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## TECHNICAL REVIEW OF THE STATUTES, AND ORDINANCES: CONSULTATION PAPER 9: SUPPLEMENTARY PAPER

### CONTENTS

	Page
Section I: Guide to the proposed new Statutes (and the continuing Statutes)	126
Section II: Guide from the present to the proposed new (and continuing) Statutes	128
Section III: List of proposed Special Ordinances as in the current consultation papers, etc.	133
Section IV: The proposed and continuing Statutes	134



UNIVERSITY OF  
CAMBRIDGE

## **Technical Review of the Statutes, and Ordinances: Consultation Paper 9: Supplementary Paper (Guide to the proposed new and continuing Statutes, as at September 2011)**

*14 October 2011*

### **Summary and contents**

This paper, which is issued as background information, sets out the suggested new Statutes, which are open to consultation on the basis of consultation papers 3–8 (*Reporter*, 25 July 2011, pp. 1075–1106).

The paper includes a commentary about the content of the proposed new (and continuing) Statutes as compared to the present Statutes. This indicates, in particular, when significant material in the present Statutes is proposed (*a*) for repeal in its entirety (for example when obsolete) and (*b*) for replacement by provision for new Special Ordinances or Ordinances.

The contents of the paper are:

- Section I Guide to the proposed new Statutes (and the continuing Statutes) (p. 126)
- Section II Guide from the present to the proposed new (and continuing) Statutes (p. 128)
- Section III List of proposed Special Ordinances required by the proposed Statutes (p. 133)
- Section IV Collated version of the proposed and continuing Statutes (p. 134).

A cross-referenced web version is also available at <http://www.admin.cam.ac.uk/reporter/2011-12/weekly/6242/>.

### **Comments and enquiries**

Comments on consultation papers 3–8 have already been invited by 14 November 2011 (for the arrangements see the *Reporter* of 25 July 2011).

Any comments and enquiries can be addressed to the Administrative Secretary (email [Alan.Clark@admin.cam.ac.uk](mailto:Alan.Clark@admin.cam.ac.uk)).

## **SECTION I: GUIDE TO THE PROPOSED NEW STATUTES (AND THE CONTINUING STATUTES)**

For more detail, see the consultation papers. It is important to recognize that the current drafts are preliminary drafts, only meant for consultation, and that more definitive drafts will be prepared later for approval in principle, to be followed by a final Report putting forward the new Statutes, as finally revised, for formal approval.

### **New Statute A: The Chancellor and the Government of the University**

#### *Consultation paper 3*

This sets out the structure of government of the University, effectively its internal constitution. The content of its individual chapters is self-explanatory. Changes proposed include the introduction of a category of Special Ordinances to be made after Report (new A, III, 3) and the consolidation in one chapter (new A, IX) of three review or similar procedures at present divided between two Statutes (for alleged breaches of the Statutes and Ordinances, declaration of the meaning of a Statute, and review by the Commissary). Interpretation, transitional provisions and provisions for various other matters not elsewhere regulated are in new chapter A, X. Further provision will also be added as necessary for the arrangements for the commencement of particular Statutes, if appropriate in new A, X or in the individual Statutes about the topic concerned.

### **New Statute B: Education and Research, Degrees**

#### *Consultation paper 4*

This sets the basic structure for degrees, courses and examinations, and provides for the duties and responsibilities of the General Board in educational and research matters (empowering it to make regulations to supplement the provisions of the Statutes and Ordinances, including assigning responsibilities for the conduct of any educational or research activity to a Council of a School, Faculty Board or Head of Department, or other authority).

The new Statute also makes provision for the grant of allowances to students, and for applications for appeal or review. Provision is also made for admissions and for candidature for qualifications.

### **New Statute C: University Officers and Employment in the University**

#### *Consultation paper 8*

This makes provision for most matters at present dealt with in present Statute D, and in present Statute U (except that Statute's provision for some University Courts – see new Statute D). New C, I makes provision for University officers, and applies the important 'guiding principles' stated in present Statute U to the continuing and new provisions which would replace it. It also provides for the progressive repeal of Statute U provisions in their present form (which are for the time being preserved as a schedule to new Statute C), as new Special Ordinances are made to replace them. New C, II makes general provisions for employment and for the first time requires the competent authorities (the Council and the General Board) to establish machinery for employment matters, and for the constitution of any principal committees etc. to be approved by Grace. New C, II–XIII make provision for particular offices. (Some renumbering will be made later.)

Schedule U to new Statute C restates continuing provisions of the present Statute U, pending their eventual replacement after further review.

### **New Statute D: Discipline and the University Courts**

#### *Consultation paper 4*

This brings together in consolidated form the provision for discipline in the present Statute B, VI and the provision for some (but not all) of the University Courts in present Statute U. Minor changes are specific provision for practice directions (new D, II, 6), clarified provision in new D, II, 21 (replacing provision in present B, VI, 22), and a reference in new D, II, 22 to the 'standard' of proof. The disciplinary arrangements are extended to include holders of titles of degrees (new D, I, 2). Detailed provision for the initiation of proceedings is transferred to Ordinances to be made under new D, II, 9.

### **New Statute E, I and continuing E, II–XLVII: Trusts**

#### *Consultation paper 7*

Present chapter E, I is restated, with minor amendments. No change is proposed to present E, II to XLVII.

## **New Statute F: Finance, Audit, Planning and Resource Allocation, Property and Buildings**

*Consultation paper 5*

This brings together and updates provision for these matters. It places a duty on the Council to make financial regulations, and to establish machinery for planning and resource allocation, and for buildings, and requires the constitution of any principal committees established for these purposes to be approved by Grace. The requirement for approval by Grace for the erection or demolition of, or substantial alteration to, a University building is maintained, expressed in relation to 'operational' buildings.

## **New Statute G: Colleges and Collegiate Foundations**

*Consultation paper 2 and forthcoming revised paper or Report*

This will bring together University statutory provision for Colleges, at present scattered in several Statutes. New G, I will list the full Colleges, and will make provision for Approved Foundations and Approved Societies. New G, IV will make provision for membership of Colleges, and for professorial fellowships (most detail about which will be transferred to Ordinances).

The future form of present G, II (about College contribution and the Colleges Fund) and present G, III (about College accounts) is still under discussion and will be the subject of a further consultation paper or a Report to the University.

## **Continuing Statute J: The University Press**

*Consultation paper 3*

This Statute is not now proposed for amendment under the current review process.

## SECTION II: GUIDE FROM THE PRESENT TO THE PROPOSED NEW (AND CONTINUING) STATUTES

### Present Statute A: The Chancellor and the Government of the University

#### *Summary*

The substance of the provisions of this Statute are proposed for transfer to new Statute A, where other provision about the government of the University will also be presented.

#### *Present A, I. The Chancellor and the Senate*

The substance of this chapter is restated in new A, I with no change of substance, except that the requirement that voting for the Chancellor and the High Steward be in person is proposed for repeal to permit further flexibility as to election arrangements. The constitution of the Senate is restated in clarified form, without change of substance.

#### *Present A, II. Powers of the University*

Some stylistic changes are proposed, and later some material may be proposed for transfer in or out of this chapter.

#### *Present A, III. The Regent House*

The present chapter is amplified by referring to the electoral, deliberative, and legislative functions of the Regent House (new A, III, 1); by differentiating between Special Ordinances, made and amended after Report, and ordinary Ordinances (new A, III, 3); and by transferring detailed provision for the arrangements for the Roll of the Regent House to Ordinances (new A, III, 5). The present provision for the age limit for membership in classes (b), (d), and (e) is under separate review, the results of which would be included in new A, III, 6.

#### *Present A, IV. The Council*

The chapter is largely rewritten, with amplified provision for Committees of the Council. Present A, IV, 1, about the powers of the Council, is not amended in substance, except by adding references to the Council's duties under Acts of Parliament, and to the responsibilities of members of the Council as charity trustees for the University. Present A, IV, 2, about the composition of the Council, is restated in simplified form, differentiating between elected and appointed members, and with greater flexibility about student representation (so as to continue to permit election, or other arrangements). Detailed provision in present A, IV, 3–7 about elections is proposed for transfer to Special Ordinances made under new A, IV, 3. Present provision for the chairmanship (present A, IV, 9) and frequency of meetings (A, IV, 10) is continued.

#### *Present A, V. Committees of the Council*

The provisions of this chapter are restated in new A, IV, in simplified form (new A, IV, 7), with provision for the Finance Committee (new A, IV, 8–9) and the Audit Committee (new A, IV, 10). The detailed composition of the Audit Committee is to be determined by Special Ordinance.

#### *Present A, VI. Boards and Syndicates*

The present general provisions are retained in revised form in new A, VI. However, the specific requirements in the present chapter for there to be a Board of Graduate Studies and a Board of Examinations are proposed for repeal, to give greater future flexibility. The present provision for the Local Examinations Syndicate will be proposed for transfer elsewhere (from present A, VI, 2(b)).

#### *Present A, VII. The Board of Scrutiny*

New A, VII restates the principal provisions of the present chapter, and makes provision for additional duties to be specified by Special Ordinance, and, to achieve greater flexibility, for provision about election (present A, VII, 3), disqualification of administrative officers (present A, VII, 4) and minor procedural matters (present A, VII, 5) to be transferred to Ordinances.

#### *Present A, VIII. Conduct of Business*

To achieve future flexibility, detail in the present chapter is proposed for transfer to Special Ordinances.

### Present Statute B: Matriculation, Residence, Degrees, Discipline

This Statute is replaced by the proposed new Statute B about education and research, and degrees (consultation paper 4) and proposed new Statute D, about discipline and the courts (consultation paper 6).

#### *Present B, I. Matriculation*

New B, IV, 1 makes provision for matriculation. Provisions for affiliated students (present B, I, 5–6) are covered by a new provision for Ordinances for courses and examinations (new B, IV, 1 and 2). Resignation (present B, I, 7) is dealt with in simplified form in new B, IV, 2. Detailed provision is to be made by Ordinance.

#### *Present B, II. Terms, residence*

Provision is to be made by Ordinance for the dates of the three terms and full terms (new B, I, 3). The detail of present B, II is deleted. Residence requirements are regulated by new B, IV, 2.

*Present B, III. Degrees*

Simplified provision is made in new B, III, 1 for degrees generally and for degrees not named there to be continued or established by Special Ordinance. Other detailed provision would be made by Ordinance. Provision is made for the present B, III, 6 M.A. in new B, II, 2 (which also deals with incorporation from Oxford and Dublin).

*Present B, IV. Titles of degrees*

This provision (which is about honorary degrees) is transferred to new A, II, 8.

*Present B, V. Sermons, Commemorations*

This provision is transferred to new A, X, 6.

*Present B, VI. Discipline and the University Courts*

This provision (and related provision from present Statute U) is brought together, and somewhat simplified, in new Statute D. For further detail, see section I of this paper and consultation paper 6.

**Present Statute C: Schools and Faculties**

The principal provisions of this Statute are transferred in restated and simplified form to new A, V, which deals with the General Board, The Schools, Councils and Heads of Schools, Faculty Boards, Departments, and Degree Committees. Under new A, V, 4 the assignment of Faculties and Departments to Schools is to be by Special Ordinance. Provision for Degree Committees is to be made under Ordinance by General Board regulation (new A, V, 10). Detailed provisions in the present Statute C, if of continuing importance, are to be regulated by Special Ordinances, Ordinances or regulations made by the General Board.

