

THE STATUTES OF  
TRINITY COLLEGE  
CAMBRIDGE



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CAMBRIDGE

2004 (AMENDED 2009)

TOGETHER WITH AN APPENDIX  
CONTAINING  
THE AMALGAMATED TRUSTS FUND SCHEME

PRINTED FOR  
TRINITY COLLEGE

2004



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## PREAMBLE

Following the enactment of the Universities of Oxford and Cambridge Act 1923, a body of Commissioners styled the University of Cambridge Commissioners was appointed, with power to make new Statutes for the University and its Colleges, superseding the Statutes of 1882. Statutes for Trinity College were made by the Commissioners on 17 November 1925, and were approved by Order in Council dated 30 April 1926.

At various times after 1926, Amending Statutes were made by the Governing Body of the College and approved by Order in Council, in accordance with the procedure prescribed in section 7 of the 1923 Act. These were incorporated in subsequent editions of the Statutes, printed in 1943, 1955, 1968, 1982, and 1996.

Under the provisions of the Education Reform Act 1988, a further body of Commissioners was appointed, styled the University Commissioners, who were empowered to introduce modifications of the Statutes of all universities and other qualifying institutions so as to ensure that they conform to the requirements of the Act. Modifications of the Statutes of Trinity College, including the introduction of Statute LXXIII (since renumbered LXVII), were made by the Commissioners on 29 September 1993, and were approved by Order in Council dated 26 July 1995. These modifications were incorporated in the edition of 1996.

In 2002–03 the Governing Body undertook a wide-ranging review of the College Statutes, which led to the approval of a revised text of the whole body of the Statutes. This revised text was incorporated in a comprehensive Amending Statute, which was made by the Governing Body on 23 May 2003 and approved by Order in Council dated 11 February 2004. The Statutes printed in the present edition are the result of that revision.

March 2004



# STATUTES OF TRINITY COLLEGE

## STATUTE I

### *The Visitor*

The Visitor of the College is as heretofore the Crown.

## STATUTE II

### *The Foundation of the College*

The Foundation of the College shall consist of the Master, the Fellows, the Scholars, the Chaplains, the Librarian, and the Regius Professors of Divinity, Hebrew, and Greek.

## STATUTE III

### *The Master*

1. The Master shall be a Master of Arts or of some equal or superior degree in the University, appointed as heretofore by the Crown by letters patent under the Great Seal.

2. The Master shall reside in College during two-thirds at least of each term, and altogether during two hundred and ten days at least of each year, unless absent on account of illness or other grave cause approved by the Council. If the Council disallow the reason for such absence the Master shall forthwith come into residence.

3. The Master shall exercise a general superintendence over the affairs of the College and, if present, shall preside at College Meetings and meetings of the Governing Body, meetings of the Council, and meetings of the Electors to Fellowships and Senior Scholarships; and shall have power in all cases not provided for by these Statutes or by any College Ordinance or order to make such provision for the government and discipline of the College as he or she shall think fit.

4. Before entering upon the administration of the College the Master shall be admitted by the Vice-Master and the Fellows in the customary manner after having read aloud and signed in their presence the following declaration:

I, *N.N.*, appointed Master of Trinity College, do hereby promise that I will faithfully perform the duties of my office without fear or favour, will observe the Statutes, Ordinances, and good customs of the College, and will in all things endeavour to promote its welfare.

## STATUTE IV

### *Retirement of the Master*

1. On 30 June next after reaching the age of seventy the Master shall retire from office, unless at a meeting of the Fellows without the Master a resolution has been passed with the concurrence of the votes of not less than one-half of the whole number of Fellows, and not less than two-thirds of the number of Fellows present, to the effect that it is desirable in the interests of the College that he or she continue in office. Such a resolution shall postpone the date on which the Master must necessarily retire from office by any period not greater than five years which the resolution may fix, and a further extension beyond the end of any such period may be granted under like conditions; provided always that the Master shall retire from office not later than 30 June next after reaching the age of seventy-five.

2. Such a meeting shall be summoned in the manner hereinafter provided for College Meetings, except that it shall be summoned by the Vice-Master. It shall be held not more than nine months nor less than three months before the day on which the Master is due to retire from office.

3. On retiring from office, either by voluntary retirement or under the provisions of this Statute, the Master shall *ipso facto* become a Fellow under Title E.

## STATUTE V

### *The Fellows*

1. There shall be at least sixty Fellows. They shall have such rights and duties as are hereinafter provided. A vacant Fellowship, when the number of Fellows is below sixty, shall be filled within one year and six months of its becoming vacant, unless the Visitor consents to its being left vacant.

2. Four of the Fellows shall be Ely Fellows on the foundation of Ashley William Graham Allen. Their Fellowships shall be similar in every respect to other Fellowships, and all the provisions of these Statutes relating to Fellows or Fellowships shall apply as well to Ely Fellows or Ely Fellowships as to other Fellows or Fellowships of the College. Whenever an Ely Fellowship falls vacant, the next Fellow elected shall be an Ely Fellow.

3. Every Fellow shall hold his or her Fellowship under one of the following Titles:

Title A A Fellow elected at the Annual Election (Statute VII).

Title B A Fellow engaged in the systematic pursuit of some branch of University studies (Statutes VIII.1, X.3 and 4).

- Title C A Fellow holding any of the offices specified in Part I of the Schedule to these Statutes, hereinafter called Qualifying College Offices (Statute VIII.2).
- Title D A Fellow holding any of the offices specified in Part II of the Schedule to these Statutes, hereinafter called Qualifying University Offices (Statute VIII.3 and 4).
- Title E A Fellow who has previously held a Fellowship under one or other of Titles B, C, and D until the attainment of such age or the completion of such period of service as is required by these Statutes to be attained or completed for holding a Fellowship under this Title (Statute X.7–11), or who has vacated the Mastership otherwise than by removal from office under the provisions of Part VII of Statute LXVII.
- Title F A Fellow elected for a period of not more than two years, being a person not normally resident in Cambridge (Statute VIII.5).

## STATUTE VI

### *Professorial Fellowships*

There shall be at least such number of Professorial Fellowships as shall from time to time be assigned to the College under the Statutes of the University.

## STATUTE VII

### *The Annual Election of Fellows*

1. An Annual Election of Fellows shall take place on such day as the Council shall appoint.
2. The election shall be vested in the Master and such of the Fellows or other persons as the Council shall have appointed Electors for that occasion, but no one except the Master shall vote at the election unless he or she has previously taken part in examining the qualifications of the candidates.
3. Unless prevented by grave cause the Master shall be chairman of the Electors and shall be present throughout the meeting at which the election is made. If the Master is so prevented, the Electors shall appoint some other member of their body to be chairman.
4. The election shall in every case be decided by a majority of votes. In the case of an equality of votes the chairman shall have a second or casting vote.
5. The intellectual qualifications of the candidates and their proficiency in any branch or branches of University studies shall be ascertained in such manner as the Council shall determine, and the Electors shall choose in each case that

candidate (being duly qualified according to these Statutes) whom they deem to be most fit to be a Fellow of the College as a place of education, religion, learning, and research.

6. The Council shall place at the disposal of the Electors such number of Fellowships as they think fit.

7. The Electors may fill up the whole number of Fellowships placed at their disposal or such lesser number as they think fit.

8. A College Meeting may from time to time, by a resolution so passed as to be binding on the College, make regulations or empower the Council to make regulations determining the conditions of candidature for Fellowships at the Annual Election; provided always that no person shall be deprived of any opportunity of being a candidate which he or she would enjoy under the regulations subsisting at the time at which he or she first came into residence.

## STATUTE VIII

### *Election of Fellows otherwise than at the Annual Election*

1. The Council may at a special meeting held for that purpose, and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, elect to a Fellowship under Title B any person, not being Master or Fellow of another College, concerning whom they are satisfied that he or she is engaged in the systematic pursuit of some branch of University studies and is likely to make contributions of high value to his or her subject of study.

2. The Council may at a special meeting held for that purpose (a) elect to a Fellowship under Title C any person holding a Qualifying College Office, not being Master or Fellow of another College, or (b) pre-elect to a Fellowship under that Title any person appointed or elected to hold such an office.

3. Subject always to the provisions of the University Statutes for the time being relating to Professorial Fellowships, the Council may at a special meeting held for that purpose, and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, (a) elect to a Fellowship under Title D any person holding a Qualifying University Office, not being Master or Fellow of another College, or (b) pre-elect to a Fellowship under that Title any person appointed or elected to hold such an office.

4. Every person elected to the Regius Professorship of Greek who is not at the date of his or her election Master or Fellow of another College, or who at any time after such election ceases to be Master or Fellow of another College, shall be entitled to hold a Fellowship under Title D during his or her tenure of the Professorship, and if not already a Fellow shall, on declaring to the Master in writing that he or she desires it, become a Fellow thereby in like manner in all

respects as if he or she had been elected or pre-elected, as the case may be, at the time of making such declaration, and shall be admitted accordingly, notwithstanding that the whole number of Professorial Fellowships assigned to the College may be already filled.

5. The Council may at a special meeting held for that purpose, and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, elect to a Fellowship under Title F any person who is not normally resident in Cambridge and who is primarily concerned with the furtherance of education, learning, or research. The tenure of a Fellowship under Title F shall be subject to such conditions and shall be for such period or periods as the Council shall determine; provided that no person shall hold a Fellowship under this Title for more than two years in total, and that there shall not at any time be more than five persons holding Fellowships under Title F.

## STATUTE IX

### *Roll of Fellows and admission of Fellows*

1. Every Fellow shall have priority on the roll of Fellows according to priority of election, provided that

- (a) a person who is pre-elected to a Fellowship under the provisions of Statute VIII.2(b) or VIII.3(b), or who is deemed under the provisions of Statute VIII.4 to have been so pre-elected, shall have priority from the date on which the tenure of his or her Fellowship begins;
- (b) a person who, after vacating a Fellowship, is then elected again to a Fellowship within thirty days shall have priority on the roll of Fellows as if he or she had not vacated his or her Fellowship.

Fellows whose tenure begins on the same date shall take their rank on the roll of Fellows according to the seniority of their degrees.

2. Every Fellow shall be admitted as soon as conveniently may be after the date on which the tenure of his or her Fellowship begins and at such time as the Council shall appoint. A Fellow who neglects or refuses to be so admitted shall thereby forfeit his or her Fellowship.

3. Every Fellow before being admitted shall in the presence of the Council read aloud and then sign a declaration as follows:

I, *N.N.*, elected Fellow of Trinity College, do hereby promise that I will loyally observe the Statutes, Ordinances, and good customs of the College, and in all things endeavour to promote its welfare.

4. When under the provisions of Statute IV.3 the Master becomes a Fellow on vacating the Mastership, he or she shall not require to be admitted and shall have such priority on the roll of Fellows as the Council may determine.

## STATUTE X

*Tenure and vacating of Fellowships*

1. Every Fellow shall hold his or her Fellowship and enjoy the advantages thereof from the date of his or her election or, in the case of a Fellow elected by the Council under the provisions of Statute VIII, from such other date (if any) as may be specified in the resolution by which he or she is elected; provided that a person pre-elected under the provisions of Statute VIII.2(b) or VIII.3(b) shall hold his or her Fellowship from the date on which the tenure of his or her Qualifying Office begins.

*Fellows under Title A*

2. (a) Except as provided in subsection (b) of this section or in section 3 below, a person holding a Fellowship under Title A shall vacate it on the fifteenth day before the end of four years from the date of his or her election; provided that the Council may, at a special meeting held for that purpose (exclusive of the Fellow concerned, if a member of the Council), and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, continue such a Fellow in his or her Fellowship under Title A for a further period of not more than two years if they are satisfied that it is of special importance either for the furtherance of research or in the interests of the College that he or she should be so continued.
- (b) A person holding a Fellowship under Title A who becomes qualified to hold it under either Title C or Title D shall thereafter hold it under Title C or Title D as the case may be and shall cease to hold it under Title A.

