

MURRAY EDWARDS COLLEGE

AMENDMENT OF STATUTES

RESOLUTION

At a meeting of the Governing Body of the President and Fellows of Murray Edwards College ("the College") held on 25 May 2021 and specially summoned for the purpose,

IT WAS RESOLVED THAT WE the Governing Body of Murray Edwards College in pursuance of the power given us by Section 7 of the Universities of Oxford and Cambridge Act 1923 do hereby alter and amend the Statutes of our said College such that:

With effect from the Date of Commencement, as specified in Statute XL, the said Statutes hereby attached to this resolution shall be the Statutes of Murray Edwards College

Subject to such changes as the Privy Council may require and which are agreed by The President and Fellows of Murray Edwards College.

EXPLANATORY NOTES

The changes proposed concern the modernisation of provisions relating to the Fellows and the President of the College, College offices and students, pensions and wider reforms to powers of investment and management, together with governance aspects such as electronic voting in certain circumstances. The opportunity has also been taken to make a few minor corrections.

Removed text is struck through: new text is shown in red: rearranged text is shown in green.

Statute I ("*The Constitution of the College*") is updated to refer to the College's current name of Murray Edwards College, founded as New Hall, in the University of Cambridge, as amended pursuant to a Supplemental Charter granted in June 2011.

Statute III ("*The Governing Body*") is amended to correct a reference to Fellows Emeritae and to clarify that references to days should be instead to "working days". Electronic voting is allowed in particular circumstances at the discretion of the President, subject to safeguards provided with paragraph 8(iii). The Statute confirms that members of the Governing Body are not permitted to appoint another person to act as their proxy.

Statute IV ("*The Council*") also features an amendment to clarify that days are to be read as "working days" and enables meetings of the Council to be called at short notice when appropriate. The voting provisions relating to resolutions of the Council are updated within paragraph 9. In keeping with the amendments to Statute III above, electronic voting is permitted in particular circumstances and members of the Council are not permitted to appoint another person to act as their proxy. The temporary provision within paragraph 10 as to the first election to the Council by the Governing Body has been removed on the basis it is now defunct.

Statute VII ("*Election and Admission of the President*") also clarifies the references to "working days" and the updating of the College's name (see Statute I above).

Statute IX ("*Residence of the President*") is amended to confirm that the Governing Body may vote by email in respect of matters relating to the residence of the President.

Statute XI (*"Retirement or Resignation of the President"*) removes the requirement for the President to retire once they reach the age of 70 years. Instead, the requirements relating to the retirement and resignation of the President are to be specified in Ordinance.

Statute XIII (*"The Vice-President"*) is amended to make provision for the filling of casual vacancies in the office of the Vice-President.

Statute XIV (*"Classes of Fellows"*) updates the name of the College on the lines within Statute I above.

Statute XV (*"Research Fellows"*) is amended to provide greater flexibility in the terms of Research Fellows' appointment. The current minimum and maximum periods of appointment are removed; terms are instead subject to the discretion of the Council.

Statute XVI (*"Official Fellows"*) also contains an amendment on the lines of Statute XV above, such that elections of Official Fellows are not subject to the current minimum and maximum terms of appointment, but to such periods as the Council may in each case specify.

Statute XVIII (*"Supernumerary Fellows"*) contains an amendment removing the preliminary maximum appointment term of five years to instead enable the Council to exercise discretion on the lines of Statutes XV and XVII above.

Statute XIX (*"General Provisions with regard to Fellows..."*) is amended on a similar basis to the preceding amended form of statutes, in that retirement of Fellows is no longer an automatic requirement when they reach the age of sixty seven years, but will instead be dealt with within College Ordinances. Various other aspects of this Statute are also refined and clarified. The proposed amendments to paragraph 7 of Statute XIX concern the deprivation of Fellowships where the Fellow is not a member of the academic staff to whom the provisions in Statute XXXVI and associated Ordinances would apply. It is proposed that the only Fellows to which the procedure in paragraph 7 of Statute XIX will apply will be Fellows Emeritae and Honorary Fellows and their right of appeal to the Visitor in respect of removal will be moved to Ordinance; all other Fellows and officeholders will be covered by more detailed procedures in what will be known as the "Fellowship Ordinances."

Statute XX (*"Fellows Emeritae"*) contains some minor clarifications. Paragraph 2(2) confirms that the term of Fellowship in any case is subject to the terms of Statute XIX.

Statute XXI (*"Honorary Fellows"*) is amended to make provision for electronic voting in certain circumstances and to confirm that the holding of Honorary Fellowship are subject to the terms of Statute XIX.

Statute XXII (*"College offices"*) is amended to clarify which roles are automatically deemed to be College offices and to provide the Council with discretion as to the terms of appointment of College offices on the lines consistent with preceding Statutes. Finally, it is proposed to delete the detailed provisions on the suspension and removal of officers (which currently appear in paragraphs 5 and 6) because relevant provisions dealing with these matters will be set out in the proposed Fellowship Ordinances (which will apply to offices as well as to Fellowships) (please see Statute XXXVII).

Statute XXIII (*"The Tutors"*) is amended to provide the Council with flexibility as to the terms of appointment of Tutors on the same lines as preceding Statutes.

Statute XXIV (*"The Bursar"*) similarly provides the Council with flexibility as to the terms of appointment of the Bursar.

Statute XXV (*"Pensions and superannuation schemes..."*) is amended to simplify the provisions on pensions and superannuation schemes, and make it clear that the College may participate in such pension schemes as the Council may decide as well as USS and FSSU.

Statute XXVII (*"Scholarships and Bursaries"*) is subject to minor amendment to reflect a change of terminology from "Exhibitions" to "Bursaries".

Statute XXIX (*"Studentships"*) is amended to remove the procedure within Statutes relating to discipline of members of the College *in statu pupillari* and to instead enable the Council to make appropriate provision for a procedure within Ordinances in order to provide greater flexibility.

Statute XXX (*"The Tuition Fund"*) is repealed on the basis that it is now defunct.

Statute XXXI (*"Annual Statement of Accounts and Audit"*) updates the language relating to the auditing of the College's accounts.

Statute XXXII (*"Investment and Management"*) is amended in line with the position now adopted by other Colleges to clarify the powers of investment and management and establish an appropriate basis for investment on a total return basis.

Statute XXXV (*"Union or Association of Members of the College in statu pupillari"*) contains minor clarifications of terminology.

