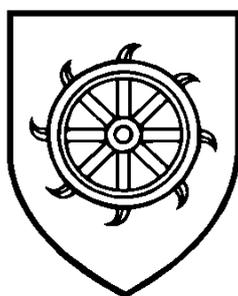


STATUTES
FOR
ST CATHARINE'S COLLEGE
IN THE
UNIVERSITY OF CAMBRIDGE



CAMBRIDGE

Printed for the College

2007

PREFACE TO THIS EDITION

These Statutes were made by the Governing Body of the College, in exercise of the powers conferred upon it by section 7 of the Universities of Oxford and Cambridge Act 1923, and approved by Her Majesty the Queen with the advice of her Privy Council at a Court held at Buckingham Palace on 7 June 2006. Statute II was amended by paragraph 34 of the Schedule to The Lord Chancellor (Transfer of Functions and Supplementary Provisions) Order 2007 (see Appendix II).

These Statutes entirely supersede the Statutes made in 1961 and amended in 1975, 1989 and 1995.

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PRÆFATIO STATUTORUM FUNDATORIS

In nomine Sactæ ac Individuæ Trinitatis, Patris et Filii et Spiritus Sancti, necnon beatissimæ Mariæ virginis et sanctæ Katerinæ, omniumque sanctorum Dei. Ego Robertus Wodelarke, sacræ theologiæ professor, de summi rerum opificis bonitate confisus, qui vota cunctorum in eo fidentium cognoscit, dirigit et disponit, vitam spero post hanc vitam, semper timoratus de nostro transitu et fine, mente tenus sic disposui, quod de bonis, quæ Deus in hoc mundo mihi de suæ plenitudinis gratia contribuit, unum collegium sive aulam vocatam aulam sanctæ Katerinæ virginis et martiris infra universitatem Cantabrigiæ in vico vocato *Mylstrete* erexi, fundavi et stabilivi, ad laudem, gloriam et honorem Domini nostri Jesu Christi, gloriosissimæ virginis Mariæ matris ejus et sanctæ Katerinæ virginis, in exaltationem Christianæ fidei, Ecclesiæ sanctæ defensam et profectum per seminationem et administrationem verbi Dei, in augmentum scientiarum et facultatem philosophiæ et sacræ theologiæ, institui et stabilivi licentia regia ad id obtenta, prout in ordinationibus, institutionibus et statutis superinde confectis et in posterum conficiendis per me durante vita mea naturali plenius apparebit super uno magistro et tribus sociis sive pluribus futuris successivis temporibus in perpetuum duraturis. Unde ego Robertus Wodelarke antedictus pro salubri regimine ejusdem collegii sive aulæ sanctæ Katerinæ prædictæ, vulgariter dictæ *Saynte Kateryne Hall*, fundator primus quæ necessaria et utilia reperi et reputavi, quæque doctrinam profectum et incrementum respicere dinoscuntur de advisamento et consilio virorum sapientum, qui mecum rogati in editionem statutorum consuluerint, ad futuram et perpetuam rei memoriam sic originaliter procedimus in hunc modum.

STATUTES

OF THE CONSTITUTION OF THE COLLEGE

STATUTE I

THE CONSTITUTION

1. Whereas by a charter dated the sixteenth day of August 1475 King Edward IV granted that the College be a body corporate with perpetual succession for a Master and three or more Fellows by the name 'Aula sancte Katerine virginis infra Universitatem Cantabrigie', be it known that the full name and designation in the English tongue of the aforesaid body corporate shall be, as heretofore, 'The Master and Fellows of the College or Hall of Saint Catharine the Virgin in the University of Cambridge'.
2. The Foundation of the College shall consist of a Master, the Fellows and the Scholars.
3. The Governing Body, hereinafter mentioned, shall, subject to anything contained in these Statutes and in the Statutes of the University, control the admission of persons to be members of the College, under such rules as shall from time to time be prescribed by the Governing Body.

OF THE GOVERNMENT OF THE COLLEGE

STATUTE II

THE VISITOR

The Visitor of the College shall be, as heretofore, the Crown.

STATUTE III

THE GOVERNMENT OF THE COLLEGE

1. The Master and Professorial and Official Fellows shall, subject to Acts of Parliament and to these Statutes, exercise all the powers of the College, and have control over all matters concerning the College.
2. The expression 'Master and Fellows' where it occurs in these Statutes shall mean the Master and the Professorial and Official Fellows acting through a College Meeting.
3. The expression 'the whole number of the Master and Fellows' where it occurs in these Statutes shall mean the Master and the whole number of the Professorial and Official Fellows.

The expression 'the whole number of the Fellows' where it occurs in these Statutes shall mean the whole number of the Professorial and Official Fellows.

4. The expression 'Governing Body' where it occurs in these Statutes shall mean either
- (a) the Master and Fellows, together with such other members, if any, as they may co-opt, or
 - (b) to the extent permitted by Statute V, the Master and Fellows acting through an Executive Council appointed in accordance with that Statute.

Provided that

- (i) the Master and Fellows may by Ordinance promulgate a procedure whereby junior members may be proposed for co-optation as members of the Governing Body;
 - (ii) without prejudice to Statute V, the number of any junior members co-opted as members of the Governing Body shall not exceed four;
 - (iii) the absence of any or all of the co-opted members from a meeting of the Governing Body shall not invalidate any decision or vote taken at that meeting;
- and
- (iv) any power exercisable by the Governing Body may be exercised by the Master and Fellows acting alone as provided by section 2 of this Statute.
5. Save as provided in Statute V, the Master and Fellows may delegate any specified powers to the Governing Body, and, in respect of any power so delegated, the Governing Body shall act on behalf of and instead of the Master and Fellows. The Governing Body also may delegate specified powers to a committee, or to the Master, or to any Fellow, or to any Officer of the College, provided that this shall not extend to the election of a Fellow, Fellow Commoner, Officer or Lecturer.

6. No junior member shall be present, whether as a member or otherwise, at a meeting of any body constituted by or under these Statutes for the discussion of, or decision on, any matter which the person presiding declares to be reserved. The following matters shall be reserved:

- (a) the election of an individual to, or the removal of an individual from, the Mastership, a Fellowship, a Fellow Commonership, or a College Office, or any matter relating thereto;
- (b) the appointment, employment, promotion, privileges or remuneration of any individual, or any matter relating thereto, or any matter affecting or relating to the personal position or emoluments of an individual;
- (c) the admission or assessment of an individual;
- (d) disciplinary or redundancy proceedings affecting individuals;
- (e) such matters as may be specified by Statute, Ordinance, or regulations made by the Governing Body, in respect of any particular body or class of bodies;
- (f) any other matter at the discretion of the person presiding.

In case of doubt, the decision of the person presiding as to whether an item of business is reserved shall be final. No junior member shall receive papers relating to any item of reserved business or any communication concerning the specific content of such papers, except that junior members may, if the relevant body so decides, receive the agenda relating to reserved business and also, if that body so decides, the minutes of decisions taken on reserved business.