*Fellows under Title B*

3. (a) If the Council are satisfied that a Fellow holding his or her Fellowship under any of the Titles A, C, and E is engaged in the systematic pursuit of some branch of University studies and has made, or is likely to make, contributions of high value to his or her subject of study, they may, at a special meeting held for that purpose (exclusive of the Fellow concerned, if a member of the Council), and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, continue such a Fellow in his or her Fellowship under Title B.
- (b) A person who is continued in his or her Fellowship under the provisions of subsection (a) above shall hold it under Title B from such date as may be specified by the Council, and shall cease from that date to hold it under Title A, C, or E as the case may be.



4. (a) A person holding a Fellowship under Title B shall be bound to reside in the University for the greater part of each term unless excused by the Council, and may be required by the Council to deliver a course of lectures in one term of each year on his or her subject of study.
- (b) Except as provided in subsection (c) below, a person holding a Fellowship under Title B shall hold it for such period, not exceeding five years, as may be determined by the Council at the time of his or her election to, or continuation in, the Fellowship, as the case may be, and shall vacate it at the end of such period unless he or she is then continued in it by the Council under the provisions of subsection (d) below or is entitled under the provisions of sections 7–9 below to hold it under Title E.
- (c) A person holding a Fellowship under Title B who becomes qualified to hold it under either of the Titles C and D shall thereafter hold it under Title C or Title D as the case may be and shall cease to hold it under Title B.
- (d) If the Council are satisfied that a Fellow holding his or her Fellowship under Title B is continuing to make contributions of high value to his or her subject of study, they may, at a special meeting held for that purpose (exclusive of the Fellow concerned, if a member of the Council), and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, continue such a Fellow in his or her Fellowship under Title B for such period, not exceeding five years, as may be determined by the Council at the time.

*Fellows under Title C*

5. (a) Except as provided in subsection (b) below, a person holding a Fellowship under Title C shall continue to hold it until he or she ceases to hold a Qualifying College Office and shall then vacate it unless he or she is continued in it under Title B by the Council under the provisions of section 3 above or is entitled under the provisions of section 7, section 8, or section 9 below to hold it under Title E.
- (b) A person holding a Fellowship under Title C who becomes qualified to hold it under Title D shall thereafter hold it under Title D and shall cease to hold it under Title C.

*Fellows under Title D*

6. (a) Subject always to the provisions of the University Statutes for the time being relating to Professorial Fellowships, a person holding a Fellowship under Title D may be required by the Council to undertake such duties on behalf of the College as shall be prescribed by Ordinance or as may be defined by the Council in a particular case.

- (b) Except as provided in subsection (c) below, a person holding a Fellowship under Title D shall continue to hold it until he or she ceases to hold a Qualifying University Office, and shall then vacate it unless he or she is entitled under the provisions of section 7, section 8, or section 9 below to hold it under Title E.
- (c) A person who is subject to a requirement imposed under subsection (a) above shall vacate his or her Fellowship if he or she ceases to comply with the requirement, unless he or she is entitled under the provisions of section 7, section 8, or section 9 below to hold it under Title E.

#### *Fellows under Title E*

7. A person who has held a Fellowship under any one or more of the Titles B, C, D, and F for a total period of not less than twenty years shall on ceasing to hold it under any of those Titles hold it under Title E.

8. A person who has held a Fellowship under any one or more of the Titles B, C, D, and F for a total period of not less than fifteen years and who is obliged on account of ill health to cease to hold it under any of those Titles may hold it under Title E if the Council so determine at a special meeting held for that purpose (exclusive of the Fellow concerned, if a member of the Council), and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question.

9. Except as provided in sections 3(a), 4(c) or 5(b) above, a person who ceases on or after attaining the age of sixty-seven to hold his or her Fellowship under any one of the Titles B, C, D and F, immediately after holding a Fellowship under any one or more of those Titles without intermission for a total period of not less than twelve years, shall hold it under Title E.

10. (a) Except as provided in section 3 above or in subsection (b) below, a person who holds a Fellowship under Title E shall hold it for the duration of his or her life.

- (b) A person holding a Fellowship under Title E who becomes qualified to hold it under Title D shall thereafter hold it under Title D and shall cease to hold it under Title E.

#### *General*

11. A Fellow who has communicated the resignation of his or her Fellowship in writing to the Master and has not withdrawn such resignation shall vacate the Fellowship on the acceptance of his or her resignation by the Council or on such later date as may be determined by the Council.

12. No one shall hold a Fellowship concurrently with the Mastership of the College or with the Headship or a Fellowship of another College; and a Fellow who becomes Master of the College or Head or Fellow of another College shall thereby vacate his or her Fellowship, anything to the contrary in these Statutes notwithstanding.

## STATUTE XI

*Power of removal of Fellows*

1. If any three Fellows of the College or any two members of the Council prefer before the Master against a Fellow (not being a member of the academic staff to whom Statute LXVII applies) a charge of disgraceful conduct, the Master shall with all convenient speed summon a special meeting of the Council exclusive of the accused and of the Fellows preferring the charge, if members of the Council. The Council shall proceed to inquire into the case, and if the charge is proved may, by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, deprive the offending Fellow of his or her Fellowship.

2. If the Master in any case thinks it proper to cause an inquiry to be instituted to determine whether or not the conduct of a Fellow has been disgraceful, he or she may summon a special meeting of the Council exclusive of the Fellow concerned, if a member of the Council. The Council shall proceed to inquire into the case and if disgraceful conduct is proved may, by a resolution passed as aforesaid, deprive the offending Fellow of his or her Fellowship.

3. In either of the cases above mentioned the Council shall have discretion not to deprive the Fellow of his or her Fellowship but to suspend him or her from the enjoyment of the benefits and advantages of his or her Fellowship for any period not less than one year.

4. In case of any sentence imposed under sections 1–3 above there shall be a right of appeal to the Visitor; and the Visitor shall have power either to annul the sentence or to vary it at his or her discretion.

5. If any Fellow of the College pertinaciously offend against the discipline of the College or wilfully violate or neglect to comply with any of the Statutes of the College, it shall be the duty of the Council (exclusive of the Fellow concerned, if a member of the Council) on proof of such misconduct to admonish him or her and (if necessary) to repeat the admonition; and if notwithstanding the repeated admonition the Fellow contumaciously persist in such misconduct, it shall be competent for the Council (exclusive of the Fellow concerned, if a member of the Council) to suspend him or her from the enjoyment of the benefits and advantages of his or her Fellowship for one year, and if such Fellow still continue contumacious to deprive him or her altogether of his or her Fellowship; provided that no such sentence of suspension or deprivation shall be passed except with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, and that any such sentence of suspension or deprivation shall be liable on appeal being made to the Visitor to be annulled or varied at the Visitor's discretion.

## STATUTE XII

*Rooms in College*

1. A Fellow shall be entitled to a set of rooms in College free of rent and taxes, if any is vacant, on condition of passing in College either at least two-thirds of the nights in each Full Term or at least a hundred and eighty nights in each year.

2. The Council may assign such rooms in College free of rent and taxes, in such cases and on such conditions as they think fit, to Fellows who do not intend to fulfil either of the conditions mentioned in the foregoing section.

3. No one except the Master shall be allowed to have residing in College his or her spouse or family.

## STATUTE XIII

*Commons*

1. The Fellows shall be entitled to dine in Hall free of charge.

2. If a Fellow is unable to dine in Hall on account of illness, a payment in lieu of commons may be made to him or her at the discretion of the Council.

## STATUTE XIV

*The Past Fellows*

1. A Past Fellow shall not be deemed a Fellow for the purposes of these Statutes.

2. Subject to any payments and limitations which the Council may from time to time prescribe, a Past Fellow, so long as he or she remains a member of the College, shall have the right to dine in Hall and, if for some important purpose approved by the Council he or she desires to reside in College, then to have rooms in College, and shall enjoy any other privileges that the Council may think fit.

3. The Council may for grave cause, by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, withhold or withdraw from a Past Fellow the rights and privileges aforesaid.

## STATUTE XV

*The Honorary Fellows*

1. The Council may, at a special meeting held for that purpose and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, elect to an Honorary Fellowship anyone distinguished in letters, science, art, or similar field of intellectual endeavour. The Council may by a like vote terminate the tenure of an Honorary Fellowship.

2. The Honorary Fellows shall enjoy such privileges and advantages as the Council may from time to time determine.
3. An Honorary Fellow shall not be deemed a Fellow for the purposes of these Statutes.

## STATUTE XVI

### *The Senior Scholars*

1. An election of Senior Scholars shall take place in each academical year on such day as the Council shall appoint. The Council shall determine from time to time how many Senior Scholarships may be awarded at each election if candidates of sufficient merit present themselves.
2. The Senior Scholars shall be chosen from the resident students of the College who are not registered Graduate Students and who are of such standing as the Council shall from time to time determine. They shall be chosen with reference to their learning, ability, and moral character. The candidates' attainments shall be ascertained in such manner as the Council shall from time to time determine.
3. The election shall be vested in the Master and such of the Fellows or other persons as the Council shall appoint Electors for that occasion. The election shall be conducted in the same manner and shall be governed by the same rules as the Annual Election of Fellows unless a College Meeting shall have determined otherwise.
4. Every Senior Scholar shall be admitted as soon as conveniently may be after his or her election and at such time as the Council shall appoint, and shall enjoy the advantages of his or her Scholarship from such time as the Council may direct.
5. Every Senior Scholar before being admitted shall subscribe to the following declaration:

I, *N.N.*, elected Senior Scholar of Trinity College, do hereby promise that I will obey the authorities of the College and in all things endeavour to promote its welfare.
6. A Senior Scholarship shall be tenable from the date of the election until 30 September in the year next following, provided that the Council may extend a Scholar's tenure for one or two further years, but no longer. A Senior Scholar shall vacate his or her Scholarship on becoming a Research Scholar of the College or a Fellow of the College or of any other College.
7. The emolument of a Senior Scholar shall be such sum as the Council may from time to time determine. In determining the amount of the emolument the Council shall pay heed to any general principles laid down by the University Inter-Collegiate Advisory Committee on Scholarships.

8. A Senior Scholar who resides in College during any part of the Long Vacation shall pay no rent for his or her rooms for that time.

## STATUTE XVII

### *The Research Scholars*

1. The Council may appoint to a Research Scholarship any Senior Scholar who has been admitted, or is qualified to be admitted, to a degree, and who satisfies them that he or she intends to pursue a systematic course of research.

2. Every such appointment shall be made or may be prolonged until a date not later than the Scholar's last opportunity of competing for a Fellowship, provided that a Research Scholar shall vacate his or her Scholarship on becoming a Fellow of the College or of any other College.

3. The emolument of a Research Scholar shall be such sum as the Council may from time to time determine.

4. A Research Scholar who resides in College during any part of the Long Vacation shall pay no rent for his or her rooms for that time.

## STATUTE XVIII

### *The Junior Scholars*

1. An election of Junior Scholars shall take place in each academical year on such day as the Council shall appoint.

2. The Junior Scholars shall be chosen from the resident students of the College who are not registered Graduate Students and who are of such standing as the Council shall from time to time determine. They shall be chosen with reference to their learning, ability, and moral character. The candidates' attainments shall be ascertained in such manner as the Council shall from time to time determine.

3. The election shall be vested in the Electors to Senior Scholarships, and the election shall be conducted in the same manner and governed by the same rules as the Election to Senior Scholarships.