Statute XXXVI (renamed as *"Guiding principles for Ordinances made under Statute XXXVII"*) contains substantial amendments to the existing Statute. In line with the position now adopted by many other Colleges and universities, the College proposes to move the detailed provisions relating to dismissal, removal and grievances (which currently appear in Statute XXXVI) from the Statutes to Ordinances. However, the guiding principles (including the protection of academic freedom) will remain set out in Statute XXXVI. It is not proposed to use the term "academic staff" in the new Statutes or in the Ordinances which will set out the dismissal, removal and grievance procedures (to be known as "the Fellowship Ordinances"). The "the Fellowship Ordinances" will apply to the President and all Fellows (except Fellows Emeritae and Honorary Fellows) and offices, and therefore apply to a wider range of Fellows and offices than the current Academic Staff Statute (please see Statute XXXVII).

The new Statute XXXVII (*"Other provisions with regard to the President and Fellows..."*) provides that the Council shall make provision in Ordinances for procedures relating to the President, Fellows and College offices, pursuant to the amendments to Statute XXXVI above.

Statute XXXVIII (as renumbered) (*"Construction of the Statutes"*) is updated to reflect current legislation, in that the Higher Education Act 2004 supersedes the Education Reform Act 1988.

Statute XL (as renumbered) (*"Date of Commencement of these Statutes"*) is amended to confirm that the amended Statutes shall come into force on the 1st of the month following the formal approval of the Statutes and to confirm the transitional position of Fellows under the revised Statutes.

STATUTE I - The Constitution of the College

The corporate body of the College shall consist of the President and Fellows and its corporate title shall be "The President and Fellows of **Murray Edwards College, founded as New Hall**, in the University of Cambridge".

STATUTE III - The Governing Body

1. Subject to the provisions of Statute XXXVIII the Governing Body shall consist of the President and all the Fellows of the College other than ~~Emeritus~~ Fellows **Emeritae** or Honorary Fellows.
2. The Governing Body shall have 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 nine of their number in the manner prescribed in Statute IV to be members of the Council.
4. A meeting of the Governing Body shall be summoned at least once in each Term. One meeting of the Governing Body in each academical year shall be the Audit Meeting held in accordance with Statute XXXI.
5. (i) Meetings of the Governing Body shall be summoned by the President, who shall cause a notice of the meeting to be sent to every Fellow not less than ~~seven~~ **five** clear **working** days before the day for which the meeting is summoned.

(ii) The President may, when she¹ thinks fit, and she shall at the request of the Council or at the request in writing of not less than six Fellows, summon a meeting of the Governing Body. Such a request shall state the object of the proposed meeting. If the President, upon receiving such a request, does not within ~~fourteen~~ **ten clear working** days summon a meeting of the Governing Body to be held within ~~twenty-eight~~ **ten clear working** days ~~after receiving such a request~~ **thereafter**, the Council or any six Fellows shall be entitled to summon such a meeting, provided that any meeting summoned by such six Fellows shall not be held out of Term.
6. At a meeting of the Governing Body the President shall accept any motion of which she shall have received at least three clear **working** days' written notice or in respect of which a majority of the whole Governing Body vote in favour of its acceptance and she may at her discretion accept any other motion.
7. The President shall preside at all meetings of the Governing Body at which she is present. In her absence the Vice-President shall preside and, in the absence of the Vice-President, the senior Fellow present at the meeting who is a member of the Council.
8. ~~(i)~~ Except where otherwise provided, **in these Statutes:**
 - (i) resolutions of the Governing Body shall require a **simple** majority of the votes of those persons present and voting.

¹ For the purpose of these Statutes, words importing one gender include all genders, save for Statute XXVI(1).
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(ii) In case of equality of votes, the President, or who-ever may be presiding in her absence, shall have a second or casting vote.

(iii) electronic voting will be allowed in particular circumstances, including (but not limited to) email, at the discretion of the President. Such a resolution of the Governing Body must be approved by two thirds of all members of the Governing Body, except for any member who would not have been entitled to vote upon the resolution if it had been proposed in a meeting at which she was present. Responses to the proposed resolution must be received by the President by the deadline specified. Following approval by the members of such a resolution, the President shall circulate a further email confirming the resolution has been approved by the Governing Body in accordance with this Statute and the date of the resolution shall be the date of the email from the President confirming formal approval.

(iv) members are not permitted to appoint another person to act as their proxy.

8.9. The Governing Body shall, subject to the provisions of these Statutes, have power to make rules regulating their own procedure.

9.10. The quorum of a meeting of the Governing Body shall be one-quarter of the members thereof.

STATUTE IV - The Council

1. (i) The Council shall consist of the President, the Vice-President, the Bursar and the Senior Tutor, who shall be members *ex officio*, together with nine members of the Governing Body elected by the Governing Body under Statute III and two ~~resident~~ members of the College *in statu pupillari* elected by the ~~resident~~ members of the College *in statu pupillari*.

(ii) Elections to the Council of members of the Governing Body shall be held annually on a day to be appointed by the Council subject to any rules made by the Governing Body under Statute III. At each such annual election three members shall be elected, each to hold office for three years, at the expiration of which they shall retire, but they shall be eligible for re-election.

(iii) Elections to the Council of resident members of the College *in statu pupillari* shall be held annually in accordance with regulations determined by Ordinance of the Council. At each such annual election two members shall be elected, each to hold office for one year, at the expiration of which they shall retire, but they shall be eligible for re-election.

(iv) If a member of the Council elected under Statute III ceases at any time to be a member of the Governing Body, she shall thereupon cease to be a member of the Council.

(v) If a member of the Council elected by the ~~resident~~ members of the College *in statu pupillari* ceases at any time to be a ~~resident~~ member of the College *in statu pupillari*, she shall thereupon cease to be a member of the Council.

(vi) If an elected member of the Council has attended less than half the meetings of the Council in any Term, except for sufficient cause to be approved by the Council, she shall *ipso facto* vacate her place on the Council.

2. Every casual vacancy in the number of elected members of the Council, whether caused by an elected member becoming a member *ex officio* or otherwise, shall be filled by the election of a member similarly qualified to serve for the remainder of the term of office of the elected

member whom she is replacing. Provided always that if it is known that the place of a member elected under Statute III will become vacant on a certain date the Governing Body may pre-elect a member to serve from the said date for the remainder of the said term of office. The President shall appoint the day for an election to fill a casual vacancy giving not less than ~~seven~~ **five clear working** days' notice thereof; or she may at her discretion postpone the election until the next annual election, provided that such postponement shall not be for a period of more than two calendar months exclusive of University vacations.