STATUTE IV
COLLEGE MEETINGS

1. A College Meeting shall be a meeting of the Master and Fellows or of the Governing Body when it is not an Executive Council. In this Statute the word 'member' shall be construed as referring to a member of the Governing Body.
2. College Meetings shall be of two kinds:
 - (a) Ordinary;
 - (b) Special.
3. An Ordinary College Meeting shall be a meeting of which at least four clear days' notice in writing has been given to each Fellow or member, specifying the place, the day and the hour of the meeting.
4. A Special College Meeting shall be a meeting of which at least fourteen clear days' notice in writing has been given to each Fellow or member, specifying the place, the day and the hour of the meeting, and also the object or objects for which the meeting is called.
5. The Master may, whenever he or she thinks fit, convene an Ordinary or a Special College Meeting.
6. The Master shall, on a requisition in writing signed by at least three Fellows, specifying the object of the meeting, convene forthwith a Special College Meeting, and if the Master, when so requested, shall, for a period

of three days, neglect to convene such a meeting for assembly at a time within seventeen days after such request, then any three Fellows shall have power themselves to convene such meeting.

7. In the Michaelmas Term of every year, on a day to be fixed by the Master, there shall be a Special College Meeting hereinafter called the Statutory Meeting.

8. College Meetings shall be held in the Combination Room or some other convenient place within the precincts of the College, but not elsewhere.

9. The Master shall preside at every College Meeting; failing the Master the President; and failing the President the senior Fellow present.

10. No business shall be transacted at any College Meeting unless a quorum is present; not less than one-third of the whole number of the Master and Fellows shall be a quorum.

11. Any meeting may be adjourned from time to time at the discretion of the meeting.

12. No Fellow or member shall be absent from a College Meeting without due cause. Any Fellow or member absent from the Statutory Meeting without cause approved by the Governing Body shall be fined the sum of five pounds.

13. The Master and Fellows shall have power to make Ordinances, and to amend or repeal such Ordinances, by orders passed at a College Meeting, and confirmed at a further meeting held not less than fourteen days later, in

each case by a majority of not less than two-thirds of those present, and such Ordinances shall be read with, and shall have the same force as, these Statutes; provided that they be in no respect inconsistent with the Statutes for the time being of the College or of the University or with Acts of Parliament. The Secretary to the Governing Body, or such other person as the Master and Fellows shall appoint, shall keep an Ordinance Book containing all the Ordinances currently in force.

14. Except as otherwise provided by the Statutes or Ordinances of the College, all decisions taken at a College Meeting shall be determined in accordance with the votes of a majority of those present and voting. If the votes are equally divided, the person presiding shall have a second or casting vote.

15. In any vote on the election, re-election, appointment or reappointment of a member of the Governing Body to the office of Master or President, or to any other office or position normally carrying an emolument, or to a Fellowship, or on any application for leave of absence under Statute XVI, or on any proposal for the removal of such member from any office or position whatsoever, or from the Governing Body, such member shall not vote and shall not be counted in reckoning any necessary majority.

STATUTE V

EXECUTIVE COUNCIL

1. The Master and Fellows may at a Special College Meeting, by a majority of not less than two-thirds of those present, appoint an Executive Council to control and manage all such College business as shall be prescribed at such meeting. Such Executive Council shall consist of the Master and a number of other members, such number to be determined by the Master and Fellows. Provided that any power which is expressed in these Statutes to be exercised by the Master and Fellows may not be delegated but shall be exercised at a College Meeting.
2. The number of members of the Council who are not Fellows shall not exceed three.
3. The provisions of Statute IV. 8, 11, 14 and 15 shall apply to meetings of the Council.
4. No business shall be transacted at any meeting of the Council unless a quorum is present; not less than one-half of the members of the Council shall be a quorum, provided that a majority of those present shall be Fellows.
5. The Master shall preside at every meeting of the Council, failing whom the Council shall elect another member to preside.
6. The Master and Fellows shall have the power from time to time at a Special College Meeting to abolish such Executive Council, or to vary its membership or the powers delegated to it, consistently with the provisions of these Statutes.

STATUTE VI

ADDRESSES OF FELLOWS

Every Fellow and every other member of the Governing Body shall leave with such person as the Governing Body may appoint an address to which notices are to be sent; and, in all cases in which by these Statutes notice is required to be given to any Fellow or member of the Governing Body, it shall be sufficient that the notice be sent to such address by post or otherwise.

STATUTE VII

THE SEAL

1. The Master and Fellows shall determine from what matrix or matrices may be taken impressions of the Common Seal of the College for any purpose. Such matrix or matrices shall be kept in some secure place and fastened with two different keys, one of which shall be kept by the Master or in the absence of the Master by the President or the senior Fellow in residence and the other by the Senior Bursar or by a Fellow deputed by the Senior Bursar.
2. When either holder of a key is absent from the University, that person shall deposit the key with some Fellow as deputy. Provided that no person shall keep two keys at the same time.
3. The Seal shall not be affixed to any writing or document except in the presence of the Master, or a deputy appointed by the Master, and two Fellows.

4. Minutes shall be kept of all sealings and shall be accessible to all members of the Governing Body at all reasonable times.

OF THE MASTER

STATUTE VIII

QUALIFICATIONS AND DUTIES OF THE MASTER

1. There shall be a Master or Keeper of at least thirty years of age, who shall be in the judgment of the Fellows best qualified to preside over the College as a place of education, religion, learning and research.
2. The duties of the Master shall be to exercise a general superintendence and control over the affairs of the College, to enforce the observance of the College Statutes by the Fellows, Scholars, Officers and other members of the College, to preside at meetings of the Governing Body and of the Council, to be responsible for the safe custody of the matrix or matrices of the Common Seal of the College and for its proper use in accordance with the orders of the Governing Body, and in all matters not provided for by the Statutes or Ordinances to make provision for the good government and discipline of the College.
3. The Master shall be in residence for not less than one hundred and eighty-five days in any year, and not less than two-thirds of any Term, except on account of illness or leave of absence.

STATUTE IX

ELECTION OF THE MASTER

1. When the date of resignation or retirement of the Master is known in advance, or when a vacancy in the Mastership occurs suddenly, the President, or failing the President the senior Fellow in residence, shall within a reasonable time convene a Special College Meeting to fix the day, hour and place for the election or pre-election of a new Master and for the consideration of the terms of appointment. In the case of a pre-election, this day shall not be more than twelve calendar months before the date when the vacancy will occur. The Master shall not be present at any of the meetings convened under this section.

2. If at the end of one hundred and eighty days from the date on which the Mastership becomes vacant no person shall have been elected as Master by a majority of the whole number of Fellows, the power of the Fellows to make an election shall cease, and the right of appointing a Master for that turn shall devolve upon the Visitor. For the purpose of reckoning the one hundred and eighty days mentioned in this section, days falling within the University vacations shall not be counted.

3. The person elected or appointed shall, before acting as Master, make the following declaration in the College Chapel as soon as conveniently may be after the election or appointment:

‘Ego *N.* do fidem quod collegium sive aulam divæ Catharinæ virginis, terras et tenementa, possessiones, redditus temporales et ecclesiasticos, jura et bona quæcunque collegii sive aulæ prædictæ regam, defendam, custodiam et gubernabo, et per alios regi, custodiri et gubernari faciam quantum potero. Item statuta ejusdem collegii edita, et in posterum edenda, firmiter observabo. Item collegium sive aulam prædictam cum omnibus bonis ejusdem contra omnes adversarios ejus quantum potero tuebor et defendam. Et, quantum in me fuerit, correctiones, punitiones, et reformationes justas et debitas faciam et exercebo ac per alios fieri et exerceri, quantum in me est, curabo.’

