

STATUTES
OF
MAGDALENE COLLEGE

STATUTES
OF
MAGDALENE COLLEGE
IN THE
UNIVERSITY OF CAMBRIDGE

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1998

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At the Court of Saint James's

THE 26th DAY OF JUNE 1997

PRESENT,

THE COUNSELLORS OF STATE
IN COUNCIL

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 18th day of June 1997, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to Summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND WHEREAS the Governing Body of Magdalene College, in the University of Cambridge, did under the provisions of the Universities of Oxford and Cambridge Act 1923 on the 29th day of November 1996 make a Statute, as set out in the Schedule to this Order, revising the College Statutes:

AND WHEREAS the said Statute has been submitted to Her Majesty in Council and notice of its having been so submitted has been published in the London Gazette, and the said Statute has also been laid before both Houses of Parliament in accordance with the directions contained in the said Act and no Petition or Address against the same has been presented:

NOW, THEREFORE, His Royal Highness The Prince Charles, Prince of Wales, and His Royal Highness The Prince Andrew, Duke of York, being authorised thereto by the said Letters Patent, have taken the said Statute into consideration, and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf approve the same.

N. H. Nicholls

*STATUTE referred to in the foregoing Order in Council
STATUTE to alter and amend the Statutes of the College of Saint Mary Magdalene in the University of Cambridge which amending Statute having been duly made and passed at two General Meetings of the Governing Body of the said College specially summoned for the purpose and held on the twenty-seventh day of June One thousand nine hundred and ninety-six and on the fourteenth day of November One thousand nine hundred and ninety-six by the votes on each occasion of not less than two-thirds of the number of persons present and voting, and notice of the proposed Statute having been given to the University, is now submitted for the approval of Her Majesty The Queen in Council.*

Preamble

WHEREAS the College was originally a Hostel for students from the Benedictine Monasteries of Croyland, Ely, Ramsey and Walden, which under the patronage of Henry Stafford and the endowment of Edward Stafford respectively the second and third Dukes of Buckingham became known as Buckingham College, and finally was re-founded as the College of St Mary Magdalene by Thomas, Baron Audley of Walden, Lord Chancellor, to whom a Charter was granted in 1542 by King Henry VI in wherein the right to appoint the Master was given to the said Lord Chancellor his heirs and assigns being owners of the property which was formerly the Monastery of Walden in the County of Essex in the following terms:

Concedimus etiam praefato Domino Cancellario quod toties quoties Officium Magistri dicti Collegii per mortem cessionem resignationem vel alia quacunque de causa vacaverit, quod tunc praedictus Cancellarius, Haeredes et assignati sui, Domini nuper Monasterii de Walden in Comitatu Essex, alium magistrum nominabit vel nominabunt per literas sub Sigillo eorum conficiendas.

AND WHEREAS Henry Neville seventh Baron Braybrooke, tenant in fee simple of the property aforesaid (known as Audley End), Visitor of the College, consented to a Statute whereby the right to appoint the Master passed to the holder of the Barony of Braybrooke and successors in title thereto;

AND WHEREAS Henry Seymour Neville ninth Baron Braybrooke, Visitor of the College, consented to a Statute whereby the right to appoint the Master devolved, in the incapacity of the Visitor, upon the heir to the Barony of Braybrooke being a son of the Visitor and above the age of twenty-five;

AND WHEREAS Robin Henry Charles Neville tenth Baron Braybrooke, Visitor of the College, has consented to Statute II hereinafter set forth:

We, The Master and Fellows of the College of St Mary Magdalene in the University of Cambridge (being the Governing Body thereof) in exercise of the powers given to us by the seventh section of the Universities of Oxford and Cambridge Act 1923, do hereby alter and amend the Statutes of our said College in such manner that the said Statutes shall read as hereinafter set forth.



At the Court at Buckingham Palace

THE 15TH DAY OF FEBRUARY 2012

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

WHEREAS the Governing Body of Magdalene College, in the University of Cambridge, did on the 16th day of June 2011 make a Statute revising the existing Statutes, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

AND WHEREAS the Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with, and no petition or address has been presented against the Statute.

NOW, THEREFORE, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, hereby to approve it.

Richard Tilbrook

SCHEDULE

STATUTE referred to in the foregoing Order in Council

STATUTE TO ALTER AND AMEND THE STATUTES OF MAGDALENE COLLEGE IN THE UNIVERSITY OF CAMBRIDGE FOUNDED IN HONOUR OF SAINT MARY MAGDALENE, COMMONLY CALLED MAGDALENE COLLEGE, WHICH AMENDING STATUTES HAVING BEEN DULY MADE AT TWO GENERAL MEETINGS OF THE GOVERNING BODY OF THE SAID COLLEGE (AS DEFINED IN PARAGRAPH 2 OF THE SCHEDULE TO THE UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT 1923) SPECIALLY SUMMONED FOR THE PURPOSE AND HELD ON THE TWELFTH DAY OF MAY TWO THOUSAND AND ELEVEN AND ON THE SIXTEENTH DAY OF JUNE TWO THOUSAND AND ELEVEN (NOTICE OF THE PROPOSED AMENDING STATUTES HAVING BEEN GIVEN TO THE UNIVERSITY) AND PASSED ON EACH OCCASION BY THE VOTES OF NOT LESS THAN TWO THIRDS OF THE NUMBER OF PERSONS PRESENT AND VOTING, ARE NOW SUBMITTED FOR THE APPROVAL OF HER MAJESTY THE QUEEN IN COUNCIL.

Preamble

WHEREAS Robin Henry Charles Neville tenth Baron Braybrooke, Visitor of the College, has consented to Statute II hereinafter set forth:

We, the Master and Fellows of Magdalene College in the University of Cambridge (being the Governing Body thereof) do hereby in pursuance of the powers given to us by the seventh Section of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes made under that Act in relation to our said College in manner following, that is to say:-



At the Court at Buckingham Palace

THE 13th DAY OF FEBRUARY 2019

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The Governing Body of Magdalene College, in the University of Cambridge, has made a Statute revising the existing Statutes, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with.

No petition or address has been presented against the Statute.

Now, therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

Richard Tilbrook

SCHEDULE

STATUTE referred to in the foregoing Order in Council

STATUTES TO ALTER AND AMEND THE STATUTES OF MAGDALENE COLLEGE IN THE UNIVERSITY OF CAMBRIDGE FOUNDED IN HONOUR OF SAINT MARY MAGDALENE, COMMONLY CALLED MAGDALENE COLLEGE, WHICH AMENDING STATUTES HAVING BEEN DULY MADE AT A MEETING OF THE GOVERNING BODY OF THE SAID COLLEGE (AS DEFINED IN PARAGRAPH 2 OF THE SCHEDULE TO THE UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT 1923) SPECIALLY SUMMONED FOR THE PURPOSE AND HELD ON THE SEVENTH DAY OF JUNE TWO THOUSAND AND EIGHTEEN AND ON THE NINETEENTH DAY OF JULY TWO THOUSAND AND EIGHTEEN (NOTICE OF THE PROPOSED AMENDING STATUTES HAVING BEEN GIVEN TO THE UNIVERSITY) AND PASSED AT SUCH MEETING BY THE VOTES OF NOT LESS THAN TWO THIRDS OF THE NUMBER OF PERSONS PRESENT AND VOTING, ARE NOW SUBMITTED FOR THE APPROVAL OF HER MAJESTY THE QUEEN IN COUNCIL.

STATUTE I

Foundation of the College

1. The Foundation of the College shall be the Master, Fellows and Scholars of the College.
2. Subject to the Universities of Oxford and Cambridge Act 1923, the Governing Body hereinafter mentioned shall have power from time to time to make, alter or repeal the Statutes of the College in accordance with the procedure set out in Appendix A and to make, alter or repeal such regulations for governing the College and for ordering their proceedings as that body may from time to time think fit.
3. Subject to the Statutes of the College and the Statutes of the University, the Governing Body shall have power to make regulations under which persons may be admitted and may remain members of the College; provided that no person shall be admitted a member of the College *in statu pupillari* who is not qualified to be matriculated.
4. If any person informs the Master that he or she wishes to resign his or her membership of the College, the name of that person shall be removed from the list of members of the College at the next publication of the list. The name of any such person shall be re-instated in the list only if the Governing Body approve such re-instatement after a period of not less than three years has elapsed from the date of removal.

STATUTE II

The Visitor

1. Robin Henry Charles Neville, tenth Baron Braybrooke, and after his death any successor in title to the Barony of Braybrooke, shall be Visitor of the College as representing the Founder, Thomas, Baron Audley of Walden.
2. If the Visitor be under the age of twenty-five or, though above the age of twenty-five, incapable in the opinion of the Lord Chancellor as expressed in writing to the Governing Body of discharging the functions of his office, the right to perform the duties of Visitor shall devolve upon the heir to the Barony of Braybrooke, being above the age of twenty-five and not himself incapable in the opinion of the Lord Chancellor; and if there be no such heir, the right to perform the duties of Visitor shall devolve upon the Lord Chancellor.

STATUTE III

The Master

1. Notwithstanding anything contained in the Charter of 1542, once notice has been given to the Governing Body that the Mastership will or has become vacant, the Governing Body shall by Special Resolution appoint the succeeding Master (“an Appointment”) in accordance with the provisions of this Statute.