3 (i) Subject to the provisions of Statute III, the Council shall administer the affairs of the College and shall have the management of its property and income, and shall exercise the powers specifically assigned to them by these Statutes.

(ii) Save as otherwise expressly provided in these Statutes, the Council shall have the power to do any act which by the Statutes of the University or otherwise is directed or authorised to be done by the College.

(iii) The Council shall have power to make Ordinances for the good government of the College and to make rules governing their own procedure.

(iv) The Council shall have power to appoint Committees whose membership need not be restricted to members of the Council or to Fellows and to delegate to those Committees such powers as the Council shall from time to time determine.

4. There shall be reserved areas of business of the Council. Members of the Council *in statu pupillari* shall not receive papers in connection with, or be present during the discussion of; or record any vote in relation to, any such business. Reserved areas of business shall include the election, appointment, promotion, removal, or any matters affecting the personal position, of any member of the Governing Body, or of the teaching, examining or administrative staff of the College, or of any person employed by the College; the admission of individual persons to membership of the College, their removal from the College (except as arising under Statute XXIX), or their academic assessment; and such further business as the President or other Chairman of the Council shall in her discretion from time to time declare to be reserved, the declaration of the President or other Chairman to be final.

The provisions of this Section shall apply *mutatis mutandis* to any Committee, whether appointed by the Governing Body or by the Council, having persons *in statu pupillari* amongst its members.

5. If the Council, within ~~seven~~ **five clear working** days of the passing of resolution by the Governing Body, object to such resolution, it shall not have effect, provided that if the resolution be again passed by a meeting of the Governing Body held not earlier than thirty days nor later than ninety days from the date at which the resolution was first passed, it shall be binding upon the College.

6. (i) The President shall summon a meeting of the Council at least twice in each Term and if requested in writing by at least four members thereof shall summon a meeting to be held within ~~fourteen~~ **ten clear working** days after receiving such a request.

(ii) The President shall give or cause to be given no less than two clear **working** days' notice of a meeting of the Council. **A meeting may be called by shorter notice, if it is so agreed by all the members entitled to attend and vote. Council members who are unable to attend any such meetings called on short notice shall be entitled to submit written representations**

on the subject of the meeting to the President which shall be read to those present and voting, but may not cast votes in absentia.

7. The President shall preside at all meetings of the Council at which she is present. In her absence the Vice-President shall preside and in the absence of the Vice-President the senior Fellow present shall preside.

8. Nothing in these Statutes shall be construed as precluding the Council from transacting business in the absence of the members *in statu pupillari* through failure of election or from any other cause; but no business shall be transacted at any meeting of the Council at which fewer than seven members, exclusive of the members *in statu pupillari* are present.

9. ~~(i)~~ Except where otherwise provided in the Statutes, ~~all matters put to the vote at a meeting:~~

(i) ~~resolutions~~ of the Council shall ~~be decided by~~ require a simple majority of the votes of those present and voting;

(ii) In the case of an equality of votes, the President, or whoever may be presiding in her absence, shall have second or casting vote.

(iii) ~~electronic voting will be allowed in particular circumstances, including (but not limited to) email, at the discretion of the President. Such a resolution of the Council must be approved by unanimously of all members of the Council, except for any member who would not have been entitled to vote upon the resolution if it had been proposed in a meeting at which she was present. Responses to the proposed resolution must be received by the President by the deadline specified. Following approval by the members of such a resolution, the President shall circulate a further email confirming the resolution has been approved by the Council in accordance with this Statute and the date of the resolution shall be the date of the email from the President confirming formal approval.~~

(iv) ~~members are not permitted to appoint another person to act as their proxy.~~

~~9-10.~~ The decisions of the Council shall be recorded in a Minute Book which shall be open to inspection by any member of the Governing Body at all reasonable times ~~An abstract of the~~ The Minutes of each meeting shall be circulated to members of the Governing Body as soon as is convenient after each meeting.

~~10. Temporary Provision. At the first election to the Council by the Governing Body, the Governing Body shall elect nine of their number, of whom three shall be elected for three years, three shall be elected for two years, and three shall be elected for one year. Subsequent elections to the Council shall be in each case for a period of three years.~~

STATUTE VII - Election and Admission of the President

1. The President shall be elected by the members of the Governing Body, with the exception of the President or any former President.

2. On the occurrence of a vacancy in the office of President, in anticipation of which no pre-election has been made, the Vice-President, or in her absence, the next senior Fellow who is

a member of the Council and is in residence shall, not more than three **clear working** days after such a vacancy shall have become known to her, summon a meeting of all the electors in residence to meet within ~~fourteen~~ **ten clear working** days. At this meeting the electors present shall fix a date not less than ~~fourteen~~ **ten clear working** days nor more than sixty days thereafter, excluding any period of University vacation, for a meeting to elect the President.

3. (i) On the day and at the hour thus fixed the Vice-President or, in her absence, the next senior Fellow who is a member of the Council and is in residence shall declare the meeting convened and the electors shall proceed to the election of a Chairman. The Chairman shall thereupon read audibly the foregoing Statute VI.

(ii) No person shall be voted for unless she has been proposed and seconded at the meeting. No person shall be elected unless she obtains the votes of at least two-thirds of the whole number of electors. Voting shall be by ballot. The electors shall appoint two of their number to stand in scrutiny. If any person shall obtain a requisite number of votes, the Chairman shall thereupon declare her to be President elect.

4. If at the first meeting for election of a President no person shall obtain the requisite number of votes, the meeting shall stand adjourned to some other time to be fixed by the meeting and so on from time to time. If at the end of six months, excluding any period of University vacation, from the occurrence of the vacancy no person has been elected President the power of the Governing Body to elect shall terminate and the Visitor shall by writing under ~~his~~ **her** hand appoint a President.

5. (i) The electors shall have power to pre-elect a President. The Vice-President shall summon a meeting of the electors to be held not more than nine months before the date of the retirement or resignation of the President. At least ~~fourteen~~ **ten clear working** days' notice in writing of this meeting shall be given to each elector.

(ii) At this meeting the electors shall, if not less than two-thirds of their whole number concur, fix the date of a first meeting for the pre-election of a President.

(iii) The conduct of this first meeting and of the pre-election shall be governed by the provisions of Sections 2 and 3 of this Statute. If at this first meeting there shall be no pre-election the meeting shall stand adjourned until some other time to be fixed by the meeting and so on from time to time until the office of President shall become vacant.