4. Every Junior Scholar shall be admitted as soon as conveniently may be after his or her election and at such time as the Council shall appoint, and shall enjoy the advantages of his or her Scholarship from such time as the Council may direct.

5. Every Junior Scholar before being admitted shall subscribe to the following declaration:

I, *N.N.*, elected Junior Scholar of Trinity College, do hereby promise that I will obey the authorities of the College and in all things endeavour to promote its welfare.

6. A Junior Scholarship shall be tenable from the date of the election until 30 September in the year next following, provided that the Council may extend a Scholar's tenure for one or two further years, but no longer. A Junior Scholar shall vacate his or her Scholarship on becoming a Senior Scholar of the College or a Fellow of the College or of any other College.

7. The emolument of a Junior Scholar shall be such sum as the Council may from time to time determine. In determining the amount of the emolument the Council shall pay heed to any general principles laid down by the University Inter-Collegiate Advisory Committee on Scholarships.

8. A Junior Scholar who resides in College during any part of the Long Vacation shall pay no rent for his or her rooms for that time.

## STATUTE XIX

### *The Samwaies Fund*

1. The scheme for the administration of the Samwaies Foundation is hereby repealed.

2. The annual income of the Samwaies Fund shall be applied as follows:

(a) to provide such prizes or other awards as the Council shall from time to time determine, which shall be awarded to students of the College who have been educated at Westminster School;

(b) to purchase books for the College Library.

3. Any part of the income of the Fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the Fund.

4. Subject to the foregoing provisions, the Council shall have power to make regulations from time to time for determining all matters relating to any or all of the several payments above mentioned.

## STATUTE XX

### *Studentships*

1. The Council may appoint to a Studentship any person who intends to be a candidate for a degree, diploma, or certificate of the University.

2. A Studentship shall be tenable for such period and under such conditions as the Council may prescribe.

3. The emolument of the holder of a Studentship shall be such sum as the Council shall direct.

## STATUTE XXI

*The Chaplains*

1. There shall be such number of Chaplains (not exceeding four) as the Council shall from time to time determine. A Chaplain shall be appointed by the Council, not less than nine members being present. Chaplains shall be in Holy Orders, and shall conduct the services in the College Chapel according to such regulations as may be made by the Council. They shall be in the same position as Fellows with regard to rooms and commons in the College.

2. A Chaplain shall hold office during the satisfaction of the Council for five years or for any lesser period which the Council may determine at the time of his or her appointment, and may be reappointed as often as the Council think fit, subject to the provisions contained in these Statutes for retirement on account of age.

3. No one shall hold any benefice or ecclesiastical preferment together with the office of Chaplain except by the express permission of the Council.

4. The office of Chaplain may be held together with any other office in the College or with a Fellowship.

## STATUTE XXII

*The Librarian*

1. There shall be a Librarian on the foundation of Sir Edward Stanhope, who shall be appointed by the Council, not less than nine members being present. The Librarian's duties shall be defined from time to time by the Council. The Librarian, if not a Fellow, shall be in the same position as a Fellow with regard to rooms and commons in the College.

2. The Librarian shall hold office during the satisfaction of the Council, subject to any limit of tenure fixed by the Council, and subject to the provisions of these Statutes concerning retirement on account of age.

3. The office of Librarian may be held together with any other office in the College or with a Fellowship.

## STATUTE XXIII

*The Regius Professors*

The Regius Professors of Divinity, Hebrew, and Greek, if not Fellows of the College, shall be in the same position as Fellows with regard to commons, and may, if the Council think fit, be permitted to occupy rooms in College on such conditions as the Council shall determine.



## STATUTE XXIV

*The Vice-Master*

1. There shall be a Vice-Master, who shall be elected at a College Meeting from among those Fellows who have not attained the age of seventy. Except in the case of a casual vacancy the election shall be held at an Annual College Meeting; a casual vacancy in the office shall be filled as soon as conveniently may be, if necessary by an election held at a Special College Meeting. The person elected shall hold office until the Annual College Meeting next but one following, provided that a person who at the date of the election has attained the age of sixty-nine shall hold office until the Annual College Meeting next following.

2. The election of a Vice-Master shall be made in accordance with such regulations as shall be approved from time to time by a College Meeting.

3. It shall be the duty of the Vice-Master to attend under the Master to the good government of the College, to enforce the observance of the Statutes, to act as the Master's deputy when the Master is absent, and to perform such other acts as are prescribed by these Statutes or by any College Ordinance or order.

4. During any absence of the Vice-Master, and during any vacancy in the office of Vice-Master, the senior Fellow currently in Cambridge who is a member of the Council, or, if no member of the Council is currently in Cambridge, then the senior Fellow in Cambridge, shall act as Vice-Master.

5. As soon as conveniently may be after his or her election, and before entering upon the duties of the office, the Vice-Master shall make in the presence of the Council a declaration that he or she will discharge the duties of the office faithfully and according to the Statutes.

## STATUTE XXV

*The Deans*

1. The Council shall each year, not less than nine members being present, appoint from among the Fellows a Dean of College, who shall perform such duties of superintendence over the conduct of members of the College *in statu pupillari*, and such other duties, as the Council shall from time to time prescribe.

2. There shall be a Dean of Chapel, who shall be appointed by the Council, not less than nine members being present. The Dean of Chapel shall hold office during the satisfaction of the Council, subject to any limit of tenure fixed by the Council, and subject to the provisions of these Statutes concerning retirement on account of age. He or she shall provide for the celebration of Divine Service in the College Chapel according to such rules and regulations as may from time to time be made by the Council, shall see that all persons conduct themselves

decently therein, and shall perform such other duties as the Council may from time to time prescribe.

3. Each Dean on first appointment shall make in the presence of the Council a declaration that he or she will discharge the duties of the office faithfully and according to the Statutes.

## STATUTE XXVI

### *The Bursars and Assistant Bursars*

1. There shall be a Senior Bursar and a Junior Bursar, each of whom shall be appointed by the Council, not less than nine members being present. Each Bursar shall hold office during the satisfaction of the Council, subject to any limit of tenure fixed by the Council, and subject to the provisions of these Statutes concerning retirement on account of age.

2. The respective duties of the two Bursars shall be assigned to them by order of the Council, and each of them shall be separately responsible for the performance of the duties so assigned.

3. The moneys of the College received by either of the Bursars and not required for immediate College purposes shall be kept in some bank or banks approved by the Council, or shall be invested according to the orders of the Council. No loan or temporary or other investment thereof shall be made by either of the Bursars except in conformity with such orders.

4. Each Bursar on appointment shall make in the presence of the Council a declaration that he or she will discharge the duties of the office faithfully and according to the Statutes.

5. The Council may at any time, not less than nine members being present, appoint from among the members of the College or others an Assistant Bursar to hold office during the satisfaction of the Council for such time not exceeding five years as they may determine. The duties of an Assistant Bursar shall be prescribed by the Council.

## STATUTE XXVII

### *The Tutors, the Senior Tutor, and the Assistant Tutors*

1. There shall be as many Tutors as the Council shall from time to time determine. Every member of the College *in statu pupillari* shall be under the charge of a Tutor or an Assistant Tutor.

2. The Tutors shall be appointed from among the Fellows or others by the Council, not less than nine members being present.

3. A Tutor shall hold office during the satisfaction of the Council for ten years

or for any lesser period which the Council may determine at the time of his or her appointment; provided that, if the Council are satisfied that it is desirable in the interests of the College that a person should hold office as Tutor for a further period, they may, at a special meeting held for that purpose (exclusive of the person concerned, if a member of the Council), and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question, extend or renew his or her tenure of the office for a period not exceeding five years. When a Tutor's tenure has been thus extended or renewed, further extensions or renewals may subsequently be made under like conditions, as often as the Council may think fit, subject to the provisions of these Statutes as to retirement on account of age.

4. The Senior Tutor shall be appointed annually by the Council from among the Fellows, not less than nine members being present. The same person may be reappointed Senior Tutor as often as the Council think fit.

5. The Senior Tutor on first appointment shall make in the presence of the Council a declaration that he or she will discharge the duties of the office faithfully and according to the Statutes.

6. The Council may at any time, not less than nine members being present, appoint one or more Assistant Tutors from among the Fellows to hold office for such time as they may determine.

#### STATUTE XXVIII

##### *The Steward*

The Council shall each year, not less than nine members being present, appoint from among the members of the College or others a Steward, who shall perform such duties connected with the administration of the College Kitchens and the service of meals as the Council shall from time to time prescribe.

#### STATUTE XXIX

##### *The Assistant Lecturers, Lecturers, and Senior Lecturers*

1. The Council may at any time, not less than nine members being present, appoint an Assistant Lecturer, Lecturer, or Senior Lecturer.

2. An Assistant Lecturer, Lecturer, or Senior Lecturer shall give instruction for the College of such amount as shall be prescribed by Ordinance or as may be defined by the Council in a particular case.

3. An Assistant Lecturer, Lecturer, or Senior Lecturer shall hold office during the satisfaction of the Council, but only for the period (if any) fixed at the time of his or her appointment or reappointment, and subject to the provisions of these

Statutes as to retirement on account of age; provided that the office of Assistant Lecturer shall not be held for longer than five years.

## STATUTE XXX

### *The Praeceptors*

1. A Praeceptor shall not as such have any duties in the College, but may undertake duties at the request of the Council on such terms as the Council may think fit.

2. A Praeceptor shall hold office, subject to the provisions of these Statutes as to retirement on account of age, so long as he or she (*a*) is engaged in teaching, study, or research to the satisfaction of the Council, (*b*) resides in the University for the greater part of each term unless excused by the Council, and (*c*) does not hold without the permission of the Council any paid post other than an office in the University or an occasional post.

3. If a Fellow, who has completed or will during the current academical year have completed twenty-five years' service in one or more of the Qualifying College Offices, writes to the Master expressing the wish to be appointed a Praeceptor and undertaking to fulfil the conditions of the office as specified in section 2 above, the Council shall appoint him or her a Praeceptor from a date not more than one year subsequent to the date of the writing.

4. If a Fellow has reached the age of sixty but has not completed twenty-five years' service in one or more of the Qualifying College Offices, the Council at a special meeting held for that purpose (exclusive of the Fellow concerned, if a member of the Council) may, if satisfied that he or she wishes to be appointed a Praeceptor and intends to fulfil the conditions of the office as specified in section 2 above, appoint him or her a Praeceptor with the concurrence of the votes of two-thirds of the members entitled to vote on the question.

5. The Council may at a special meeting held for that purpose (exclusive of the person concerned, if a member of the Council), and with the concurrence of the votes of two-thirds of the members entitled to vote on the question, appoint as a Praeceptor (*a*) any person engaged in teaching or research in the University or (*b*) any person concerning whom they are satisfied that he or she is engaged in the systematic pursuit of some branch of University studies and has made or is likely to make contributions of high value to the knowledge of his or her subject of study.

## STATUTE XXXI

*Creation of new offices*

The Council may from time to time, by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, create any new offices which they may think necessary for the more efficient management of the affairs of the College or for the better enforcement of its discipline, and may assign to the holders thereof such stipends as they may think fit. Such offices may be annulled or the duties of them varied from time to time by the same authority, and the holders of them shall not be entitled to claim any compensation in case of their suppression. The holders of such new offices shall be appointed by the Council and shall hold office for such periods as the Council may determine.

## STATUTE XXXII

*Residence in College*

A College Meeting may from time to time, by a resolution so passed as to be binding on the College, prescribe or empower the Council to prescribe what residence in College (if any) is to be required of the several officers of the College.