2. The right to appoint the succeeding Master shall devolve upon the Chancellor for the time being of the University of Cambridge if the Governing Body has not made an Appointment within eighteen calendar months of the date on which notice is given to it that the Mastership either will or has become vacant.
3. For the purposes of this Statute, the date on which notice is given to the Governing Body that the Mastership will or has become vacant shall be deemed to be either:
 - (i) the date of the meeting of the Governing Body at which the President, or senior fellow acting as the President's *locum tenens*, shall inform the Governing Body either that the Mastership has become vacant or that the Mastership will become vacant on a date no more than twenty-four calendar months from the date of such meeting; or
 - (ii) if no notice has been given under section 3(i) of this Statute, the date of the meeting of the Governing Body first following the date on which the Mastership has become vacant.
4. The incumbent Master shall not be present at any discussion by the Governing Body of the Appointment of his or her successor nor shall the incumbent Master have any vote on an Appointment.
5. The Master of the College shall at the time of his or her appointment be a Master of Arts or the holder of some equal or higher degree of a University. He or she shall be a person of good character, discretion, learning and piety and qualified to secure the good government of the College as a place of education, religion, learning and research.
6. It shall be the duty of the Master to superintend the College Officers in the execution of their duties, to enforce the observance of the College Statutes, to maintain discipline and good order in the College and in all things to study and promote the welfare of the College. All members of the College shall show the Master due respect and obedience.
7. The Master shall reside in College during at least three-quarters of each term, and altogether during at least two hundred and ten days in each year, unless he or she shall be absent either on College business, or on account of illness, or for some other reason approved by the Governing Body. If the Master fails to reside as aforesaid, the Governing Body may seek to remove him or her from office in accordance with the provisions of Part VII of Statute XXX.
8. The Master shall hold office for such fixed period of years as shall be prescribed by Special Ordinance.
9. The Master may resign from office at any time by notice in writing to the President.

STATUTE IV

Government of the College

1. The government of the College shall be vested in the Governing Body which shall consist of the Master and the Fellows in Class A, Class B and Class C who shall be habitually resident within the Precincts of the University unless the Governing Body shall dispense with that residence requirement in a particular case; provided that for the purpose of making, altering or repealing the Statutes of the College, the Governing Body shall, in accordance with paragraph 2 of the schedule to the Universities of Oxford and Cambridge Act 1923, consist of the Master and all actual fellows of the College being graduates as defined in Statute XXXIII.
2. No Fellow may serve on the Governing Body after the age of sixty-seven.
3. The Governing Body shall meet at least once a term.
4. The Master shall preside at meetings of the Governing Body. If the Master is absent the President, failing whom the senior Fellow present at the meeting, shall preside.
5. All decisions of the Governing Body shall be taken by the votes of a majority of the members present and voting except for those matters to be decided by Special Resolution as defined in Statute XXXIII.
6. Meetings of the Governing Body shall be called by the Master, who shall give each member at least seven days' written notice of such meetings; save that the Master shall give each member at least fourteen days' written notice of any meeting at which business is to be decided by Special Resolution. It shall be sufficient if such notice is sent to the member in College unless he or she has given the Master a different address for the purposes of these Statutes.
7. If not fewer than four members of the Governing Body shall request the Master in writing to call a special meeting of the Governing Body for a specified purpose, the Master shall convene that meeting within twenty-eight days of receiving such notice. It shall be sufficient if such notice is sent to the Master in College unless he or she has given the President a different address for the purposes of these Statutes.
8. No business shall be transacted at any meeting of the Governing Body unless there is present at least a majority of the members entitled to vote, excluding Fellows who are on leave of absence with the formal consent of that body.
9. Subject to Sections 11 and 12 of this Statute, every member of the Governing Body shall have a vote. In the case of an equality of votes, the Master or, in the Master's absence the presiding Fellow, shall have a second and casting vote.
10. A record shall be kept of all decisions taken at any meeting of the Governing Body. Access to the record shall be available to all members of the Governing Body at all reasonable times.
11. A member of the Governing Body who has not attended at least one half of the meetings of that body to which he or she was duly summoned in the academical year

last ended shall not be entitled during the academical year next following to vote on any business other than the appointment or removal of a Master, or the making, alteration or repeal of the Statutes of the College; provided that meetings held in the absence of a member on leave with the consent of the Governing Body in accordance with Statute IX, 8 shall not be counted as meetings to which that member was duly summoned.

12. Subject to the provisions of Statute XXX, no member of the Governing Body shall, without the consent of that body, be present during the discussion of his or her election or re-election to any Fellowship, appointment or re-appointment to any College office, or removal from any Fellowship or College office; nor shall such member vote on such question or be counted for the purpose of Section 8 hereof.
13. The Governing Body shall have power by Special Resolution to create an Executive Council to which may be committed such business as the Governing Body may from time to time think fit, other than any question which, under these Statutes, is to be decided by Special Resolution. The Governing Body shall also have power to appoint committees and determine their powers whether advisory or executive.
14. The Governing Body shall have power to determine who shall reside in College, or in any property owned by the College, and the terms and conditions of such residence. No person except the Master shall reside in College with his or her spouse, family or any other person except with the consent of the Governing Body.

STATUTE V

The Fellows

1. There shall be the following classes of Fellows:-

Class A	-	Official Fellows
Class B	-	Professorial Fellows
Class C	-	Emeritus Fellows
Class D	-	Research Fellows
Class E	-	Senior Research Fellows
Class F	-	Life Fellows
Class G	-	Bye-Fellows
Class H	-	Visiting Fellows
Class I	-	Honorary Fellows
Class J	-	Fellow-Commoners
2. No Fellow shall concurrently hold a Fellowship of the College in more than one class.
3. If a Fellow be admitted to the Headship or Fellowship (other than an Honorary Fellowship) of any other College in the University of Cambridge, he or she shall thereupon vacate his or her Fellowship.
4. No Fellow in Class A, B, D, E or G shall be continued in his or her Fellowship beyond the age of sixty-seven.

5. Every Fellow shall observe the Statutes of the College and, to the best of his or her ability, maintain their observance by other members of the College.
6. A Fellow may resign his or her Fellowship at any time by notice in writing addressed to the Master. The Governing Body shall have power at any time to terminate the tenure of a Fellow in accordance with the provisions of Statutes XXIX and XXX.

STATUTE VI

Election and Admission of Fellows

1. The Governing Body shall be the Electors to Fellowships.
2. When the Governing Body meets to elect a Fellow, each member present who is entitled to vote shall vote for that person who is in his or her judgement best qualified to be a Fellow of the College as a place of education, religion, learning and research.
3. The date on which a Fellowship shall begin, with the privileges and duties thereof, shall be the date of election or such other date as the Governing Body may determine at the time of election.
4. The Master shall admit a Fellow in the usual form at the earliest convenient date after the date on which his or her Fellowship begins. Prior to his or her admission, every Fellow-elect shall make the following declaration:

I A.B. do solemnly promise and declare that I will faithfully and diligently observe the Statutes of this College and maintain so far as in me lies their observance by other members of the College.'

STATUTE VII

Tenure of Fellows

Class A: Official Fellows

1. The Governing Body may elect into Official Fellowships persons holding such qualifying College Offices as that body may from time to time determine.
2. An Official Fellow shall be elected in the first instance for a period of not more than five years and shall be eligible for re-election from time to time for period~ of five years or such shorter periods as the Governing Body shall determine.
3. Four Official Fellowships shall be. entitled Founder's Fellowships. Other Official Fellowships shall be entitled in commemoration of College Benefactors as set out in Appendix B to these Statutes.
4. An Official Fellow shall vacate his or her Official Fellowship on reaching the age of sixty-two unless he or she be continued in office for such further period not exceeding five years as the Governing Body may determine.

Class B: Professorial Fellows

5. The Governing Body may elect into Professorial Fellowships persons qualified under the Statutes of the University to hold such Fellowships.
6. Subject to the provisions of Statutes XXIX and XXX the tenure of a Professorial Fellow shall continue for so long as he or she holds such qualifying University office.
7. The Master shall notify the Vice-Chancellor of the University as soon as the number of Professorial Fellows in the College falls below the quota prescribed in the Statutes of the University.

Class C: Emeritus Fellows

8. A member of the Governing Body who has held a Fellowship in Class A or Class B (or partly in one class and partly in the other) for a total of twenty years or more whether continuously or not shall, on reaching the age of sixty-two, be entitled to an Emeritus Fellowship for a period of five years in the first instance and shall be eligible for re-election.
9. Subject to the provisions of Statutes XXIX and XXX, an Emeritus Fellow shall be entitled on re-election to hold his or her Fellowship for life.

Class D: Research Fellows

10. The Governing Body may elect into Research Fellowships persons whose duty it shall be to engage in research.
11. A Research Fellow shall be elected for three years and may exceptionally be elected for a period of four years. The Governing Body may re-elect a Research Fellow for a second period not exceeding three years; provided that no person may hold a Fellowship in Class D for more than six years.

Class E: Senior Research Fellows

12. The Governing Body may elect into Senior Research Fellowships persons whose duty it shall be to carry out advanced research.
13. A Senior Research Fellow shall be elected for up to five years in the first instance and may exceptionally be re-elected; provided that no person may hold a Fellowship in Class E for a total of more than ten years.

Class F: Life Fellows

14. The Governing Body may elect into Life Fellowships the following:-
 - (a) The Master on retirement or resignation from the office of Master;
 - (b) Any person not eligible to hold an Emeritus Fellowship who has ceased to hold an Official or a Professorial Fellowship;

(c) Any person whose election is deemed to be in the interests of the College.

15. A Life Fellow shall be entitled, subject to the provisions of Statutes XXIX and XXX, to hold his or her Fellowship for life.

Class G: Bye-Fellows

16. The Governing Body may elect into Bye-Fellowships persons whose duty it shall be to engage in research. Such Bye-Fellowships may be entitled the Donaldson Bye-Fellowship or the Kingsley Bye-Fellowship or the Stothert Bye-Fellowship.
17. A Bye-Fellow shall be elected for one year and may exceptionally be re-elected for up to one year; provided that no person may hold a Fellowship in Class G for more than two years.

Class H: Visiting Fellows

18. The Governing Body may elect into Visiting Fellowships distinguished scholars or other persons intending to carry out research or to advance their studies.
19. A Visiting Fellow shall be elected for not more than one year and may exceptionally be re-elected for up to one year; provided that no person may hold a Fellowship in Class H for more than two years.

Class I: Honorary Fellows

20. The Governing Body may elect into Honorary Fellowships persons of distinction whose election is deemed to be in the interests of the College.
21. An Honorary Fellow shall be entitled, subject to the provisions of Statutes XXIX and XXX, to hold his or her Fellowship for life.