6. The President shall, after her election or appointment has taken effect, make the following declaration at a meeting of the Governing Body summoned by the Vice-President for the purpose:

"I, A.B., elected President of ~~New Hall~~ **Murray Edwards College**, promise that I will faithfully and diligently perform the duties of the Office, observe the Charter and the Statutes and in all things endeavour to promote the honour, peace and well-being of the College."

7. It shall be the duty of the Vice-President to summon the meeting of the Governing Body as soon as conveniently may be after the President has been elected or appointed. If the President shall wilfully neglect to make the declaration and persist in such neglect for a period of three months from the date of the aforesaid meeting, she shall vacate the office of President.

STATUTE IX - Residence of the President

The President shall reside within the College or in an official residence or, by a resolution in which at least two-thirds of the whole Governing ~~body~~ **Body** concur (such vote may be conducted by email), in such other place within the precincts of the University as is consistent with the due performance of her duties. ~~See She~~ shall so reside during two-thirds at least of each Term and altogether during two hundred and ten days at least of each academical year unless the Council otherwise permits.

STATUTE XI - Retirement or Resignation of the President

~~The President shall retire on the thirtieth day of September next following the date on which she attains the age of seventy years.~~

1. Any requirement relating to the retirement of the President shall be specified in Ordinance.
- ~~1.2.~~ The President may at any time, by notice in writing to the Governing Body through the Vice-President, resign her office ~~Except by consent of the Governing Body, the period of such notice shall not be less than six months,~~ giving notice as specified in Ordinance.

STATUTE XII – Repealed

STATUTE XIII - The Vice-President

1. (i) The Vice-President shall be elected by the Governing Body from among their members ~~on the day fixed for the annual election to the Council to hold office~~ for such period not exceeding five years as the Governing Body shall decide at the time of her election. If a Vice-President shall cease to be a Fellow she shall thereupon vacate the office of Vice-President. **Every casual vacancy in the office of the Vice-President shall be filled by the election of a member similarly qualified to serve for the remainder of the term of office of the elected member whom she is replacing. Provided always that if it is known that the place of a member elected under Statute XIII will become vacant on a certain date the Governing Body may pre-elect a member to serve from the said date for the remainder of the said term of office. The President shall appoint the day for an election to fill a casual vacancy giving not less than five clear working days' notice thereof; or she may at her discretion postpone the election until the next meeting of the Governing Body, provided that such postponement shall not be for a period of more than one calendar month exclusive of University vacations. If at the first meeting for election of a Vice-President no person shall obtain the requisite number of votes, the meeting shall stand adjourned to some other time to be fixed by the meeting and so on from time to time.**

(ii) A retiring Vice-President shall be eligible for re- election for further periods of office provided that no single period shall exceed five years.
2. The Vice-President shall receive such emolument as the Council may from time to time direct.
3. (i) The duties of the Vice-President shall be such as are prescribed by these Statutes or as may from time to time be prescribed by the Governing Body.

(ii) During any vacancy in the office of President, the Vice-President shall have the powers and perform the duties of the President and shall perform such other acts as are prescribed by these Statutes or as may from time to time be prescribed by the Governing Body.

(iii) In the absence of the Vice-President, The senior Fellow in residence who is a member of the Council shall in all cases take her place.

STATUTE XIV - Classes of Fellows

1. There shall be the following classes of Fellows:
 - Class A. Research Fellows having tenure in accordance with Statute XV.
 - Class B. Official Fellows having tenure by virtue of holding a College or University office as provided by Statute XVI.
 - Class C. Professorial Fellows having tenure in accordance with Statute XVII.
 - Class D. Supernumerary Fellows having tenure in accordance with Statute XVIII.
2. Fellows in Classes A, B, C and D shall be elected by the Council. An election shall require the votes of a majority of the members of the Council other than the members *in statu pupillari*.
3. As soon as conveniently may be after her election, a Fellow shall be admitted by the President. Immediately before her admission she shall make the following declaration:

"I, A.B., elected a Fellow of ~~New Hall~~ Murray Edwards College, promise that I will observe the Charter and the Statutes of the College, and will endeavour to promote the interests of the College as a place of education, learning and research."

STATUTE XV - Research Fellows

1. A Research Fellow shall be elected ~~in the first instance for three years. The Council shall have power to~~ **and may be re-elected** ~~for a further such period or periods, provided that her tenure under this Statute shall not exceed six years in all~~ **as the Council may in each case specify.**
2. It shall be the duty of a Research Fellow to engage in the advancement of learning and research and to observe such conditions as the Council may determine at the time of election or re-election. These conditions may be varied during tenure with the consent of the Fellow.
3. The Council shall have power to assign to a Fellow holding her Fellowship under this Statute such stipend and to make her such allowances as they may from time to time determine.

STATUTE XVI - OFFICIAL FELLOWS

1. The Council may elect to an Official Fellowship any person holding the College office Bursar, Tutor, College Lecturer, or such other College office as the Council may from time to time declare to be a qualifying office for the purpose of this Statute.
2. The Council may elect to an Official Fellowship any person holding a University office (other than an office qualifying the holder for election to a Professorial Fellowship) which at the time of her election they shall declare to be a qualifying office in her case.
3. Election **and re-election** to an Official Fellowship under Sections 1 or 2 of this Statute shall be ~~for a period of three years in the first instance. An Official Fellow may be re-elected for a further such period or periods not exceeding five years at a time~~ **as the Council may in each case specify.**

4. The tenure of an Official Fellowship shall lapse if the Fellow ceases to hold the qualifying office with which the Fellowship is associated.
5. The Council shall have power to make the tenure of an Official Fellowship subject to any conditions that they may deem proper, provided that the said conditions shall be consistent with the duties of the qualifying office with which the Fellowship is associated.

STATUTE XVIII - Supernumerary Fellows

1. The Council shall have power to elect to a Supernumerary Fellowship any person whom the Council consider it to be in the interest of the College to elect.
2. A Supernumerary Fellow shall be elected and may be re-elected for such period or periods ~~not exceeding five years at a time~~ as the Council shall in each case specify and she shall hold her Fellowship subject to such conditions as the Council may from time to time determine.

