defer action upon it under Sub-section (c) **he** shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for **him** to seek to dispose of it informally. If **he** so decides **he** shall notify the person concerned and proceed accordingly.

If the Master does not reject the complaint under Sub-section (b) or does not defer action upon it under Sub-section (c), the Master shall decide whether it would be appropriate, having regard to the interests of justice and fairness, to seek to dispose of it informally and shall notify the person concerned and proceed accordingly.

(35) If the grievance has not been disposed of informally under Sub-section (d) of Section (34), the Master shall refer the matter to a Grievance Committee for consideration.

(36) A Grievance Committee to be appointed by the Council shall comprise three Fellows appointed annually by the Council.

(37) The procedure in connection with the consideration and determination of grievances shall be prescribed by Orders 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 Grievance Committee shall inform the Council whether the grievance is or is not well- found and if it is well-found the Grievance Committee shall make such proposals for the redress of the grievance as they see fit.

Part VII Removal of the Master from Office

(39) Any three Fellows may make a complaint to the President seeking the removal of the Master from office for good cause.

(40) The President shall refer such a complaint to the Council, exclusive of the Master and the Fellows making the complaint. If it appears to the Council that the complaint is not supported by sufficient evidence of good cause for removal from office, they may determine that no further action shall be taken upon it.

(41) If it appears to the Council that the complaint is supported by sufficient evidence of good cause for removal from office, they shall appoint to hear and determine the matter a Tribunal which shall consist of three persons who are not Fellows 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; and

(b) two other persons.

(42) A complaint referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in Sections (17) and (18), provided 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 their decision on the complaint, together with their findings of fact and the reasons for their decision, to the Master and the President. 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 accompanies the notification of their decision sent to the Master.

(44) If the Tribunal find that the complaint constitutes good cause for removal from office, the President, after consulting the Council, may remove the Master from office.

(45) The Master may institute an appeal against the findings of a Tribunal or against removal from office by sending to the President 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 instituted after that date if **he** considers that **[cut 'he considers 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, provided that the President shall perform any duty and exercise any power there assigned to the Master, and references in Sections (30) and (31) to a Disciplinary Committee and to Part III shall be construed as referring respectively to a Tribunal and to this Part.

(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 President shall perform any duty or exercise any power there assigned to the Master.

APPENDIX

SCHEME MADE UNDER THE
UNIVERSITIES AND COLLEGES
(TRUSTS) ACT 1943

Appendix

ST JOHN'S COLLEGE

SCHEME MADE UNDER THE UNIVERSITIES AND COLLEGES (TRUSTS) ACT 1943

(Made by the College 19 May 2005 and approved by Order in Council 9 May 2006)

1. *Application of the Scheme*

This Scheme amends and replaces the Scheme made by the College 22 April 1955 and approved by Order in Council 1 December 1955 ("the Original Scheme") and applies to the trusts to which the Original Scheme applied and to such further trusts as may be included from time to time in accordance with this Scheme, all being trusts administered by the College itself.

2. *Property included in the Scheme: the Fund*

All the property held by the College on the said specified trusts shall be administered by the College as a single Fund. In the general or comprehensive Accounts of the College the Fund shall be identified by the name of The Consolidated Trust Fund or any other distinctive name which the College may from time to time select as suitable.

3. *Yearly Valuation*

There shall be a yearly valuation of the Fund as at 1 July in each year, with power however for the College to substitute from time to time some other yearly date for 1 July. The date 1 July or such substituted date is hereinafter called 'the accounting date'. On each yearly valuation there shall be recorded the total value of the Fund which belongs to each of the specified trusts, the value of the shares of each specified trust, and the value or amount of reserves and provisions. Such yearly valuations shall be made in accordance with the following rules:

(a) Loans and mortgages comprised in the Fund shall (unless for special reason) be included at their face value and deductions in respect of loans and mortgages owing by the Fund shall be made at face value.

(b) Investments quoted on a Stock Exchange shall be revalued every year and shall be included at the mid-market price on the accounting date or if there is no published price on that date the mid-market price on the last day preceding the accounting date for which there is a published price.

(c) Land and any other assets not above mentioned shall be included in the first yearly valuation after acquisition at the price of acquisition. Thereafter such land or other assets need not be actually revalued more than once in every ten years (in the case of land) or once in every five years (in the case of other assets) but shall in years in which they are not actually revalued be brought into the yearly valuation at the respective figures at which they appeared in the preceding years subject to proper adjustment in respect of capital spent on improvements, partial realisation and like matters.

(d) All values and adjustments to values for the purpose of a yearly valuation shall be certified in the case of land by Chartered Surveyors nominated by the College and in the case of Stock Exchange investments and all other assets by the Auditors for the time being of the accounts of the College.

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(e) The proportions in which the Fund is treated as belonging to the separate trusts shall be subject to proper adjustment where necessary in respect of any advance of capital out of or addition of capital to particular trusts.

(f) Reserve funds and provisions and accumulations of interest may be accounted for either as proportionate parts of the total assets or as amounts of money payable thereout according to convenience.

(g) Fractions of £1 may be disregarded or rounded off to the nearest £1.

4. *Distribution of Income*

Subject to the provisions hereinafter contained, and to appropriate adjustments in respect of capital withdrawn from or added to a particular trust between two accounting dates, the net income of the Fund (and of any reserve) shall be allocated to and periodically distributed among the specified trusts in proportion to the shares of the Fund for the time being belonging to such trusts respectively and any income placed to a reserve account shall be treated as belonging to the trusts concerned in the like proportion.