Class J: Fellow-Commoners

22. The Governing Body may elect into Fellow-Commonerships persons whose election is deemed to be in the interests of the College.
23. A Fellow-Commoner shall be elected for not more than three years in the first instance and shall be eligible for re-election from time to time for periods of three years or such shorter periods as the Governing Body shall determine. The duties of a Fellow-Commoner shall be such as the Governing Body may in each case determine.

STATUTE VIII

Emoluments of the Master and Fellows

1. The Master and every Fellow in Classes A, B, C and D shall be entitled to dine in College free of charge except during such periods out of term as the Governing Body may from time to time determine. Fellows in other classes may be granted such entitlement to dine as the Governing Body may from time to time approve.

2. The Governing Body may grant to Fellows the use of rooms in College free of rent, rates and taxes for such periods and purposes as that body may approve.
3. The Master shall occupy the Master's Lodge free of rent, rates and taxes. The costs as approved from time to time by the Governing Body of re-decorating, repairing, improving and furnishing the Master's Lodge shall be met by the College.
4. The Master and Fellows shall be entitled to such stipends, allowances and privileges as the Governing Body may from time to time determine; provided that no person shall receive from the College any stipend free of income tax or any allowance on account of income tax.
5. The Master's emoluments shall include the annual income of the Seymour Braybrooke Fund and one-third of the annual income of the Peckard Fund.
6. Two-thirds of the annual income of the Peckard Fund shall be divided into equal moduli, of a value to be determined from time to time by the Governing Body, and allocated to Fellows in Class A according to their years of service, whether continuous or discontinuous. Each such Fellow shall be entitled to receive moduli as follows:
 - to a Fellow who has completed 5 years of service, 1 modulus;
 - to a Fellow who has completed 10 years of service, 2 moduli;
 - to a Fellow who has completed 15 years of service, 3 moduli;
 - to a Fellow who has completed 20 years of service, 4 moduli.

Any surplus income of the Peckard Fund shall be invested and added to the capital of that Fund at the end of the financial year.

7. The Governing Body may grant to any of its members leave of absence, with or without stipend and allowances, on such terms as that body may from time to time determine. During such leave, such member shall neither attend nor vote at any meeting of the Governing Body or of any of its several Committees other than meetings held for the making, alteration or repeal of a College Statute, or for the appointment or removal of a Master.

STATUTE IX

The College Officers

1. The College Officers shall be the persons holding the offices of President, Senior Tutor, Tutor, Admissions Tutor, Bursar, Steward, Dean, Dean of Chapel, Chaplain, College Librarian, Pepys Librarian, Praelector, College Lecturer, Director of Studies, and such other offices in the College as the Governing Body may from time to time determine.
2. No person shall hold the office of President, Senior Tutor, Tutor, Admissions Tutor, Bursar or Dean unless he or she be also a member of the Governing Body. If any

such person ceases to be a member of the Governing Body, he or she shall thereupon vacate his or her office.

3. A College Officer shall be appointed by the Governing Body with such tenure, stipend and allowances as that body may from time to time determine.
4. A College Officer shall perform the duties assigned to him or her in these Statutes and such other duties as the Governing Body may from time to time determine. A College Officer shall be responsible to the Governing Body for the performance of his or her duties.
5. The Governing Body shall make such provision for the pension of a College Officer as that body may from time to time determine.
6. A College Officer shall reside within the Precincts of the University unless the Governing Body shall dispense with that requirement in a particular case.
7. The Governing Body shall make such provision as they may from time to time think fit for a College Officer to reside in College or in College property for the better performance of his or her duties.
8. The Governing Body may grant leave of absence with or without stipend and allowances to any College Officer on such terms as that body may from time to time determine. The Governing Body may appoint, on such terms as they think fit, a deputy to discharge the duties of a College Officer during such leave.
9. A College Officer may resign from office at any time by notice in writing to the Master.
10. Subject to the provisions of Statutes XXIX and XXX, the Governing Body shall have power at any time to terminate or suspend the tenure of a College Officer.
11. A College Officer shall retire from office on attaining the age of sixty-seven. Subject to Statute IV, 2, the Governing Body in exceptional circumstances may by Special Resolution appoint a College Officer to serve after the age of sixtyseven on such terms and conditions as that body shall on each occasion determine, provided that such appointment shall not be made to any of the offices specified in Statute IX, 2.
12. Subject to Sections 4 and 6 of Statute X, the Governing Body may appoint one of their number to act in the stead of any College Officer who for any reason is, in that body's opinion, incapable of carrying out the duties of his or her office. The terms and conditions of service of any such acting College Officer shall be determined by the Governing Body.

STATUTE X

The President

1. The Governing Body shall by Special Resolution appoint one of their number to be the President of the College.

2. It shall be the duty of the President to attend under the Master to the good government of the College and the observance of the Statutes, and to study and promote the welfare of the Fellows. In the absence of the Master, the President shall exercise as his or her deputy the functions prescribed by these Statutes.
3. The President shall hold office for such period not exceeding five years as the Governing Body shall determine at the time of appointment. He or she shall not be eligible for re-appointment until at least twelve months have elapsed from the date of expiry of his or her term of office; provided that if the President's term of office expires on a date when he or she shall be acting in the Master's stead under section 4 of this Statute, the Governing Body may re-appoint the President for a further term of not more than two years.
4. If the Mastership be vacant, or if the Master be suspended in accordance with Statute XXX, the President shall act in his or her stead and shall discharge all the duties and have all the authority and privileges of the Master except the right to reside in the Master's Lodge. During such period, the President shall be bound to residence in the University in the same manner as the Master and shall also be liable to deprivation and suspension from the office of acting Master for the same causes and in the same manner as the Master. The President shall receive such additional stipend and allowances for discharging the Master's duties as the Governing Body may determine.
5. If the President shall reach the age of sixty-seven whilst acting in the Master's stead, he or she shall continue so to act, notwithstanding Statutes IV, 2 and IX 11, until a new Master shall have been appointed or the Master shall no longer be suspended from office, as the case may be.
6. If the President is absent from the College or incapable in the opinion of the Governing Body of carrying out the duties of the office of President, the senior member of the Governing Body present in the College shall in all cases be the President's *locum tenens*; provided that whenever the President is required to act in the Master's stead in accordance with Section 4 of this Statute, or whenever the President's absence or incapacity will extend for one or more terms, the Governing Body shall by Special Resolution appoint one of their number to be acting President until the President ceases to act in the Master's stead or he or she returns into College and is again capable in the opinion of the Governing Body of carrying out the duties of the office of President, as the case may be.

STATUTE XI

The Tutors

1. The Governing Body shall appoint such number of Tutors as that body may from time to time determine.
2. A Tutor shall be appointed to hold office for not more than five years in the first instance and may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.

3. It shall be the duty of a Tutor to promote the studies and welfare of his or her pupils, to superintend their conduct, and to maintain good order and discipline among them.
4. A Tutor shall reside within the Precincts of the University unless the Governing Body shall dispense him or her from that obligation.
5. The Governing Body shall by Special Resolution appoint a Senior Tutor to hold office for not more than five years in the first instance. The Senior Tutor may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
6. It shall be the duty of the Senior Tutor to promote education, learning and research in the College and to keep under review the welfare, academic progress and performance of all members *in statu pupillari*.

STATUTE XII

The Admissions Tutors

1. The Governing Body shall appoint one or more Admissions Tutors each of whom shall hold office for not more than five years in the first instance. The Admissions Tutors may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
2. It shall be the duty of the Admissions Tutors to select for admission to membership of the College candidates applying to read for degrees, diplomas, and certificates conferred by the University.

STATUTE XIII

The Bursar

1. The Governing Body shall by Special Resolution appoint one or more Bursars to hold office for not more than five years in the first instance. The Bursar may be re-appointed from time to time for periods of five year~ or such shorter periods as the Governing Body shall on each occasion determine.
2. It shall be the duty of the Bursar:
 - (a) to manage the finances of the College and to keep the accounts thereof in accordance with the provisions of Statute XXIII;
 - (b) to have care of the property, the investments and the estates of the College and to employ such agents for that purpose as may be necessary;
 - (c) to receive all rents and moneys due to the College and make payments from the same;
 - (d) to superintend the College buildings, offices, rooms, courts, cloisters and gardens and provide what is necessary for their upkeep and repair;

- (e) to deposit the moneys of the College in some bank or banks or to invest those moneys under the direction of the Governing Body;
- (f) to engage and dismiss the members of College staff and determine their wages, duties and conditions of employment;
- (g) to act as Secretary to the Governing Body and to such committees as that body may from time to time determine;
- (h) to carry out such other duties as the Governing Body may from time to time determine.

STATUTE XIV

The Steward

1. The Governing Body shall appoint a Steward to hold office for not more than five years in the first instance. The Steward may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
2. It shall be the duty of the Steward to supervise the running of the College Kitchens, Buttery and Bar; to keep, and render to the Governing Body each year in the Michaelmas Term, audited accounts thereof; and to carry out such other duties as the Governing Body may from time to time determine.

STATUTE XV

The Dean

1. The Governing Body shall appoint a Dean to hold office for not more than five years in the first instance. The Dean may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
2. It shall be the duty of the Dean to support the Tutors in maintaining good order and discipline among members of the College *in statu pupillari*.
3. The Dean shall reside within the Precincts of the University unless the Governing Body shall dispense him or her from that obligation.

STATUTE XVI

The Dean of Chapel and the Chaplain

1. The Governing Body shall appoint either a Dean of Chapel or a Chaplain and may, if they so determine, appoint both.
2. The Dean of Chapel and the Chaplain shall reside within the Precincts of the University unless the Governing Body shall dispense them from that obligation.