STATUTE XIX - General Provisions with regard to Fellows other than Emeritus Fellows Emeritae and Honorary Fellows **except where specified**

1. Every Fellow shall proceed to the degree of Master of Arts, or other degree qualifying for membership of the Senate of the University, as soon as she is of standing to be admitted to such a degree. Any Fellow not proceeding to such a degree (unless prevented by illness or other grave cause to be approved by the Council) shall forfeit her Fellowship.
2. The seniority of Fellows shall be determined by the Governing Body, provided that the admission of a Fellow to a superior degree or the transfer of a Fellow from one class of Fellowship to another, shall not affect the order of seniority of Fellows.
3. Every Fellow of the College shall, ~~if in residence,~~ be entitled to **such stipend, other allowance, use of rooms and commons** and to such other allowances as the Council may from time to time determine.
4. A Fellow of the College shall vacate her Fellowship if she shall become Head or a Fellow, other than an Honorary Fellow, of any other College.
5. A Fellow shall retire ~~on the thirtieth day of September next following the date on which she attains the age of sixty-seven years~~ **in accordance with retirement provisions set out in Ordinances.**
6. Every Fellow shall register with such officer as the Council shall appoint a place of **postal address and an email address** within the United Kingdom to which all notices intended for her 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 is sent **either** by post or otherwise to ~~this~~ **such postal address or to the email address.**
7. If, after due enquiry, the Council are satisfied that a Fellow **Emerita or an Honorary Fellow** has knowingly failed to observe the Charter or the Statutes of the College, or is guilty of conduct prejudicial to the interests or well-being of the College, the Council shall have power, by a vote in which not less than two-thirds of the members of the Council other than the members in *statu pupillari* concur, to deprive her of her Fellowship if they shall think such deprivation expedient in the interests of the College provided that:-

(i) when there is a proposal before the Council to deprive a Fellow of her Fellowship as aforesaid the Council before taking a decision shall

(a) ensure that she is fully apprised of the reasons which have caused the Council to consider her deprivation; and

(b) afford her the opportunity to appear in person before the Council, to make such statement as she may think proper, to call witnesses and to cross-examine ~~witness~~ **witnesses** called against her and to allow her to be accompanied by one person chosen by herself who may advise her and speak on her behalf;

~~(ii) the person so deprived of her Fellowship shall have the right of appeal to the Visitor who, after enquiry, shall have the power to confirm, vary or reverse the decision of the Council;~~

(ii) no member of the Council shall take part in the deliberations of that body upon the question of her own deprivation of her Fellowship.

Statute XXXVII concerns the procedure for the deprivation of the Fellowship of Fellows other than Fellows Emeritae and Honorary Fellows

~~Provided that, subject to the provisions of Section 6(1) of Statute XXXVI, nothing in this Section shall apply to members of the academic staff to whom Statute XXXVI applies.~~

STATUTE XX - Emeritus Fellows **Emeritae**

1. The following persons shall be entitled to become ~~Emeritus~~ Fellows **Emeritae**:

(i) the President on retirement;

(ii) any Fellow on retirement under the provision of Statute XIX, Section 5, who has been a Fellow for not less than twenty years, whether continuously or not.

2. The Council may elect to an ~~Emeritus~~ **Emerita** Fellowship:

(i) the President on resignation;

(ii) any Fellow on ceasing to hold her Fellowship.

3. ~~An Emeritus~~ **Subject to the provisions of Section 7 of Statute XIX a Fellow Emerita** shall hold her Fellowship for the duration of her life.

4. ~~An Emeritus~~ **A Fellow Emerita** shall not be a member of the Governing Body but she may enjoy such privileges and advantages as the Council may from time to time determine.

STATUTE XXI - Honorary Fellows

1. The Governing Body may by a vote in which at least two-thirds of their whole number concur, elect to an Honorary Fellowship any person of distinction. A proposal for such an election shall be made at a meeting of the Governing Body and voted on at a subsequent **and separate meeting. A member of the Governing Body may vote by email at only one of the two meetings concerning the proposal for honorary fellowship.**

2. An **Subject to the provisions of Section 7 of Statute XIX, an** Honorary Fellow shall hold her Fellowship for the duration of her life.
3. An Honorary Fellow shall not be a member of the Governing Body but she may enjoy such privileges and advantages as the Governing Body may from time to time determine.

STATUTE XXII - ~~The College~~ **Offices offices**

1. The College offices shall be those of ~~Tutor, Bursar, Tutor, College Lecturer, Director of Studies, Librarian and Praelector~~ and such other offices as the Council may from time to time determine.
2. ~~College offices shall be appointed and re-appointed by the Council who shall have power to determine the tenure which, save as otherwise provided in these Statutes, shall not exceed three years on first~~ **The** appointment ~~nor five years on~~ **and** re-appointment, ~~provided that to a College officer who has reached the age of sixty three~~ **office** shall ~~only be re-appointed on an annual basis~~ **made for such period or periods as the Council may in each case specify**. The Council shall also have power to determine, and to vary from time to time, the duties of the various **offices** of the College and to assign to them, from time to time, such stipends as they may determine.
3. The Council shall determine the conditions upon which **those holding a College officer office** may be allowed leave of absence.
4. If any **holder of a College officer office** shall be unable, owing to leave of absence, illness or other sufficient cause, to discharge the duties of her office the Council may if they think fit appoint a deputy. A deputy so appointed shall receive such remuneration as the Council may determine.
5. ~~The President shall have power at her discretion to suspend a College officer from the performance of her duties until the next ensuing meeting of the Council.~~
6. ~~If, after due enquiry, the Council are satisfied that a College officer has failed satisfactorily to perform the duties of her office the Council shall have power, by a vote in which not less than two-thirds of the members of the Council other than the members *in statu pupillari* concur, to suspend her from the performance of the duties of her office, or to remove her from her office, if they shall think such suspension or removal expedient in the interests of the College provided that:-~~
 - (i) ~~when there is a proposal before the Council to suspend or remove an officer as aforesaid the Council before taking a decision shall~~
 - a) ~~ensure that she is fully apprised of the reasons which have caused the Council to consider her suspension or removal; and~~
 - b) ~~afford her the opportunity to appear in person before the Council, to make such statement as she may think proper, to call witnesses and to cross-examine witnesses called against her and allow her to be accompanied by one person chosen by herself who may advise her and speak on her behalf;~~
 - (ii) ~~the person so suspended or removed from office shall have the right of appeal to the Visitor who, after enquiry, shall have power to confirm, vary or reverse the decision of the Council;~~

~~(iii) no member of the Council shall take part in the deliberations of that body upon the question of her own suspension or removal from College office.~~

~~(iv) subject to the provisions of Section 6(1) of Statute XXXVI, nothing in this Section shall apply to members of the academic staff to whom Statute XXXVI applies.~~

STATUTE XXIII - The Tutors

1. There shall be such a number of Tutors as the Council shall from time to time determine.
2. A Tutor shall be appointed ~~in the first instance for not more than three years but may be reappointed thereafter~~ **or re-appointed** for such periods as the Council may in each case determine, ~~provided that a Tutor shall not be re-appointed for more than five years at a time.~~
3. The Council shall appoint a Senior Tutor and may assign to her such special duties as they may determine.
4. No member of the College *in statu pupillari* shall be without a Tutor.