STATUTE X

TENURE OF OFFICE OF THE MASTER

1. The Master shall hold office for such period as the Master and Fellows shall determine at or before the time of his or her election or appointment.
2. Notwithstanding the provisions of section 1 of this Statute, a Master may be re-elected for such period as the Master and Fellows shall determine at or before the time of the re-election.

STATUTE XI

RESIGNATION OF THE MASTER

1. If the Master shall at any time become incapable of performing his or her duties, the Visitor, upon the recommendation of the Master or a majority of the whole

number of Fellows, shall have power to appoint one of the Fellows to act in the Master's place during the incapacity.

2. The Master may at any time resign the Mastership by notice in writing under his or her hand addressed to the President, or failing the President the senior Fellow then in residence.

STATUTE XII

THE VICE-MASTER

1. The Fellow who shall be appointed by the Visitor to act in the Master's place shall be called the Vice-Master. The Vice-Master shall retain the office, and receive such stipend as the Governing Body shall determine, until the Master shall be reinstated or shall cease to be Master.

2. If the Vice-Master appointed by the Visitor shall die or resign from the office, or vacate his or her Fellowship, or become incapable of discharging the duties of the Vice-Mastership, the Visitor shall have the like power upon the like application of appointing another of the Fellows to be Vice-Master instead.

3. If the Master shall at any time after the appointment by the Visitor of a Vice-Master again become capable of performing the duties of the Mastership, the Visitor, on being satisfied thereof, shall have power to reinstate the Master in all the functions and powers of the Mastership, whereupon the office of the Vice-Master shall cease.

4. Notwithstanding the provisions of Statute XXV.2, the Master and Fellows may appoint a Vice-Master to act in the Master's place when the Master is given leave of absence from the College for one or more Terms, or while the Mastership is temporarily vacant.

5. If a Vice-Master appointed by the Master and Fellows shall die or resign from the office, or become incapable of discharging the duties of the office, the Master and Fellows may appoint another Vice-Master in accordance with section 4 of this Statute.

6. A Vice-Master shall exercise and perform all the functions and duties and have all the powers and authorities of the Master, and shall receive such stipend if any as the Governing Body may determine.

7. A Vice-Master shall be bound to residence in the same manner and be liable to deprivation for the same causes and in like manner as the Master.

OF THE FELLOWS AND FELLOW COMMONERS

STATUTE XIII

PROFESSORIAL FELLOWSHIPS

1. Professorial Fellows shall be elected in accordance with the terms and conditions prescribed by the University Statutes.

2. The College shall comply with the requirements of the University Statutes regarding Professorial Fellowships.

3. A Professorial Fellow shall reside in the University during Full Term, unless granted leave of absence or excused by the Governing Body for some sufficient cause.

STATUTE XIV

OFFICIAL FELLOWSHIPS

1. An Official Fellow shall be chosen for learning, teaching ability, or administrative capacities.
2. There shall be at least ten Official Fellowships. There may also be such additional Official Fellowships as the Master and Fellows may from time to time determine.
3. If at any time there be less than the minimum number of ten Official Fellows, the Official Fellowship which last became vacant shall be filled before the end of the academical year next following the date of the vacancy. A vacant additional Official Fellowship may be filled or left vacant or suppressed as the Master and Fellows may determine.
4. An Official Fellow shall reside in the University during Full Term, unless granted leave of absence or excused by the Governing Body for some sufficient cause.

STATUTE XV

RESEARCH FELLOWSHIPS

1. Research Fellows may be elected from amongst those showing proficiency and promise in any branch of learning, and it shall be their duty to devote themselves to the advancement of learning and research.

2. The Master and Fellows may at the time of election or re-election attach any condition to a Research Fellowship.

3. It shall be in the discretion of the Master and Fellows whether to allot a stipend to a Research Fellow.

4. A Research Fellow shall reside in the University during Full Term, unless granted leave of absence or excused by the Governing Body for some sufficient cause.

STATUTE XVI

LEAVE OF ABSENCE

1. The Governing Body may, on application from the Master, a Fellow, or a College Officer, grant that person leave of absence for such period and on such terms as they may determine.

2. Notwithstanding anything contained in these Statutes, the Master shall not during any period of leave of absence granted under section 1 of this Statute be reckoned a member of the Governing Body for the purpose of attending or voting at any College meeting, and shall not be counted in reckoning any quorum or necessary majority at such meeting, provided always that during such period of leave the Master shall nevertheless be given notice of any meeting convened under Statute XLV and, for the purpose only of transacting any business arising under that Statute, may attend and

vote at such meeting, and if so attending shall for the purpose of transacting that business be counted in reckoning any quorum or necessary majority.

3. Notwithstanding anything contained in these Statutes, a Fellow shall not during any period of leave of absence granted under section 1 of this Statute be reckoned a member of the Governing Body for the purpose of attending or voting at any College meeting, provided always that during such period of leave a Fellow shall nevertheless be given notice of any meeting convened under Statute IX or Statute XLV and, for the purpose only of transacting any business arising under those Statutes or either of them, may if otherwise qualified attend and vote at such meeting, and if so attending shall for the purpose of transacting that business be counted in reckoning any quorum or necessary majority.

4. Leave of absence granted under section 1 of this Statute may not be revoked except by the Governing Body acting on the request of the person to whom it has been granted.

STATUTE XVII

ELECTION TO FELLOWSHIPS

1. Fellows shall be elected or re-elected by the Governing Body.
2. The concurrence of the votes of a majority of not less than two-thirds of those present shall be required for the election or re-election of a Fellow.

3. If at the election of a Fellow a candidate has failed to obtain the required majority of votes, the same candidate may again be proposed for election at a subsequent meeting of the Governing Body.

4. A Fellow-elect shall, before acting as a Fellow, be admitted and corporeally inducted into the Fellowship in the manner heretofore accustomed, and shall before such admission make the following declaration:

‘Ego *N.* do fidem quod omnia statuta et ordinationes collegii sive aulæ divæ Catharinæ virginis, quatenus me concernunt, pro viribus observabo, et quantum in me est ab aliis sociis faciam observari; magistro seu præfecto dicti collegii sive aulæ qui pro tempore fuerit, in iis quæ ad officium ipsius et statuta collegii prædicti pertinent, obtemperabo; bonorum, terrarum, possessionum ac reddituum ejusdem collegii conservationem et amplificationem, quantum in me est, procurabo.’

5. An election to a Fellowship shall be in the first instance for a period not exceeding three years. Provided that an Official Fellow who becomes qualified for a Professorial Fellowship may be elected to such a Fellowship for any period not exceeding seven years. Provided also, for the avoidance of doubt, that this section shall not affect the tenure of a Professorial Fellow elected before it came into effect.

6. A re-election to a Professorial or Official Fellowship may be for any period not exceeding seven years.

7. A re-election to a Research Fellowship may be for any period not exceeding three years.

STATUTE XVIII

SENIORITY OF FELLOWS

1. The Fellows shall have seniority and precedence after the President according to the times of their respective elections as Fellows. Provided that the seniority and precedence of a Fellow shall not be affected by any transfer from a Fellowship of one class to a Fellowship of another class, and that a former Fellow who is elected to a Fellowship within one year from the vacation of the former Fellowship shall resume the seniority and precedence among the Fellows which he or she had on vacating that Fellowship, and that a former Fellow who is again elected to a Fellowship after a longer interval of time shall reckon for the purposes of seniority and precedence among the Fellows all the time during which he or she had previously been a Fellow of the College.