5. *Definition of "income"*

The College shall have power, subject to the provision of this Clause, to determine the meaning of the term "income" for the purpose of this Scheme.

The College shall determine by Order what part of the fair value of the property of the Fund shall be taken to comprise the net income of the Fund having regard to the total return achieved or reasonably to be expected in the long term of the property of the Fund. For the purpose of this Clause, "fair value" shall mean the amount at which an asset could be exchanged in an arms length transaction between informed and willing parties, other than in a forced sale, and "total return" shall mean return in terms of both income, whether received or accrued, and capital gain, whether realised or unrealised.

In the exercise of its power under this Clause,

(a) the College shall have regard to the proper balance to be applied between the present and future needs of the College as a perpetual charitable foundation;

(b) the College shall exercise all reasonable care and skill in the exercise of its judgment;

(c) the College shall obtain and consider advice from a person whom the College believes to be qualified to give it by reason of that person's ability in and experience of investment matters.

6. *Advances of Capital*

In the case of any trust by the terms of which capital is authorised to be advanced, advances by withdrawal of capital from the Fund may be made for any purpose authorised by such terms up to the value of the shares of the Fund for the time being belonging to such trust (or the less amount authorised by the said terms) and for the purpose of any such advance the values of the Fund and of the shares thereof at the date of the advance shall be treated as being those shown in the yearly valuation made as at the accounting date last before the date of the advance except that any addition to or withdrawal from the Fund made since such accounting date shall be taken into

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account and that in any case in which the College shall consider a new valuation to be required in fairness (by reason of recent change of general values or any other special circumstances) the Fund shall be valued as at the date of the advance in the same manner as is prescribed by Clause 3 of this Scheme. The shares of the specified trusts in the Fund shall be readjusted accordingly in the next yearly valuation. The provisions of this Clause shall apply (*mutatis mutandis*) in the same way to the withdrawal for any trust of money representing income belonging to such trust which may have been accumulated or left by way of addition to the Fund.

7. *Reserve Account*

The College in its discretion may at or for any time or times when it shall consider such a course to be prudent and advisable retain and invest and place to a reserve account (for the purpose of eliminating or reducing fluctuations of income) such part or parts of the net income of the Fund (and of any reserve) as it may think expedient. And the College in its discretion may at any time or times resort to and realise and apply any such reserve or any part or parts thereof for supplementing the actual income derived from the Fund by the Trusts concerned.

8. *Provision against Capital Depreciation or Reduction of Income on changes of Investment*

The College in its discretion may at any time or times when it shall consider such a course prudent and advisable withhold from allocation to and distribution among the trusts concerned and retain in and invest as part of the capital of the Fund (as a provision against capital depreciation or reduction of income on changes of investment) such part or parts of the net income of the Fund as it shall think expedient.

9. *Unexpended Income of Trusts*

If the income of a trust to which this Scheme applies (or shall have been extended to apply) is more than the amount required for the purposes of the trust in that year the surplus not so required may, at the discretion of the College, be applied as income in any subsequent year or be invested and added to the capital of the Fund; and in the latter case the appropriate increase shall be made to the share of that trust in the Fund by reason of such addition in the next yearly valuation.

10. *Reimbursement of Expenses*

The College may retain for itself in or towards reimbursement of the expenses incurred by it in administration of the Fund any yearly sum not exceeding 4 per cent of the gross income for the time being of the Fund (and of any reserve).

11. *Payment of Costs*

All costs of valuation under Clause 3 or Clause 6 or Clause 13 of this Scheme and any other costs or expenses incurred from time to time in connexion with the Fund or in or for the negotiation preparation completion or carrying out of this Scheme (and not otherwise provided for) may be paid out of the capital or income of the Fund and may in the discretion of the College be paid wholly or partly out of income though usually or normally attributable to capital.

12. *Investment*

The Fund (and any reserve) may be invested and the investment thereof may be changed from time to time by the College in its discretion within the following range of investments:

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- (a) Securities (which term includes *inter alia* stocks funds and shares) of any description, whether or not authorised by law for the investment of trust funds.
- (b) All investments or modes of application authorised for capital money by Section 26 of the Universities and College Estates Act 1925 or any statutory modification or re-enactment thereof.
- (c) All other investments or modes of application which the College can lawfully adopt in relation to its corporate capital.

13. *Extension of the Scheme: additions to the Fund*

The College in its discretion may at any time or times extend this Scheme to any trust or trusts administered by or for purposes connected with the College, being trusts created after the coming into operation of the Scheme or excluded from the Scheme for other reasons, unless the terms of the trust expressly provide to the contrary or (in the case of Trusts not administered by the College) the consent of the trustees is withheld, or to any further property or money (or any accumulated income) which may belong to any trust already included in the Scheme but in each case so that no property (other than cash) not authorised as an investment by Clause 12 of this Scheme shall be added to the Fund. And on and for the purpose of any such extension as aforesaid the value of the Fund shall be decided and the shares thereof adjusted in accordance with the principles of Clause 3 of this Scheme.

14. *Commencement date*

This Scheme shall not come into operation until it has been submitted to Her Majesty in Council for approval and has been approved by Order in Council. It shall amend and replace the Original Scheme from the date of such approval.

15. *The College's Power to act and delegate*

The College shall for all the purposes of this Scheme act by the College Council or otherwise as authorised or directed by its Statutes for the time being and shall have full power to delegate any duties or discretions imposed or given hereby.

16. *Holding of Investments*

Any investments comprised in the Fund 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 as nominee for the College and in the latter case the College may out of the income of the Fund remunerate any such nominee.

Appendix