3. The Dean of Chapel shall be appointed to hold office for not more than five years in the first instance and may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
4. The Chaplain shall be appointed to hold office for not more than three years in the first instance and may be re-appointed for a further period of four years or such shorter period as the Governing Body may determine; provided that no person shall hold the office of Chaplain for more than seven years in total.
5. It shall be the duty of the Dean of Chapel with the assistance of the Chaplain to provide for the decorous performance of Divine Worship in the College Chapel. It shall be the duty of the Chaplain to exercise a pastoral concern for all resident members of the College and for the members of College Staff.
6. All the duties prescribed in Section 5 of this Statute shall be performed by the Dean of Chapel if there be no Chaplain or by the Chaplain if there be no Dean of Chapel.

STATUTE XVII

The Librarians

1. The Governing Body shall appoint a College Librarian to hold office for not more than five years in the first instance. The College Librarian may be reappointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
2. The College Librarian shall be responsible for the administration of the College Library.
3. The Governing Body shall appoint a Pepys Librarian to hold office for not more than five years in the first instance. The Pepys Librarian may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
4. The Pepys Librarian shall be responsible for the administration of the Pepys Library.
5. The Governing Body may assign responsibility for the Old Library and for the College Archives either to the College Librarian or to the Pepys Librarian or to some other person or persons under such terms and conditions of tenure as that body shall from time to time determine.

STATUTE XVIII

The Praelector

1. The Governing Body shall appoint a Praelector to hold office for not more than five years in the first instance. The Praelector may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.

2. It shall be the duty of the Praelector to make arrangements for the matriculation of members of the College and to present such members for degrees, diplomas and certificates conferred by the University.

STATUTE XIX

The Teaching Officers

1. The Governing Body shall appoint such number of College Lecturers and Directors of Studies as that body may from time to time determine.
2. A College Lecturer or a Director of Studies shall be appointed to hold office for not more than five years in the first instance and may be re-appointed from time to time for periods of five years or such shorter periods as the Governing Body shall on each occasion determine.
3. It shall be the duty of a College Lecturer or a Director of Studies to carry out such teaching and related duties as the Governing Body may from time to time determine.

STATUTE XX

Scholarships

1. There shall be a general fund for Scholarships, prizes and other awards (in these Statutes called the Scholarship Fund). Into this fund shall be paid the income of the endowments and trust funds set out in Appendix C to these Statutes, together with such other sums as may from time to time be allocated for the purpose by the Governing Body.
2. In accordance with Section 8(1) of the Universities of Oxford and Cambridge Act 1923, the Governing Body shall have power similarly to pay into the Scholarship Fund the income of any endowment sixty years after the date on which the trust was first instituted.
3. The income of the Scholarship Fund shall be used to provide:
 - (a) Scholarships and prizes to members of the College *in statu pupillari* for excellence in University and College examinations;
 - (b) sizarships and bursaries to graduates engaged in research;
 - (c) such other awards as the Governing Body may from time to time determine.

Any unexpended income of the Scholarship Fund may at the discretion of the Governing Body 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.

4. The Governing Body shall have power to determine from time to time the tenure and value of College Scholarships, prizes, sizarships and bursaries and the privileges granted to the holders of such awards.

5. The Governing Body shall be the Electors to Scholarships.
6. When the Governing Body meets to elect a Scholar, each member present who is entitled to vote shall vote for that person who is in his or her judgement best qualified to be a Scholar of the College as a place of education, religion, learning and research.
7. Before being admitted, a Scholar-elect shall make the following declaration:

I A.B. do solemnly promise and declare that I will faithfully and diligently observe the Statutes and regulations of this College.'

After this declaration the Scholar-elect shall be admitted by the Master in the usual form.

STATUTE XXI

Endowments

The Governing Body 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. The Governing Body may make regulations giving effect to the wishes or suggestions of donors recorded in writing (whether expressed so as to create a trust or not) regarding the application of such endowments and regarding any award or emolument to be supported thereby. They shall have such power even though the regulations may be inconsistent with the provisions of the Statutes of the College; provided always that no such regulation shall derogate from the obligations of the College under the Statutes of the University.

STATUTE XXII

Investment and Application of Capital

1. The Governing Body shall have power to purchase, lease, retain, sell, mortgage or transfer property, real or personal, and to purchase, retain, sell or transfer securities (which term includes stocks, funds and shares) of any description on behalf of the College, and may also apply moneys to any purpose to which capital moneys, arising under the Universities and Colleges Estates Acts 1925 and 1964, may be applied.
2. The powers conferred by this Statute shall extend to the investment (including the variation of the investment) of all endowments, land, securities, property and funds of the College and of any specific trust for purposes connected with the College of which the College is trustee.
3. Where under any instrument the College is sole trustee of a fund and is directed to make payments from it for the benefit of persons holding a Fellowship, Studentship, Scholarship, Prize or other emolument in the College, the Governing Body may, notwithstanding any term of the instrument, make regulations:

- (a) enlarging the field of study or research for which the emolument may be awarded, provided always that the Governing Body shall have regard to the spirit in which the trust was established;
- (b) determining the qualifications of candidates for the emolument, the duration of its tenure and its titular value;
- (c) making payments to the holder of the emolument additional to its titular value in cases of financial need;
- (d) making payments for expenses in connection with the operation of the trust;
- (e) directing that unexpended income of the trust fund be applied for the general educational purposes of the College.

STATUTE XXIII

College Accounts and Audit

1. The accounts of the College shall be kept and audited in such manner as may be prescribed by the Statutes of the University.
2. The College accounts shall be audited once every year. The Governing Body shall appoint for that purpose, auditors who shall be professional accountants not being members of the Governing Body. The auditors shall deliver to the Governing Body abstracts showing the financial condition of the College. They shall report in writing whether the College accounts are duly kept in the prescribed manner and whether the said abstracts contain a full and true account of such financial condition. The auditors shall report any payment which they may judge to have been made without sufficient authority.
3. The Bursar shall present to the Governing Body each year at the audit meeting a written report on the College accounts as audited under Section 2 of this Statute.
4. The Governing Body shall send to the University Treasurer, on or before 31 December next after the closing of the College accounts, such abstract of those accounts as may be required by the Statutes of the University.

STATUTE XXIV

College Fees and Charges

1. The Governing Body shall have power to determine, and from time to time revise, the fees due from members of the College and the charges to be paid for rents, meals and services by members of the College and others. Such fees and charges shall be collected by the Bursar and paid into such accounts as the Governing Body shall from time to time decide.
2. It shall be the duty of all members of the College to pay, when required to do so by the Bursar, such fees and charges as may be due from them. No member of the College shall remain in residence without the permission of the Governing Body if

he or she has failed promptly to pay the fees and charges due to the College under this Statute.

3. The Governing Body shall have power to refuse to present for any degree, diploma or certificate awarded by the University any member of the College who has failed to pay the fees and charges due under this Statute.

STATUTE XXV

Pensions

1. The College shall participate in the Universities Superannuation Scheme (hereinafter called U.S.S.). The Governing Body may make regulations for the administration of the College's superannuation arrangements provided that those regulations shall in the case of Fellows and College Officers be compatible with the constitution and rules of U.S.S.
2. The Governing Body may supplement the retirement benefits of a Master, Fellow, College Officer or member of College Staff in accordance with the rules approved from time to time by the University for supplementing the pensions of University Officers or the pensions of members of the University's Assistant Staff, as the case may be.

STATUTE XXVI

Contribution to the University

The College shall pay annually to the University the sum authorised by the Statutes of the University to be levied from the College. For that purpose, the trust funds may severally bear their proportionate share of the sum thus levied.

STATUTE XXVII

The Common Seal and Muniments of the College

1. The Bursar shall be responsible for the safe custody of the Common Seal of the College.
2. Nothing shall be issued under the Common Seal except in pursuance of an order made by the Governing Body. The Common Seal shall not be affixed except in the presence of two members of the Governing Body.
3. The Muniments of the College shall be kept in a secure place under the care of an Officer or Officers appointed by the Governing Body.

STATUTE XXVIII

Discipline of Members in statu pupillari

1. All persons *in statu pupillari* shall, prior to their admission as members of the College, give a written undertaking:

- (a) to observe the College Statutes and obey all orders, rules and regulations as may be made from time to time by the Governing Body or by any College Officer duly authorised by that body;
 - (b) to apply themselves diligently to their studies;
 - (c) to show due respect and obedience to the Master, the Fellows and the College Officers;
 - (d) to pay the fees and charges due from them to the College when requested to do so; and
 - (e) to conduct themselves in a quiet and orderly manner.
2. If any person *in statu pupillari* shall fail to behave in the manner prescribed in Section 1 of this Statute, or shall act in a manner which is prejudicial to good order or to the good name of the College, the Dean or Tutor may impose such penalty on that person as the offence may in their opinion deserve; save that the penalty of final removal from the College and, in the case of a Scholar or person holding a College prize, sizarship or bursary under Statute XX, of deprivation of the privileges and emoluments attaching to any such award, may be imposed by the Governing Body only.
 3. Consideration of all cases involving the penalty of final removal from the College shall be considered in the first instance by the Tutors at a meeting convened for the purpose. The Tutors shall make available to the person concerned in writing all evidence relevant to the case. Recommendations in all such cases shall be made by the votes of a majority of the Tutors present and voting at the meeting; provided that a recommendation shall not be valid unless a majority of the Tutors, excluding the Admissions Tutor(s) and any Tutor on leave of absence under Section 8 of Statute IX, are present at the meeting.
 4. The Tutors' recommendation in cases involving the penalty of final removal from the College shall be heard at a meeting of the Governing Body from which the Master shall be absent. Such meetings shall be chaired by the President, failing whom the senior member of the Governing Body present at the meeting. The Governing Body shall make available to the person concerned in writing all evidence relevant to the case. The Governing Body's decision shall be made by the votes of a majority of the members present and voting at the meeting; save that the Tutors, and the Director of Studies of the person concerned, shall not vote on the matter and shall withdraw from the meeting after presentation of the evidence relevant to the case. The Governing Body shall either confirm or reject the Tutors' recommendation for final removal from the College or impose such lesser penalty as that body may determine.
 5. A member of the College shall have the right to appeal against the penalty of final removal from the College to a Review Committee consisting of the Master, a Fellow in Class C and another person selected by the Master from a panel of ten persons appointed annually by the Master. A person who shall have taken any part in making a recommendation or a decision in any case to be considered by the Review Committee shall not be eligible to serve on the Review Committee. The Review Committee shall make regulations to govern its own proceedings.