**Present Statute D: The University Officers**

Much provision from this Statute is transferred to new Statute C, which also includes provision for University employment generally and continuing provision related to academic staff from present Statute U (consultation paper 8).

*Present D, I. General provisions, and present D, II. Duties and leave of absence*

Restated in simplified form in new C, I. Sabbatical leave for University Teaching Officers is to be regulated by Special Ordinance (new C, I, 2).

*Present D, III. The Vice-Chancellor, and present D, IV. The Pro-Vice-Chancellors*

Restated with minor stylistic changes in new C, III and C, IV (and may be amalgamated later, with consequent re-numbering).

*Present D, V. The High Steward, the Deputy High Steward, the Commissary*

Provision for these three high offices is transferred to new Statute A, I. Provision for the review jurisdiction of the Commissary (present D, V, 6–15) is transferred to new A, IX, together with other review provisions. The scope of the jurisdiction has been clarified (new A, IX, 4, first sentence). The opportunity has also been taken to exclude student matters which can now be taken to the national Office of the Independent Adjudicator (new A, IX, 4(a)). The Office has recently expressed the view that it is appropriate for the University to consider this step, to speed up the resolution of cases.

*Present D, VI. The Proctors*

Restated in new C, V with some simplification.

*Present D, VIII. The Orator*

Restated with some simplification in new C, VI.

*Present D, VIII. The Registry*

Restated in slightly simplified form in new C, VII. Provision is also made for other administrative offices to be designated in a schedule, to be approved by Grace (new C, VII, 2).

*Present D, IX. The Librarian*

This long chapter is largely replaced by a simplified chapter, with Special Ordinances to regulate the appointment and determination of duties and responsibilities (new C, VIII). The present reference to the Library Syndicate in D, IX is covered by the provision for Boards and Syndicates in new A, VI.

*Previous D, X. The Treasurer*

Already repealed.

*Present D, XI. The Director of the Fitzwilliam Museum*

Simplified provision in new C, VIII. The present reference to the Fitzwilliam Museum Syndicate is covered by the provision for Boards and Syndicates in new A, VI.

*Present D, XIV. The Professors, and present D, XV. Elections to Professorships*

General provision for professorships is made in new C, XII, 1–3, with detailed provision to be made in schedules and Special Ordinances.

*Present D, XVI. The Readers*

Simplified provision in new C, XIII. Appointment processes to be regulated by Special Ordinances.

*Present D, XVII. University Lecturers, and present D, XVIII. University Senior Lecturers*

Simplified provision in new C, XIV. Provision to be made by Special Ordinances for the appointments of Senior Lecturers (C, XIV, 2). University Lecturers to be appointed by Appointments Committees (C, XIV, 3).

*Present D, XIX. Associate Lecturers*

Proposed for repeal. Replacement provision to be made under new C, I, 1(c).

**Present Statute E: Trust Emoluments, to be retitled Trusts**

As indicated in consultation paper 7, it is proposed to make some stylistic changes to Chapter I (about general provisions), to conform to the style adopted generally in the proposed Statutes, and to delete some obsolete material from E, I, 3. No changes are proposed to chapters II to XLVII

**Present Statute F: Finance and Property**

This Statute is extensively updated in new Statute F, dealing with finance, audit, planning and resource allocation, and buildings. For more detail see section I and consultation paper 5.

*Present F, I. Financial matters*

Restated in new F, I, 1. Responsibility stated to be with the Council ‘supported by the Finance Committee’. A specific duty is placed on the Council to make financial regulations (new F, I, 1(e)).

*Present F, II. The Chest, Audit*

Restated in simplified form in new F, I, 2–6.

*Present F, III. Financial powers and investment*

Restated in new F, III, but may be transferred in whole or part to new A, II.

**Present Statute G: Obligations of Colleges***Present G, I. The obligations of Colleges in respect of Fellowships*

This long chapter about professorial fellowships is replaced by a short provision in new G, IV, 2 which restates the obligation to have professorial fellowships, but with further provision to be made by Special Ordinance.

*Present G, II. College contributions and the Colleges Fund*

The future form of this provision is still under discussion.

*Present G, III. Accounts*

The future form of this provision is still under discussion.

*Present G, IV. Membership of a College*

Present G, IV, 1, which makes general provision for membership of Colleges (and special provision for King’s College), is repeated in substance in new G, IV, 1.

Present G, IV, 2–5 about Wolfson College, St Edmund’s College, Lucy Cavendish College, and Hughes Hall is, subject to the agreement of those Colleges, proposed for repeal, as obsolete.

Present G, V about the Inter-Collegiate Advisory Committee on Scholarships is obsolete and is proposed for repeal.

**Present Statute H: Approved Foundations and Approved Societies**

The provisions in H, I and H, IV (the only two present chapters in Statute H, about Approved Foundations and Approved Societies respectively) are restated in simplified form (without change of substance) in new G, I, 2–3 (Approved Foundations) and new G, I, 4–5 (Approved Societies).

## **Present Statute J: The University Press**

As indicated in consultation paper 3 (summary paragraph) it is not now proposed to amend present Statute J in the review process.

## **Present Statute K: Commencement, Interpretation, Invalid Proceedings**

### *General*

A principle of the review has been that as far as possible provisions such as those in this present Statute should be included in the same Statutes as the substantive statutory material to which they relate.

### *Present K, 1. Commencement*

Revised provision is in new A, X, 1.

### *Present K, 2. Determination of the meaning of a Statute*

Transferred to the new 'review' chapter of Statute A (new A, IX, 2).

### *Present K, 3 and K, 4.*

#### *Present K, 3(a). List of Full Colleges*

Transferred to new G, I, 1.

#### *Present K, 3 (b) – and K, 4. Interpretation*

Replaced by general provision in new A, X, 5, and in new A, X, 3 (a)–(e).

### *Present K, 5. Compliance with the Statutes and Ordinances*

Transferred to the new 'review' chapter of Statute A (new A, IX).

### *Present K, 6. Casual vacancies*

Special Ordinances under new A, X, 8(a).

### *Present K, 7. Publication in the Reporter*

Continued in new A, X, 3(e).

### *Present K, 8. Failure to attend meetings*

Special Ordinances under new A, X, 8(b).

### *Present K, 9. Majorities, quorums etc.*

Special Ordinances under new A, X, 8(c).

Committees and delegation: Special Ordinances under new A, X, 8(d), subject to the continued requirement that delegation does not relieve the delegating body of responsibility for the matter delegated.

### *Previous K, 10–12.*

Already repealed.

### *Present K, 13. 1856 Act provisions.*

Spent.

### *Present K, 14. Commencement of present (and continuing) Statute E*

Provided for in new E, I and new A, X, 1.

### *Present K, 15. Casting votes in committees etc.*

Special Ordinances under new A, X, 8(c).

### *Present K, 16. Committee etc. membership following resignation*

To be provided for in Statute A (not yet drafted).

### *Present K, 17. Signature of Reports*

Provision under new A, X, 4.

### *Present K, 18. Returning officer's casting vote in elections*

New Statute A, X, 5.

### *Present K, 19. Exclusion of students from membership of University bodies*

Otiose.



*Present K, 20. Reserved business (students)*  
Special Ordinances under new A, X, 8(e).

*Present K, 21. Continuing references to the Treasurer and the Secretary General*  
Continued by new A, X, 7.

Provision for commencement will also be made in individual Statutes where this is more appropriate.

## **Present Statute T: Temporary provisions**

### *General*

Some provisions which are believed to be spent are proposed for repeal. Otherwise the approach taken is that temporary provisions about particular matters should accompany the substantive treatment of those matters at the appropriate point in the body of the Statutes (unless Ordinances made under the new A, X, 2 are sufficient replacement).

*Present T, 1.*  
Spent.

*Previous T, 2–14, 16, 18–22, 27–28, 30–40, 43–47, 49.*  
Already repealed.

*Present T, 15, 17, 23–26, 29, 52–55, 57.*  
Spent.

*Present T, 41. FSSU.*  
To be preserved by or under new Statutes A or C (provision not yet drafted).

*Present T, 42. B, III, 6 M.A. (pre-1974).*  
Apparently spent.

*Present T, 48. Redesignation of the LL.B.*  
To be preserved by or under new Statute B (provision not yet drafted).

*Present T, 50. The Council of the Senate and the Financial Board*  
To be preserved by or under new Statute A (provision not yet drafted).

*Present T, 51. Examining*  
To be preserved by or under new Statute C (provision not yet drafted).

*Present T, 56. 1925 Act*  
If necessary, to be transferred to new or continuing Statute G, II (provision not yet drafted).

## **Present Statute U: Academic Staff**

### *Summary*

Provision for the University Courts contained in present Statute U is proposed for transfer to the new Statute D about Discipline and the University Courts, where it is consolidated with provision from present Statute B, VI. Other provision in present Statute U is proposed to be in or under new Statute C about University officers and employment in the University, as explained in consultation paper 8. Provision is made in new Statute C for the progressive repeal of transferred material from the present Statute U, as it is replaced by new provision made by the University under the new Statute. In the meantime the detailed provision in the present Statute is preserved in the new schedule.

### *Present Chapter U, I. Construction, Application, and Interpretation*

The ‘guiding principles’ set out in present U, I are continued in the new C, I, 4 (governing the Special Ordinances which will progressively be made to replace provisions of present Statute U). Pending this replacement, the relevant continuing provisions of Statute U (with one exception) are transferred to the new Schedule U of new Statute C, by new Statute C, X, 9, which also empowers their eventual replacement in whole or part by Special Ordinances. The exception is that provision in present Statute U, VII, about the removal of the Vice-Chancellor from office, is transferred without change of substance to sections 11–13 of new Statute C, III (which brings together statutory provision for the office).

### SECTION III: LIST OF PROPOSED SPECIAL ORDINANCES AS IN THE CURRENT CONSULTATION PAPERS, ETC.

#### New Statute A

New A, IV, 1(e).	Procedure for submission of Graces.
New A, IV, 2 (d).	Elected student members of the Council.
New A, IV, 3.	Details about membership of the Council.
New A, IV, 8.	Composition of the Finance Committee.
New A, IV, 10.	Composition of the Audit Committee.
New A, V.	Establishment of the Schools and assignment of Faculties, Departments, etc. to a School.
New A, VI, 1(a).	Establishment of some Boards and Syndicates.
New A, VII, 1.	Supplementary powers and duties of the Board of Scrutiny.
New A, VIII.	Conduct of business.
New A, X, 8.	Miscellaneous provisions about University bodies, including provision for delegation.

#### New Statute B

New B, II, 1.	Establishment of additional Bachelors', Masters', and Doctors' degrees.
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#### New Statute C

New C, I, 4.	Provision for University Officers.
New C, I, 9.	New Schedule U, previously Statute U; provision for rescission; transitional provisions.
New C, VII.	Appointment, duties, responsibilities of the Librarian.
New C, VIII.	Appointment, duties, responsibilities of the Director of the Fitzwilliam Museum.
New C, XI, 3.	Election and appointment of Professors.
New C, XII.	Appointment of Readers.
New C, XIII, 2.	Appointment etc., of Senior Lecturers.
New C, XIII, 3.	Appointments Committees.