STATUTE XXIV - The Bursar

1. The Bursar shall be appointed **or re-appointed** by the Council ~~in the first instance for not more than three years and may be re-appointed thereafter~~ for such periods as the Council may determine, ~~provided that the Bursar shall not be re-appointed for more than five years at a time.~~
2. The Bursar shall be responsible under the Council for the management of the property of the College and for the maintenance and repair of all the College buildings. She shall 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.
3. The Bursar shall keep or cause to be kept accounts of all receipts and expenditure. Subject to the provisions of the Statutes and Ordinances of the University the accounts shall be kept in such form as the Council may from time to time direct.

STATUTE XXV - ~~The Superannuation Scheme~~ Pensions and superannuation schemes (as amended)

1. The College may participate in the Universities Superannuation Scheme (hereinafter called the U.S.S.) **and such other pension schemes as the Council may decide.**
2. The College shall continue to participate in the Federated Superannuation System for Universities (hereinafter called the F.S.S.U.) in respect of those persons entitled to remain in that System.
3. The College shall make regulations for the administration of its superannuation arrangements, provided that in so far as such regulations relate to the U.S.S. or to the F.S.S.U. they shall be compatible with the constitution and rules of the U.S.S. or the F.S.S.U. respectively.
4. ~~The Superannuation Scheme shall apply to any person holding one or more of the following appointments:~~

- a ~~the office of President~~
 - b ~~the office of Vice President~~
 - c ~~an Official Fellowship in Class B~~
 - d ~~a Supernumerary Fellowship in Class D~~
 - e ~~a pensionable College office.~~
5. ~~The offices of Tutor and Bursar shall be pensionable College offices. The Council shall have power to add to or remove from the category of pensionable offices any other College office or offices, but no such addition or removal shall be made in respect of any such other office during the tenure of the holder without her consent.~~
6. ~~A Fellow holding her Fellowship in Class A shall be entitled to place herself under the Superannuation Scheme.~~
- 7.4. Subject to the provisions of this Statute the Council shall have power to make such regulations in connection with ~~the Superannuation Scheme~~ **pensions and superannuation arrangements** as they may think fit and to determine any questions relating thereto.

STATUTE XXVII - Scholarships and ~~Exhibitions~~ **Bursaries**

1. The Council shall have power to make Regulations from time to time providing for the award of Scholarships and ~~Exhibitions~~ **Bursaries**, the tenure and emoluments of the same and any other matters relating thereto.
2. The Council shall also have power to establish an Awards Fund, from which the emoluments of Scholars and Exhibitioners shall be paid and into which shall be paid in each year, from the general revenues of the College or other sources, such sums as the Council may direct.

STATUTE XXIX - Discipline of the College

1. Members of the College *in statu pupillari* shall observe the Charter, the Statutes and Ordinances and conform to such ~~order~~ orders as may be made by the Council from time to time for the good government of the College. ~~If any such person~~
2. ~~The Council shall fail to observe the Charter, the Statutes or Ordinances or to conform to such other orders as aforesaid, or shall be guilty of any conduct prejudicial to~~ **make provision in Ordinances for procedures relating to the rules of the behaviour and discipline or good order of the College, a Tutor or other officer of the College designated by the Council may impose such penalties as the offence may appear to deserve except that they shall not impose the penalty of temporary or final removal from the College, of members of the College in statu pupillari, which shall be binding on members of the College in statu pupillari.**
2. ~~There shall be a Disciplinary Committee of the College whose composition and procedure shall be determined by Ordinance of the Council provided that no member of the Council shall be a member of the Disciplinary Committee.~~
3. ~~Any member of the College in statu pupillari upon whom a Tutor or other officer of the College as aforesaid has imposed a penalty may appeal to the Disciplinary Committee who shall have~~

~~power to confirm, set aside, or vary the finding and the penalty. In such case the decision of the Disciplinary Committee shall be final.~~

~~4.~~

~~(i) If a member of the College *in statu pupillari* is charged with an offence which in the opinion of a Tutor or other officer of the College as aforesaid ought to be considered by the Disciplinary Committee or appears to deserve her temporary or final removal from the College, the Tutor or other officer of the College shall proceed to lay the facts before the Disciplinary Committee who shall hear the case.~~

~~(ii) The Disciplinary Committee having heard the case shall have power to take such action or impose such penalty as they may think appropriate, provided that there shall be a right of appeal to the Council whose decision shall be final.~~

~~5. The Council shall have power to deprive any Scholar, Exhibitioner or Student of her status or any emoluments thereof for any misconduct which in their judgement appears to deserve such deprivation.~~

~~6. The Council shall by Ordinance make such provision as is necessary for the proper regulation of the proceedings under this Statute. In particular, provision shall be made to ensure that, before taking a decision in regard to a member of the College *in statu pupillari* the Disciplinary Committee and the Council shall~~

~~(i) ensure that she is fully apprised of the nature and circumstances of the offence with which she is charged;~~

~~(ii) afford her the opportunity to appear in person, to offer such defence or to make such statement as she may think proper and to call and cross-examine witnesses;~~

~~(iii) allow her to be accompanied by one person chosen by herself who may advise her and speak on her behalf.~~

~~7. If any member of the College *in statu pupillari* shall fail to pay her College bills by such date as may be stipulated by the Council, the President shall have power to refuse her permission to continue in residence.~~

STATUTE XXX - The Tuition Fund Repealed

~~1. The Council shall from time to time review and determine the amount of the Tuition Fees to be paid by members 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 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 shall from time to time determine.~~

~~2. All moneys payable into the Tuition Fund shall be collected and the account of this Fund shall be kept by the Bursar.~~