6. The decision of the Review Committee shall be final. There shall be no appeal to the Visitor save on the ground that the procedure followed by the Tutors, the Governing Body, or the Review Committee, has been incorrect. If the Visitor finds that an incorrect procedure has been followed, he may order the case to be re-heard forthwith in accordance with the correct procedure.
7. Any person charged with an offence under Section 1 of this Statute involving the penalty of final removal from the College shall, at any meeting of the Governing Body and Review Committee convened to consider that charge, be afforded the opportunity of being heard in his or her own defence and of being accompanied by a friend or advisor. The person charged and his or her friend or advisor shall be entitled prior to the hearing(s) to see all evidence relevant to the case.
8. The Tutors and the Governing Body shall severally have the power to forbid any member of the College charged with contravening Section 1 of this Statute to enter into or remain within the precincts of the College pending the determination of any charges under this Statute.

This revised Statute was approved by Her Majesty in Council on 11 February 1998

STATUTE XXIX

Discipline of Fellows and College Officers

1. If any Fellow or College Officer is convicted by a court of competent Jurisdiction of any crime, the Master shall have discretion, if he or she deem it to be of a serious character, with all convenient speed to assemble a meeting of the Governing Body; and the Governing Body so assembled shall inquire into the case and, if in their discretion the circumstances of the case require it, the Master may with the concurrence of the Governing Body expressed by Special Resolution either deprive such Fellow or Officer of the emoluments of his or her Fellowship or Office for a limited time or expel him or her altogether from the College and declare his or her Fellowship or Office to be vacant.
2. If any two of the Fellows make to the Master a charge against any Fellow or College Officer of disgraceful conduct rendering him or her unfit to reside in College or to be a Fellow or Officer of the College, the Master shall with all convenient speed assemble a meeting of the Governing Body. The Governing Body so assembled shall inquire into the case, and if the charge is established to their satisfaction, the Master may, with the concurrence of that body expressed by Special Resolution, either deprive such Fellow or Officer of the emoluments of his or her Fellowship or Office for a limited time or expel him or her altogether from the College and declare his or her Fellowship or Office to be vacant.
3. If the Master thinks fit to cause an inquiry to be instituted as to whether the conduct of any Fellow or College Officer has been disgraceful and such as to render him or her unfit to reside in College or to be a Fellow or Officer of the College, the Master may call a meeting of the Governing Body; and the Governing Body so assembled shall investigate the case and, if such disgraceful conduct is established to their satisfaction, the Master may, with the concurrence of that body expressed by Special Resolution, either deprive such Fellow or Officer of the emoluments of his or her

Fellowship or Office for a limited time or expel him or her altogether from the College and declare his or her Fellowship or Office to be vacant.

4. Subject to the provisions of Section 6(1) of Statute XXX, nothing in this Statute shall apply to a Fellow or College Officer who is a member of the academic staff to whom Statute XXX applies.

STATUTE XXX

Discipline of Academic Staff

Part I: Construction, Application and Interpretation

1. This Statute and any regulation made under this Statute shall be construed in every case so as to give effect to the following guiding principles, that is to say:
 - (a) to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
 - (c) to apply the principles of justice and fairness.
2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.
3. (1) This Statute shall apply-
 - (a) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;
 - (b) to any person employed by the College to carry out teaching or research save for those 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 of a limited nature; and
 - (c) to the Master of the College, 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.
4. (1) For the purposes of this Statute, the following terms have the meanings specified: "dismiss" and "dismissal" refer to the dismissal of a member of the academic staff and
 - (a) include remove or, as the case may be, removal from office; and

- (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.
- (2) "good cause" in relation to the dismissal or removal from office of a member of the academic staff of the College, being in any case a reason which is related to conduct or capability or qualifications for performing work of the kind which the member was appointed or employed to do, means:
- (a) conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of his or her office or for employment as a member of the academic staff of the College; or
 - (b) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or
 - (d) physical or mental incapacity established under Part IV; or
 - (e) wilful disruption of the activities of the College; or
 - (f) wilful disobedience of the Statutes of the College.
- (3) In this section-
- (a) "capability" means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and
 - (b) "qualifications" means any degree, diploma, or other academic, technical, or professional qualifications relevant to an office or position held.
5. For the purposes of this Statute, dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:
- (a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
 - (b) the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.
6. (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute in force on the date on which the instrument making these modifications was approved under section 204(9) of the Education

Reform Act 1988, and over those of any regulation, and the provisions of any regulation made under this Statute shall prevail over those of any regulation made under such other Statutes:

Provided that Part III, Part IV and Part VII shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under section 204(9) of the Education Reform Act 1988. Provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant College Statutes in force before that date.

- (2) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff of the College by reason of redundancy or for good cause:

Provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.

- (3) Nothing in any other Statute shall enable the Governing Body to delegate their power to reach a decision under section 10(2) of this Statute.
 - (4) For the avoidance of doubt, it is hereby declared that nothing in Part IAPB shall be construed as affecting the Statutes and regulations of the College concerning re-election on the expiry of a fixed term of a Fellowship.
 - (5) In this Statute, references to numbered Parts, sections and sub-sections are references to numbered Parts, sections and sub-sections so numbered in this Statute.
7. (1) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such a body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by any regulation made under this Statute.
 - (2) 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 or herself involved in the matter in question, the Governing Body may appoint an alternate to act in his or her place under procedures prescribed by a regulation made under this Statute.

Part II: Redundancy

8. This Part enables the Governing Body, as the appropriate body for the purposes of section 203(1)(a) of the Education Reform Act 1988, to dismiss any member of the academic staff by reason of redundancy.
9. (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless –

- (a) his or her appointment is made, or his or her contract of employment is entered into, on or after 20 November 1987; or
 - (b) he or she is promoted on or after that date.
 - (2) For the purposes of this section in relation to a person, a reference to an appointment made or a contract entered into on or after 20 November 1987 or to promotion on or after that date shall be construed in accordance with sub-sections (3) to (6) of section 204 of the Education Reform Act 1988.
10. (1) The Governing Body shall be the appropriate body for the purpose of this section.
- (2) This section applies where the Governing Body have decided that there should be a reduction in the academic staff –
- (a) of the College as a whole; or
 - (b) of any area of academic work within the College by way of redundancy.
11. (1) Where the Governing Body have reached a decision under section 10(2), they may either decide themselves 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 (3) of this section to give effect to their decision by such date as they may specify. The Redundancy Committee shall:
- (a) select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
 - (b) report their recommendations to the Governing Body.
- (2) The Governing Body shall either approve any selection and recommendation made under sub-section (1)(a), or shall remit it to the Redundancy Committee for further consideration in accordance with their further directions.
- (3) A Redundancy Committee appointed by the Governing Body shall comprise:
- (c) a Chairman,
 - (d) two Fellows of the College not being members of the academic staff to whom this Statute applies, and
 - (e) two members of the academic staff.
- (4) A member of the academic staff shall not be selected for dismissal under this section unless he or she has been afforded a reasonable opportunity to make representations to the Governing Body.

12. (1) Where the Governing Body 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.
- (2) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include:
 - (a) a summary of the action taken by the Governing Body under this Part;
 - (b) an account of the selection procedure used;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V of this Statute; and
 - (d) a statement indicating when the intended dismissal is to take effect.

Part III: Discipline, Dismissal and Removal from Office

13. (1) 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 or she shall inquire into the matter. If the Master concludes after investigation that the member is or has been at fault, he or she may issue an oral disciplinary warning to the member. 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 member that he or she may appeal against the warning under sub-section (4) of this section.
- (2) If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, he or she may issue a written disciplinary warning to the member. Such a warning shall specify the complaint made against the member, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Master shall advise the member that he or she may appeal against the warning under sub-section (4), and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made seeking the institution of charges to be heard by a Disciplinary Committee.
- (3) The Master shall keep a written record of any warning issued under subsection (1) or sub-section (2). No further account shall be taken of an oral warning when one year has elapsed after the date of issue, and no further account shall be taken of a written warning when two years have elapsed after the date of issue.
- (4) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Master in writing within two weeks of receiving such

a warning. A Grievance Committee appointed by the Governing Body under Part VI shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded for the purposes of section 14.

14. (1) 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 of charges to be heard by a Disciplinary Committee appointed under section 15 may be made to the Master.
 - (2) To enable the Master to deal fairly with any complaint brought to his or her attention under sub-section (1) he or she shall institute such inquiries (if any) as appear to the Master to be necessary.
 - (3) If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the College could constitute good cause for dismissal, he or she shall write to the person concerned inviting 21 comments in writing and, if the Master considers that the College might otherwise suffer significant harm, may suspend the person concerned from the performance of his or her duties without loss of emolument.
 - (4) When the Master shall have received any such comments, and in any event not later than twenty-eight days after comments were invited, he or she shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal written warning to the person concerned, or determine that the matter should 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 Governing Body shall at his or her request appoint a Committee:
- (a) to hear the charge or charges;
 - (b) to determine whether the conduct or performance of the person concerned constitutes good cause for dismissal or otherwise constitutes serious complaint relating to his or her appointment or employment; and
 - (c) 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 Governing Body, may suspend the person charged from the performance of his or her duties without loss of emolument.

16. A Disciplinary Committee shall consist of three persons selected by the Governing Body from a panel of ten persons appointed annually by that body. The members of the panel shall be Fellows of the College or other persons, being members of the Regent House of the University. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Governing Body shall exclude the

person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.