## STATUTE XXXIII

*Retirement on account of age*

No one shall hold the office of Tutor, Assistant Tutor, Praelector, Assistant Lecturer, Lecturer, Senior Lecturer, Dean of College, Dean of Chapel, Chaplain, or Librarian, beyond 30 September next after he or she reaches the age of sixty-seven, or the office of Bursar or Assistant Bursar beyond 31 December following the conclusion of the Audit next after he or she reaches the age of sixty-seven.

## STATUTE XXXIV

*Intermission of College duties*

1. The Council may at any time dispense the holder of an Assistant Lectureship, a Lectureship, or a Senior Lectureship, without cause assigned, from discharging the duties of his or her office during one term for every six terms of service in any of these offices; provided that

- (a) the Council shall have power to determine whether any term is to be counted as a term of service for the purposes of this section;

- (b) a dispensation shall be granted under this section only if the Council are satisfied that the officer's duties can be conveniently and effectively carried out during the period of the dispensation.
2. The Council may at any time dispense the holder of a Qualifying College Office, on account of ill-health, from discharging the duties of his or her office for a period not exceeding six months. The Council may for sufficient cause extend such dispensation beyond six months.
  3. The Council may at any time, not less than nine members being present, dispense the holder of a Qualifying College Office, for sufficient cause other than ill-health, from discharging the duties of his or her office either in whole or in part for a period not exceeding one year. In exceptional circumstances the Council, not less than nine members being present, may grant such a dispensation for a period longer than one year, or may extend beyond one year a dispensation already granted.
  4. During any period of dispensation under the provisions of this Statute, an officer shall continue to hold his or her office, but shall not necessarily receive any stipend; the Council may determine the amount (if any) of stipend payable to an officer in respect of such period.

## STATUTE XXXV

### *Pensions and superannuation schemes*

1. No pension payable out of the revenues of the College shall be granted to any person except by a resolution passed at a special meeting of the Council held for that purpose (exclusive of the person concerned, if a member of the Council) with the concurrence of the votes of not less than two-thirds of the members entitled to vote on the question.
2. The Council shall have power to take such steps as may be necessary for the participation of the College in the Universities Superannuation Scheme (hereinafter called the U.S.S.).
3. The College shall continue to participate in the Federated Superannuation System for Universities (hereinafter called the F.S.S.U.) in respect of those persons entitled to remain in that System.
4. The Council shall make regulations for the administration of the College's superannuation arrangements. In so far as such regulations relate to the U.S.S. or to the F.S.S.U. they shall be compatible with the constitution and rules of the U.S.S. or the F.S.S.U., as the case may be.

## STATUTE XXXVI

*Membership of the College*

1. Subject to the provisions of this Statute the Council may make regulations under which persons may be admitted and may remain members of the College.
2. No one may be admitted a member of the College *in statu pupillari* who is not qualified to be matriculated as a member of the University.

## STATUTE XXXVII

*Discipline of the College*

1. All members of the College *in statu pupillari* shall show due respect and obedience to the Master, the Vice-Master, and other officers of the College. They shall conduct themselves in a quiet and orderly manner, shall observe the Statutes, and shall conform to all such orders and regulations as may be made by the Council from time to time for the good government of the College.
2. Subject to the provisions of section 3 below, it shall be competent for the Master, the Vice-Master, the Dean of College, or a Tutor, to impose such punishment as he or she may think appropriate on a member of the College *in statu pupillari* who fails to observe any of these Statutes or any order or regulation made by the Council, or who is guilty of any offence against discipline and good order.
3. The Council shall have power to appoint a Disciplinary Committee, constituted in accordance with the provisions of Statute LXVII.25, whose function shall be to hear a charge brought against a member of the College *in statu pupillari*, or to hear an appeal from a disciplinary decision of an officer of the College made under section 2 above. The following punishments shall not be imposed except by a resolution of such a Committee: (a) temporary or permanent sending out of residence, (b) deprivation of a Scholarship or Studentship, (c) deprivation of membership of the College. Any appeal from a decision of a Disciplinary Committee shall be heard by the Council.
4. There shall be a committee called the Dean's Committee, which shall consist of the Dean of College and not less than four other members appointed by the Council from among the Master and Fellows. The Committee shall have power to send out of residence, either temporarily or permanently, a member of the College *in statu pupillari* who by failure, or by failure to obtain honours, in a University or College examination has been shown to be an unsatisfactory student. Any appeal from a decision of the Dean's Committee shall be heard by the Council.

## STATUTE XXXVIII

*Religious worship and instruction*

1. The Council shall, subject to the provisions of the sixth section of the Universities Tests Act 1871, make provision for the celebration of Divine Service in the College Chapel, and shall provide for religious instruction according to the fifth section of the said Act.

2. The Council may from time to time make such regulations as they think fit concerning the saying of Grace before and after meals in the College Hall, and concerning the service for the annual Commemoration of Benefactors in the College Chapel.

## STATUTE XXXIX

*College Meetings*

1. A College Meeting shall be a meeting of the Master and Fellows to which all Fellows of the College shall be summoned. The powers of a College Meeting shall extend (subject always to these Statutes) to all questions affecting the good government of the College, the promotion of its interests, and the maintenance and improvement of the discipline and studies of the students, and (so far as is necessary for the above purposes but no further) to the administration of the property and income of the College; and a resolution passed at a College Meeting in accordance with the provisions hereinafter contained (not being inconsistent with these Statutes) shall be binding notwithstanding that the same may deal with a matter ordinarily within the province of the Council; provided always that a College Meeting shall have no power to interfere with an election or an appointment or with the presentation to a benefice or in any particular case of discipline or in any particular dismissal under Statute LXVII.

2. There shall be at least two College Meetings in each year, the Accounts Meeting, which shall be held in accordance with the provisions of Statute XLV.7, and the Annual College Meeting, which shall be held on such day as the Council shall appoint subject to the provisions hereinafter contained; six weeks' notice shall be given of the Annual College Meeting. The Master may summon a Special College Meeting whenever he or she thinks fit, and shall with all convenient speed summon one on receipt of a requisition signed by six members of the Council or by twelve Fellows. Such requisition shall set forth a resolution or resolutions to be brought before the meeting. At least fourteen days' notice shall be given of any Special College Meeting.

3. At least fifteen days before a College Meeting the Master shall cause notice of the business to be considered at the meeting to be communicated to the



Fellows. All resolutions relating to the said business which are to be proposed at the meeting shall be sent in writing to the Master so as to arrive not later than the ninth day before the meeting, and the Master shall thereupon communicate them to the Fellows.

4. If at any College Meeting a resolution whereof due notice has been given is carried by a majority of the whole body of the Master and Fellows, or by a majority of at least two-thirds of the persons present and voting on the resolution, provided always that at least fifty Fellows are then present, it shall be binding on the College unless and until revoked by a resolution passed under the same conditions; and an amendment on any such resolution, if delivered in writing to the chairman and accepted by him or her as a proper amendment, and passed by a majority of those present and voting, shall be deemed to be part of the resolution and to have been proposed with the like notice; provided that if within one week after the passing of such resolution the Council shall, with the concurrence of the votes of a majority of the members, express their dissent therefrom, the question shall not be decided by the vote of the College Meeting, but shall be adjourned till a subsequent College Meeting to be held on a day to be appointed by the Council, being not less than two months nor more than three months (exclusive of any University vacation) after the College Meeting at which the resolution was carried. The resolution, if confirmed at the subsequent meeting by a majority of the whole body of the Master and Fellows, or by a majority of at least two-thirds of the persons present and voting on the resolution, provided always that at least fifty Fellows are then present, shall be forthwith binding on the College unless and until revoked by a resolution passed under the same conditions. If it is not so confirmed it shall be null and void.

## STATUTE XL

### *The Council*

1. There shall be a Council which shall consist of the *ex officio* and elective members hereinafter mentioned.

2. The Council shall, subject to the provisions of these Statutes, have the management of the College and the administration of all its property and income.

3. Except in cases otherwise expressly provided for by these Statutes or elsewhere, the Council shall have power to do any act by the Statutes of the University or otherwise directed or authorised to be done by the College.

4. The Council shall have power to assign from time to time to the officers of the College such stipends and salaries as they shall think fit.

5. The Council shall have power to make orders and Ordinances for the good government of the College, and for maintaining and improving the discipline and the studies of the students.

6. Except in the several cases otherwise provided for by these Statutes, all the powers, authorities, and discretions which are by these Statutes conferred upon the Council may be exercised at a meeting of the Council by a resolution passed by a majority of votes; provided that if a difference of opinion arises between the Master and the majority of the members of the Council voting at any meeting and on any business (other than an election or an appointment) which may under the provisions of these Statutes be decided by a simple majority, the question on which such difference of opinion exists shall, if the Master so declares, not be decided by such vote but shall be adjourned till the next meeting of the Council, and shall then be finally decided by the majority of the members of the Council present and voting.

7. The Council shall include as *ex officio* members the Master, the Vice-Master, the Senior Tutor, the Senior Bursar, if a Fellow, and the Junior Bursar, if a Fellow. If either of the Bursars is not a Fellow he or she shall not be an *ex officio* member of the Council, but, unless elected a member, shall be an assessor only without a vote. For all cases of discipline and questions affecting the discipline of the College the Dean of College, for all questions affecting the celebration of Divine Service in the College Chapel the Dean of Chapel, and for all questions affecting the administration of the College Kitchens and the service of meals the Steward, shall, if not a member of the Council, be an assessor without a vote.

8. The ordinary election of members of the Council shall be made in each year at the Annual College Meeting for that year or at a Special College Meeting held for the purpose. The time of holding such meeting shall be fixed from time to time by a College Meeting.

9. The number of members to be elected at each College Meeting for the ordinary election of members of the Council shall be three. They shall hold office from the meeting at which they are elected to the meeting for the ordinary election of members of the Council in the third following year.

10. Candidates for election to the Council shall be nominated by a proposer and a seconder, who shall be Fellows; nominations shall be sent in writing to the Master so as to arrive not later than the ninth day before the meeting. No nomination shall be accepted if received later than that day. Retiring members and persons other than Fellows shall be eligible. If there are more candidates than vacancies, or if there is any candidate other than a Fellow, the election shall be made by the votes of those present at the College Meeting, votes being given by voting papers, and each Fellow having the right to give one vote each to any number of candidates for election not exceeding the number of vacancies; provided that no person other than a Fellow shall be elected unless he or she has received a vote from each of a majority of the whole number of the Master and Fellows. Subject to the provisions of this Statute, regulations for the

conduct of elections to the Council may be made from time to time by a College Meeting.

11. (a) Every casual vacancy in the number of elective members of the Council, whether caused by an elective member becoming an *ex officio* member or otherwise, shall be filled as soon as conveniently may be by the election at an Annual College Meeting or at a Special College Meeting of a member of the Council who shall serve for the remainder of his or her predecessor's term of office; provided that a vacancy caused by the election of a Vice-Master shall be filled at the same meeting at which he or she is elected.
- (b) If a Special College Meeting is summoned for the sole purpose of filling one or more casual vacancies in the number of elective members of the Council, and if by the ninth day before the meeting the number of candidates nominated does not exceed the number of vacancies, those candidates being Fellows, the Master shall cancel the meeting and shall declare the candidate or candidates to be elected.
12. The ordinary meetings of the Council shall be held at such times and shall be subject to such regulations as to notice of business, mode of procedure, and otherwise, as shall be from time to time determined by the Council.
13. The Master may at any time and shall, if requested by three members of the Council, call a special meeting of the Council. Such notice shall be given of a special meeting as the case may admit, and whenever it is possible not less than two days' notice shall be given.
14. Except in the cases otherwise provided for by these Statutes, five members shall be the quorum to constitute a meeting of the Council.
15. The Master, or in the Master's absence the Vice-Master, shall be chairman and, in case of an equality of votes, shall have a casting vote.
16. The Council shall appoint a Fellow as Secretary who, if not a member of the Council, shall be an assessor without a vote. Minutes shall be kept of the proceedings of the Council, and the Minute Book shall be accessible to Fellows at all reasonable times.
17. If an elective member of the Council has resided during less than two-thirds of any Full Term or has attended less than half the ordinary meetings of the Council in any term, his or her seat shall *ipso facto* be vacated, except for grave cause to be approved in writing by two-thirds of the members of the Council exclusive of the member concerned.
18. No payment shall be made to members of the Council for their ordinary duties, but the Council may assign such reasonable remuneration as they may think fit for any special services rendered by members of the Council which may seem to require it.