STATUTE XXXI - Annual Statement of Accounts and Audit

1. The College financial year shall run from the first day of August in each year to the next succeeding thirty-first day of July or between such other dates as may be prescribed by the Council provided that such dates are in accordance with the Statutes of the University.
2. The Bursar shall make or cause to be made an annual statement or summary of all moneys received by her and also a statement or summary of all payments and expenses incurred by her.
3. Any Fellow of the College shall be entitled to inspect the full accounts of the receipts and payments of the Bursar.
4. A return of the several accounts of the College relating to the funds administered for general purposes, or in trust, or otherwise shall be sent annually to the Vice- Chancellor by the Bursar as prescribed by the Statutes of the University.
5. All accounts of the College shall be audited annually. For this purpose the Council shall appoint ~~as Auditor a professional Accountant (not being a member of the Governing Body) who shall be a member of a body of Accountants established in the United Kingdom and for the~~ **an independent registered auditor in accordance with the requirements laid down from time** being recognised **to time** by the ~~Secretary of State for Trade and Industry for the purposes of Section 161 of the Companies Act 1948 (or any statutory modification or re-enactment thereof for the time being in force)~~ **Charity Commission**, and shall pay **her** him such remuneration as they shall determine. The Council shall also appoint two or more Fellows, other than the Bursar, as an Audit Committee.
6. The Auditor shall pass the several accounts by signing the same or shall state in writing **her** ~~his~~ reasons for not passing the accounts or any of them. He **She** shall also sign such certificates as may be required by the Statutes of the University.
7. A meeting of the Governing Body to be known as the Audit Meeting shall be called as soon as may be convenient in the Michaelmas Term at least ~~fourteen~~ **ten clear working** days' notice of such meeting being given after the commencement of Term. Not less than seven **five clear** working days before this meeting the Bursar shall circulate copies of the accounts to all members of the Governing Body in residence.
8. The Audit Committee shall be entitled to examine the several accounts and consult with The Auditor; they shall report to the Governing Body at the Audit Meeting on matters of general policy in relation to the accounts as they see fit.

STATUTE XXXII - Investment and ~~Application of Capital Moneys~~ Management

1. (i) The Council ~~shall have~~ **has** power to ~~purchase, retain, sell or transfer on behalf~~ **acquire, charge, manage and dispose** of the College **any** property real or personal and securities (which term includes stocks, funds and shares) of **to which this Statute applies in such manner and upon such terms as the Council in its discretion thinks fit and is entitled to exercise any description** power and may also ~~apply moneys to any purpose~~ **enter into and may carry out any transaction in relation** to such property which ~~capital moneys arising under the Universities and College Estates Acts 1925 and 1964 may be applied.~~
- ~~2. Any money (not being rent) payable as a consideration on a sale or exchange of land effected by the College under this Statute shall be capital money. an individual of full legal capacity,~~

holding or acquiring such property for her ~~or his~~ own benefit could exercise, enter into or carry out.

(ii) ~~3.——~~The powers ~~confirmed by~~ conferred under Section 1 (i) and the powers to invest and expend property conferred by Sections 2 and 3 (i) of this Statute shall extend to the following property:

(a) ~~all endowments, land, securities, property or other funds of the College and of which is not held on any specific trust, and~~

(b) ~~any property comprised within an endowment, benefaction or trust for purposes connected with the College of which the College is the trustee provided that such powers shall not extend to the funds of a specific trust constituted after the date of the Charter.~~

(iii) In this Statute and Statute XXXIV;

(a) “Fund” means a particular endowment, benefaction or trust which includes any property of the kind referred to in Section 1 (ii) (b);

(b) “property” Includes money, securities, shares, stocks, funds, goods, things in action, land and every description of property wherever situated whether involving liability or not and also obligations and every description of interest, whether present or future or vested or contingent, arising out of, or incidental to, property; and

(c) “property of the College” means any property of the kind referred to in Section 1 (ii) (a).

2. The property to which this Statute applies and the proceeds of any disposition thereof may be invested by the Council upon or in such other property as the Council in its discretion thinks fit and the Council may exercise any power to invest and transpose the investments of such property and may enter into and may carry out any transaction in relation thereto which an individual of full legal capacity investing or transposing investments of property for her ~~or his~~ own benefit could exercise enter into or carry out.

3. (i) The Council may appropriate for expenditure so much of the fair value of the property to which this Statute applies as in its discretion it considers is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term of the property of the College or, as the case may be, of the Funds to which this Statute applies.

(ii) In exercising the powers conferred in Section 3 (i) the Council shall have regard to:

(a) applicable guidance from time to time by the Charity Commission, or any successor or other organisation which has regulatory responsibility for the College; and

(b) the obligation to balance the need to fulfil its objects and the objects of any trust at the current time against the need to do so in the future.

(iii) Any appropriation by the Council under Section 3 (i) must in the case of property of the College be made for the purposes of the College and in the case of a Fund must be made for the purposes of that Fund.

(iv) Any reference in these Statutes or in any Ordinances or Regulations made by the Council to the income or revenues of the College or of any Fund must include the total sums appropriated in accordance with Section 3 (i).

(v) Within this Section 3:

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

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

4. The Council shall appoint a Finance Committee, whose duties shall be determined by the Council and shall include the formulation and recommendation to the Council of general investment policy. The Committee shall consist of at least three members and in formulating the general investment policy of the College they shall ~~consult a stockbroker of at least fifteen years' experience or a member of a Merchant Bank~~ seek suitably qualified and experienced advice.

~~Statute~~ **STATUTE XXXIV - Power to accept Endowments**

The College shall have power to accept endowments for any purposes in furtherance of the interests of the College as a place of education, 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 these Statutes; provided always that no such regulation shall derogate from any obligation imposed on the College by the Statutes of the University.

STATUTE. XXXV - Union or Association of Members of the College *in statu pupillari*

~~The resident members~~ **Members** of the College *in statu pupillari* shall be entitled to form a union or association for the promotion of social, athletic or other collegiate purposes. Those of their number who are ~~graduates~~ **postgraduates** shall be entitled to form a separate or an additional union or association for the promotion of purposes as aforesaid. Any such union or association shall have a constitution which, with any amendment thereof, shall have been approved by the Council.