17. (1) When a Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Disciplinary Committee.
- (2) It shall be the duty of the person formulating the charge or charges:
 - (a) to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.
18. The procedure to be followed in respect of the 'preparation, hearing, and determination of charges by the Disciplinary Committee shall be prescribed by regulations made under this Statute. Such regulations shall ensure:
 - (1) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by the Disciplinary Committee;
 - (2) that a charge shall not be determined without an oral hearing at which the person charged, and any person appointed to represent him or her, are entitled to be present;
 - (3) 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;
 - (4) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Disciplinary Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow him or her to consider and respond to the new evidence; and
 - (5) that any charge is heard and determined as expeditiously as is reasonably practicable.
19. (1) The Disciplinary Committee shall send in writing its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations (if any) as to the appropriate penalty) to the Master, the person charged, the person presenting the charge and any person who shall have been added as a party by the Disciplinary Committee.

- (2) The Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this section.
20. (1) Where the charge or charges are upheld and the Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Master, after consulting the Governing Body, may dismiss or remove from office the member of the academic staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the Master has decided under sub-section (1) to dismiss or remove from office the member of the academic staff concerned, the action available to the Master after consulting the Governing Body (not comprising a greater penalty than that recommended by the Disciplinary Committee) shall be:
- (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about his or her future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate Officer shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Governing Body shall have considered the Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the member concerned contains provisions expressly entitling the Master to impose such a penalty; or
 - (e) to take such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or
 - (f) to combine any of the courses of action specified above.
21. (1) Any reference in sections 19 and 20 to the Master shall include a reference to an Officer appointed by the Governing Body to act as his or her delegate. Any action taken by the Master, or by his or her delegate, shall be confirmed in writing.

Part N: Removal for Incapacity on Medical Grounds

22. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part, references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part, references to the appropriate Officer are references to the Master or an Officer acting as his or her delegate to perform the relevant act.

- (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.
23. (1) Where it appears to the Master as the appropriate Officer that the removal of a member of the academic staff on medical grounds should be considered, the Master:
- (a) shall inform the member accordingly;
 - (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 his or her duties without loss of emolument.
- (2) If the member agrees that his or 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 Master shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Master; and a medically qualified Chairman jointly agreed by the Governing Body and the member or, in default of such agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The procedure to be followed in preparation of the preparation, hearing and determination of a case by a Medical Board shall be prescribed by regulations made under this section. Such regulations shall ensure:
- (a) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Medical Board;
 - (b) that a case shall not be determined without an oral hearing at which the member's representative, but not the member himself or 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 Medical Board may require the member concerned to undergo medical examination at the College's expense.

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

Part V: Appeals

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

26. (1) This Part applies:
- (a) to appeals against the decisions of the Governing Body as the appropriate body (or of a delegate of that body) to dismiss in the exercise of their powers under Part II;
 - (b) to appeals arising in any proceedings, or out of any decision 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;
 - (d) to appeals against disciplinary decisions otherwise than in pursuance of Part III;
 - (e) to appeals against decisions reached under Part IV; and
 - (f) to appeals arising in any proceedings, or out of any decision reached, under Part VII, including appeals against decisions reached in pursuance of section 47; and "appeal" and "appellant" shall be construed accordingly.
- (2) No appeal shall, however, lie against:
- (a) a decision of the Governing Body under section 10(2);
 - (b) the findings of fact of a Disciplinary Committee under Part III, or of a Tribunal under Part VII save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
 - (c) any medical finding by a Board set up under section 23(3) save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.
- (3) In this Part references to "the person appointed" are references to the person appointed by the Governing Body under section 29 to hear and determine the relevant appeal.
- (4) The parties to an appeal shall be the appellant, the Master and any other person added as a party at the direction of the person appointed.

27. A member of the academic staff shall institute an appeal by serving on the Master, within the time allowed under section 28, notice in writing setting out the grounds of the appeal.
28. (1) A notice of appeal shall be served within twenty-eight days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period (if any) as the person appointed may determine under sub-section (3).
- (2) The Master 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 he or she has done so.
- (3) Where the notice of appeal was served on the Master outside the twentyeight day period, the person appointed under section 29 shall not permit the appeal to proceed unless he or she considers that justice and fairness so require in the circumstances of the case.
29. (1) Where an appeal is commenced under this Part the appeal shall, subject to the provisions of section 28(3) and sub-section (3) of this section, be heard and determined by a person appointed by the Governing Body in accordance with regulations made under this section.
- (2) A person appointed under sub-section (1) above shall be:
- (a) the person who is the Visitor; or
- (b) a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing.
- (3) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons appointed in accordance with regulations made under this section.
- (4) The other persons who may sit with the person appointed shall be:
- (c) one member of the Regent House of the University, not being a Fellow of the College; and
- (d) one other member.
30. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in regulations made under this section.
- (2) Without prejudice to the generality of the foregoing, such regulations shall ensure:
- (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his or her appeal;

- (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by the appellant to represent him or 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 is reasonably practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:
- (a) remit an appeal from a decision under Part II to the Governing Body as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Disciplinary Committee to be appointed under that Part; or
 - (c) remit an appeal from a decision of the 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 Master arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or
 - (e) substitute any lesser alternative penalty that would have been open to the Master following the finding by the Disciplinary Committee which heard and pronounced upon the original charge or charges.
31. The person appointed shall send to the Master and to the parties to the appeal a reasoned decision on any appeal together with any findings of fact which differ from those uncovered by the Governing Body as the appropriate body under Part II or by the Disciplinary Committee under Part III, as the case may be.

Part VI: Grievance Procedures

32. The aim of this Part is to enable individual grievances to be settled or redressed promptly, fairly and, so far as may be within the relevant area, by methods acceptable to all parties.
33. The grievances to which this Part applies are those of members of the academic staff concerning their appointments or employment, where those grievances relate:
- (a) to matters affecting themselves as individuals; or

- (b) to matters affecting their personal dealings or relationships with other staff of the College, not being matters for which express provision is made elsewhere in this Statute.
34. (1) If other remedies within the relevant area have been exhausted, the member of the academic staff may raise the matter with the Master.
- (2) 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 or she may dismiss it summarily, or take no action upon it. If it so appears to the Master, he or she shall inform the member forthwith.
- (3) If the Master is satisfied that the subject matter of the grievance could properly be considered with, or form the whole or any part of, either:
- (a) a complaint under Part III; or
 - (b) a determination under Part IV; or
 - (c) an appeal under Part V 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 or she shall notify the member in writing accordingly.
- (4) If the Master does not reject the complaint under sub-section (2), or if he or she does not defer action upon it under sub-section (3), 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. If the Master so decides, he or she shall notify the member and proceed accordingly.
35. If the grievance has not been disposed of informally under section 34(4), the Master shall refer the matter to a Grievance Committee.
36. A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.
37. The procedure in connection with the consideration and determination of grievances shall be determined by regulations in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.
38. The Committee shall inform the Governing Body whether the grievance is or is not well-founded and, if it is well-founded, the 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 members of the Governing Body 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 Governing Body, excluding the Master and the members making the complaint. If it appears to the Governing Body

that the complaint is not supported by sufficient evidence of good cause for the removal of the Master from office, they may determine that no further action shall be taken upon it.

41. If it appears to the Governing Body, on material presented, that the complaint raises a *prima facie* case which could, if proved, constitute good cause for the dismissal or removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal appointed by the Governing Body shall consist of three persons who are not Fellows of the College and are not employed by the College, as follows:
 - (a) one person who holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, who shall be Chairman; 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 to 21, provided:
 - (a) that the President shall perform any duty and exercise any power there assigned to the Master; and
 - (b) that for the purposes of this Part references in those sections to a Disciplinary Committee shall be construed as referring to the Tribunal.
43. The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Master and the 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 of this Statute accompanies the notification of its decision sent to the Master.
44. If the Tribunal finds that the complaint constitutes good cause for dismissal, the President, after consulting the Governing Body, may dismiss the Master.
45. The Master may institute an appeal against the findings of a Tribunal by serving on the 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 submitted after that date if he or she 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 of this Statute, provided that the President shall perform any duty and exercise any power there assigned to the Master, and references in sections 30 and 31 shall be construed as referring 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.

STATUTE XXXI

Creation etc. of Ordinances

1. The Governing Body shall make as required by these Statutes and may make with regard to other matters, whether referred to in these Statutes or not, standing orders which shall be called Ordinances.
2. Any proposed recommendation or final vote in accordance with the provisions of this Statute shall describe the proposed standing order as an 'Ordinance', or, where required by these Statutes or otherwise deemed appropriate, as a 'Special Ordinance'.
3. A decision making, amending or rescinding an Ordinance shall be taken only at a meeting of the Governing Body duly called in accordance with these Statutes, and, except in the case of Special Ordinances, shall be taken by the votes of a majority of the members present and voting. A decision making, amending or rescinding a Special Ordinance shall be taken by Special Resolution as defined in Statute XXXIII.
4. An Ordinance, while in effect, shall be binding on the Governing Body and the College. No Ordinance may be inconsistent with these Statutes or with the Statutes of the University.

STATUTE XXXII

Date of New Statutes. Repeal of Previous Statutes

1. These Statutes shall take effect on the date of their approval by Her Majesty in Council.
2. On that date, all the Statutes of the College in force before that date shall be repealed.
3. The repeal of such former Statutes shall not be taken to revive any provision repealed by such former Statutes.
4. The interests and conditions of tenure of any person who was appointed Master or College Officer or elected Fellow of the College before the date on which the previous Statutes were repealed, shall continue to be regulated by the Statutes in force immediately before that date and for so long as the tenure to which he or she was entitled under those Statutes shall continue, unless he or she signifies by notice in writing, within one year of that date, that he or she elects that his or her interests and conditions of tenure be regulated by the Statutes in force immediately after that date.
5. A notice under Section 4 of this Statute shall be addressed to the Master who shall report its receipt to the Governing Body; and the receipt of every such notice shall be recorded in the Minutes of the Governing Body.