#### New Statute D

New D, II, 5.	Conditions for appeal from the Court of Discipline and the University Tribunal to the Septemviri.
New D, II, 10, new D, II, 11, new D, II, 12 and new D, II, 13.	Appointment of the members of the University courts and chairmanship.

#### New Statute G (Provisional)

New G, II.	(1) College contribution for University purposes and (2) the Colleges Fund.
New G, III.	College accounts.

**SECTION IV: THE PROPOSED AND CONTINUING STATUTES****STATUTE A****THE CHANCELLOR AND THE GOVERNMENT OF THE UNIVERSITY****Chapter I****The Chancellor, The Senate, The High Steward, The Deputy High Steward and the Commissary****The Chancellor**

1. The Chancellor is to be elected by the Senate and holds office, in accordance with the laws and customs of the University, until he or she voluntarily resigns or until the Senate otherwise determines.
2. The manner of nominating candidates, of taking votes in an election, and of determining the result of the election can be prescribed by Ordinance and unless so prescribed is as has been customary heretofore. When an election has taken place, an instrument of election must be sealed as soon as conveniently may be, and must be delivered to the person elected without delay.
3. The Chancellor can call Congregations of the Regent House, and can admit candidates to degrees and titles of degrees. The Chancellor can see that officers of the University duly perform their duties.
4. The Chancellor must perform the duties prescribed by Statute or Ordinance.
5. If the office of Chancellor is vacant, the duties and powers of the Chancellor which are not discharged by the Vice-Chancellor are to be discharged by the High Steward (or the Deputy High Steward).

**The Senate**

6. The Senate consists of:
  - (a) the Chancellor and the Vice-Chancellor;
  - (b) all persons who hold any of these complete degrees of the University: any Doctor's degree; any Master's degree; the degree of Bachelor of Divinity;
  - (c) all other persons whose names were inscribed on the Roll of the Regent House at the time of the last promulgation.
7. If any member of the Senate informs the Registry that he or she wishes to resign his or her membership of the Senate and if the Council deems the reasons given sufficient and permits the resignation, that person ceases forthwith to be a member of the Senate, and cannot be reinstated except by a subsequent decision of the Council which cannot be taken until a period of five years has elapsed from the date of removal. Any person who suffers suspension or deprivation of any degree is not a member of the Senate during such suspension or deprivation.
8. The Senate must make Ordinances regulating its own procedure.

**The High Steward, the Deputy High Steward, and the Commissary**

9. The High Steward is to be elected by the Senate. The arrangements prescribed by Statute and Ordinance for the election of the Chancellor apply to the election of the High Steward. The Deputy High Steward is appointed by the High Steward, by Letters Patent. The High Steward and the Deputy High Steward must perform the duties as have heretofore been customary and the duties prescribed by Statute or Ordinance. When the office of High Steward is vacant the duties of that office are undertaken by the Deputy High Steward.
10. The Commissary is to be appointed by Letters Patent by the Chancellor. The Commissary must have judicial or quasi-judicial experience or be legally qualified, and cannot hold any other office in the University or a College. In the event of a vacancy in the office of Commissary, the Chancellor must appoint an Acting Commissary who has the full powers of the Commissary to act under the provisions of the Statutes until a newly appointed Commissary takes office. The Commissary must perform the duties as have heretofore been customary and duties prescribed by Statute or Ordinance. In the discharge of his or her duties under Statute A, IX, the Commissary is not under the direction of the Council, nor of any other authority in the University.
11. The Chancellor, the High Steward, the Deputy High Steward, and the Commissary can resign and the Senate can terminate tenure of the office.

## Chapter II

### Powers of the University

1. For the encouragement of learning, the maintenance of good order and discipline, and the management of its affairs, the University must make Ordinances, and Orders (whether by way of exception to an Ordinance or otherwise). No Ordinance or Order can contravene any provision of the Statutes.
2. The University can levy fees and other charges for any purpose or purposes connected with the University. [Other financial powers may be transferred here from Statute F, III.]
3. Subject to the provisions of the Statutes about University officers, the University can engage persons for employment in the service of the University, must determine their salaries and pensions (if any), and must prescribe the conditions of their service. [This may be transferred to Statute C.]
4. The University can accept benefactions, and can accept a benefaction even if the conditions are at variance with the Statutes.
5. Subject to the provisions of the Statutes, the University can make Ordinances for the exercise of any of the powers specified in sections 2–4 above.
6. The University can make Ordinances under which fines may be imposed by a University authority.
7. (a) The University is to have a Great Common Seal and a Common Seal, and can give authority for either of the seals to be affixed to a document or to a class of documents. Neither seal can be affixed without such authority, except when authority has been given in some other manner for which provision is made by Statute.  
(b) The Great Common Seal must be kept in some secure place, in a chest fastened with three locks, the keys of which shall be severally kept by the Vice-Chancellor and the Proctors; it cannot be affixed to any document except in the presence of the Vice-Chancellor or a duly appointed deputy and the Proctors or their deputies.  
(c) The Common Seal must be kept in some secure place, and must be fastened with two keys, which must be severally kept by the Vice-Chancellor (or by a Pro-Vice-Chancellor designated from time to time by the Vice-Chancellor, such designation to be published), and by the Registry; it cannot be affixed to any document except in the presence of those officers or deputies duly appointed by them.
8. Titles of degrees can be granted *honoris causa* to members of the Royal Family, to British subjects who are of conspicuous merit or have done good service to the State or to the University, and to foreigners of distinction.

## Chapter III

### The Regent House

1. The Regent House is the governing body of the University. It has electoral, deliberative and legislative functions.
2. Any power of making, altering, or repealing Statutes assigned to the University by the Universities of Oxford and Cambridge Act 1923, or by any other Act of Parliament, is exercised by the Regent House.
3. The Regent House must make Ordinances and Orders. An ordinary Ordinance must be made by Grace. A Special Ordinance must be made (or amended) by Grace, after issue of a Report to the University by the Council, which must state the main purpose of the proposed Special Ordinance. An Order is made by Grace.
4. Whenever it is provided that an act or thing must or can be done or determined by the University, that must be done or determined by Grace of the Regent House unless it is expressly stated that it is to be done or determined otherwise, but it can be provided by Ordinance for the Council or another University authority to act in such matters.

#### Membership of the Regent House

5. The members of the Regent House at any time are to be those living persons whose names are on the Roll of the Regent House at the time of the last annual promulgation by the Registry in accordance with arrangements approved by Ordinance. The following must be included in the Roll:
  - (a) The Chancellor, the High Steward, the Deputy High Steward, the Commissary, and the members of the Council in class (e);
  - (b) other University officers and persons treated as such under Statute J, 7;
  - (c) Heads of Colleges;

(d) Fellows of Colleges, conforming to conditions of residence set by Ordinance;

(e) other persons holding appointments in the University or a College in such categories and subject to such qualifying periods of service as are set by Ordinance.

6. [Provision for age limits to be added when current deliberations concluded]

## Chapter IV

### The Council and its Committees

1. (a) The Council is the principal executive and policy-making body of the University. The Council has general responsibility for the administration of the University, for the planning of its work, and for the management of its resource; it must take such action as is necessary for it to discharge these responsibilities and has power to do so. It must also perform such other executive and administrative duties assigned to it by Statute, Ordinance or Order, or by or under any Act of Parliament or other legislation binding the University.

(b) The members of the Council are the [principal] charity trustees for the University, for the purposes of the Charities Acts, and must individually acknowledge their responsibility.

(c) The Council has the right of reporting to the University. It must advise the Regent House on matters of general concern to the University.

(d) The Council must make an Annual Report to the University, and must submit a Grace to the Regent House for its approval.

(e) The Council can submit Graces to the Regent House and the Senate. The procedure for the submission of Graces must be prescribed by Special Ordinance. All Graces submitted require the sanction of the Council.

(f) The Council must oversee the work of institutions in the University which are placed under its supervision, and must ensure that the University officers assigned to those institutions are satisfactorily performing the duties and fulfilling the conditions of tenure of their offices.

#### The composition of the Council

2. The Council consists of the Chancellor, the Vice-Chancellor and other elected or appointed members in the following classes:

##### Members elected by the Regent House (to serve for four years)

(a) four Heads of Colleges;

(b) four Professors or Readers;

(c) eight members of the Regent House who are not Heads of Colleges, Professors or Readers;

##### Elected student members (to serve for one year)

(d) provision can be made by Special Ordinance for not more than three student members, of whom at least one must be a graduate student.

##### Appointed members (to serve for four years)

(e) four persons appointed by Grace of the Regent House who at the time of appointment are not qualified to be members of the Regent House except under Statute A, III, 5(a), nor are employees of the University or a College, one of whom must be designated by the Council to chair the Audit Committee of the Council.

3. Detailed provision for periods of service, nomination, election (or appointment), tenure and continuing eligibility must be made by Special Ordinance. Provision must be made by Special Ordinance for the filling of casual vacancies by resignation, death, disqualification or otherwise and for bye-elections.

4. No person can be elected or appointed a member of the Council after attaining the age of seventy years.

[This is under separate review.]

#### The Chairman and the Deputy Chairman

5. (a) The Chairman of the Council is the Vice-Chancellor, but the Chancellor has the right to take the chair at any meeting of the Council at which he or she is present. If neither the Chancellor nor the Vice-Chancellor is present, the Chairman is to be a member of the Council appointed by the Vice-Chancellor to act, failing which some other member of the Council chosen by the members present.

(b) The Council must designate a member of the Council in classes (a), (b), (c), or (e), as Deputy Chairman of the Council, who can take the chair at such proceedings of the Council, notwithstanding that the Chancellor or the Vice-Chancellor is present, or otherwise, as the Council determines from time to time.

**Frequency of meetings and quorum**

6. The Council must meet at least twice in each term. No business can be transacted at a meeting unless at least nine members are present.

**Committees of the Council**

7. There must be standing Finance and Audit Committees of the Council. The Council can appoint other committees, whether standing or occasional.

**Finance Committee**

8. The Finance Committee consists of the Vice-Chancellor, or a duly appointed deputy, as Chairman, and other persons elected or appointed as prescribed by Special Ordinance. The Committee must include three persons elected by representatives of the Colleges, and not less than three members of the Committee (including the Vice-Chancellor) must be members of the Council.

9. The Finance Committee must advise the Council on the management of the University's assets, including real property, moneys, and securities; investments, reserves and income and expenditure and must undertake other duties assigned to it by Statute or Ordinance or by the Council.

**Audit Committee**

10. Subject to the provisions of Statute A, IV, 2(e), the composition of the Audit Committee is to be determined by Special Ordinance. The Audit Committee must perform the duties assigned to it by Statute or Ordinance, or by the Council.

**Chapter V****The General Board, the Schools, Faculties and Departments****The General Board of the Faculties**

1. (a) Subject to the powers of the Regent House, and subject to the responsibilities of the Council under Statute A, IV, 1, the General Board of the Faculties ("the General Board") is responsible for the academic and educational policy of the University, and must advise the University on questions relating to such policy. It must promote excellence both in education and research. The General Board is accountable to the Council for its management of the University's academic and educational affairs. It must make an Annual Report to the Council on the discharge of its duties. It must fulfil the duties placed on it by Statute or Ordinance.