## STATUTE XLI

*The Common Seal*

1. The Common Seal shall be kept in some secure place approved by the Council.

2. The seal shall not be affixed to any writing or document except after a meeting of the Council held for the purpose of authorising the affixing of the seal, and pursuant to a resolution passed with the concurrence of the votes of a majority of the members.

3. The seal shall be affixed in the presence of two or more members of the Council who were present at the meeting at which the resolution for affixing the seal was passed.

## STATUTE XLII

*Presentation to benefices*

The Council shall present to the several benefices in the patronage of the College.

## STATUTE XLIII

*Disposal of advowsons*

No advowson shall be transferred out of the ownership of the College except by a resolution in that behalf passed at a meeting of the Council at which not less than nine members are present.

## STATUTE XLIV

*Investment of capital moneys*

1. Any funds or endowments held by or on behalf of the College, whether or not subject to particular trusts or restrictions, may at the discretion of the Council be invested in property or securities of any class or description, subject to the next following section, and may also be applied for any purpose for which capital moneys arising under the Universities and College Estates Act 1925 may be applied.

2. The foregoing section shall not extend to

- (a) investments which are expressly forbidden by the instrument creating any trust;
- (b) any transaction requiring the consent of a Minister of the Crown under the Universities and College Estates Act 1925, or the Universities and Colleges (Trusts) Act 1943, unless the consent of such Minister has been signified thereto.

3. In this Statute 'property' includes land (whether freehold or leasehold) and 'securities' includes loans, funds, bonds, notes, annuities, debentures, debenture stock, shares, and stock (whether ordinary or of any other class) and shares not fully paid and Dominion, Colonial, or foreign securities and other securities of all sorts; and any securities may be acquired notwithstanding that they are redeemable at any time or that the purchase price exceeds the redemption value.

4. The Council shall prescribe by Ordinance the conditions which shall govern the purchase, custody, and sale of any securities to bearer or securities transferable by mere delivery or by delivery and endorsement.

## STATUTE XLV

### *Accounts and Audit*

1. Subject always to the provisions of the University Statutes, the accounts of the College shall be kept in such form as the Council shall from time to time determine.

2. The accounts shall be closed in each year on such day, not being earlier than 30 June nor later than 28 September, as the Council shall from time to time determine, and shall be audited forthwith.

3. The Council shall in each year appoint an Auditor or Auditors who shall audit the whole of the accounts of the College, provided that the Council may if they think fit assign to a particular Auditor or Auditors the duty of auditing any particular part of the accounts. Every Auditor shall be a qualified Accountant, and no person shall hold the office of Auditor together with any other office or place in the College.

4. The Council shall in each year appoint an Audit Committee consisting of two or more Fellows. It shall be the duty of the Audit Committee to confer with the Auditor or Auditors, to examine the accounts, and to report thereon to the Council, such report to be made available by the Council to the Fellows. It shall also be the duty of the Audit Committee to receive and to convey to the Auditor or Auditors such comments and observations relating to the Audit as they may receive from any of the Fellows.

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

6. The conclusion of the Audit shall take place at an Audit Meeting of the Council, which may be attended by any of the Fellows. At the Audit Meeting the Auditor or Auditors, having first responded to any questions or observations relating to the Audit which may have been put to them by or through the Audit Committee, or by any Fellow present at the meeting, shall declare the Audit to be

concluded. The Auditor or Auditors shall then give such certificate or certificates as are required by the University Statutes in respect of the accounts audited by them, or shall state in writing to the Council their reasons for withholding them, and such statement (if any) shall be communicated to all the Fellows.

7. The Master shall summon an Accounts Meeting which shall be a College Meeting, which shall normally follow immediately after the Audit Meeting, and which shall in any event take place within twenty-one days of the conclusion of the Audit. The business of the Accounts Meeting shall include the receipt and, if thought fit, the approval of the reports on the accounts of all those College officers having responsibility for the accounts or any part thereof.

8. On or before 31 December next after the closing of the accounts a statement of the accounts, as nearly as may be in the form prescribed by the University, shall be sent, together with the certificate or certificates specified in section 6 above, to the appropriate officer of the University.

## STATUTE XLVI

### *Distribution of revenues*

1. The following payments shall be made in each year out of the general revenues of the College:

- (a) to the Master such sum as the Council may from time to time determine to meet the expenses arising out of the duties of the Master's office, including entertainment and clerical assistance;
- (b) to each holder of a Senior Scholarship, a Junior Scholarship, a Research Scholarship, or a Studentship, the amount of his or her emolument;
- (c) to each of the three Regius Professors of Divinity, Hebrew, and Greek the annual stipend of £40;
- (d) in lieu of the former payments to the Poor Men on the foundation of King Henry VIII the yearly sum of £150 payable in accordance with the Statute in that behalf hereinafter contained;
- (e) to each of Thomas Allen's Schools at Stone and Uttoxeter the sum of £400 and to Thomas Allen's School at Stevenage the sum of £250;
- (f) to the Student Support Fund the sum of £116, representing various small Exhibitions founded before the year 1800;
- (g) the amount of the contribution payable by the College under any superannuation scheme on behalf of any Fellow or officer of the College in respect of any stipend payable by the College other than a stipend charged on the Tuition Fund;
- (h) to the University such sum as is by the Statutes of the University

authorised to be levied upon the College, provided that the Council shall have power to charge upon any trust fund or other separate fund a part of the sum so levied proportionate to the net assessable income of such fund;

provided that all payments made under this section to holders of Senior Scholarships, Junior Scholarships, Research Scholarships, and Studentships shall be contingent upon residence according to rules laid down from time to time by the Council.

2. The following payments shall also be made in each year out of the general revenues of the College:

- (a) payments ordinary and extraordinary for the maintenance and advancement of the College as a place of education, religion, learning, and research;
- (b) payments ordinary and extraordinary relating to the estates and property of the College;
- (c) the cost of such repairs, furnishings, and improvements in the Master's Lodge and such expenses connected with its upkeep or use as the Council may approve;
- (d) such donations and subscriptions as are in the judgement of the Council proper for the College to give as an owner of property or as an employer;
- (e) such other donations as the Council may with the concurrence of the votes of not less than two-thirds of the members decide to be proper for the College to give, provided that if the Council shall resolve to make a donation exceeding such sum as a College Meeting may from time to time determine to any one object under this subsection the resolution shall not take effect for fourteen days and notice thereof shall forthwith be given to the Fellows, and if within such fourteen days the Master shall receive a requisition under Statute XXXIX.2 for a Special College Meeting to consider the question the resolution shall be further suspended until after such College Meeting;
- (f) to an Estates Repairs and Improvements Fund, for the purpose of effecting repairs and improvements on the College estates and of providing instalments of principal money repayable in respect of loans incurred for such repairs and improvements in previous years, such sum (if any) as the Council may determine;
- (g) to the General Reserve Fund such sum (if any) as the Council may determine.

3. Except as otherwise provided in these Statutes or directed by the Council, if any person has held an office or place in the College for a part only of the year

he or she shall be entitled only to one-fourth part of the payment attached thereto for each quarter of the year or part of a quarter greater than one-half for which he or she shall have held office or place.

4. No income tax to which any person is liable in respect of any stipend or other payment from the general revenues of the College or from the Tuition Fund or any other fund shall be borne on his or her behalf by the said general revenues or by any such fund.

## STATUTE XLVII

### *The General Reserve Fund*

1. The General Reserve Fund may be applied to any extraordinary expenditure at the discretion of the Council.

2. Any part of the fund may by the direction of the Council be transferred at any time to the General Capital of the College.

## STATUTE XLVIII

### *The Advowson Fund*

There shall be, as heretofore, a fund called the Advowson Fund, consisting of moneys raised in the past from the sale of advowsons by the College. The income of the Advowson Fund shall be applied in such manner as the Council shall think fit for the benefit of any livings or parishes in which the College is interested either as patron of the living or as owner of lands or tithes in the parish.

## STATUTE XLIX

### *The Tuition Fund*

1. There shall be a fund called the Tuition Fund upon which shall be charged (a) the stipends of the Tutors, Lecturers, and other educational officers of the College, (b) the contributions payable by the College in respect of such stipends under any superannuation scheme, (c) the remuneration paid to other persons for instruction given on behalf of the College, and (d) such other expenses arising from the educational work of the College as the Council may consider to be a proper charge on the Fund.

2. There shall be paid to the Fund:

- (a) the Tuition Fees of members of the College;
- (b) other fees for instruction given on behalf of the College;
- (c) payments made to the College by the University or otherwise for services rendered by the educational officers of the College;



- (d) such contribution from the general revenues of the College as the Council may deem proper to make in respect of the stipend or allowances of any particular educational officer of the College the cost of which in whole or part could not in the opinion of the Council equitably be a charge upon the Tuition Fees of members of the College;
  - (e) such other payments arising from the educational work of the College as the Council may consider to be properly payable to the Fund.
3. The Council shall determine from time to time what Tuition Fees and other fees for teaching are to be paid by members of the College according to their standing and courses of study, so that the income of the Fund may be adequate to the charges which it is to bear.
  4. Any unapplied income of the Fund may be invested, and any such income and investments and the income arising from such investments shall be applicable as income of the Fund in subsequent years.
  5. Notwithstanding that, save as aforesaid, no contribution shall be made to the Tuition Fund from the general revenues of the College, if in any year the income of the Fund together with any income unapplied in previous years (whether invested or not) is insufficient to meet the charges on the Fund, the whole or any part of the deficiency may be discharged out of the general revenues of the College at the discretion of the Council.

## STATUTE L

### *The Student Support Fund*

1. The fund constituted by the consolidation of various small Exhibitions founded before the year 1800, augmented by such sums as the Council may direct, shall be called the Student Support Fund and shall be applied for the benefit of needy students of the College in such manner as the Council shall from time to time determine.
2. There shall be paid into this fund from time to time from the general revenues of the College such sums (if any) as the Council may direct.

## STATUTE LI

### *Awards to students educated at certain schools*

1. (a) In lieu of the payments formerly made to the Poor Men on the foundation of King Henry VIII, a yearly sum of not less than £150 out of the income of the College shall be applied for the provision of scholarships, prizes, or other awards, of such value as the Council shall from time to time determine, for students who are currently attending,

or for persons who formerly attended, the Perse School for Boys, the Perse School for Girls, and such other schools in Cambridge as the Council shall from time to time determine.

- (b) Any balance of the yearly sum not applied in any year to the purposes hereinbefore mentioned shall be paid into a separate fund, to be called King Henry VIII's Fund, which shall be used from time to time at the discretion of the Council to make grants for any charitable purposes, educational or other, in Cambridge.

2. The Council shall have power to provide, out of the general revenues of the College, prizes or other awards for persons who have been educated at such schools as the Council shall from time to time determine; and, out of the income of any trust fund appropriated to the benefit of persons who have been educated at a particular school, prizes or other awards for such persons.

3. Subject to the foregoing provisions, the Council shall have power to make regulations from time to time for determining all matters relating to any or all of the several payments above mentioned.