STATUTE XXXIII

Interpretation

1. In these Statutes, unless the contrary be provided:
 - (a) 'The University' means the University of Cambridge;
 - (b) 'The College' means the College of St Mary Magdalene in the University of Cambridge;
 - (c) 'actual fellows of the College' shall for the purposes of making, altering or repealing the College Statutes mean the Fellows 'being graduates' in Class A (Official), Class B (Professorial), Class C (Emeritus), Class D (Research) and Class E (Senior Research). Fellows in other Classes shall not, for the purposes of these Statutes, be deemed Fellows nor 'actual fellows' within the meaning of the Universities of Oxford and Cambridge Act 1923, nor shall they possess any voice or authority in the College; provided that they shall enjoy such privileges and advantages as the Governing Body may from time to time determine and provided also that the provisions of Statute XXIX and Statute XXX shall be applicable to them;
 - (d) 'A Special Resolution' by the Governing Body means a decision made by two-thirds of the members present and voting at a quorate meeting. A Special Resolution is required for:
 - appointing a Master under Statute III, 1;
 - creating an Executive Council under Statute IV, 13;
 - extending a College Officer beyond the retiring age under Statute IX, 11;
 - appointing a President under Statute X, 1 or an acting President under Statute X, 6;
 - appointing a Senior Tutor under Statute XI, 5 or an acting Senior Tutor under Statute IX, 12;
 - appointing a Bursar under Statute XIII, 1 or an acting Bursar under Statute IX, 12;
 - depriving a Fellow of a Fellowship or a College Officer of an Office under Statute XXIX;
 - (e) Wherever in these Statutes it is provided that a Fellow or College Officer shall vacate his or her Fellowship or College Office, or his or her membership of the Governing Body or of any constituent College Committee, on attaining a specified age, such vacation shall take place on the thirtieth day of September next following the specified birthday, unless the specified birthday be the thirtieth day of September in which case the retirement shall take place on that day;

- (f) 'Corporate Revenues' mean revenues of the College applicable for the general purposes of the College and not devoted to any special or particular purpose under any trust or contract or these Statutes;
 - (g) 'the Master's Lodge' means such accommodation with the Precincts of the University as the Governing Body shall from time to time determine;
 - (h) 'to dine in College' means to dine at the common table in the Hall or the Combination Rooms or such other location as the Governing Body may from time to time approve;
 - (i) 'rooms in College' means accommodation within the walls of the College or in such other location as the Governing Body may from time to time approve;
 - (j) 'residence' and 'reside in College' for the purposes of these Statutes shall bear such meaning as the Governing Body may from time to time determine;
 - (k) 'Term', 'Full Term', and 'Precincts of the University' in these Statutes shall have the meanings prescribed from time to time in the Statutes of the University of Cambridge;
 - (l) 'membership of the College' means membership conferred on a person by matriculation as a member of the College, or by election to any class of Fellowship of the College, or by decision of the Governing Body;
 - (m) 'a person *in statu pupillari*' means a matriculated member of the College who is neither a Fellow nor a College Officer and who is actively pursuing a course of study leading to a degree, diploma or certificate conferred by the University;
 - (n) 'final removal from the College' means expulsion from the College and from all property belonging to the College and withdrawal from candidature for any course of study leading to any degree, diploma or certificate conferred by the University;
 - (o) whenever in these Statutes it is provided that a decision shall be taken by the votes of members present and voting, no account shall be taken of members who abstain from voting in any calculation of the total number of votes cast;
 - (p) whenever the office of Bursar is held by more than one person, the Governing Body shall determine the division between the Bursars of the several duties prescribed in Statute XIII, 2.
2. If any question arises in regard to the interpretation of any of these Statutes, it shall be decided by the Governing Body.

APPENDIX A

Procedure for Amending Statutes

The University Council have made known (*Reporter*, 1952-53, p', 1258) their opinion that the procedure required for making a Statute for a College IS as follows:

1. The proposed Statute must first be passed by the Governing Body of the College as defined in section 2 of the Schedule to the Universities of Oxford and Cambridge Act 1923. The Council are advised that, if not strictly necessary, it is at least desirable that at this stage, as well as subsequently, the proposed Statute should be passed at a general meeting of the Governing Body of the College, specially summoned for the purpose, by the votes of not less than two-thirds of the number of persons present and voting.
2. The proposed Statute so passed must be communicated to the Vice-Chancellor and to the Head of the College.
3. Within seven days after receipt of such communication the Vice-Chancellor will give public notice thereof in the University. During term the Vice-Chancellor will usually find it convenient to publish such notice in the *Reporter*; but at any time, and especially in vacation, it will suffice, in the Council's opinion, if he or she causes to be posted outside the Senate House a description of the proposed Statute and a notice of some place where the text of it may be seen.
4. One month at least (exclusive of any University vacation) after the proposed Statute has been communicated to the Vice-Chancellor and the Head of the College, it must again be passed at a general meeting of the Governing Body of the College, specially summoned for the purpose, by the votes of not less than two-thirds of the number of persons present and voting.
5. Within one month after the second passing the Statute must be submitted to Her Majesty in Council. The University's Council desire to add that, when the Vice-Chancellor has given public notice of a proposed Statute, they will consider it, and will then announce:

either

- (a) that in their opinion the proposed Statute alters a Statute which affects the University, and may not be made without the consent of the University; but that the interests of the University are not prejudiced by it, and that they will bring before the Regent House a Grace for the grant of the necessary consent; *or*
- (b) that in their opinion the proposed Statute alters a Statute which affects the University, and may not be made without the consent of the University; and that the interests of the University are prejudiced by it and that they will bring before the Regent House a Grace for the refusal of the necessary consent; *or*
- (c) that in their opinion the proposed Statute makes no alteration of any Statute which affects the University, and does not require the consent of the University;

that the interests of the University are not prejudiced by it, and that they have resolved to take no action upon it; *or*

- (d) that in their opinion the proposed Statute makes no alteration of any Statute which affects the University, and does not require the consent of the University; but that the interests of the University are prejudiced by it, and that they have accordingly resolved to petition Her Majesty in Council for its disallowance, or for the disallowance of part of it.

APPENDIX B

Titles of Fellowships

1. For the purposes of Statute VII, 3, the titles of Official Fellowships shall be:
 - Founder's Fellowships (four)
 - Spendluffe Fellowship
 - Wray Fellowship
 - Drury Fellowship
 - Peckard Fellowship
 - Millington Fellowship
 - Benson Fellowship
 - Kipling Fellowship
 - Coulthurst Fellowship
 - Guest Keen and Nettlefolds Fellowship
 - Lumley Fellowship
 - Cleary Fellowships (two)
 - Richards Fellowship
 - Scott Fellowship
 - Salter Fellowship

2. The Governing Body may entitle one or more Research Fellowships in recognition of benefactions, as follows:
 - The Henry Lumley Research Fellowship(s) in acknowledgement of a major benefaction from Mr H.R.L. Lumley, Honorary Fellow.
 - The Thomas Nevile Research Fellowship(s) in acknowledgement of a major benefaction from Trinity College, Cambridge in 1995.

3. The Governing Body may from time to time add to this Appendix such further titles of Official, Research and other Fellowships
 - (a) in commemoration of benefactors of the College or
 - (b) for such other reasons as that body shall determine.

APPENDIX C

The Scholarship Fund

The general fund for Scholarships provided by Statute XX shall comprise the benefactions of Mr Hugh Dennis, Mr Hughes, Mr Spendluffe, Sir Christopher Wray, Lady Anne Wray, Mr Roberts, Frances Countess of Warwick, Dr Goche, Mr John Smith, Dr Duport, Mr Groom, Dr Peckard, Mr Francis Pattrick, Mr William Walton, Latimer Neville sixth Baron Braybrooke, Major W.H. Charlesworth, old members of the College subscribed in memory of the sixth Lord Braybrooke, Dr A.C. Benson, Mr E.F. Benson and Sir Oliver Simmonds together with the following endowments:

- The Bright Benefaction (1878)
- The Bright Fund (1883)
- The Davison Funds (1914)
- The Dennis Fund (1932)
- The Donaldson Exhibition Fund (1915)
- The Gill Fund (1899)
- The Hooper Fund (1933)
- The Keable Fund (1928)
- The Miles Fund (1932)
- The Millington Fund (1738)
- The Milner Fund (1722)
- The Neville Prize Fund (1904)
- The Newton Fund (1908)
- The Peskett Benefaction (1922)
- The Peskett Prize Fund (1931)

APPENDIX D

Scheme for Amalgamation of Trust Funds

AT THE COURT AT ARUNDEL CASTLE

The 3rd day of August, 1956

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY

IN COUNCIL

WHEREAS the Governing Body of Magdalene College, in the University of Cambridge, in pursuance of the Universities and Colleges (Trusts) Act, 1943, has prepared and laid before Her Majesty in Council a Scheme for administering certain funds of the College under section 2 of the said Act:

And Whereas a copy of the said Scheme has been laid before Parliament for the prescribed period and neither House has resolved that it shall not be proceeded with:

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, hereby to approve the said Scheme (a copy whereof is hereunto annexed).

W. G. AGNEW

SCHEME referred to in the foregoing Order in Council

COLLEGE OF SAINT MARY MAGDALENE
COMMONLY CALLED MAGDALENE COLLEGE
IN THE UNIVERSITY OF CAMBRIDGE

We The Master and Fellows of Magdalene College in the University of Cambridge founded in honour of St Mary Magdalene (being the Governing Body thereof) in exercise of the powers given us by the Universities and Colleges (Trusts) Act 1943 at a Meeting summoned for the purpose and held on the third day of May, 1956, do hereby make the following scheme:-

COLLEGE OF SAINT MARY MAGDALENE
COMMONLY CALLED MAGDALENE COLLEGE
IN THE UNIVERSITY OF CAMBRIDGE
SCHEME MADE UNDER THE UNIVERSITIES AND
COLLEGES (TRUSTS) ACT 1943

1. *Application of the Scheme*

This Scheme applies to the trusts shortly specified in the First Schedule (Clause 18) hereto 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 (which with all additions thereto is hereinafter called the Fund), except that the property shortly specified in the Second Schedule (Clause 19) hereto shall be excluded from the Fund and the Scheme. The property included in the Fund (as such property existed on 3 May, 1956), is specified in the Third Schedule (Clause 20) hereto. The Second and Third Schedules show to which of the trusts specified in the First Schedule the said property was attributable on 3rd May, 1956. 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. *Initial Valuation*

Notwithstanding that the Scheme does not come into operation until approved by Order in Council, it shall when so approved be deemed for all purposes of accounting, including the initial ascertainment of the shares in the Fund of specified trusts, to have come into operation on 1 August 1956 and accordingly the initial valuation of the Fund shall be drawn up as at that date.