(b) The General Board must ensure that the University officers assigned to the institutions under its supervision are satisfactorily performing the duties and fulfilling the conditions of tenure of their offices.

2. The General Board consists of the following:

(a) the Vice-Chancellor, as Chairman;

(b) eight members of the Regent House appointed by the Councils of the Schools to serve for four years in accordance with arrangements determined by or under Special Ordinance;

(c) four members of the Regent House appointed by the Council, to serve for four years; three or more members of the Board (including the Vice-Chancellor) must be members of the Council; if a member of the Board ceases to be a member of the Council he or she does not thereby cease to be a member of the Board;

(d) two members elected by and from the students of the University to serve for one year, of whom one must be from among those certified by the Registry to be undergraduate students, and one from among those certified by the Registry to be graduate students. The term 'student in the University' and 'graduate student' must be defined by or under Ordinance.

If any member of the General Board becomes Vice-Chancellor, that place becomes vacant.

3. The Registry or a University officer designated from time to time by the Council after consultation with the General Board is its Secretary. The General Board must meet at least twice in each term, but the Chairman can cancel any meeting if there is insufficient business. No business can be transacted at a meeting unless five members at least are present.

**The Schools**

4. On the recommendation of the General Board the University must by Special Ordinance establish Schools. All Faculties and Departments must be assigned to a School by Special Ordinance, and other institutions under the supervision of the Board can be so assigned by Ordinance.

5. There is a Council of each School. The composition of each Council must be determined by Ordinance. The duties of the Council of a School include:

- (a) preparation of academic and financial plans, and reports, as the General Board determines;
- (b) allocation of funds available to it between the institutions in the School;
- (c) working with the institutions in the School to ensure that academic plans are consistent, realistic, and affordable;
- (d) consideration of any matter referred to it by the General Board and discharge of any responsibilities assigned to it by the General Board.

6. There is to be the University office of Head of each School. The Head is Chairman of the Council of the School and is the principal academic officer of the School. The Head is responsible to the Council of the School, the General Board, and the Vice-Chancellor for the overall running of the School, including for the use of the funds specified under 5(b) and the implementation of the approved plans referred to in 5(a).

#### **Faculties, Faculty Boards, Departments, and Degree Committees**

7. A Faculty is a body of persons in the University associated in accordance with the Statutes for the purpose of furthering the study of a subject or subjects. Faculties are established by Ordinance on the recommendation of the General Board. Each Faculty must be assigned to a School. Provision must be made by Ordinance for the membership of Faculties, and for the composition of Faculty Boards.

8. Each Faculty Board is responsible to the General Board (and the Council of the School concerned) for ensuring the provision of appropriate instruction and adequate facilities for research in the subjects of the Faculty, for preparing the teaching programme of the Faculty, and for ensuring that teaching given is of a high standard.

#### **Departments**

9. On the recommendation of the General Board, the University can constitute one or more Departments within any Faculty, can constitute Departments independent of any Faculty but within a School and under the supervision of the General Board, or can suppress any Department. There must be a Head of each Department, appointed in accordance with regulations made by the General Board. Subject to the powers of the Council of the School, the Faculty Board or comparable authority and subject to the Ordinances and to regulations made by the General Board, the Head of a Department:

- (a) must organize the teaching and research of the Department;
- (b) must prepare and submit to the Council of the School and to the General Board the annual estimates of the Department;
- (c) is responsible for the proper application of the funds available to the Department, and must ensure that the approved estimate of expenditure is not exceeded and that the accounts are correctly maintained.

10. Provision can be made by Ordinance for the establishment of Degree Committees for Schools, Faculties or Departments, to be constituted by regulations made by the General Board. Degree Committees must exercise functions prescribed by regulations of the General Board in respect of the approval of students as Graduate Students and the supervision of their work, the award of degrees, diplomas, and certificates in respect of graduate study or contributions to learning, and other cognate matters.

### **Chapter VI**

#### **Boards And Syndicates**

1. There are

- (a) Boards and Syndicates required by the Statute or Special Ordinance, the composition of which can be determined by Ordinance, subject to the provisions of the Statutes;
- (b) any other Boards or Syndicates established by Ordinance.

Any Board or Syndicate has the right of reporting to the University.

2. No-one can be appointed or reappointed a member of any Board, or of any body of Electors or Managers even though it be not expressly called a Board, or of any Syndicate other than an occasional Syndicate, who at the commencement of his or her period of service or further period of service would have attained the age of seventy years.

[This is subject to review.]

## Chapter VII

### The Board of Scrutiny

1. There is to be a Board of Scrutiny, which must each year scrutinize on behalf of the Regent House the Annual Report of the Council, the abstract of the accounts of the University, and any budget Report of the Council proposing allocations from the Chest. In addition the Board must perform such other duties, and has such powers, as are specified by Special Ordinance.

2. The Board of Scrutiny has the right of reporting to the University on any matters falling within the scope of section 1 above which in the Board's opinion should be drawn to the attention of the University.

3. The Board of Scrutiny consists of

(a) the two Proctors;

(b) the two Pro-Proctors nominated by the Colleges;

(c) eight members of the Regent House elected by the Regent House, as follows:

(i) two persons who have been members of the Regent House for not more than ten years on 1 October next following their election;

(ii) six persons who are members of the Regent House.

Arrangements for election must be made by Ordinance. Provision must be made by Ordinance to provide for the exclusion from membership of University officers who have primarily administrative duties. The Chairman and Secretary of the Board must be elected annually.

4. The Board can

(a) consult any official documents or accounts (other than those of the University Press) which may be relevant to any enquiry;

(b) consult such official documents or accounts of the University Press as may be specified by Ordinance;

(c) make enquiry, whether in person or in writing, of the officers of any University authority on matters pertaining to a subject of enquiry;

(d) request that a matter be put down for discussion by the Regent House, which request the Council cannot unreasonably refuse.

Documents or accounts requested by the Board under subsection (a) or subsection (b) can be withheld only on the ground of their irrelevance, with the written sanction of the Vice-Chancellor.

## Chapter VIII

### Conduct of Business

Provision must be made by Special Ordinance for

(a) calling Congregations;

(b) preparation and submission of Reports to the Regent House and the Senate; and their Discussion;

(c) submission of Graces to the Regent House and the Senate; arrangements for voting and amendments; all Graces must be sanctioned for submission by the Council;

(d) elections by the Regent House and the Senate, and other elections;

(e) any other matters concerning the conduct of University business.

## Chapter IX

### Review

#### Compliance with the Statutes and Ordinances

1. (a) If, within thirty days after the doing of any act by any person or body having power to act under the Statutes, or in the event of failure or omission to act as required by Statute, Ordinance, or Order within thirty days after the date specified for the performance of that act, it is represented in writing to the Vice-Chancellor by a member of the University that there has been a contravention of the Statutes, Ordinances, or any Order in the doing of such act, or in such failure or



omission, the Vice-Chancellor must inquire into the matter and must declare either that there has been no such contravention, or that the said act or matter is of no effect, or, if the Vice-Chancellor is of the opinion that the contravention has not affected the result, that in his or her opinion the validity of the act or matter is not affected by the circumstances represented. Where the Vice-Chancellor finds that there has been a failure or omission to act he or she can give such directions in the matter as seem to him or her to be appropriate. The person making the representation shall state in writing at the outset the act or matter to which he or she refers, with full detail of the contravention of Statute, Ordinance, or Order which he or she represents has taken place. The Vice-Chancellor must give his or her decision promptly but in any event within three months, unless the person making the representation has agreed in writing to an extension of time.

(b) If the person making the representation is dissatisfied with the Vice-Chancellor's decision, or if he or she believes that there has been unreasonable delay, he or she may make a representation to the Commissary in the manner prescribed in this chapter. The decision of the Commissary is final. If there is no representation to the Commissary, the decision of the Vice-Chancellor is final.

(c) No act is invalid by reason of the fact that there has been a contravention of the Statutes, Ordinances, or Order unless there has been a representation in writing under paragraph (a) of this Statute within thirty days after the doing thereof.

(d) No act is invalid by reason of the fact that any person taking part in the act, and chosen in the manner prescribed or authorized by the Statutes, Ordinances, or Order to be the person or a member of the body authorized to act, was not qualified to be so chosen.

#### **Declaration of the meaning of a Statute**

2. If any doubt arises as to the true meaning of a Statute, or of any Statute for the University and any one or more of the Colleges in common, the Council can apply to the Chancellor, who must then declare in writing the meaning of the Statute in question. Such declaration must be registered by the Registrar. The meaning of the Statute as declared is deemed to be the true meaning thereof. The University must defray the cost of any legal advice obtained by the Chancellor for the performance of his or her duty under this section.

#### **Review by the Commissary**

3. In the discharge of his or her duties under this Chapter the Commissary is not under the direction of the Council nor of any other authority in the University.

4. The Commissary has full power to determine all questions referred to his or her decision by a member of the University under the provisions of this Chapter. The Commissary can review, amend, or quash the decision of any University authority on the ground that the decision, or some aspect of the decision, was *ultra vires*, or was unreasonable by being procedurally unsatisfactory, or incorrect in fact, or on similar grounds, and to make such order (including an order to amend, quash, or refer back the decision) as seems to him or her to be justified. The Commissary's powers under the provisions of this Chapter do not extend to:

(a) any matter still subject to further review by or appeal to any University authority, or by any Independent Adjudicator for student complaints in higher education, as established by or under Act of Parliament;

(b) the merits or substance of a decision made by:

(i) a University Court;

(ii) a Board of Examiners, a Degree Committee, the Board of Graduate Studies, a Review Committee or similar authority, in relation to the result of a University examination;

(c) any decision by a University authority about the appointment of an individual to employment in the University, or about promotion in such employment;

(d) any matter under the responsibility of the Press Syndicate or the Local Examinations Syndicate.

5. In any case the Commissary can appoint a person to act as his or her deputy, and can delegate to such a deputy his or her powers under the provisions of this Chapter in respect of the case concerned.

6. The Commissary or a deputy so appointed can strike out a case which in his or her opinion is vexatious, frivolous, or out of time.

7. In relation to any case (not being a case struck out as vexatious, frivolous, or out of time) the Commissary must direct that the matter shall be dealt with by oral or written representations, or both. Representations must be made:

(a) on behalf of the University by a person or persons appointed by the Council; and

(b) by any other party or parties to the proceedings either in person, or through a representative approved by the Commissary.

8. The Commissary must make rules of procedure. These bind the parties in any particular case.<sup>1</sup> The rules of procedure must make provision for a time limit or time limits within which a matter can be raised with the Commissary. In any particular case the decision of the Commissary (or a duly appointed deputy) on any procedural matter is final.

9. The Council must consult the Commissary before proposing any Ordinance concerning matters regulated by sections 3–11 of this Chapter. The Commissary has the right to publish a statement for the guidance of the University about any such proposed Ordinance.

10. The University must defray the cost of any legal advice obtained by the Commissary or a duly appointed deputy for the performance of their respective duties under this Chapter.