2. Every Fellow shall proceed without delay to the degree of Master of Arts, or other degree qualifying for membership of the Senate of the University, when of standing to take such degree.

STATUTE XIX

VACATION OF FELLOWSHIPS

1. A Fellowship shall be vacated on the 30th day of September next after the holder attains the age of sixty-seven years, or if the age of sixty-seven years is attained on the 30th day of September then on that day.

2. A Fellowship shall be vacated by the acceptance of an outside appointment which is determined at a Special College Meeting, by a majority of not less than two-thirds of the whole number of the Master and Fellows, to be incompatible with the duties of the Fellowship. A Professorial Fellowship shall be vacated ipso facto on the Fellow ceasing to hold the University Office which was the qualification for the Fellowship.

3. A Fellowship shall be vacated if it is determined at a Special College Meeting, by a majority of not less than two-thirds of the whole number of the Master and Fellows, that the holder has, without due cause, failed to fulfil the conditions of tenure of the Fellowship.

4. If any Fellow shall pertinaciously disturb the concord or discipline of the College, or shall wilfully violate or neglect to comply with any of these Statutes, it shall be the duty of the Master and Fellows, on proof of such misconduct, to admonish such Fellow at a College Meeting; and if, notwithstanding such admonition, the same Fellow shall contumaciously persist in such misconduct, the Master shall at a Special College Meeting, if a majority of not less than two-thirds of the whole number of the Master and Fellows so determine, suspend such Fellow from the enjoyment of his or her Fellowship for such time as they think fit, or deprive the same Fellow altogether of the Fellowship.

5. If the Master shall in any case think it proper to cause an inquiry to be instituted as to whether or not the conduct of any Fellow has been disgraceful, and such as to render that Fellow unfit to be a Fellow of the College, or if any two Fellows shall prefer before the Master against any Fellow a charge of disgraceful conduct, rendering that Fellow unfit in their judgment to be a Fellow of the College, the Master shall summon a Special College Meeting which the accused shall have no right to attend, save to the extent hereinafter provided. The Master and Fellows assembled at such Meeting shall proceed to investigate the case, giving the accused person an opportunity of being heard in his or her defence, and the Master shall, if a majority of not less than two-thirds of the whole number of the Master and Fellows so determine, deprive the offender of the Fellowship and take such further action as is deemed proper. For the purpose of proceedings under this section the Master and Fellows may delegate the investigation of facts to a committee and shall be entitled to treat the findings of such a committee as conclusive.

6. In any case where a sentence of suspension or deprivation is passed upon a Fellow under the provisions of sections 4 or 5 of this Statute there shall be a right of appeal to the Visitor, who shall have power to annul the sentence or vary it at his or her discretion.

7. Subject to the provisions of section 6 of Statute XLVI, nothing in sections 4, 5 or 6 of this Statute shall apply to a person who is a member of the academic staff to whom Statute XLVI applies.

STATUTE XX

HONORARY AND EMERITUS FELLOWSHIPS

1. The Master and Fellows may, at a Special College Meeting, by a majority of not less than two-thirds of those present, elect to be an Honorary Fellow any person whom they desire so to distinguish.
2. The title of Emeritus Fellow shall, upon the retirement of a Fellow, be conferred by the Governing Body upon any person who has been a Professorial Fellow for not less than ten years or who has been a Fellow in some other class or classes for not less than seventeen years. The title shall not be conferred upon any person who is not so qualified, and may be withheld for grave cause.
3. The Master and Fellows may at any time terminate the tenure of an Honorary Fellowship or an Emeritus Fellowship for grave cause.
4. An Honorary Fellow or Emeritus Fellow shall not have any voice or authority in the affairs of the College, and shall not be entitled to any stipend, commons or rooms, but shall enjoy such privileges and amenities as the Master and Fellows may from time to time determine.
5. In these Statutes the expressions 'Master and Fellows' or 'Fellows' or 'Fellow' do not include Honorary Fellows or Emeritus Fellows.

STATUTE XXI

FELLOW COMMONERSHIPS

1. The Governing Body may, by a majority of not less than two-thirds of those present at a meeting, elect any person to be a Fellow Commoner, or re-elect a Fellow Commoner whose tenure has expired or is about to expire. In electing or re-electing a

Fellow Commoner regard shall be had to the past or prospective contribution of the candidate to the life of the College.

2. An election or re-election to a Fellow Commonership shall be for a period not exceeding seven years.
3. The Master and Fellows may at any time terminate the tenure of a Fellow Commonership for grave cause.
4. A Fellow Commoner shall not have any voice or authority in the affairs of the College, and shall not be entitled to any stipend, commons or rooms, but shall enjoy such privileges and amenities as the Master and Fellows may from time to time determine.
5. In these Statutes the expressions 'Master and Fellows' or 'Fellows' or 'Fellow' do not include Fellow Commoners.

STATUTE XXII

THE SCHOLARS

1. Junior members of the College may be elected into Scholarships or into the titles of such under conditions to be prescribed by the Governing Body.
2. The emoluments and privileges of a Scholar shall be such as the Governing Body may from time to time determine.
3. The Governing Body shall have power to make awards other than Scholarships under such conditions as it may from time to time prescribe.
4. The tenure of every Scholarship shall be contingent upon residence as a member of the College, unless the holder be engaged in study which, in the opinion of the Governing Body, necessitates absence from the University, and upon good conduct and diligence in study.

STATUTE XXIII

MEMBERSHIP OF THE COLLEGE

1. Junior members of the College shall show due respect and obedience to the Master and Fellows and the Officers of the College; they shall conduct themselves in a quiet and orderly manner, and shall observe the Statutes, and shall conform to all such orders and regulations as may be made by the Governing Body from time to time for the good government of the College; they shall pay such fees at such times as the Governing Body shall from time to time determine.

If any such member shall fail to observe and conform to all the Statutes, orders and regulations aforesaid, or shall be guilty of any conduct prejudicial to discipline or good order, or tending to bring scandal upon the College, he or she may be punished by the Governing Body, or by the Master, or by a Tutor, or by the Dean.

Save as provided in the following section, no such member shall be punished for any of the aforesaid offences by expulsion or removal from the College, or by deprivation of any title or emolument belonging to a Scholar, except by the Master and Fellows; neither shall any punishment be imposed on any person by virtue of any of the provisions of this section unless that person has been given an opportunity of being heard in his or her defence.

2. If any junior member of the College is neglectful in study, or refuses to take an examination appropriate to his or her course of study, or fails to perform satisfactorily in such examination, the Governing Body may make such order or orders as it thinks fit with respect to the residence and status of that member, and if such member is a Scholar the Governing Body may in addition or alternatively deprive the same member of any title or emolument belonging to a Scholar. A member who is required to go out of residence under the provisions of this Statute may be allowed by the

Governing Body to return into residence upon such conditions as the Governing Body shall think fit.

In proceedings under this Statute the investigation of facts may be delegated to a person or committee and the Master and Fellows, or the Governing Body, shall be entitled to treat the findings of that person or committee as conclusive.