## STATUTE LII

### *The Pigott Fund*

1. The income of the Pigott Fund shall be applied at the discretion of the Council to either or both of the following purposes, that is to say:

- (a) to augmenting the income of livings in the patronage of the College, or in which the College is interested as an owner of property in the parish, either by payments for increasing the capital endowment of any such livings, or by annual payments to the incumbents, or towards the provision of assistant curates, or by grants towards the expenses of the livings during any vacancy or period of sequestration, or by the provision of pensions for incumbents resigning such livings, or in such other ways as the Council may think fit;
- (b) to providing in whole or in part the contributions payable by the College for the benefit of Fellows and officers of the College under any superannuation scheme.

2. Any part of the income of the fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the fund.

## STATUTE LIII

*Mrs Whewell's Fund*

1. The trusts governing Mrs Whewell's Fund are hereby repealed.
2. The income of the fund shall be applied as the Council shall from time to time think fit to any of the purposes included in the direction in that behalf contained in Dr Whewell's will (namely 'for the provision of additional Foundation Scholarships or for the foundation in the University of any Professorship or Professorships, Scholarship or Scholarships to be held by members of Trinity College or with such preference of members of that College as should be considered or advised to be consistent with the terms of Mrs Whewell's gift or for the augmentation of the Pigott Fund'), or to any of the purposes authorised by the Statute for the time being governing the Pigott Fund.
3. Any part of the income of the fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the fund.

## STATUTE LIV

*The Birkbeck Lectureship*

1. The trusts governing the Birkbeck Lectureship Fund are hereby repealed.
2. The income of the fund shall be used as the Council shall from time to time determine for the encouragement of the study of ecclesiastical history either by the payment of a lecturer, or by grants to members of the University in aid of research, or by defraying or helping to defray the cost of the publication of books, or otherwise.
3. Any part of the income of the fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the fund.

## STATUTE LV

*The Perry Fund*

1. Out of the yearly income of the Perry Fund there shall be provided such prizes or other awards as the Council shall from time to time determine, which shall be awarded to students of the College who have been educated at St Paul's School, London, or at St Paul's Girls' School, London.
2. Any part of the income of the Fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the Fund.

## STATUTE LVI

*The Podmore Fund*

1. Out of the yearly income of the Podmore Fund there shall be provided such prizes or other awards as the Council shall from time to time determine, which shall be awarded to students of the College who have been educated at Shrewsbury School.

2. Any part of the income of the Fund not expended in any year may be applied as income in any subsequent year, or may at the discretion of the Council be invested and added to the capital of the Fund.

## STATUTE LVII

*The Sheepshanks Exhibition*

1. The exhibition provided by the Sheepshanks Benefaction shall be awarded for proficiency in astronomy.

2. It shall be open to all members of the University who are under the standing of Master of Arts, and the holder shall be required to engage in research to the satisfaction of the Council, but shall not be required to become a member of the College.

3. It shall be awarded by Electors appointed by the Council.

4. It shall usually be awarded annually, but the Council shall have power to apply not more than three years' income in payment of an exhibition for a single year; and for this purpose income may be allowed to accumulate without being added to the capital of the part of the fund devoted to purposes connected with the Observatory.

5. The trusts of the Sheepshanks Benefaction are hereby repealed in so far as they are inconsistent with this Statute.

## STATUTE LVIII

*The Dealtry Fund*

1. The trusts governing the fund founded in memory of Dr Dealtry are hereby repealed.

2. The income of the Dealtry Fund shall be applied to the encouragement of the study of theology in such ways as the Council shall from time to time determine.

## STATUTE LIX

*Prizes*

1. The trusts governing the Hooper Prizes, the Walker Prize, the Yeats Prizes, and the Mathison Fund, are hereby repealed.
2. The following prizes shall be awarded annually, if there are candidates of sufficient merit, in accordance with regulations to be made from time to time by the Council, or as the Council may direct:
  - (a) one or more Hooper Prizes for English declamations;
  - (b) one Yeats Prize for a mathematical essay;
  - (c) one Yeats Prize, one Walker Prize, and two or more Mathison Prizes to be awarded to poor Scholars at the time of their taking the Bachelor's degree, for their regular behaviour and proficiency in their studies;
  - (d) one Greaves Prize for an essay on some historical subject.
3. Any of the above-mentioned prizes may be divided between two or more candidates of equal merit.

## STATUTE LX

*Trusts*

1. Save as in these Statutes is otherwise provided, the several trust funds held by the College shall continue to be administered on the trusts governing them respectively immediately before these Statutes came into force.
2. Any part of the income of any trust fund not expended in any year may be retained in the fund and applied as income in any subsequent year or may for that purpose be transferred to a reserve fund and invested; and if the Council at any time so resolve, any such income or reserve fund may be added wholly or partly to the permanent capital of the trust; provided always that the foregoing provisions shall not have effect in any case where the instrument governing the trust expressly directs otherwise.
3. Notwithstanding the provisions of any instrument governing a particular trust, the Council shall have power, at a special meeting held for that purpose and by a resolution passed with the concurrence of the votes of not less than two-thirds of the members, to make Ordinances
  - (a) enlarging the purpose or purposes to which a trust fund can be applied, provided always that the Council shall have regard to the main design of the founder of the trust; or
  - (b) determining the qualifications of candidates for any emolument provided out of a trust fund; or

(c) determining the value or the conditions of tenure of such an emolument;  
 provided always that the foregoing provisions shall not have effect unless sixty years have elapsed since the date on which the instrument creating the trust came into operation.

## STATUTE LXI

### *Alteration of Statutes*

1. Meetings of the Governing Body, namely the Master and Fellows being graduates, which under section 7 of the Universities of Oxford and Cambridge Act 1923 and subject to the provisions therein contained has power to alter the Statutes of the College, shall be summoned in the same way and shall be subject to the same regulations as Special College Meetings.

2. If at any such meeting a Statute for the alteration of these Statutes or any of them shall be duly approved with the concurrence of the votes of not less than two-thirds of the persons present and voting, the Council shall cause the College Seal to be affixed to an instrument making such Statute, shall give to the University the notice required by the said Act, and shall submit such Statute to Her Majesty in Council.

## STATUTE LXII

### *Notice*

1. Every Fellow shall upon or immediately after being admitted, and may from time to time afterwards, leave with such officer as the Council shall appoint an address to which all notices intended for the Fellow are to be sent; and in all cases in which by these Statutes notice is required to be given to any Fellow it shall be sufficient that the notice be sent to such address by post or otherwise.

2. In any case in which notice is required to be given to the Master it shall be sufficient that the notice be left at the Master's Lodge.

## STATUTE LXIII

### *Copies of the Statutes*

A printed copy of the College Statutes shall be given by the Master or Vice-Master to each Fellow after election and before admission.

## STATUTE LXIV

*Interpretation*

1. If any question arises in regard to the construction of these Statutes or any of them, it shall be decided by the Council, subject to such appeal to the Visitor as may by law be competent.

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

- (a) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute LXVII applies which concerns the member's appointment or employment or the termination of that appointment or employment; or
- (b) to disallow any Ordinance or order of the Council made under or having effect for the purposes of Statute LXVII.

3. Whenever eligibility to or tenure of an emolument is determined by reference to a person's standing or to the lapse of time from a stated date, the Council shall have power on account of such person's ill-health or on account of time spent in National Service or in training for his or her intended profession to prolong such eligibility or tenure to such extent as they may consider equitable; provided always that such a power shall not extend to eligibility to Fellowships at the Annual Election except in so far as it may have been conferred upon the Council by a College Meeting.

4. In these Statutes the expression 'another College' shall mean another College in the University of Cambridge.

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

## STATUTE LXV

*Acceptance of endowments*

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

## STATUTE LXVI

*The Rouse Ball Trust Funds*

1. This Statute is made to give effect with modifications to the directions given by Walter William Rouse Ball in his will dated 17 July 1923 and in a principal trust deed dated 11 October 1922 as modified by an amending trust deed dated 2 September 1924 regarding the application of the income of property to be transferred to the College upon certain trusts, and this Statute supersedes the provisions of the said will and trust deed.

2. (i) The investments from time to time representing the sum of four hundred pounds transferred to the College in accordance with the said will shall be kept as a separate fund.
- (ii) The income shall be applied to the provision of one or more prizes for proficiency in Mathematics which shall be called the Rouse Ball Mathematical Prize or Prizes.
- (iii) The Council shall make regulations from time to time prescribing whether awards are to be made annually or not, what students are to be eligible, the nature of the proficiency for which the award is to be made, and the conditions of the award generally; provided always that a candidate must be a member of the College *in statu pupillari*.
- (iv) A prize may be divided between two or more candidates of equal merit and if there is no candidate of sufficient merit no award shall be made.
3. (i) The investments from time to time representing the sum of four thousand pounds transferred to the College in accordance with the said will shall be kept as a separate fund.
- (ii) The income shall be applied, in accordance with regulations to be made by the Council from time to time, to the provision of grants towards meeting the expenses of illness or convalescence of members of the College *in statu pupillari*.
- (iii) Any part of the income of the fund not expended in any year may at the discretion of the Council be applied to the benefit of any one or more members of the College *in statu pupillari* who are the sons of professional men (in accordance with the direction of the donor), provided always that it shall be within the unfettered discretion of the Council to determine from time to time whether particular persons are covered by the description professional men.
4. (i) The investments from time to time representing the residue devised and bequeathed to the College under the said will shall be kept as a separate fund.
- (ii) The income shall be applied to the provision of studentships tenable by persons who have graduated at the University of Cambridge or another



University, subject to the conditions that the person elected shall be or forthwith become a member of the College, shall pursue a postgraduate or special course of study in Cambridge, and shall not receive any part of the emolument of his or her studentship in respect of any term which he or she has not kept by actual residence unless his or her absence has been excused by the Council for grave cause.

- (iii) The Council shall make regulations from time to time to determine subject to the provisions of this Statute the conditions under which the studentships shall be held, and the subjects for proficiency in which and the method by which awards shall be made.
- (iv) The Council shall make regulations from time to time to determine the eligibility of candidates, observing the direction given by the donor that they should be of English, Scotch, New Zealand, Australasian, Canadian, or American (USA) parentage, provided always that it shall be within the unfettered discretion of the Council to determine whether a candidate's parentage is such as the donor intended to be covered by this description, without regard to the legal interpretation of the terms used by him.

5. The sum of £10,000 by the said amending trust deed directed to be paid over to the College on trusts connected with the College Library, and the investments from time to time representing the same, shall be kept as a separate fund and the income thereof shall be used for the benefit of or towards the expenses of maintaining the College Library.

- 6. (i) The investments from time to time representing the securities and money transferred to the College in accordance with the terms of the aforementioned principal trust deed shall be kept as a separate fund.
- (ii) The income shall be applied for the encouragement of advanced work or research in any subject (including the publication of books and papers dealing with the results of such work or research).
- (iii) The Council shall from time to time make regulations to determine the conditions under which payments are to be made from the fund, provided always that any person to whom a payment is made from the fund shall be a member of the College who has kept by residence as a member of the College not less than six terms before the commencement of any period of work in respect of which the payment is made, and that no such payment shall be made in respect of a period ending later than the end of the academical year in which the person in question attains the age of thirty years.

7. Any part of the income of any of the aforesaid funds not expended in any year may at the discretion of the Council either be applied as income of the fund in any subsequent year or be invested and added to the capital of the fund.

## STATUTE LXVII

### *Academic Staff*

#### *Part I Construction, application, and interpretation*

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

- (a) to ensure that members of the academic staff 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 religion and learning, and to engage in research efficiently and economically; and
- (c) to apply the principles of justice and fairness.

2. No provision 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 the administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.