11. Nothing in this Chapter enables or requires the Commissary to hear any appeal or to determine any dispute regulated under the provisions of the Education Reform Act 1988 about a member of the academic staff of the University as defined in the Statutes, which, being a matter regulated under the said Act, concerns the member's appointment or employment, or the termination of that appointment or employment. The Commissary has no power to disallow or annul any Ordinance made under or having effect for the purposes of the Statutes in relation to matters regulated under the said Act. [This is subject to further review.]

## Chapter X

### Miscellaneous Provisions

#### Commencement and transitional provisions

1. Amendments to Statutes come into force on the date specified in the Grace making them, or on another date determined by Grace. Repeals of Statutes take effect from a date similarly determined. Repeal does not invalidate any order, election or appointment made or thing done under a Statute repealed, nor revive nor restore any Statute, order, or trust, or any power or provision repealed or abrogated by a repealed Statute.

2. Transitional provisions can be contained in Statutes, which can also provide for necessary transitional provisions to be made by Ordinance. If a Statute does not contain necessary transitional provision, such provision can be made by Ordinance.

#### Interpretation

3. In any Statute, Ordinance, Order, regulation or comparable provision, references to University bodies or authorities, and to University officers and other individuals, have the meaning necessarily implied by the provisions of the Statutes. Additionally:

[(a) the term Ordinance means a Special Ordinance [made under Statute A, III, 3, and any other Ordinance;]

(b) the term person *in statu pupillari* means a member of the University (including a member of a College or an Approved Society resident in the University with a view to matriculation) who has not been admitted to an office in the University (or to a post in the University Press specially designated under Statute J, 7 or to an appointment approved by the University for the purpose of Statute A, III, 5(e)), or to a Fellowship or office of a College, or to a degree which qualifies the holder for membership of the Senate, and is of less than three and a half years' standing from admission to his or her first degree (if any);

(c) in any Statute or Ordinance words of the masculine gender import the feminine unless this interpretation is excluded expressly or by necessary implication;

(d) the term degree means degree of the University unless in any Statute or Ordinance that meaning is expressly or by necessary implication excluded; a complete degree is a degree other than a title of degree;

(e) publication means publication in the *Cambridge University Reporter* unless necessarily stated or implied otherwise.

#### Additional provisions

4. A Report of the Council, or of any other body with the right of reporting to the University, must be signed by those members of the reporting body who agree with the Report; but no person *in statu pupillari* can sign a Report if he or she has been excluded, under the provisions of any Ordinance about reserved business, from any part of the discussion of the Report.

5. If in an election for which votes have been taken by poll or ballot there is an equality of votes between two or more candidates, the Vice-Chancellor or other returning officer, whether or not he or she has previously voted or been entitled to vote, can, unless it is otherwise expressly provided by Ordinance, give a casting vote.

6. Sermons must be preached in the University Church during Full Term on such days as may be appointed by the Chancellor or by the University. No one shall be allowed in any sermon before the University to impugn the doctrine or

<sup>1</sup> See the annex to Statute A (p. xxx).

discipline of the Church of England as established by law. A Commemoration of Benefactors must be held every year in the University Church, at such time and in such manner as the University prescribes.

7. When in any Statute, Ordinance, contract, document, instrument of any description or any statement reference is made to the Treasurer or to the Secretary General of the Faculties after 14 December 2005 such reference shall be construed as a reference to the Registry, or a duly appointed deputy, unless different provision is made by Statute or Ordinance.

8. Provision shall be made by Special Ordinance for

(a) filling casual vacancies on University bodies;

(b) termination of membership of University bodies on account of failure to attend meetings;

(c) the majority necessary for a decision of a University body, and, if necessary, for the quorum necessary for business to be transacted; and for comparable matters;

(d) for the appointment of committees by University bodies, and delegation of decision to such committees or to a University officer; but delegation does not relieve the delegating body of responsibility for the matter delegated;

(e) exclusion of members *in statu pupillari* from the proceedings of a University body or bodies about particular classes of business.

9. Provision shall be made by Ordinance for:

(a) the academical year, terms and residence, and the precincts of the University;

(b) [other matters to be identified]

**STATUTE B****EDUCATION AND RESEARCH, DEGREES****Chapter I****Education and Research: General**

1. Subject to the powers and responsibilities of the Regent House and the Council, the General Board is the authority responsible for the University's educational and research activities conducted in those University institutions assigned by Statute or Ordinance to its supervision. The Board is accountable to the Council for the discharge of these responsibilities.
2. Subject to section 1, the Board may by regulation assign detailed responsibility for the management and conduct of any educational or research activity to the Council of a School, a Faculty Board, a Head of Department or to some other institution or authority established by or under Statute or Ordinance.
3. Provision must be made by Ordinance for the dates of Michaelmas, Lent and Easter Terms in each academical year, and for the dates of Full Term.

**Chapter II****Degrees**

1. Degrees in the University are:  
Bachelor of Arts, and any other Bachelors' degrees established by Special Ordinance;  
Master of Arts, and any other Masters' degrees established by Special Ordinance;  
Doctor of Philosophy, and any other Doctors' degrees established by Special Ordinance;  
Bachelor of Divinity;  
Master of Surgery;  
Doctor of Divinity, Doctor of Law, Doctor of Medicine, Doctor of Science, Doctor of Letters, and Doctor of Music.
2. Provision can be made by Ordinance on the recommendation of the Council for the admission of University officers, Heads and Fellows of Colleges (*a*) to the degree of Master of Arts or (*b*) for admission to degrees by incorporation if graduates of the Universities of Oxford or Dublin. Eligibility under (*a*) or (*b*) above can be made by Ordinance to include holders of office elect or designate. Provision can be made by Ordinance for the admission under (*a*) and (*b*) above of persons holding other posts designated by the Council in University institutions.

**Chapter III****Courses and examinations, allowances**

1. The University must, by Ordinance made on the recommendation of the General Board, make provision for courses, and examinations, in these categories:

**Courses for matriculated students**

- (*a*) each Tripos;
- (*b*) courses of study and training for research, and research, intended for candidature for a degree of Doctor of Philosophy (or such other degrees as may be determined by Ordinance);
- (*c*) other courses or qualifications;
- (*d*) other postgraduate courses or qualifications;

**Courses not limited to matriculated students**

- (*e*) other courses and qualifications (including certificates and diplomas);

**Higher degrees**

- (*f*) candidature and examination for the degree of Bachelor of Divinity, Master of Surgery, and Doctors degrees listed in the final category of section 1.

2. Such Ordinances must specify (1) the University authority primarily responsible for the course or examination, (2) for courses and qualifications in (*a*)–(*d*) above, normal residence requirements, the length of courses and arrangements for examination, and (3) for courses and qualifications in (*e*) above, attendance requirements (if any), the length of courses and arrangements for examinations.

3. The General Board can make additional detailed provision for the above matters by making additional regulations, and can delegate this power to a University authority.

4. The University must make Ordinances:

(a) for the grant of allowances to individual students in respect of courses and examinations in section 1(a) to (e) above; and for arrangements for the review of such decisions about allowances;

(b) for arrangements for appeal or review about matters within the responsibility of the University about a course or examination in section (a) to (e) above, raised by an individual student.

#### **Chapter IV**

##### **Membership of the University, Admission and matriculation**

1. The University must, by Ordinance, state the conditions on which persons may matriculate as a member of the University, as

(a) an undergraduate student;

(b) a student pursuing a course specified in Chapter III, 1,(c) and (d);

(c) a University officer;

(d) a person in any other category determined by or under Statute or Ordinance.

2. Membership of the University is for life, or until resignation, or deprivation by decision of a University court. Resignation entails cancellation of any degree. Renunciation of a degree entails resignation of membership of the University. Detailed provision for resignation of membership and renunciation of degrees must be made by Ordinance. Provision for reinstatement after resignation or renunciation can be made by Ordinance.

3. Admission to courses and candidature for a qualification shall be

(a) by College, in the case of a Tripos, and other courses or qualifications determined by Ordinance;

(b) by a University authority, and by a College, in the case of other courses or qualifications so identified by Ordinance;

(c) by a University authority, in the case of courses or qualifications so identified by Ordinance.

Admission by Colleges and candidature for a qualification is subject to the requirements of the Statutes and Ordinances of the University.

**STATUTE C**

**UNIVERSITY OFFICES AND EMPLOYMENT IN THE UNIVERSITY**

**Chapter I**

**University Offices: General**

1. The University officers are

(a) The Chancellor, the High Steward, the Deputy High Steward and the Commissary;

(b) The Vice-Chancellor, Pro-Vice-Chancellors, the Proctors, the Orator, the Registrary, the Librarian, the Director of the Fitzwilliam Museum and Marlay Curator, the Esquire Bedells, the University Advocate, and the Deputy University Advocate; holders of such other University offices, not included in Schedule 1 to this chapter, as are established by or under Statute or Ordinance;

(c) Schedule 1 officers ('University Teaching Officers'); Professors, Readers, Senior Lecturers, and Lecturers and holders of such other University offices also, by Grace, included in Schedule 1 to this chapter and established by or under Statute or Ordinance.

2. Provision must be made by Special Ordinance made on the recommendation of the General Board for a scheme of leave of absence or dispensation from duty applying to holders of offices specified in Schedule 1.

**The competent authorities**

3. The term competent authority in relation to a University institution, a University officer or other employee assigned to an institution means

(a) the Council, except for the Press, and for institutions under the supervision of the General Board;

(b) the General Board in respect of University institutions under its supervision (which are Schools, Faculties, Departments and any other institutions placed under its supervision by or under Statute or Ordinance or by Grace).

4. Provision shall be made by or under Special Ordinance or ordinary Ordinance on the recommendation of the competent authorities for the following in respect of University officers

(a) by or under Special Ordinance, procedures for the appointment, probation, grievance, discipline, accountability and assessment of capability; redundancy; and removal from office on medical grounds or grounds of incapacity;

(b) remuneration; and deduction from stipend on account of College emoluments;

(c) superannuation;

(d) tenure and date of retirement; admission to University office;

(e) determination of duties;

(f) residence and accountability;

(g) dispensation from discharge of duties on account of illness or other sufficient cause;

(h) other conditions of service;

The University must apply the following guiding principles in making Special Ordinances under paragraph (a) of this section:

(i) ensure that members of the academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;

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

(iii) apply the principles of justice and fairness.

**Duties**

5. It is the duty of all holders of University offices specified in Schedule 1 to devote themselves to the advancement of knowledge in their subject, to give instruction therein to students, to undertake from time to time such examining of students as is required by the Head of Department or equivalent officer, or the Board, Syndicate, or other body identified

by Ordinance chiefly concerned with their duties, and to promote the interests of the University as a place of education, religion, learning, and research. The duty to examine students must be restricted by Ordinance to the examining of candidates for such examinations for degrees and other qualifications of the University as the University determines.

#### **Deputies and substitutes**

6. The competent authority can appoint a deputy or substitute to act for a University officer, upon such terms of remuneration as it thinks fit, during an officer's absence from duty under dispensation, a vacancy, or in any emergency. A deputy or substitute so appointed under this section can exercise the powers and must perform the duties of the office for which he or she deputizes or substitutes and has the right to attend and vote in respect of that office at meetings of any body of which the officer is or would be a member *ex officio*.