STATUTE XXIV

ENUMERATION

There shall be a President, a Tutor, a Bursar, a Dean, a Chaplain, a Steward, a Praelector, and a Librarian, and such additional College Officers and Lecturers as the Governing Body shall from time to time determine. With the exception of the President, who shall be elected by the Master and Fellows, they shall be elected by the Governing Body. Provided that no person other than a Fellow shall hold the office of President, Senior Tutor, Senior Bursar, Dean, or Praelector. The duties and stipends of College Officers shall be fixed by the Governing Body from time to time.

STATUTE XXV

THE PRESIDENT

1. One of the Fellows shall be elected by a Special College Meeting to be President of the College, and shall hold office for such period as may then be determined.
2. If the Master or Vice-Master is not in residence, or is incapacitated by illness or otherwise, the President shall, during such time of absence or incapacity, exercise and perform all the functions and duties, and have all the powers and authorities of the

Master, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in like manner as the Master.

3. If the Master die, or resign, or be deprived of his office, the President shall exercise all the functions of the Master until a new Master or a Vice-Master be elected or appointed. If the Vice-Master be incapacitated, and the Master be still incapable of performing the duties belonging to the Mastership, the President shall act as Master until another Vice-Master be appointed.

4. Notwithstanding anything in this Statute, the President shall be eligible to be elected or appointed Master or Vice-Master whenever occasion arises.

5. The President shall have seniority and precedence in the College next after the Master, or the Vice-Master if there be one.

STATUTE XXVI

THE TUTORS

1. There shall be such number of Tutors as the Master and Fellows may from time to time determine.

2. The Tutor, if there be one, or, if there be more than one, that one of them whom the Master and Fellows shall from time to time determine, shall, irrespective of seniority as a Fellow, be the Senior Tutor.

3. It shall be the duty of a Tutor to promote the studies and general welfare of his or her pupils.
4. No junior member of the College shall be without a Tutor.

STATUTE XXVII

THE BURSARS

1. The Bursar or Bursars shall, under the control of the Governing Body, have the care of the property of the College, receive all rents and money due, and make such payments as may be due from the College.
2. The Senior Bursar shall keep or cause to be kept accounts of both receipts and expenditure. The moneys not required for immediate College purposes shall, in accordance with the orders of the Governing Body, be kept by the Senior Bursar in some Bank or Banks approved by the Governing Body, or shall be invested.
3. The Bursars shall show the account books and bank accounts to the Master or any Fellow who desires to inspect them. The accounts shall be inspected and audited annually by a firm of accountants appointed in the manner prescribed by the Statutes of the University. The audited accounts and the report of the inspecting firm shall be submitted to the Master and Fellows once a year at the Statutory Meeting.

4. The Bursars shall superintend the buildings, offices, rooms, courts and gardens of the College, and provide, under the orders of the Governing Body, for their staffing, maintenance and repair.

5. The Bursars may, with the approval of the Governing Body, delegate any of their duties.

STATUTE XXVIII

THE STEWARD

1. The Steward shall attend to all matters connected with the management of the Hall, Kitchen and Buttery of the College.

2. The demarcation between the duties of the Bursars and Steward shall be such as the Governing Body may from time to time determine.

3. The Steward shall keep or cause to be kept accounts for the Kitchen and Buttery, in such form as may be approved from time to time by the financial authorities of the University. The accounts of the Steward shall be inspected and audited annually by a firm of accountants appointed in the manner prescribed by the Statutes of the University. The audited accounts and the report of the inspecting firm shall be submitted to the Master and Fellows for approval in the same manner as the accounts of the Senior Bursar.

STATUTE XXIX

THE DEAN

It shall be the principal duty of the Dean to maintain discipline and good order among the junior members of the College.

STATUTE XXX

THE PRAELECTOR

1. The Praelector shall prepare the lists of candidates for examinations, and send them to the Registry of the University or other responsible person.
2. The Praelector shall present to the University candidates for matriculation and candidates for Degrees.
3. The Praelector shall receive and pay over to the Bursar all College Degree fees.

STATUTE XXXI

THE CHAPLAINS

1. Whereas by the Universities Tests Act 1871 the College is required to provide sufficient religious instruction for all members thereof *in statu pupillari* belonging to the Established Church, and to provide for morning and evening prayer in the Chapel according to the liturgy of the Church of England, the Governing Body shall appoint a Chaplain or Chaplains to carry out the provisions of the Act, as amended, and shall

also make such regulations as the Governing Body may deem expedient for the due maintenance of religious worship.

2. The Chaplain or Chaplains shall give such religious instruction as occasion offers to the junior members of the College.

STATUTE XXXII

THE LECTURERS

A Lecturer shall perform such College teaching as shall be prescribed by the Master and Fellows, who shall also decide the terms of the appointment.

STATUTE XXXIII

APPOINTMENT OF OFFICERS

1. A Tutor shall, in the first instance, be appointed for a period not exceeding three years, at the end of which period the Governing Body may prolong the term of office from time to time, but no prolongation shall be for more than seven years at a time.

2. Any other College Officer or Lecturer may be appointed for a period not exceeding three years, at the end of which period the Governing Body may prolong the term of office from time to time, but no prolongation shall be for more than seven years at a time. Provided that the term of office of the President shall be in the absolute discretion of the Master and Fellows by virtue of Statute XXV.1.

3. Any holder of a College Office may at any time be removed from such office by a vote passed at a Special College Meeting by a majority of those present.

4. Subject to the provisions of section 6 of Statute XLVI, nothing in section 3 of this Statute shall apply to the removal of a person who is a member of the academic staff to whom Statute XLVI applies.

STATUTE XXXIV

RESIDENCE AND COMMONS

1. The Master and Fellows shall have power to determine from time to time what shall be held to constitute residence for the purpose of these Statutes.
2. The Master and Fellows shall be entitled to dine in Hall during Term and such part of the vacation as the Governing Body shall from time to time determine, free of charge.
3. Official and Research Fellows shall have a right to accommodation in College, free of rent, rates and taxes, and the Master shall assign it. They shall further receive such other amenities as the Master and Fellows may from time to time determine.
4. Accommodation may be allotted to Professorial Fellows and other members of the College by the Governing Body at its discretion, and the rents shall be fixed by the Governing Body and shall be paid as income to the College.
5. No Fellow shall reside in College with another person or persons unless special permission has been given by the Master.

STATUTE XXXV

SUPERANNUATION

The Governing Body shall take such steps as may be necessary for the participation of the College in whatever superannuation scheme or schemes may from time to time be appropriate.

OF THE ACCOUNTS OF THE COLLEGE

STATUTE XXXVI

THE COLLECTION OF MONEYS

1. All moneys due to the College shall be received and collected by some Office or Officers appointed by the Governing Body to receive the same, and all moneys so received shall, so soon as is reasonably practicable, be placed to the credit of the appropriate accounts.

2. Each Officer of the College, who shall receive or pay any money on its behalf, shall keep or cause to be kept accurate accounts in the form prescribed by the Statutes of the University, and shall prepare them for audit up to such day as, subject to the provisions of the Statutes of the University, the Governing Body shall from time to time direct.

STATUTE XXXVII

FEES, CHARGES AND CAUTION MONEY

1. The Governing Body shall determine from time to time what fees and charges should be paid by members of the College.
2. Every junior member shall be required to pay such sum by way of caution money as the Governing Body shall from time to time determine. All caution money shall be placed to the credit of a fund called the Caution Fund, which shall be managed by the Senior Bursar and the income therefrom applied in such manner as the Governing Body shall from time to time direct.