STATUTE XXXVI - ~~ACADEMIC STAFF~~

~~PART 1 - CONSTRUCTION - APPLICATION AND INTERPRETATION~~ **Guiding principles for Ordinances made under Statute XXXVII**

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

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

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

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

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

Application

~~3. (1) This Statute shall apply—~~

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

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

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

~~(2) In this Statute any reference to “academic staff” is a reference to persons to whom this Statute applies.~~

Purpose of Part II

~~8. This Part enables the Governing Body, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.~~

Exclusion from Part II of persons appointed or promoted before 20th November 1987

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

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

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

~~(2) For the purposes of this Section in relation to a person, a reference to an appointment made or a contract entered into on or after 20th 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.~~

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

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

- ~~(b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988; and~~
- ~~(c) may suspend the member from the performance of her duties without loss of emolument.~~
- ~~(2) If the member agrees that her removal on those grounds should be considered the College shall meet the reasonable costs of any medical opinion required.~~
- ~~(3) If the member does not agree the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the President; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.~~
- ~~(4) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Board shall be prescribed by Ordinances made under this section. Such Ordinances shall ensure:

 - ~~(a) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;~~
 - ~~(b) that a case shall not be determined without an oral hearing at which the member's representative, but not the member herself, is entitled to be present;~~
 - ~~(c) that witnesses may be called and questioned concerning any relevant evidence; and~~
 - ~~(d) that the case is heard and determined as expeditiously as is reasonably practicable.~~~~
- ~~(5) The Board may require the member concerned to undergo medical examination at the College's expense.~~

Termination of Employment

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

PART V APPEALS

Purpose of Part V

- ~~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.~~

Application and interpretation of Part V

- ~~26. (1) This Part applies –

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

~~(b) to appeals arising in any proceedings, or out of any decisions reached, under Part III other than appeals under Section 13 (Appeals against disciplinary warnings);~~

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

~~Time for appealing and notices of appeal~~

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

~~(2) The Vice President shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that she has done so.~~

~~(3) Where the notice of appeal was served on the Vice President outside the twenty eight day period the person appointed under Section 29 shall not permit the appeal to proceed unless she considers that justice and fairness so require in the circumstances of the case.~~

~~Persons appointed to hear and determine appeals~~

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

~~(2) A person appointed under sub-section (1) above shall be~~

~~(a) the person who is the Visitor; or~~

~~(b) a person who holds or had held judicial office or who is a barrister or solicitor of at least ten years' standing.~~

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

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

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

~~(b) one other member.~~

~~Provisions concerning appeal procedures and powers~~

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

~~(2) Without prejudice to the generality of the foregoing such Ordinances shall ensure—~~

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

- ~~(b) — that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by her to represent her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;~~
- ~~(c) — that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and~~
- ~~(d) — that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.~~
- ~~(3) — The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may —~~
 - ~~(a) — remit an appeal from a decision under Part II (or any issue arising in the course of such an appeal) to the Governing Body for further consideration as the person or persons hearing the appeal may direct; or~~
 - ~~(b) — remit an appeal arising under Part III for re-hearing by a differently constituted Senior Disciplinary Committee to be appointed under that Part; or~~
 - ~~(c) — remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or~~
 - ~~(d) — remit an appeal by the President arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or~~
 - ~~(e) — substitute any lesser alternative penalty that would have been open to the President following the finding by the Senior Disciplinary Committee which heard and pronounced upon the original charge or charges.~~

Notification of decisions

- ~~31. — The person appointed shall send the reasoned decision on any appeal together with any findings of fact different from those come to by the Governing Body as the appropriate body under Part II or by the Disciplinary Committee under Part III, as the case may be, to the President 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, within the relevant area by methods acceptable to all parties.~~

Application

- ~~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 —~~
 - ~~1. — to matters affecting themselves as individuals; or~~
 - ~~2. — 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~~

STATUTE XXXVII - Other provisions with regard to the President and Fellows (other than Fellows Emeritae and Honorary Fellows)

- 1 The Council shall (after consulting with the Governing Body) make provision in Ordinances for procedures for the President, Fellows and College offices including procedures relating to redundancy, discipline, removal from office, the removal of the President from office, removal for incapacity on medical grounds, the deprivation of Fellowship and for appeals and grievance procedures, as required by the law of the land.
- 2 The Council shall, in the Ordinances required in paragraph 1 of this Statute, determine to whom and to what extent this Statute shall apply.
- 3 The procedure for the deprivation of the Fellowship of Fellows Emeritae and Honorary Fellows is set out in Section 7 of Statute XIX.

~~STATUTE XXXVII - Construction of the Statutes~~

STATUTE XXXVIII - Construction of the Statutes

1. If any question shall arise in regard to the construction of these Statutes or any of them, it shall be decided by the Governing Body subject to any right of appeal to the Visitor to which any person affected by such a decision may be legally entitled.
2. In accordance with the provisions of the ~~Education Reform Act 1988~~ **Higher Education Act 2004**, nothing in these Statutes shall enable or require the Visitor –
 - (a) to hear any appeal or determine any dispute relating to a member of ~~the academic staff~~ to whom Statute XXXVII applies which concerns the member's appointment or employment or the termination of that appointment or employment; or
 - (b) to disallow or annul any Ordinances made under or having effect for the purposes of Statute XXXVII.

STATUTE ~~XXXVIII~~ - Alteration of Statutes

- ~~3.1.~~ Meetings of the Governing Body for the purpose of making alterations of 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 III.
- ~~4.2.~~ 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 ~~XLXXIX~~ - Date of Commencement of these Statutes

1. These Statutes shall ~~take effect on the day~~ **come into force on the 1st October next** ~~of the month following the date of the Charter~~ **their approval by the Queen in Council and all Statutes of the College in force immediately before that day shall then cease to have effect**

save as hereinafter provided. The Bursar shall provide a copy of the Statutes to all Fellows holding office on that day, and to every Fellow on his her election thereafter.

~~2.~~

2. (i) ~~The foregoing Statutes shall apply to the first President and the first Fellows of the College save that the length of their tenure and their stipends, if any, as Fellows or offices interests and conditions of tenure of any person who is a Fellow of the College Approved Foundation known as New Hall, Cambridge, shall not without their consent be modified. The seniority of the first Fellows of the College shall be their seniority as Fellows of the Approved Foundation aforesaid.~~

~~3. The Governing Body shall, as soon as may be after the coming in to effect of these Statutes, determine, as regards each of the first Fellows of the College who are appointed by the Charter, in which class she is deemed to hold her Fellowship.~~

~~The first~~ immediately before the day on which these Statutes come into force shall, notwithstanding the last foregoing section, continue to be regulated by the Statutes then in force unless she signifies to the Governing Body by notice in writing within one year of that day that she wishes his her interests and conditions of tenure in respect of all such emoluments to be regulated by these Statutes. Provided that any re-election or reappointment to, continuance in, or extension of any emolument shall in any case be regulated by these Statutes.

(ii) A notice under this section shall be addressed to the President and the first Fellows, who shall make the respective declarations required by Statute VII and Statute XIV as soon as may report it to the next meeting of the Governing Body, and its receipt shall be after recorded in the coming into effect of these Statutes minutes of the meeting.

The Common Seal of the President and Fellows of Murray Edwards College, founded as New Hall, in the University of Cambridge, was hereunto affixed in the presence of

B. M. Stead

Robert Hopwood

15 June 2021