#### **Limitation**

7. The University can preclude a University officer from undertaking any work outside the scope of his or her office or limit the amount of such work, and can delegate this power.

#### **Concurrent appointments**

8. No University office can be held concurrently with any other University office except in cases determined otherwise by the University or by the competent authority or authorities.

#### **Temporary and transitional provision for Schedule U**

9. (a) Schedule U to this Statute has effect.

(b) In Schedule U references to 'Statute U', 'this Statute' and the like must be deemed to be references to that schedule, as necessary.

(c) The whole or any part of Schedule U can be rescinded by Special Ordinance made under Statute A, I, 4(a).

(d) Provision can be made by Special Ordinance for transitional provisions, which can make necessary modification to any unrescinded portions of Schedule U so that they can continue to operate.

(e) When Schedule U is completely rescinded under (c) above this section can be repealed by Grace.

### **Schedule 1**

#### **Offices to which provision for leave of absence or dispensation from duties (section 2) applies ('University Teaching Officers')**

##### **Placed in the schedule by section 1(c)**

Professors  
Readers  
Senior Lecturers  
Lecturers

##### **Placed in the schedule by Grace**

[Remaining officers specified in the present Schedule J of the Statutes]

### **Chapter II**

#### **Employment in the University**

1. Subject to the provisions of the Statutes and Ordinances about University officers, the University can engage persons for employment in the service of the University, can determine their salaries and pensions (if any), and can prescribe the other, under conditions of their service under the provisions of this Chapter.

2. The competent authorities must establish machinery for the management of employment matters, and must submit the constitution of any principal committee or other body established for this purpose for approval by Grace.

### **Chapter III**

#### **The Vice-Chancellor**

1. The Vice-Chancellor is to be appointed by the Regent House on the nomination of the Council, which may nominate any person of its choice. The Vice-Chancellor enters upon office on a day determined by the University. As soon as conveniently may be thereafter, he or she must formally be admitted to the office at a Congregation of the Regent House called by the Chancellor or, if the Chancellor is absent or the office of Chancellor is vacant, by the Proctors. The procedures for nomination and admission must be prescribed by Ordinance.

2. The Vice-Chancellor is to be appointed in the first instance for five years or, in exceptional circumstances, for such other period as the University may determine. He or she can be reappointed for a further period or periods, provided that

no one can hold the office for a total period of more than seven years. The procedure for reappointment must be prescribed by Ordinance.

3. The Vice-Chancellor can enjoy the customary rights and must perform the customary duties of the office. He or she has power to ensure that all University officers duly perform their duties, and has such other powers and duties as are prescribed by Statute or Ordinance.

4. The Vice-Chancellor has power, after his or her formal admission, to call Congregations of the Regent House and to admit candidates to degrees or titles of degrees.

5. Except as provided in section 6 below and in Statute A;

(a) the Vice-Chancellor is to be Chairman of the Council and the General Board, and of any other body of which he or she is *ex officio* a member, but the Chancellor has the right to take the chair at any meeting of the Council at which he or she is present;

(b) the Vice-Chancellor can attend a meeting of any body constituted in the University by or under Statute or Ordinance, or of any body appointed by such a body, but not meetings of any of these bodies:

(i) Board of Scrutiny;

(ii) a University court constituted by or under Statute D;

(iii) a Board of Examiners; or a Degree Committee;

(iv) any other body which the University specifies by Grace.

6. The Vice-Chancellor must not be present at any meeting of the Council or of any other body when the body is considering his or her reappointment or the appointment of his or her successor as Vice-Chancellor.

7. Provided always that he or she must in general take the chair in person at meetings of the Council and the General Board (subject to the provisions of Statute A and this chapter), the Vice-Chancellor can appoint persons to act on his or her behalf as follows:

(a) from among the Heads of Colleges or other members of the Regent House, one or more Deputy Vice-Chancellors, to whom he or she can delegate any of the duties assigned by Statute or Ordinance to the Vice-Chancellor. The name of any person so appointed must be published forthwith.

(b) one or more members of the Regent House to act as his or her deputy in any matter, including attendance at a meeting under section 5(b) above, or to perform any duty assigned by Statute or Ordinance to the Vice-Chancellor.

8. The Vice-Chancellor must not undertake the duties of any other University or College office, or any duties inconsistent with the performance of the duties of the Vice-Chancellorship.

9. In the event of incapacity or prolonged absence from Cambridge of the Vice-Chancellor, or of suspension of the Vice-Chancellor under this chapter, or in the event of a vacancy in the Vice-Chancellorship, the Council can if necessary appoint a member of the Regent House to serve as Acting Vice-Chancellor and must publish such person's name forthwith. A person so appointed must perform the duties, and can exercise all the powers, of the Vice-Chancellor during the period of his or her appointment.

10. If the Vice-Chancellorship falls vacant before the expiry of the holder's term of office, a new Vice-Chancellor must be appointed as soon as possible, in accordance with the provisions of sections 1 and 2.

#### **Removal of the Vice-Chancellor from office**

11. Any three or more members of the Council can make a complaint to the Chancellor seeking the removal of the Vice-Chancellor from the office of Vice-Chancellor for good cause. If it appears to the Chancellor that the complaint is trivial or invalid or unjustified, he or she can determine that no further action shall be taken upon it.

12. If it appears to the Chancellor, on the evidence presented, that the case alleged could, if proved, constitute good cause for dismissal or removal of the Vice-Chancellor from office, he or she must direct the University Advocate to prefer a charge or charges to be considered by the University Tribunal. Such a charge or charges must be dealt with in accordance with the provisions of Chapter I of this Statute, provided that the Chancellor must perform any duty and exercise any power assigned to the Vice-Chancellor in the Special Ordinances.

13. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, the provisions made under Chapter I of this Statute have effect, provided that the Chancellor must perform any duty or exercise any power there assigned to the Vice-Chancellor.



## Chapter IV

### Pro-Vice-Chancellors

1. The number of Pro-Vice-Chancellors is to be determined by the Council subject to a maximum determined by Ordinance. Pro-Vice-Chancellors report to the Council through the Vice-Chancellor. A Pro-Vice-Chancellor must perform such duties as are prescribed by Statute or Ordinance, and such other duties as are determined by the Council, or the Vice-Chancellor.
2. Each appointment or reappointment to an office of Pro-Vice-Chancellor is to be made by the Council after consultation with the General Board, on the recommendation of a Nominating Committee constituted by Ordinance. A Pro-Vice-Chancellor is to hold office for not more than three years and is to be eligible for reappointment, but the total period of tenure cannot be more than six years.

## Chapter V

### The Proctors

1. The Proctors and Pro-Proctors are to be appointed by the Regent House, after nomination by the Colleges prescribed in Schedule 1 to this chapter, in turn, two for every year, according to the Cycle prescribed in that Schedule. The University can amend the Schedule from time to time. The persons nominated must be members of the Senate of at least three years' standing. Further provisions for the nomination and appointment can be made by Ordinance.
2. If the College whose turn it is fails to make a nomination, or if the Regent House declines to appoint the person nominated, the Council must nominate a person for appointment by Grace.
3. Each Proctor and each deputy Proctor must by public declaration give an undertaking that he or she will faithfully discharge the duties of the office.
4. If the office of Proctor becomes vacant after the election by death, resignation, deprivation, or any other cause, Trinity Hall must nominate and present a person for election, in manner as nearly similar as possible to that described above, and the person elected shall hold office until the first weekday of the Michaelmas Term next ensuing.

[Schedule will follow]

## Chapter VI

### The Orator

The Orator is to be appointed by Grace on the nomination of the Council and is under the direction of the Council, and must write addresses for presentation to other universities and institutions, and present to the University persons on whom titles of degrees are to be conferred *honoris causa*.

## Chapter VII

### The Registry

1. The Registry is to be appointed by the Council, is under its direction and may not be a member of the Council. The Registry
  - (a) is the principal administrative officer of the University, and the head of the University's administrative staff;
  - (b) must keep a record of the proceedings of the University, and attend for that purpose all Congregations of the Regent House and such other public proceedings of the University as may be specified by Statute or Ordinance or by the Council;
  - (c) is Secretary of the Council;
  - (d) must receive reports of Boards, Syndicates, and other bodies, and deal with them as required by Statute or Ordinance;
  - (e) must maintain the register of members of the University, and keeps records of matriculations and class-lists, and of degrees, diplomas, and other qualifications;
  - (f) must edit *Statutes and Ordinances* and the *Cambridge University Reporter*;
  - (g) must perform such other duties as are prescribed by Statute or Ordinance or by the Council.
2. There are under the direction of the Council administrative officers in categories stated in Schedule 1 to this chapter (which may be amended by Grace). So far as the Council allows or directs, any duty of the Registry may be performed by such an officer.

3. During a vacancy in the office of Registrary, the Council can appoint an Acting Registrary upon such terms of remuneration as it thinks fit.

### **Chapter VIII**

#### **The Librarian**

Provision must be made by Special Ordinance for the appointment of the Librarian and for the determination of the duties and responsibilities of the Librarian.

### **Chapter IX**

#### **The Director of the Fitzwilliam Museum**

The Director of the Fitzwilliam Museum has charge of all the objects in the Museum and in the Marlay Collection. Provision must be made by Special Ordinance for the appointment of the Director, and for the further determination of the duties and responsibilities of the office.

### **Chapter X**

#### **The Esquire Bedells**

The Council must appoint two Esquire Bedells, who must be members of the Senate. They are to be equal in rank, must attend the Chancellor and the Vice-Chancellor on public occasions, and must perform such other duties as may be prescribed by Ordinance or Order. They are under the direction of the Council.

### **Chapter XI**

#### **The University Advocate, the Deputy University Advocates**

1. The University Advocate must a member of the Regent House appointed by Grace on the nomination of the Council. The University Advocate is not under the direction of the Council nor of any other University authority. The duties of the office of University Advocate must be prescribed by Special Ordinance.

2. There must be one or more Deputy University Advocates, each of whom must be a member of the Regent House appointed by Grace on the nomination of the Council after consultation with the Advocate. A Deputy University Advocate must carry out any of the duties of the Advocate when requested to do so by the Advocate or when the Advocate is unable to act, and also during any vacancy in the office of Advocate.

3. The tenure of the offices of University Advocate and Deputy University Advocate must be prescribed by Ordinance.

### **Chapter XII**

#### **Professors**

1. There must be in the University the Regius Professorships of Divinity, Civil Law, Physic, Hebrew, Greek, Modern History, and Botany; and such other Professorships listed in Schedule 1 to this Statute established by Ordinance or Grace.

2. Professorships are to be established in the University either by Statute or by Grace of the Regent House after consideration of a Report of the General Board.

3. Detailed provision for the procedure for election or appointment to Professorships must be made by Special Ordinance, made on the recommendation of the General Board.

### **Schedule 1 to Chapter XII**

#### **Professorships**

Amendment of this schedule is to be made: section A by Statute, section B by Grace.

#### **Section A**

Professorships established by Statute: Regius Professorships specified in Statute C, XI, 1

#### **Section B**

Professorships established to this schedule by Ordinance or Grace.