STATUTE XXXVIII

INCOME TAX

No payment by the College to the Master or to any Fellow or College Officer in respect of any stipend, or payment for teaching or direction of studies, shall be made free of public taxation upon income, nor shall any allowance be made to any such person on account of such taxation.

STATUTE XXXIX

AUDIT

1. There shall be an annual audit of all the College accounts to be completed before the end of the Michaelmas Term. Prior to this the accounts shall be audited by two or more Auditors, one of whom shall be a qualified accountant (not being a member of the Governing Body) and the other or others shall be members of the Governing Body. All Auditors shall be appointed by the Governing Body. The Auditors shall inspect all necessary books and vouchers, ascertain the balances due, and shall be given all such information and explanations as they may require, and shall make a

report stating that they have examined the accounts and whether they are correct, and calling attention to any matters which they think should be considered by the Governing Body. An abstract of the accounts in a form approved by the Governing Body, together with a copy of the Auditors' report, shall be circulated to the Master and Fellows at least seven days before the Statutory Meeting. At such meeting the Master and Fellows shall consider the accounts and if satisfactory approve them, but may if they think fit require the production of any books or vouchers and further information and explanation from the Senior Bursar or any other accountable party.

2. An abstract of the several accounts of the College, relating to funds administered for general purposes, or in trust, or otherwise, shall be sent on or before the appointed day each year to the University for publication. The abstract shall be made in such form as may be required by the Statutes of the University.

STATUTE XL

STIPEND

There shall be paid to the Master and to stipendiary College Officers such sum, by way of stipend, as the Governing Body shall from time to time determine.

STATUTE XLI

PROPERTY AND INVESTMENTS

1. The Governing Body shall have power to acquire, retain, charge, manage and dispose of, and bring actions in respect of, any property to which this section applies,

in such manner and upon such terms and for such purposes as the Governing Body in its absolute discretion shall think fit, so that the Governing Body may exercise any such power and enter into and carry out any such transaction in relation to such property as an individual of full legal capacity, holding or acquiring such property for his or her own benefit, may exercise, enter into or carry out.

2. The property to which this section applies, and the proceeds of any disposition thereof, may be invested by the Governing Body upon or in such other property as the Governing Body shall in its absolute discretion think fit, so that the Governing Body may exercise any such power to invest and transpose the investments of such property, and may enter into and carry out any such transaction in relation thereto, as an individual of full legal capacity, investing or transposing such investments of property for his or her own benefit, may exercise, enter into or carry out.

3. The Governing Body may appropriate for expenditure so much of the fair value of the property to which this section applies as it considers in its absolute discretion is prudent in all the circumstances, having regard nevertheless to the total return achieved and reasonably to be expected in the long term of the property of the College or, as the case may be, of the funds to which this section applies. Any appropriation by the Governing Body under this section shall in the case of property of the College be made for the purposes of the College and shall in the case of a fund be made for the purposes of that fund.

In this section 'fair value' means the amount at which an asset could be exchanged in a transaction conducted at arm's length between informed and willing parties, and 'total return' means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

4. Sections 1 to 3 of this Statute shall apply to the following property:

(a) all property of the College which is not held upon any specific trust, and

(b) any property comprised in an endowment, benefaction or trust for purposes connected with the College of which the College is trustee.

In those sections the expressions 'fund' or 'funds' refer to any particular endowment, benefaction or trust which includes any property of the kind referred to in paragraph (b).

5. In this Statute:

(a) 'property' includes money, securities, shares, stocks, funds, goods, things in action, intellectual and intangible property, land, whether freehold or leasehold, and every description of property wherever situated, whether involving liability or not, and also obligations of every description of interest, whether present or future, vested or contingent, arising out of or incidental to property;

(b) 'property of the College' means any property of the kind referred to in paragraph (a) of section 4 of this Statute.

Any reference in these Statutes, or in Ordinances made under these Statutes, to the income or revenues of the College or of any fund shall include the total sums appropriated in accordance with section 3 of this Statute.

6. The Governing Body shall pay annually to the University any such sum as may be authorised by the Statutes of the University to be levied from the College, provided that where any part of that sum is levied in respect of the income of any trust fund, or of the tuition fund, or of any other separate fund, the Governing Body may charge that part upon the income of such fund.

7. The Governing Body may contribute to any organisation which either has a connection with a locality in which the College owns property or patronage or has among its objects the promotion of education, religion, learning or research or the welfare of members of the College.

STATUTE XLII

ENDOWMENTS AND TRUST FUNDS

1. The Governing Body shall have power to accept endowments for any purpose or purposes in furtherance of the interests of the College as a place of education, religion, learning and research, and to make Ordinances giving effect to the wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments and regarding any position or emolument to be supported thereby, notwithstanding that such Ordinances may be in such respects inconsistent with these Statutes, provided always that no such Ordinance shall derogate from any obligation imposed upon the College by the Statutes of the University.

2. Any surplus income of a trust fund of which the College is trustee may at the discretion of the Governing Body be applied as income in any subsequent accounting year, or invested and added to the capital of the fund, or applied for the general educational purposes of the College.

3. In this Statute the expression 'surplus income of a trust fund' means income unexpended in any accounting year after the purposes of the trust have been fully provided for in that year, whether wholly by income from the trust or partly by such income and partly by other moneys.

4. Section 2 of this Statute shall not apply to any trust fund established less than thirty years before the year to which it relates, or in any case where the instrument governing a trust expressly directs otherwise.

STATUTE XLIII

PRESENTATION TO BENEFICES

In presenting to the several benefices in the patronage of the College the Governing Body shall have regard, in the first instance, to the Master and the Fellows, the Officers, former Fellows and Officers, and former Scholars and other members of the College, but it shall not be necessary to present any of these persons, and none of them shall have any claim to the presentation to any such benefice on the ground of seniority or on any other ground whatsoever.

STATUTE XLIV

[Deleted]

STATUTE XLV

CHANGES OF STATUTE

1. In accordance with Section 7 of the Universities of Oxford and Cambridge Act 1923 these Statutes shall be subject to alteration from time to time by Statute made by the College under the said Act and passed at a Special College Meeting by the votes of not less than two-thirds of the number of persons present and voting. Provided that:

- (a) notice of any proposed Statute shall be given to the University before the Statute is submitted to Her Majesty in Council;
- (b) a Statute which affects the University shall not be altered except with the consent of the University.

2. Notwithstanding the provisions of Statute III, Research Fellows shall be reckoned members of the Governing Body for the purpose of discussion of, and voting upon, any proposed changes in these Statutes, and shall for this purpose have all the rights conferred by these Statutes upon members of the Governing Body.

STATUTE XLVI

ACADEMIC STAFF

PART I

CONSTRUCTION, APPLICATION AND INTERPRETATION

1. This Statute shall apply to:

(a) any person holding a College office designated by Ordinance as one to which this Statute applies;

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

2. This Statute and any Ordinance made hereunder shall be construed in every case in accordance with justice and fairness and 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; and

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

Any action taken against a member of the academic staff in contravention of these principles shall be treated as invalid.

3. No provision in Part II, Part III, Part IV or Part VII of this Statute shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal. Provided that a member of the academic staff may be dismissed if that dismissal is for a reason set out in section 98 of the Employment Rights Act 1996.