3. This Statute shall apply:

- (a) to any person who holds a College office designated by Ordinance as an office to which this Statute applies; and
- (b) to any person employed by the College to carry out teaching or research, save for those holding appointments which have been excluded by Ordinance from the scope of this Statute on the ground that the duties in that regard are of a limited nature only; and
- (c) to the Master to the extent and in the manner set out in Part VII of this Statute.

In this Statute any reference to ‘academic staff’ is a reference to persons to whom this Statute applies.

4. For the purposes of this Statute the following terms have the meanings specified:

- (a) ‘Dismiss’ and ‘dismissal’ refer to the dismissal of a member of the academic staff and
  - (i) include remove or, as the case may be, removal from office; and
  - (ii) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.
- (b) ‘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 person concerned was appointed or employed to do, means:

- (i) conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III of this Statute to be such as to render the person convicted unfit for the performance of the duties of his or her office or for employment as a member of the academic staff of the College; or
  - (ii) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or
  - (iii) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or
  - (iv) physical or mental incapacity established under Part IV of this Statute.
- (c) In this section 'capability' means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and 'qualifications' means any degree, diploma, or other academic, technical, or professional qualification relevant to an office or position held.
5. For the purposes of this Statute dismissal shall be taken to be dismissal by reason of redundancy if it is attributable wholly or mainly to:
- (a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed, or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned works or worked; or
  - (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.
6. (a) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statutes in force on 26 July 1995<sup>1</sup> and over those of any Ordinance, and the provisions of any Ordinance made under this Statute shall prevail over those of any other Ordinance made under such other Statutes; provided that Part III, Part IV, and Part VII of this Statute shall not apply in relation to anything done or omitted to be done before 26 July 1995, and provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may

<sup>1</sup> This was the date on which the present Statute LXVII, and other modifications of the Statutes made by the University Commissioners, were approved by Her Majesty in Council. See the Preamble, p. 9, and subsection (9) of section 204 of the Education Reform Act 1988.

continue or be instituted after that date under the relevant College Statutes in force before that date.

- (b) For the avoidance of doubt it is hereby declared that nothing in Part III of this Statute 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.
  - (c) In any case where an officer of the College or any other person is designated to perform any duties or exercise any powers under this Statute, and that officer is himself or herself involved in the matter in question, the Council may appoint an alternate to act in such officer's place under procedures prescribed by Ordinances made under this Statute.
7. (a) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause; provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.
- (b) Nothing in any other Statute shall enable the Council to delegate their power to reach a decision under section 11 below.

8. 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 Ordinances made under this Statute.

### *Part II Redundancy*

9. This Part enables the Council, 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.

10. 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 was made, or his or her contract of employment was entered into, on or after 20 November 1987; or
- (b) he or she was promoted on or after that date.

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 subsections (3) to (6) of section 204 of the Education Reform Act 1988.

11. The Council shall have power to decide that there should be a reduction by way of redundancy *either* (a) in the academic staff of the College as a whole, *or* (b) in the academic staff concerned with a particular field of study in the College.

12. If the Council have reached a decision under section 11, they shall:

- either* (a) 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* (b) appoint a Redundancy Committee, whose duties shall be:
- (i) to select the requisite members of the academic staff and recommend them for dismissal by reason of redundancy, and
  - (ii) to report their recommendations to the Council by such date as the latter may determine.

A Redundancy Committee appointed under this section shall comprise:

- (a) a Chairman;
- (b) two members of the academic staff;
- (c) two Fellows not being members of the academic staff.

13. The Council shall either approve any selection recommended by the Redundancy Committee, or remit it to the Redundancy Committee for further consideration in accordance with such further directions as the Council may give.

14. A member of the academic staff shall not be selected for dismissal under this Part unless he or she has been afforded a reasonable opportunity to make representations to the Council.

15. If the Council have themselves selected a member or members of the academic staff for dismissal by reason of redundancy, or have approved a selection recommended by the Redundancy Committee, they may authorise the Master or the Vice-Master, as their delegate, to dismiss any member of the academic staff so selected.

16. Each member of the academic staff selected for dismissal shall be given separate notice of such selection. The notice shall sufficiently identify the circumstances which have satisfied the Council that the intended dismissal is reasonable and in particular shall include:

- (a) a summary of the action taken by the Council 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 dismissal or the decision to dismiss and to the time within which any such appeal is to be instituted 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*

17. If it appears to the Vice-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 Vice-Master concludes after investigation that the member is at fault, he or she may issue an oral warning to the member. The Vice-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 section 20 below.

18. If the Vice-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 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 Vice-Master shall advise the member that he or she may appeal against the warning under section 20 below, and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made to the Master under section 21.

19. The Vice-Master shall keep a written record of any warning issued under section 17 or section 18. 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.

20. A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Master within two weeks. The appeal shall be heard by an Appeal Committee appointed by the Council; the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded for the purposes of section 19.

21. If there has been no satisfactory improvement following a written warning issued under section 18, or in any case where it is alleged that the conduct or performance of a member of the academic staff may constitute good cause for dismissal or removal from office, a complaint may be made to the Master seeking the institution of disciplinary proceedings under section 26. In order to deal fairly with such a complaint the Master shall institute such inquiries (if any) as appear to him or her to be necessary.

22. If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff could constitute good cause for dismissal, he or she shall write to the person concerned inviting comment in writing and may suspend the person concerned from the performance of his or her duties without loss of emolument.

23. As soon as may be following the receipt of any comments, and in any event not later than twenty-eight days after comments were invited, the Master shall consider the matter in the light of all the available evidence and may either dismiss the matter summarily, or issue an oral or written warning to the person concerned, or determine that the matter should be considered by a Disciplinary Committee appointed under section 24.

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

25. A Disciplinary Committee shall consist of three persons selected by the Council from a panel of not less than seven Fellows appointed annually by the Council. No member of the Council shall be a member of the panel. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Council shall exclude the person charged, any person responsible for originating the charge or charges (whether by making a complaint or otherwise), and any person who has been involved at an earlier stage in any preliminary hearing or investigation.

26. When a Disciplinary Committee has been appointed, the Council 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 Committee. 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 that the College proposes to call, with statements containing the evidence that 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. The procedure to be followed in respect of the preparation, hearing, and determination of a charge or charges by a Disciplinary Committee shall be prescribed by Ordinances made under this section. Such Ordinances shall ensure:

- (*a*) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by the Committee;
- (*b*) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent him or her are entitled to be present;
- (*c*) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;

- (d) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed the person charged shall be allowed an adjournment sufficient to allow him or her to consider and respond to the new evidence;
- (e) that any charge is heard and determined as expeditiously as is reasonably practicable.

27. The Disciplinary Committee shall send their decision on any charge referred to them (together with their findings of fact regarding the charge, the reasons for their decision, and, if they find the charge proved, their recommendations concerning the appropriate penalty, if any) to the Master, the person charged, the person responsible for presenting the charge, and any person who shall have been added as a party by the Disciplinary Committee. The Committee 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 their decision sent to the person charged.

28. If the charge or charges are upheld and the Disciplinary Committee find that the conduct of the person concerned constitutes good cause for dismissal and recommend that he or she be dismissed or removed from office, but in no other case, the Master, after consulting the Council, may dismiss him or her.

29. If the charge or charges are upheld but the Master, after consulting the Council, decides not to dismiss the person concerned, or if the Disciplinary Committee have recommended some lesser penalty than dismissal, the Master shall:

- either* (a) discuss the issues raised with the person concerned;
- or* (b) advise the person concerned about his or her future conduct;
- or* (c) warn the person concerned;
- or* (d) suspend the person concerned for such period as the Master may think fair and reasonable, provided that such suspension shall not continue beyond three months from the date on which the Council shall have considered the Disciplinary Committee's decision;
- or* (e) take such further or other action under the contract of employment or terms of appointment of the person concerned as appears fair and reasonable in all the circumstances of the case;
- or* (f) combine any of the courses of action specified above;

provided that any action taken by the Master under this section shall not comprise a penalty greater than that recommended by the Disciplinary Committee.

30. Any reference in section 29 to the Master shall include a reference to an officer acting as the Master's delegate. Any action taken by the Master or by his or her delegate under that section shall be confirmed in writing.



*Part IV Removal for incapacity on medical grounds*

31. This Part makes separate provision for the dismissal or removal from office of a member of the academic staff by reason of incapacity on medical grounds. In this Part:

- (a) a reference to medical grounds is a reference to capability assessed by reference to health or any other physical or mental quality;
- (b) a reference to a member of the academic staff includes, in cases where the nature of the alleged disability so requires, a person having authority to act on behalf of that member in addition to (or instead of) the member.

32. If it appears to the Master that the removal from office of a member of the academic staff on medical grounds should be considered, the Master:

- (a) shall inform the member accordingly, giving notice of the reasons; and
- (b) shall notify the member in writing that it is proposed to make an application to his or her medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988; and
- (c) may suspend the member from the performance of his or her duties without loss of emolument.

33. If in the light of any medical report obtained under section 32 the Master, after consulting the Council, is satisfied that a member of the academic staff should be required to retire on medical grounds, and if the member accepts the Master's opinion, the Master shall terminate the member's employment on those grounds.

34. If the member of the academic staff does not agree that his or her removal on medical grounds should be considered, or if after a medical report has been obtained the member declines to retire on medical grounds, the Master may refer the case in confidence, with all relevant medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising:

- (a) a medically qualified chairman appointed by the Council with the agreement of the member of the academic staff concerned or, in default of such agreement, on the nomination of the President of the Royal College of Physicians of London;
- (b) one person appointed by the Council;
- (c) one person appointed by the member of the academic staff concerned or, in default of such appointment, a second person appointed by the Council.

35. The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board shall be prescribed by Ordinances made under this section. Such Ordinances shall ensure:

- (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;
- (b) that a case shall not be determined without an oral hearing at which the member of the academic staff concerned is entitled to be represented;
- (c) that witnesses may be called and may be questioned concerning any relevant evidence;
- (d) that the case is heard and determined as expeditiously as is reasonably practicable.

A Medical Board may require the member of the academic staff concerned to undergo medical examination.

36. The College shall meet the reasonable costs of any medical report or medical examination required under section 32 or section 35.

37. If a Medical Board determines that a member of the academic staff should be required to retire on medical grounds, the Master, or an officer acting as the Master's delegate, may, after consulting the Council, terminate the employment of the person concerned on those grounds.

#### *Part V Appeals*

38. 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.

39. This Part applies to appeals against, or arising from:

- (a) any decision of the Council (or of a delegate of the Council) to dismiss in the exercise of their powers under Part II;
- (b) any proceedings, or any decision reached, under Part III other than disciplinary warnings issued under section 17 or section 18;
- (c) any dismissal otherwise than in pursuance of Part II or Part III;
- (d) any decision to impose a disciplinary penalty otherwise than in pursuance of Part III;
- (e) any decision reached under Part IV;
- (f) any proceedings, or any decision reached, under Part VII, including any decision reached in pursuance of section 61;

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

40. The following shall not be subject to appeal:

- (a) a decision of the Council under section 11;
- (b) any finding of fact by a Disciplinary Committee under Part III, or by a Tribunal under Part VII, or any medical finding by a Medical Board appointed under section 34; save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at the hearing of the appeal.

41. (a) Subject to the provisions of subsection (b) below, an appeal under this Part shall be heard and determined by a person appointed for the purpose, being a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing.
- (b) A person appointed under subsection (a) above to hear an appeal shall sit alone, provided that, if he or she considers that justice and fairness so require, he or she may sit in company with two other persons so as to constitute an Appeal Tribunal. If such additional persons are appointed, at least one of the two shall be a member of the Regent House of the University not being a Fellow of the College.
- (c) The procedure for the appointment of a person or persons to hear an appeal shall be prescribed by Ordinances made under this section.