[List from existing Schedule B of the Statutes to be included]

### **Chapter XIII**

#### **Readers**

Readerships are to be established in institutions under the supervision of the General Board. Provision must be made by Special Ordinance made on the recommendation of the General Board for the procedure for the appointment of Readers.

### **Chapter XIV**

#### **University Senior Lecturers and Lecturers**

1. University Senior Lectureships and University Lectureships are to be held in institutions under the supervision of the General Board.
2. Provision must be made by Special Ordinance for the method of appointment of University Senior Lecturers and related matters.
3. University Lecturers must be appointed by Appointments Committees. Provision must be made by Special Ordinance for the constitution and functioning of such Appointments Committees, which can be established individually, jointly, or for part of a School, a Faculty, a Department, or other institution under the supervision of the General Board.

## STATUTE D

### DISCIPLINE AND THE UNIVERSITY COURTS

#### Chapter I

##### Discipline

1. For the due maintenance of good order and discipline within the University, the University must prescribe such regulations as may be thought expedient about the wearing of academical dress, rendering of assistance and obedience to all persons in authority in the University, and the definition and determination of offences and penalties.

2. These regulations apply to all matriculated members of the University, to persons resident in the University with a view to matriculation, to all University officers, and to holders of titles of degrees.

#### Chapter II

##### The University Courts

1. There shall be the following University Courts, with jurisdiction as stated:

(a) **Septemviri:** an appeal court in respect of first instance decisions of the University Tribunal and the Court of Discipline;

(b) **University Tribunal:** a court of first instance in respect of proceedings brought against University officers, other members of the University not *in statu pupillari*, and holders of titles of degrees;

(c) **Court of Discipline:** a court of first instance in respect of proceedings brought against members of the University *in statu pupillari*, and persons resident in the University with a view to matriculation; and an appeal court in respect of first instance decisions of the Summary Court;

(d) **Summary Court:** a court of first instance in respect of persons under the jurisdiction of the Court of Discipline in categories of cases determined by Ordinance.

2. The University courts have no jurisdiction over the Chancellor, the High Steward, the Deputy High Steward, or the Commissary.

3. The University Tribunal must adjudicate when a person under its jurisdiction is charged with an offence against the discipline of the University, or with grave misconduct. The Court of Discipline must adjudicate when a person under its jurisdiction is charged with an offence against the discipline of the University.

4. The University Tribunal and the Court of Discipline can impose any of the following sentences either singly or in combination:

(a) deprivation or suspension of membership of the University;

(b) deprivation or suspension of degree or title of degree, or postponement of, or disqualification from, admission to degree; and (in the case of the Court of Discipline only) exclusion from matriculation;

(c) deprivation or suspension of the status of Master or Bachelor of Arts;

(d) rustication, which is sending out of residence in the Precincts of the University (in the case of the Court of Discipline only);

(e) a fine;

(f) an order to pay compensation;

(g) deprivation or suspension of the right to use University premises or facilities;

(h) any sentence considered by the court to be lighter;

or can, notwithstanding that a person charged has been found to have committed an offence, resolve not to impose any sentence. Any person who is deprived of membership of the University or whose membership of the University is suspended is also deprived of or suspended from degrees and titles of degrees during the continuance of such deprivation or suspension. If a charge of misconduct in an examination has been brought against any person before a University court and if such person's qualification for the award of a degree, diploma, or certificate is or includes success in that examination, he or she cannot be admitted to the degree, or receive the diploma or certificate, until the charge has been finally disposed, notwithstanding that he or she may have done all that is required by Statute or Ordinance for the award of the degree, diploma, or certificate. If the Court finds that a person so charged has committed an offence, it can advise

the Vice-Chancellor to issue a notice amending the class-list for the examination or other list of approved candidates, or to issue an amended list superseding the original list; and, if no appeal is made to the Septemviri, the Vice-Chancellor must act in accordance with that advice or, if an appeal is made to the Septemviri, in accordance with its decision.

5. Any person sentenced by the University Tribunal or the Court of Discipline can appeal to the Septemviri within twenty-eight days after notice of the court's decision, subject to such conditions as are determined by Special Ordinance.

6. The Septemviri must hear and determine appeals in accordance with the provisions of this Statute. It can quash a finding or vary a sentence within the limits of the power of the original court.

7. The University courts can make rules of procedure for the conduct of proceedings, subject to the provisions of the Statutes and Ordinances. If any question of law or of interpretation or application of any of the rules of procedure arises during the course of a hearing, or if a question of procedure arises which cannot be resolved by reference to those rules, the matter must be decided by the Chairman, whose decision, for the case which is being heard, is final. The Chairman of the Septemviri can issue supplementary practice directions in respect of the Septemviri or any other University court, and the chairman of each other court may issue supplementary practice directions in respect of that court.

8. Every finding or sentence of a University court and every determination of an appeal by the Septemviri requires the concurrence of a majority of the members present.

9. The procedure for the initiation of proceedings before the University courts must be prescribed by Ordinance.

10. The Septemviri is to consist of a legally qualified member of the University appointed by Grace as chairman and six members of the Regent House, each appointed by Grace. Detailed provision for these appointments must be made by Special Ordinance.

11. The University Tribunal is to consist of a legally qualified member of the University as chairman and four members of the Regent House, each appointed by Grace. Provision for the appointment of the Chairman and members must be made by Special Ordinance.

12. The Court of Discipline is to consist of a chairman who is legally qualified or has had experience of acting in a judicial capacity, and four members of the University, not more than two of whom can be *in statu pupillari*. Provision for the appointment of the Chairman and members must be made by Special Ordinance.

13. The Summary Court is to consist of a legally qualified member of the University as chairman, one member of the Regent House and one member *in statu pupillari*. Provision for the appointment of the Chairman and members must be made by Special Ordinance.

14. The Registrar or a deputy appointed by the Registrar must be Clerk of each Court.

15. Notice of a meeting of a University court shall be given to the Head of the College, if any, of which the person charged or making an appeal is a member.

16. The Summary Court can award the following sentences either singly or in combination:

- (a) a fine not exceeding a sum determined by Ordinance;
- (b) an order to pay compensation not exceeding a sum determined by Ordinance;
- (c) deprivation or suspension of the right to use University premises or facilities;
- (d) any sentence considered by the Court to be lighter;

or can, notwithstanding that a person has been found to have committed an offence or such an act, resolve not to impose any sentence.

17. Any person whose case is being heard or adjudicated upon by a University court

- (a) must be given a reasonable opportunity of being heard by such court; and
- (b) has the right to call witnesses and to question witnesses upon whose evidence the case against him or her is based; but in the case of an appeal, neither party to the case can recall witnesses examined at first instance or introduce additional evidence except with the leave of the Chairman of the court, which shall be given only if the Chairman is satisfied that to do so is necessary or expedient in the interests of justice.

18. A University court, notwithstanding the provisions of section 17, can conduct the whole or part of its proceedings on the basis of written statements submitted by the parties if it appears to the Chairman to be impracticable or inexpedient to conduct an oral hearing.

19. If any person intentionally or recklessly disrupts or impedes the proceedings of a court, the Chairman can, either singly or in combination:

(a) impose a fine not exceeding a sum as determined from time to time by Ordinance,

(b) exclude such person from the court.

20. Subject to any limitations that may be imposed by Ordinance, the fact that any person has been or is liable to be prosecuted in a court of law in respect of an act or conduct which is the subject of the proceedings before them does not affect the jurisdiction and powers of the aforesaid courts under this Statute.

21. The University courts may treat as evidence of any matter to which it may be relevant the previous decision, ruling or finding or any other court or tribunal, giving it such weight (if any) as it thinks appropriate.

22. The standard of proof in the University courts is that of proof beyond reasonable doubt.

**STATUTE E****TRUST EMOLUMENTS****Chapter I****General provisions**

1. The University must maintain those lectureships, scholarships, prizes, and other emoluments for which provision is made by any trust for the time being binding on the University, in addition to those mentioned in this Statute.
2. When in any regulations governing a trust, which is more than sixty years old at the date of the original making of this Statute [14 January 1927], it is directed that any act must or can be done by the Senate, the direction is hereby altered so that the act must or can be done by the Regent House.
3. When in any regulations governing a trust, which is less than sixty years old at the date of the original making of this Statute [14 January 1927], it is directed that any act must or can be done by the Senate, the direction is hereby altered so that the act must or can be done by the Regent House: provided that if the trust has a trustee or governing body other than the University such alteration can take effect only if the consent of such trustee or governing body is obtained.
4. When in any regulations governing a trust it is directed that any act must or can be done by the General Board of Studies or a Special Board of Studies or a Board of Studies, the direction is hereby altered so that the said act must or can be done by the General Board of the Faculties or the Faculty Board, other Board, or Syndicate.
5. The regulations concerning any endowment mentioned by name in Chapters II to XXXII (inclusive) of this Statute, which are contained in any instrument of foundation, Act of Parliament, Order in Council, decree, order, statute or other instrument operative before the original commencement of this Statute, are rescinded, save in so far as any of the said regulations may be embodied in this Statute.
6. The name of the founder (or of the person commemorated by the fund) must be attached to any emolument charged upon any of the said endowments and must appear in any announcement of the award.
7. These provisions govern existing and future trust funds, except as may be provided otherwise in any instrument of foundation or Statute for the time being governing a particular trust fund.
  - (i) The awarders of a scholarship, prize, or other emolument charged upon a trust must not award the whole or any part of the income at their disposal on any occasion when there is no candidate of sufficient merit.
  - (ii) The University can from time to time direct whether the awarders of a scholarship, prize, or other emolument charged upon a trust fund must take into consideration the financial circumstances of candidates; in the absence of any directions such circumstances must not be taken into consideration.
  - (iii) When the income of a trust fund is insufficient for the effective maintenance of a lectureship, scholarship, prize, or other emolument charged upon the fund, the University can suspend the emolument.
  - (iv) Any part of the income of a trust fund not expended in any year must be accumulated by investment or otherwise, and any accumulation must at the discretion of the Council either be applied as income in any one or more subsequent years or be added to the capital of the fund.
  - (v) When two or more candidates for a scholarship, prize, or other emolument are of equal merit, the awarders can divide between them the income at their disposal.
  - (vi) When it is provided that the income of a trust fund must be used for the award of scholarships, prizes, or other emoluments, the expenses connected with the making of the award, including the remuneration of the awarders, can be charged to the income of the fund.
  - (vii) Candidature for scholarships, prizes, and other emoluments is invited on such occasions (not necessarily annual) as the University determines.
  - (viii) The University can make Ordinances about the nature, amounts, conditions of tenure, duration, and payment of any emoluments charged upon a fund, the eligibility of candidates, the persons by whom, the subjects for which, and the manner in which awards must be made, and any other matters relating to the administration of the fund.
  - (ix) When a prize is to be awarded for an essay, dissertation, poem, or the like, the University can make payment of the prize money conditional on the prize-winner's work being printed (or printed and published) in an approved manner.

8. Notwithstanding the provisions of any instrument of foundation governing a particular trust, the University can make Ordinances to apply part of the income of the fund for the purpose of increasing the value of an emolument or the remuneration of the awarders, or maintaining additional emoluments of the same character, or for another purpose or other purposes: provided that such application is consonant with the original purpose of the endowment and that no such application can be made during the life of the founder of the trust without his or her consent, and that if the trust is less than sixty years old, and has a trustee or governing body other than the University, no such application can be made without the consent of such trustee or governing body.