4. (1) For the purposes of this Statute 'dismiss' or 'dismissal' extend to removal from office; and, in relation to employment under a contract, they shall be construed in accordance with section 95 of the Employment Rights Act 1996.

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

(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 or persistent disobedience to any of the Statutes or Ordinances of the College.

(3) In this section, 'capability' means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality.

5. For the purposes of this Statute a dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to 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 to the fact that the requirement for that activity to be carried out by members of the academic staff has ceased or diminished or is expected to cease or diminish.

6. (1) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause. Provided that this shall not invalidate any waiver made under national employment legislation.

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

PART II

REDUNDANCY

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

- (a) the appointment is made, or the contract of employment is entered into, on or after 20th November 1987; or
- (b) the promotion occurs on or after that date.

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

8. The Master and Fellows may by Ordinance prescribe procedures for dismissing members of the academic staff on grounds of redundancy, which procedures shall be fair and shall include each of the following:

- (a) a preliminary stage involving consultation with appropriate representatives in accordance with and to the extent required by any relevant Act of Parliament and discussion with the member or members of staff concerned;
- (b) provision for each member of the academic staff concerned, having been informed of the selection criteria to be used, to make written and oral submissions;

(c) provision for informing any member of the academic staff dismissed under this Part of the reasons for the dismissal and, where selection has taken place, why that member was selected;

(d) authority for the Master or some other person to dismiss any member of the academic staff selected for dismissal under this Part and requiring reports of dismissals to be made to the Governing Body;

(e) provision for an appeal against dismissal under this Part to a committee constituted for the purpose, which committee shall be entitled to review all aspects of the matter other than the decision of the Governing Body to institute the procedures.

PART III

DISCIPLINARY PROCEDURES

9. Disciplinary proceedings may be taken under this Part, and where appropriate a penalty imposed, in respect of the following kinds of conduct by a member of the academic staff:

(a) conduct amounting to a criminal offence, whether or not there has been a prosecution and conviction, of a kind which is judged in all the circumstances to be relevant to the employment of the member of staff;

(b) failure, refusal, neglect or inability to perform some or all of the duties or to comply with some or all of the conditions attaching to the post held by such member, or performing those duties or complying with those conditions in an unsatisfactory or inadequate manner;

(c) conduct of a kind deemed to be inappropriate or unacceptable, including, but without being limited to:

- (i) breach of any obligation or duty arising by virtue of these Statutes, or any Ordinances made under them, or from any other rules, regulations or codes binding upon the member of staff;
- (ii) damage to or improper use of College facilities, premises, property or equipment;
- (iii) disruption of, or improper interference with, the activities of the College, or of the University, or of the Master, or of any Fellow, Officer, resident member or employee of the College, or visitor to the College, save by way of lawful industrial action;
- (iv) violent, indecent, disorderly, threatening, abusive, insulting or harassing behaviour or language, whether written or spoken, or in any other form;
- (v) fraud, deceit, deception or dishonesty in relation to the College or the University or any related activity, including research and examinations;
- (vi) action likely to cause injury or impair safety;
- (vii) divulging information or material received in confidence, save where such disclosure is permitted by law.

10. (1) The Master and Fellows shall by Ordinance promulgate disciplinary procedures to be used in connection with proceedings against members of the academic staff under this Part.

(2) The Ordinance shall provide for less serious matters to be dealt with by warnings following a fair and appropriate procedure, and for the member of staff to be able to appeal against the imposition of a warning to a person designated by the Governing Body;

(3) In relation to more serious matters, the Ordinance shall include provision for the following:

- (a) fair and reasonable time limits for each stage of the proceedings;
- (b) the investigation of complaints and the dismissal of those found to be without substance;
- (c) suspension on full pay, pending an investigation or hearing, where this is deemed by the Master to be necessary;
- (d) a hearing at which the member of staff against whom the complaint has been made, having been informed in advance of the complaint, shall be entitled to be present, to call relevant witnesses, and to examine and cross-examine witnesses; provided that provision may be made for witnesses in appropriate cases to give their evidence behind a screen or from another room or place and for questions to be asked only by a representative;
- (e) appropriate penalties, which in addition to warnings and dismissal shall, for members of the academic staff appointed after the coming to effect of this Statute, include withholding any forthcoming increment in stipend, and suspension without pay for a period not exceeding three months;
- (f) the award of compensation either to the College or to an individual in respect of any loss caused or damage done;
- (g) power to designate conduct as constituting gross misconduct such as to merit summary dismissal without notice; and
- (h) an opportunity to appeal against a finding or penalty imposed in disciplinary proceedings under this Part; provided that an appeal shall not take the form of a rehearing of the evidence, and that there shall be no right to call or recall witnesses for the purposes of the appeal.

11. (1) A decision that a member of the academic staff should be dismissed shall be implemented by the Master.

(2) Where the conduct of that member has been found to be gross misconduct such as to merit summary dismissal, the Master shall dismiss such member forthwith.

(3) In all other cases, the Master shall either issue a notice of dismissal or shall dismiss the member with payment in lieu of notice.

(4) Any dismissal or notice of dismissal under this section shall be revoked or modified if it is decided on appeal that the member should not be dismissed or should only be dismissed with notice.

12. Any proceedings under this Part shall be valid even if they could have been brought under Part IV, and, subject to the Disability Discrimination Act 1995, a member of the academic staff may be subject to a penalty under this Part, including dismissal, notwithstanding the fact that his or her conduct may have been wholly or partly attributable to a medical condition. Provided that the Ordinance mentioned in section 10 shall make provision for dealing with a case in progress under this Part where it emerges that the conduct or performance which is the subject of complaint may have been wholly or partly attributable to a medical condition.

PART IV

INCAPACITY ON HEALTH GROUNDS

13. (1) The Master and Fellows shall by Ordinance prescribe a procedure to be used when it is alleged that a member of the academic staff ought to be dismissed or removed from office on grounds of physical or mental incapacity.

(2) The procedure shall include a hearing by a panel, with an opportunity to appeal to another panel, and both panels shall include a person with appropriate medical qualification.

(3) No member of the academic staff may be dismissed under this Part, or under Part III, where that dismissal would contravene the Disability Discrimination Act 1995.

PART V OTHER DISMISSALS

14. (1) Where a fixed-term contract is due to terminate, the Master or some other member of the Governing Body designated by the Governing Body shall consider whether the Governing Body should be asked to renew or extend that contract, or offer a contract of indefinite duration.

(2) A decision not to renew or extend a contract or offer a contract of indefinite duration must be justified on the ground that, in respect of one or more of the following considerations, it is not expedient or desirable to take such a course:

(i) the availability of funding for the post, or the financial situation of the College;

(ii) the individual's performance, and whether appropriate warnings were made and counselling given;

(iii) the need for the post or the duties attaching to the post;

(iv) the nature and character of the post;

(v) the desirability of making the post permanent and making an appointment to it after open competition.

(3) A member of the academic staff whose fixed-term contract is not renewed or extended on termination and who is not offered a contract of indefinite duration shall on request be given full reasons for the decision and shall be entitled to have the decision reviewed by a panel constituted in accordance with a procedure to be prescribed by Ordinance; such panel, whose decision shall be final, shall consider whether the reasons given for the decision are reasonable and supportable.

15. (1) The Master and Fellows shall by Ordinance prescribe a procedure for reviewing the appointments of any members of the academic staff appointed on probation, which Ordinance shall include provision for non-confirmation in post at the end of the probationary period if the performance of such a member is found to be deficient or for any other substantial reason or reasons he or she is deemed unsuitable to be confirmed in post.