42. A member of the academic staff may institute an appeal by serving on the Vice-Master 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 notifying the decision appealed from was sent to the appellant; provided that the person or persons hearing the appeal shall have power to hear an appeal submitted after that date if they consider that justice and fairness so require in the circumstances of the case.

The Vice-Master shall inform the Council of any appeal received and the date when it was served, and shall inform the appellant that he or she has done so.

43. The procedure to be followed in respect of the preparation, consolidation, hearing, and determination of appeals shall be prescribed by Ordinances made under this section. Without prejudice to the generality of the foregoing, such Ordinances shall ensure:

- (a) that an appellant is entitled to be represented by another person, whether such person is 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 or persons hearing the appeal 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.

44. The person or persons hearing an appeal may allow or dismiss the appeal in whole or in part and, without prejudice to the foregoing, may:

- (a) remit an appeal from a decision under Part II (or any issue arising in the course of such an appeal) to the Council for further consideration as the person or persons hearing the appeal may direct; or
- (b) remit an appeal from a decision under Part III to be heard again either by the same Disciplinary Committee or by a differently constituted Disciplinary Committee to be appointed under that Part; or
- (c) remit an appeal from a decision 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 to be heard again or reconsidered by the same Tribunal or by a differently constituted Tribunal to be appointed under that Part; or
- (e) substitute any lesser alternative penalty that might have been imposed in respect of the original charge or charges under the provisions of Part III.

45. The person or persons hearing an appeal shall send written notification of their decision on the appeal and the reasons for it, including any decision reached in the exercise of their powers under section 44, together with any findings of fact different from those reached by the Council under Part II or by a Disciplinary Committee under Part III, as the case may be, to the Vice-Master and to the appellants.

#### *Part VI Grievance procedures*

46. The aim of this Part is to provide for the settlement or redress of individual grievances promptly, fairly, and by methods acceptable to all parties.

47. This Part applies to any complaint by a member of the academic staff which constitutes a grievance concerning his or her appointment or employment, where the grievance relates solely to matters affecting the member of the academic staff as an individual or to matters affecting his or her personal dealings or relationships with other members of the staff of the College, not being matters for which express provision is made elsewhere in this Statute.

48. If other remedies have been exhausted, a member of the academic staff may seek redress of a grievance by making a complaint to the Master.

If it appears to the Master that the matter has been finally determined under Part III, Part IV, or Part V, or that the complaint is trivial or unjustified, he or she may dismiss it summarily or take no action upon it.

If the Master is satisfied that the subject matter of the grievance could properly be considered with, or could form the whole or any part of, proceedings under Part III, Part IV, or Part V, he or she shall defer action upon it under this Part until such proceedings have been completed or the time for instituting them has passed.

If the Master does not dismiss the complaint or defer action upon it he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, to seek to dispose of it informally. The Master shall notify the complainant of his or her decision under this section and shall proceed accordingly.

49. If the complaint has not been disposed of under section 48, the Master shall refer it to a Grievance Committee for consideration. Such a Committee shall comprise three Fellows of the College appointed by the Council.

50. The procedure to be followed in considering grievances shall be prescribed by Ordinance in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have an opportunity to be heard and to be accompanied at the hearing by a friend or representative.

51. If the Committee decide that a grievance is justified, they shall make such proposals for the redress of the grievance as they see fit.

#### *Part VII Removal of the Master from office*

52. Any three members of the Council, or any twelve Fellows, may make a complaint to the Vice-Master seeking the removal of the Master from office for good cause.

53. The Vice-Master shall refer such a complaint to the Council, exclusive of the Master and the persons making the complaint. If it appears to the Council that the complaint is not supported by *prima facie* evidence of good cause for removal from office, or that it is trivial or unjustified, they may determine that no further action shall be taken upon it.

54. If it appears to the Council that the complaint is supported by *prima facie* evidence of good cause for the removal of the Master from office, they shall appoint a Tribunal to hear and determine the complaint. A Tribunal so appointed 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, who shall be Chairman;
- (b) two other persons.

55. If a complaint is to be referred to a Tribunal under section 54, the Vice-Master shall have power, after consulting the Council, to suspend the Master from the performance of his or her duties without loss of emolument.

56. A complaint referred to a Tribunal shall be dealt with in accordance with the procedure prescribed in section 26 above.

57. The Tribunal shall send their decision on the complaint, together with their findings of fact and the reasons for their decision, to the Master and the Vice-Master. The Tribunal shall draw attention to the period of time within which any

appeal should be instituted by ensuring that a copy of Part V of this Statute accompanies the notification of their decision sent to the Master.

58. If the Tribunal find that the complaint constitutes good cause for dismissal, the Vice-Master, after consulting the Council, may dismiss the Master.

59. The Master may institute an appeal against dismissal by serving on the Vice-Master 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 or persons appointed to hear the appeal shall have power to hear an appeal commenced after that date if they consider that justice and fairness so require in the circumstances of the case.

60. An appeal commenced under section 59 shall be heard in accordance with the provisions of Part V of this Statute, provided that any references in section 44 or section 45 to Part III shall be construed as referring to this Part.

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

## SCHEDULE

### PART I

The Qualifying College Offices are the offices of Bursar, Assistant Bursar, Senior Lecturer, Lecturer, Assistant Lecturer, Librarian, Praelector, Tutor, Assistant Tutor, Steward, Dean of Chapel.

### PART II

The Qualifying University Offices are the offices of Vice-Chancellor, Registry, University Librarian, Treasurer, Secretary General of the Faculties, Director of the Fitzwilliam Museum, and such Professorships, Readerships, and other offices as by the Statutes and Ordinances of the University for the time being qualify their holders for the tenure of Professorial Fellowships.

## STATUTE LXVIII

*Temporary provisions*

1. Any person holding a Fellowship under Title B, C, D or F which commenced on or before 7 July 2009 shall, on ceasing to hold it under any of those Titles, hold it under Title E if he or she would have been qualified to hold it under Title E under the provisions of the Statutes that were in force on that date.

N.B. References to Statute X elsewhere in the Statutes are to be adjusted appropriately; thus in Statute V the provisions for Title E should now refer in line 5 to Statute X.7–9.

## AMALGAMATED TRUSTS FUND

*Made under the Universities and Colleges (Trusts) Act 1943*

The Original Scheme was approved by Order in Council dated 13 November 1947. A First Amending Scheme and a Second Amending Scheme were approved by Orders in Council dated 28 May 1953 and 23 June 1960 respectively. The Scheme is printed here as amended, but without its three schedules.

### *(1) Application of Scheme*

This Scheme applies to the trusts specified in the First Schedule (Clause 13) all being trusts administered by the College itself.

### *(2) Property included in the Scheme: the Fund*

All the property held by the College on or after 4 August 1946 on the said trusts shall be administered by the College as a single fund (which with all additions thereto is hereinafter called the Fund), except that the assets specified in the Second Schedule (Clause 14) shall be excluded from the Fund and the Scheme. The property included (or represented by assets included) in the Fund (as such property existed on 4 August 1946) is specified in the Third Schedule (Clause 15) and the said Second and Third Schedules show to which of the Trusts specified in the First Schedule the said assets and property were respectively attributable on 4 August 1946. In the accounts of the College the Fund shall be identified by the name of the Amalgamated Trusts Fund or any other distinctive name which the College may from time to time select as suitable.

### *(3) Initial Valuation: Shares in the Fund*

The investments constituting the Fund shall be valued as on 4 August 1946 at the mid-market prices thereof, certified by the Chartered Accountants who are the Auditors for the time being of the accounts of the College. The total value of the Fund thus ascertained shall be treated as divided into the number of equal shares required for the following allocation, and there shall be allocated to each of the said specified trusts so many equal shares of the Fund as there are sums of £1 in the value (ascertained as aforesaid) of the property attributable to that trust and included in the Fund (fractions of £1 being disregarded if less than 10s. or being treated as sums of £1 if not less than 10s.).



(4) *Yearly valuations*

The College shall on or as soon as possible after 4 August in the year 1947 and in each subsequent year cause the Fund to be revalued as on that date, account being taken of any addition to or withdrawal from the Fund made since the previous 4 August, and its value (with the values of the shares belonging to the respective trusts concerned) to be recorded, and such revaluation shall be made in the manner prescribed for the initial valuation by the last foregoing clause. If any real or leasehold property be hereinafter acquired by the Fund the value thereof shall be estimated and certified by Chartered Surveyors nominated by the College and any loans from the Fund upon mortgage shall be included at their face value. Any reserve shall be included in the Fund as thus revalued or as valued under any other clause of this Scheme.

(5) *Distribution of Income*

Subject to the provisions hereinafter contained the net income of the Fund (and of any reserve) shall be allocated to and periodically distributed among the trusts concerned 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.

(5A) *Realisation of Capital*

In the event of a capital payment being required from a trust included in the Fund or of unspent income which has been added to the capital of such a trust being required for expenditure as income in a subsequent year, the College may on the occasion of the annual revaluation of the Fund under Clause (4) of this Scheme pay out the proper sum from the Fund to the trust and cancel such number (to the nearest whole share) of the shares held by the trust as will represent at the newly determined value of the shares the sum required to be provided. For the purpose of raising such sum the College may sell any of the investments constituting the Fund.

(6) *Reserve Account and Provision against Capital Depreciation*

- (a) The College in its discretion may, at 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) any part or parts of the net income of the Fund (and of any reserve), and the College in its discretion may, at any time or

times, 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 and any contribution for University purposes required to be paid in respect of the income placed to the reserve account shall be paid out of the said reserve itself.

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

(7) *Reimbursement of Certain Expenses*

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

(8) *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 38 and 39 of the Universities and College Estates Act 1925 shall apply to any such consent.

The Universities and College 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 the land to be paid to the Minister of Agriculture, Fisheries and Food shall not apply in relation to such property as aforesaid.

(9) *Extension of Scheme: Additions to the Fund*

- (a) The College in its discretion may at any time extend this Scheme to any trust or trusts administered by or for purposes in connection with the College (and capable of being included in the Scheme under Section 2 (I) (i) of the Universities and Colleges (Trusts) Act 1943) or to any further property or money (or any accumulated income) which may belong to any trust already included in the Scheme.
- (b) The Trustees of any trust to which this Scheme shall have been extended to apply, which is not administered by the College, are hereby enabled to transfer to the College (for administration as part of the Fund) all, or any part or parts, of the property comprised in the trust.
- (c) The Minister of Agriculture, Fisheries and Food is hereby enabled, on application made by him to the College, to transfer to the College (for administration as part of the Fund) any property held by him on behalf of the College on any trust to which this Scheme applies, or shall have been extended to apply.
- (d) Provided always that in no case shall any property (other than cash) not authorised as an investment by Clause (8) of this Scheme be added to the Fund; and that on and for the purpose of any such extension or transfer as aforesaid the value of the Fund shall be decided and the shares thereof adjusted in accordance with the principles of Clause (3) and Clause (4) of this Scheme.

(10) *Payment of Costs*

All costs of valuation under Clause (3) or Clause (4) or Clause (9) of this Scheme and any other costs or expenses incurred from time to time in connection with the Fund or in or for the negotiation, preparation, completion, or carrying out of this Scheme (and not otherwise provided for) shall be paid out of the capital or income of the Fund and may in the discretion of the College be paid wholly or partially out of income though usually or normally attributable to capital.

(11) *Commencement Date*

This Scheme shall not come into operation until it has been submitted to His Majesty in Council for approval and has been approved by Order in Council. Provided that the initial valuation required to be made under the Scheme shall be calculated as on 4 August 1946 and all necessary apportionment of income and outgoings arising by reason of such valuation shall be made as from that date.

(12) *The College's Power to act and delegate*

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