#### **Chapters II–XLVII**

As these chapters are not, at any rate at present, proposed for amendment they are not re-printed in this consultation paper.



**STATUTE F****FINANCE, AUDIT, PLANNING AND RESOURCE ALLOCATION, PROPERTY AND BUILDINGS****Chapter I****Finance, The Chest and Audit****Financial matters**

1. The Council, supported by the Finance Committee, must:

(a) exercise general supervision over the financial situation of the University including reserves and investments and the income and expenditure of the Chest, and over the finances of all institutions in the University other than the University Press (which is subject to the provisions of Statute J);

(b) keep under review the University's financial position and make a budget Report to the University at least once each year, recommending allocations from the Chest;

(c) arrange for the preparation and publication of the annual accounts of the University (as audited by a duly appointed external auditor) in accordance with UK applicable accounting standards such that the accounts give a true and fair view of the state of the financial affairs of the University;

(d) recommend Bankers to the University, for appointment by Grace;

(e) make financial regulations.

**The Chest and accounts**

2. Unless otherwise provided by or under the Statutes or Ordinances, all income accruing to the University must be credited to the Chest, which is the principal treasury account of the University.

3. Separate accounts must be kept in such form as the Finance Committee directs for special funds established by the Council or by Ordinance, and for funds arising from grants from external sources or from grants or gifts from other bodies or persons for special work carried out in the University.

4. Any money received by any University body or officer for the purpose of any School, Faculty, Department or other institution, or for any other University purpose, must be included in the appropriate account.

**Audit**

5. Except as provided by Statute J in respect of the Press and by section 6 below, the accounts of the University must be audited annually by external auditors appointed by Grace on the recommendation of the Council.

6. The accounts of the Local Examinations Syndicate must be audited annually by external auditors appointed by the Council. The requirements of section 1(c) of this chapter apply to these accounts. The Council must every year appoint one or more members of the Finance Committee to examine the accounts, confer with the external auditors, and report to the Committee and to the Council.

**Chapter II****Planning and Resource Allocation, Buildings****Planning and Resource Allocation**

1. The Council must establish machinery for planning and resource allocation within the University, and can do so jointly with the General Board. The constitution of any principal Committee established for this purpose must be submitted for approval by Grace.

**Buildings**

2. The Council must establish machinery for the management and development of operational University buildings, and maintenance of operational buildings, and can do so jointly with the General Board. The constitution of any principal Committee established for this purpose must be submitted for approval by Grace.

3. Approval by Grace is required for the erection of a new University operational building or for the demolition or substantial alteration of such a building.

### Chapter III

#### Property, financial powers and investment

1. The University shall have all the powers of a natural person to acquire, manage, charge, deal with, and dispose of property, both real and personal, and to enter into and carry out any transaction relating to its property or otherwise in connection with the management of its affairs, so that it may exercise any power and may enter into and carry out any kind of transaction without limitation. These powers may be exercised at the absolute discretion of the University and apply to investment as well as to any other activity or function of the University. They apply to property, both real and personal, of which the University is trustee, save that, in the case of a trust of which the University is not sole trustee, where the trust instrument creating the trust expressly provides to the contrary and less than sixty years have elapsed since that instrument came into operation, the powers must not be exercised without the consent of the other trustees.

2. The University can make Ordinances providing for:

(a) exercise and delegation of the above powers; and/or

(b) the collective investment of any property, real or personal, held by or for the University, with or without any other property. Such Ordinances shall be read with, and shall have the same force as, the Statutes to the extent that they are consistent with the Statutes, Ordinances, and any Act of Parliament or other legislation binding on the University.

3. In favour of any person having dealings with the University, a certificate signed by the Registry that any Ordinance made under section 2 above has been complied with is conclusive.

**STATUTE G****COLLEGES AND COLLEGIATE FOUNDATIONS**

[Chapters I and IV are interim revised versions of the original drafts in consultation paper 2.]

**Chapter I****The Colleges and Collegiate Foundations****Colleges**

1. The Colleges in the University are:

Peterhouse, Clare College, Pembroke College, Gonville and Caius College, Trinity Hall, Corpus Christi College, King's College, Queens' College, St Catharine's College, Jesus College, Christ's College, St John's College, Magdalene College, Trinity College, Emmanuel College, Sidney Sussex College, Downing College, Girton College, Newnham College, Selwyn College, Fitzwilliam College, Churchill College, Murray Edwards College, Darwin College, Wolfson College, Clare Hall, Robinson College, Lucy Cavendish College, St Edmund's College, Hughes Hall, and Homerton College.

**Approved Foundations**

2. The University can recognize as an Approved Foundation any institution maintained in the University for the advancement of education, learning or research and which has appropriate provision in its charter, articles of association, memorandum of association, trust deed or like instrument for its government, and has suitable provision for the education and discipline of students (if admitted). The University can determine further conditions for the recognition of a particular Approved Foundation. Such conditions cannot be changed without the Approved Foundation's consent. No Approved Foundation can alter any provision of its charter, articles or memorandum of association, trust instrument, scheme of government, or any other such instrument, unless it has given notice to the Council of the proposed alteration and either the University has approved it by Grace or the Council has announced that the proposed alteration did not affect the University nor prejudice the interests of the University. Any provision of a Statute or Ordinance affecting Colleges (unless excluded by Special Ordinance) applies to Approved Foundations.

3. The Council can refer a cause of complaint against an Approved Foundation to the governing body of the Approved Foundation. The grounds on which complaints can be made can be specified further by Special Ordinance. If the governing body refuses, or fails to take, within reasonable time (in the opinion of the Council) such measures as the Council then directs, the Council must refer the matter to the Chancellor. The Chancellor (or a deputy duly appointed by the Chancellor) and two assessors appointed by the Chancellor, as a Court, must then inquire into the matter, and can, if unanimous, determine that recognition as an Approved Foundation is withdrawn, permanently or for a period.

**Approved Societies**

4. The University can recognize as an Approved Society any society maintained in the University for the advancement of education, learning or research. Conditions for recognition of an Approved Society must be determined by Special Ordinance and must include suitable provision for the education and discipline of students (if admitted). No Approved Society can alter any provision of its charter, articles or memorandum of association, trust instrument, scheme of government, or any other such instrument, unless it has given notice to the Council of the proposed alteration and either the University has approved it by Grace or the Council has announced that the proposed alteration did not affect the University nor prejudice the interests of the University. The status of Approved Society can be terminated by Grace.

5. Any provision of the Statutes and Ordinances about Fellowship of, office in, or membership of a College, matriculation, residence, admission to and presentation for degrees, discipline, teaching or instruction on behalf of a College, and the obligations of Colleges in respect of Fellowships, applies as if the term College included any Approved Society. Further such application can be made by Special Ordinance.

**Chapter II****College contributions for University purposes and the Colleges Fund**

[under further consideration]

**Chapter III****Accounts**

[under further consideration]

## Chapter IV

### Academic obligations

#### Membership of a College

1. (a) No College (without the permission of the Council about a particular person or class of persons) can allow anyone admitted for the purpose of study or research to remain a resident member of the College after the division of his or her first term of residence who is not either matriculated, or permitted by the Council, under such conditions (if any) as the Council imposes, to be matriculated later.

(b) King's College can as heretofore allow its Lay Clerks, Choristers, and Master over the Choristers to be members of the College although not matriculated or qualified to be matriculated.

#### Professorial fellowships

2. Every College must maintain Fellowships ("Professorial Fellowships") for Professors and other University officers included in the Schedule to this section, which can be amended by Grace. Further provision for professorial fellowships must be made by Special Ordinance.

**STATUTE J****THE UNIVERSITY PRESS**

1. There shall be in the University a University Press which shall be devoted to printing and publishing in the furtherance of the acquisition, advancement, conservation, and dissemination of knowledge in all subjects; to the advancement of education, religion, learning, and research; and to the advancement of literature and good letters.

2. There shall be in the University a Press Syndicate. The management of the finance, property, and affairs generally of the University Press shall be the responsibility of the Press Syndicate which shall exercise in relation thereto all the powers of the University except in so far as the Statutes and Ordinances expressly or by necessary implication provide otherwise. The Press Syndicate shall consist of the Vice-Chancellor or a duly appointed deputy as Chairman and such number of members of the Senate appointed in such manner as shall be determined from time to time by Ordinance.

3. The Press Syndicate shall have power in the name of the University and for the purposes of the University Press to exercise the powers in section 1 of Chapter III of Statute F. These powers shall apply to investment as well as to any other activity or function of the University Press. Save only in so far as the Statutes, Ordinances or regulations enacted under Statute J, 5 expressly or by necessary implication provide otherwise, these powers may be exercised at the absolute discretion of the Press Syndicate.

4. All income accruing to the University Press shall be credited to the accounts of the Press Syndicate and all University Press capital and income shall be controlled by the Press Syndicate and applied by them at their sole discretion for the purposes of the University Press.

5. The Council shall have authority to impose limitations on the power of the Press Syndicate to enter into any financial commitments or to grant security on the property of the University Press.

6. The Press Syndicate shall have power in the name of the University to engage persons for employment in the service of the University Press, determine their salaries and pensions, and prescribe the conditions of their service.

7. Persons holding certain posts in the University Press which have been specially designated under this section by the Council on the recommendation of the Press Syndicate shall be treated as University officers for the purposes of Statute A, III, 7(b), Statute B, I, 1, Statute B, III, 6, and Statute K, 3(h).<sup>1</sup>

8. The accounts of the University Press shall be audited annually by one or more qualified accountants appointed by the Council. The Council shall in every year appoint one or more persons from among the members of the Finance Committee, who shall examine these accounts, confer with the auditor or auditors, and report to the Council.

9. There shall be a Press Seal, as a seal of the University to be used on the directions of the Press Syndicate in matters relating to the affairs of the University Press; but the existence of the Press Seal shall not invalidate the use in connection with such matters of any other seal of the University. The University shall have power to make Ordinances concerning the custody and affixing of the Press Seal.

10. The Press Syndicate shall have power to delegate any of their powers under this Statute subject to any limitations imposed by Ordinance.

11. The term property of the University Press here and elsewhere in Statutes and Ordinances shall refer to property of the University, both real and personal, held or used for the purposes of the University Press. In favour of any person having dealings with the University Press a certificate signed by the Registry that any particular property is the property of the University Press, or that any limitations imposed under Statute J, 5 have been complied with, shall be conclusive.

12. The Press Syndicate shall make an Annual Report to the Council, which shall be published to the University either as a whole or in summary.

13. Notwithstanding the provisions of the foregoing sections, the Council shall have power in circumstances which the Council deems to be exceptional, on the advice of its Finance Committee, to discharge the Press Syndicate, and to assume full responsibility itself for the management of the Press for the time being. If the Council has occasion to exercise the powers available under this section, the Council shall make a full report to the University on the circumstances necessitating such action.

<sup>1</sup> The following have been specially designated under this section: the Secretary of the Press Syndicate, Directors, Associate Directors, Senior Editors, and Senior Managers of the Press.