(2) The review referred to in this section may encompass such matters as, in other circumstances, could be dealt with under Parts II, III or IV of this Statute.

(3) A member of the academic staff who is not confirmed in post at the end of a probationary period shall on request be given full reasons for the decision and shall be entitled to have the decision reviewed by a panel constituted in accordance with a procedure to be prescribed by Ordinance; such panel, whose decision shall be final, shall consider whether the reasons given for the decision are reasonable and supportable.

16. Dismissal on any ground other than those previously mentioned in this Statute shall be subject to procedures to be prescribed by Ordinance, which shall include the right to be heard and an opportunity to appeal.

PART VI

GRIEVANCE PROCEDURE

17. (1) The Master and Fellows shall by Ordinance promulgate a Grievance Procedure for dealing with grievances concerning the appointments or employment of members of the academic staff in relation to matters affecting them as individuals or their personal dealings or relationships with other members of the academic staff, or with the Fellows, Officers and employees of the College.

(2) The Procedure shall not apply to matters for which provision is made elsewhere in this Statute, or in respect of the outcome of any matter dealt with under this Statute, or where the Master and Fellows have prescribed other procedures no less favourable to the individual.

(3) The Procedure shall provide that consideration of a complaint made thereunder may be deferred if other proceedings are pending under this Statute which concern the individual and are relevant to the application.

(4) The Procedure shall provide for the fair and speedy resolution of complaints, informally wherever possible, and for the complainant to be entitled to be assisted by any other member of the academic staff or by a trade union representative at any hearings prior to that mentioned in subsection 5 of this section.

(5) The Procedure shall make provision for a member of the academic staff who is dissatisfied with the outcome of a complaint to have the complaint heard by a grievance panel, unless the complaint has been ruled to be frivolous, vexatious or invalid in accordance with the Procedure.

PART VII

REMOVAL OF THE MASTER

18. 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.

19. The President shall refer such a complaint to a Special College Meeting exclusive of the Master and the members making the complaint. If it appears to a majority of the Fellows present at such meeting that the complaint is not supported by sufficient evidence of good cause for the removal of the Master from office it may be determined that no further action shall be taken upon it.

20. If it appears to a majority of the Fellows present at the Special College Meeting mentioned in section 19 of this Statute that the complaint is supported by sufficient evidence of good cause for the dismissal or removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter and may suspend the Master from the performance of his or her duties without loss of emolument. A Tribunal appointed by the Fellows under this section 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 preside;

(b) two other persons.

21. (1) When a Tribunal has been appointed, the Fellows shall instruct a suitable person to formulate the complaint and to present, or to arrange for the presentation of, the complaint before the Tribunal.

(2) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be prescribed by Ordinances made under this section. Such Ordinances shall comply with the requirements of section 10 of this Statute, provided that for the purposes of this Part references in that section to a Disciplinary Committee shall be construed as referring to the Tribunal and references to the person charged shall be construed as referring to the Master.

22. 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.

23. If the Tribunal finds that the complaint constitutes good cause for dismissal, the President, after consulting the Fellows, may dismiss the Master.

24. The Master may institute an appeal against dismissal 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 notice of dismissal was sent to the Master, provided that the person appointed shall have power to hear an appeal commenced after that date if he or she considers that justice and fairness so require in the circumstances of the case.

25. The Master and Fellows shall by Ordinance prescribe procedures for the removal of the Master on grounds of mental or physical incapacity, and for an appeal by the Master against dismissal on any ground under this Statute.

26. For the purposes of this Part, references to the President shall, if the President is not in residence, or is incapacitated by illness or otherwise, be construed as referring to the senior Fellow in residence.

STATUTE XLVII

INTERPRETATION

1. Any question as to the interpretation of these Statutes shall be determined by the Master and Fellows. It shall be competent to any interested person to challenge the interpretation so determined by the Master and Fellows by means of an appeal to the Visitor, provided that such an appeal be lodged within twenty-eight days after the decision of the Master and Fellows.

2. In any of the Statutes or Ordinances of the College words of the masculine gender shall import the feminine unless such interpretation is excluded expressly or by necessary implication.

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

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

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

4. In these Statutes the expressions 'junior member' and 'junior members' refer to undergraduate and graduate members of the College, of whatever age, who are pursuing an approved course of study or of research in the College or the University and who are not Fellows.

APPENDIX I

Translation of the Statutory Declarations

Declaration to be made by a new Master (Statute IX)

I, *N.*, plight my troth that I will manage, preserve, look after and govern the college or hall of St Catharine the Virgin, and whatsoever the lands and tenements, possessions, revenues (temporal and ecclesiastical), rights, and goods, of the aforesaid college or hall, and as far as I am able will cause them to be managed, looked after and governed by others. I will also firmly observe the statutes made for the aforesaid college, and those to be made in the future. I will also, as far as I am able, protect and defend the aforesaid college or hall, with all the goods of the same, against all its adversaries. As far as it shall lie in my power, I will take care to practise and use just and due corrections, punishments, and rebukes, and as far as I can will cause them to be practised and used by others.

Declaration to be made by a new Fellow (Statute XVII)

I, *N.*, plight my troth that with all my power I will observe all the statutes and ordinances of the college or hall of Saint Catharine the Virgin, so far as they concern me, and as far as in me lies will cause them to be observed by the other fellows. I will obey the master or head of the said college or hall for the time being, in those matters which belong to his or her office and to the statutes of the aforesaid college. I will take the utmost care for the preservation and increase of the goods, lands, possessions and revenues of the same college.

APPENDIX II

The Visitorship (Statute II)

It was decided in the cases of *R. v. St Catharine's Hall, Cambridge* (1791) 4 Term Rep. 233, and *Re Catherine Hall, Cambridge* (1831) 2 Russ. & My. 590, at p. 594, that, for want of any visitor appointed by the founder, the visitorship of the College had devolved by law upon the Crown. Such jurisdiction was to be exercised 'through the great seal', that is to say by the Lord Chancellor acting for this purpose as the appropriate Minister of the Crown for dealing with eleemosynary matters, and not as head of the Court of Chancery. In accordance with these decisions, it was formerly recited in the College Statutes that the visitor should be, as heretofore, the Crown acting through the Lord High Chancellor of Great Britain for the time being.

By paragraph 34 of the Schedule to The Lord Chancellor (Transfer of Functions and Supplementary Provisions) Order 2007 (no. 661), the Lord Chancellor, exercising powers conferred on him by sections 19 and 143 of the Constitutional Reform Act 2005, ordained that, as from 1 April 2007, 'The function of the Lord Chancellor as the office through which the visitor of the College or Hall of St Catharine the Virgin, commonly called St Catharine's College, in the University of Cambridge shall act is abolished'. By paragraph 35 of the same Schedule the Statutes of the College were amended by deleting the words 'acting through the Lord High Chancellor of Great Britain for the time being'.

The visitorship of the College still resides in the Crown, and the Lord Chancellor has indicated that, notwithstanding the Order of 2007, he is still the Minister responsible for the exercise of the function, though he or she will not exercise it in person. The procedure for visitatorial applications or petitions is that they should still be addressed to the Crown and sent to the Lord Chancellor, who will appoint someone to exercise the jurisdiction.