4. *Yearly Valuation*

There shall be a yearly valuation of the Fund as at 1 August in each year, commencing with 1 August 1956, with power however for the College to substitute from time to time some other yearly date for 1 August. The date 1 August or such substituted date is hereinafter called "the accounting date". On each yearly valuation there shall be recorded the total value of the Fund, the proportion 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 revealed 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 if acquired on or before 1 August 1956 be actually valued for the purpose of the initial valuation and, if acquired subsequently, be included in the first yearly valuation after acquisition at the price of acquisition. Thereafter such land or other assets need not be actually revealed 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 revealed 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.
- (e) The proportions in which the Fund is treated as belonging to the separate trusts shall be ascertained on the initial valuation, being in each case the proportion which the value of the capital assets of that trust (other than excepted assets) bears to the aggregate value of the Fund. The proportions so ascertained shall thereafter continue 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.

5. *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.

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 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 4 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 4 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:

- (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.

Any power conferred by this Scheme to purchase land shall not be exercised without the consent of the Minister of Agriculture, Fisheries and Food, and sections thirty eight and thirty nine of the Universities and College Estates Act 1925 shall apply to any such consent.

The Universities and Colleges Estates Act 1925 shall apply to property comprised in the Fund established by this Scheme, subject to the modification that so much of the said Act as requires money arising from any sale or exchange of land or other transaction affecting land to be paid to the Minister of Agriculture, Fisheries and Food shall not apply in relation to such property as aforesaid.

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 4 of this Scheme.

14. *Transfer to the Fund of property held by the Minister of Agriculture, Fisheries and Food*

The Minister of Agriculture, Fisheries and Food is hereby enabled to transfer to the College, on application made to him by the College, any property held by him on behalf of the College in any trust to which this Scheme applies or shall have been extended to apply.

15. *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.

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

The College shall for all the purposes of this Scheme act by the Governing Body 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.

17. *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.

18. THE FIRST SCHEDULE

Trusts Administered by the College

Bright Benefaction Fund	Leman Prize Fund
Bright Building Fund	Milner Fund
Building and Living Fund	Neville Exhibition Fund
Bradfield Fund	Neville Memorial Fund
Cyril Bond Fund	Newton Prize Fund
Charlesworth Fund	Patrick Benefaction Fund
Copyrights Fund	Peckard Fund
Christie Prize Fund	Peckard Wyton Fund
Davison English Prize Fund	Pepysian Benefaction Fund
Davison Greek Verse Prize Fund	Peskett Benefaction Fund
Davison Latin Verse Prize Fund	Peskett Prize Fund
Davison Mathematics Prize Fund	Scholarship and Exhibition Fund
Donaldson Bye-Fellowship Fund	Sizarship Fund
Donaldson Exhibition Fund	Simmonds Fund
Dennis Bequest Fund	John Henry Stothert Bequest Fund
Gill Benefaction Fund	Tutors' Reserve Fund
Hospitality Fund	Walton Benefaction Fund
Hooper Fund	Warmington Prize Fund
Charles Kingsley Fund	

19. THE SECOND SCHEDULE

Property excluded from the Fund

Copyrights Fund	Rights in certain of A. C. Benson's published works.
Pepysian Benefaction Fund	Rights in certain editions of the Diary of Samuel Pepys.
Peckard Fund	Rent Charge on Land in Magdalene Street, Cambridge.

20. THE THIRD SCHEDULE

Property included in the Fund

<i>Stock</i>	<i>Nominal Value</i>			<i>Trust</i>
	£	s.	d.	
Associated Portland Cement Manufacturers Ltd. Ordinary £1 Units	450	0	0	Tutors' Reserve Fund
African Explosives & Chemical Industries Ltd 4½ % Guaranteed Loan Stock 1968-73	3,000	0	0	Tutors' Reserve Fund
British Transport 3% Guaranteed Stock 1968-73	4,678	1	0	John Henry Stothert Bequest Fund
	239	1	5	Tutors' Reserve Fund
	122	12	6	Cyril Bond Fund
	£5,039	14	11	
British Transport 4% Guaranteed Stock 1972-77	555	12	0	Bright Benefaction Fund
	1,127	12	0	Bright Building Fund
	2,548	7	0	Building and Living Fund
	1,590	11	0	Bradfield Fund
	2,318	14	0	Peckard Wyton Fund
	859	4	0	Scholarships and Exhibitions Fund
	£9,000	0	0	
Bristol Corporation 4% Redeemable Stock 1968-71	2,943	0	0	Hospitality Fund
	707	6	0	Neville Exhibition Fund
	1,076	14	0	Charlesworth Fund
	273	0	0	Tutors' Reserve Fund
	£5,000	0	0	
Birmingham Corporation 4½ % Redeemable Stock 1967-70	1,423	7	0	Donaldson Exhibition Fund
	1,303	4	0	Scholarships and Exhibitions Fund
	£2,726	11	0	

British Electricity 3%	2,523	0	0	Copyrights Fund
Guaranteed Stock 1968-73	840	6	0	Walton Benefaction Fund
	581	15	0	Neville Memorial Fund
	95	16	0	Christie Prize Fund
	1,614	3	0	Tutors' Reserve Fund
	1,127	15	0	Cyril Bond Fund
	£6,782	15	0	
British Electricity 4½%	5,344	6	0	Simmonds Fund
Guaranteed Stock	5,427	16	0	Milner Fund
	165	4	0	Davison English Prize Fund
	92	7	0	Davison Greek Verse Fund
	92	7	0	Davison Latin Verse Fund
	92	7	0	Davison Mathematics Fund
	1,836	4	0	Sizarship Fund
	149	9	0	Scholarships and Exhibitions Fund
	£13,200	0	0	
British Gas 3% Guaranteed Stock 1990-95	£80	0	0	Cyril Bond Fund
Cable & Wireless (Holding) Ltd 5% Debenture Stock 1972-77	£2,000	0	0	Tutors' Reserve Fund
Capital & National Trust Ltd 5% Redeemable Debenture Stock 1958-78	436	18	0	Scholarships and Exhibitions Fund
	713	2	0	Tutors' Reserve Fund
	£1,150	0	0	
3½% Conversion Loan 1969	550	17	0	Hooper Fund
	4,449	3	0	Scholarships and Exhibitions Fund
	£5,000	0	0	
City of Sheffield 3½% Consolidated Stock 1968	418	10	0	Patrick Benefaction Fund
				Newton Prize Fund
				Peskett Prize Fund
				Warmington Prize Fund
				Dennis Bequest Fund
				Tutors' Reserve Fund
	£2,000	0	0	
Hull Corporation 3½% Irredeemable Stock	£9,378	17	4	Peckard Fund
Investment Trust	1,531	4	0	Peckerd Fund
Corporation Ltd 5% Redeemable Stock 1965-87	72	16	0	Gill Benefaction Fund
	846	0	0	Tutors' Reserve Fund
	£2,450	0	0	
Paisley Corporation 4% Redeemable Stock 1968-70	£5,000	0	0	Pepysian Benefaction Fund

Second British Assets	677	4	0	Pepysian Benefaction Fund
Trust Ltd 5% Redeemable	1,022	16	0	Scholarships and Exhibitions Fund
Debenture Stock 1969-79				
	£1,700	0	0	
Second Scottish Mortgage	£1,000	0	0	Tutors' Reserve Fund
Trust Co. Ltd 5%				
Redeemable Debenture				
Stock 1970-75				
Second Edinburgh &	£577	0	0	Tutors' Reserve Fund
Dundee Investment Co.				
Ltd 5% Redeemable				
Debenture Stock 1965-75				
Scottish Capital Investment	152	16	0	Peskett Benefaction Fund
Co. Ltd 5 Redeemable	1,447	4	0	Tutors' Reserve Fund
Debenture Stock 1970				
	£1,600	0	0	
3½% Treasury Stock	10,096	13	0	Charles Kingsley Fund
1977-80	7,890	19	0	Scholarships and Exhibitions Fund
	294	2	4	Leman Prize Fund
	£18,281	14	4	
3½% Treasury Stock	£5,000	0	0	Scholarships and Exhibitions Fund
1979-81				

DATED this Twenty-ninth day of November 1996
THE COMMON SEAL OF THE MASTER AND FELLOWS OF MAGDALENE
COLLEGE IN THE UNIVERSITY OF CAMBRIDGE FOUNDED IN HONOUR OF
SAINT MARY MAGDALENE was hereunto affixed in the presence of:-

JOHN GURDON

Master

DENIS MURPHY

Fellow and Bursar

DATED this Sixteenth day of June 2011

THE COMMON SEAL OF THE MASTER AND FELLOWS OF MAGDALENE
COLLEGE IN THE UNIVERSITY OF CAMBRIDGE FOUNDED IN HONOUR OF
SAINT MARY MAGDALENE was hereunto affixed in the presence of:-

DUNCAN ROBINSON

Master

STEVEN MORRIS

Fellow and Senior Bursar

DATED this Nineteenth day of July 2018

THE COMMON SEAL OF THE MASTER AND FELLOWS OF MAGDALENE
COLLEGE IN THE UNIVERSITY OF CAMBRIDGE FOUNDED IN HONOUR OF
SAINT MARY MAGDALENE was hereunto affixed in the presence of:-

ROWAN WILLIAMS

Master

STEVEN MORRIS

Fellow and Senior Bursar