

OXFORD UNIVERSITY GAZETTE



REVISION OF THE UNIVERSITY'S STATUTES, DECREES, AND ASSOCIATED REGULATIONS: CONSULTATION PAPER

SUPPLEMENT (1) TO NO. 4593

WEDNESDAY, 25 JULY 2001

Introduction

1. On 24 May 1999 the Hebdomadal Council approved the appointment of a Working Party comprising the Principal of St Hugh's (*Chairman*), the Master of St Cross, and Professor M.R. Freedland, to carry out a thorough review of the existing statutes and the existing decrees. The decision was made in the light of recommendations 5 and 16 (b) in the North Report:

'that the [new] Council should institute a thorough review of existing legislation with a view to reducing the volume of material embodied in statute'; and

'that ...

(b) the [new] Council should initiate a review of the University's decrees and regulations with a view to reducing the volume of material embodied in such legislation, to complement the review of statutes proposed in Recommendation 5.'

2. The Working Party has reviewed the constitutional history of the University and the existing state of its legislation contained in the current statutes, decrees, and associated regulations. It has reached the firm conclusion that the current laws of the University, contained in the Blue and Grey Books, are in desperate need of overhaul, and that the necessary work can be successfully accomplished, in accordance with the recommendations made by the North Commission, so that a new set of statutes and subordinate legislation can be brought into effect on 1 October 2002.

3. To achieve this, and bearing in mind the need to obtain the approval of The Queen in Council to a number of the statutes involved in this process, a timetable has been developed which will enable Congregation to pass the new statutes during the course of Michaelmas Term 2001, so that the 'Queen-in-Council' parts of them can be submitted to the Privy Council by the end of this calendar year.

4. The Working Party has prepared the enclosed draft of a new complete set of Statutes for the University. They are issued by Council for consideration by members of Congregation. Council wishes to expose these draft statutes to wide consultation and comment before it submits them to Congregation to be enacted in Michaelmas Term.

General comments

5. In approaching the task of reframing the statutes the Working Party has had a number of considerations in mind.

6. First, the University does not have an instrument of foundation or a charter. Like Cambridge, the nearest it comes to such a document is the Act for the Incorporation of Both Universities 1571. But this Act does no more than incorporate an entity which had already been in existence for 400 years and it does not offer any underlying constitutional structure. The Working Party believes that one of the valuable functions which modern statutes can perform is to give a coherent narrative account of the University's constitution, and it has attempted to introduce into the statutes (in so far as it is not already there) material which would ordinarily be found in a charter.

7. Secondly, the Working Party warmly supports the recommendation of the North Commission that the statutes of the University should be confined to the basic laws of the University which are unlikely to require frequent change. Although the Working Party has separate recommendations for simplifying, to a limited extent, the procedure for statute-making, it remains the fact that it is a cumbersome and time-consuming process, particularly when new statutes, or the amendment or repeal of existing statutes, have to be submitted to The Queen in Council. The new statutes, in the Working Party's opinion, should offer a secure and permanent framework for the conduct of the University's business.

8. Thirdly, it follows that matters of purely local concern, for example the detailed rules governing individual institutions or bodies within the University, the rules of procedure to be followed in Convocation, Congregation, or

Council, or purely ceremonial matters, should be stripped out of the statutes and placed in subordinate legislation where they can be altered more easily and will be consulted only by those who have a special interest in them. The elimination of detail which is not of general concern will also make the statutes much more readable and accessible.

9. Although the statutes are essentially a legal document and must be expressed in language which is legally effective, the Working Party thinks that the existing statutes and decrees are couched in unnecessary legalese and technical verbiage which make them extremely difficult to follow. The Working Party has adopted a style which has split the statutes into much shorter individual provisions and has tried to speak in more straightforward English.

10. Finally, the Working Party wishes to emphasise that it has taken the constitutional laws of the University as it finds them, or believes them to be. Legislative change and policy-making are not a part of its function. It has departed from this approach in a certain number of limited cases only, for example where the University's existing statutes or subordinate legislation do not appear to comply with the law of the land, such as the Human Rights Act 1998, or where some streamlining of technical procedures is obviously desirable, without doing violence to the effect of present legislation. Subject to those special exceptions, the aim has been to ensure that the existing régime is reproduced somewhere in the University's rule book, but, following North, not necessarily in the same place where it is found at present.

11. The Working Party recognises that the University may take the opportunity of this redraft to look at some areas of policy and itself propose revisions to the statutes and decrees. But this may have to be carried out in parallel with the recasting of the statutes and decrees and should not be allowed to hold it up.

Subordinate legislation

12. Crucial to the efficient functioning of the new legislation will be the split between primary and secondary matter. The whole thrust of the new system of governance ushered in by North has been devolution and decentralisation, and the Working Party has followed this philosophy in its own work.

13. The secondary legislation of the University in its current form is divided between 'decrees' and 'regulations'. The traditional view is that the more important secondary legislation, promulgated by Council and its predecessor, stretching back in some cases over a long period of time, is contained in the decrees, and the less important subordinate legislation is contained in the regulations.

14. This distinction has broken down in practice in many ways. It is possible to identify numerous matters in the Blue Book, contained in decrees, which cannot possibly be described as important, and compare them with many matters of much more fundamental concern in regulations, such as the Examination Regulations to be found at the back of the Grey Book. Secondly, it is no longer the case that decrees are enacted only by Council. Under its present constitution Council can delegate to other bodies or persons the power not only to make regulations (see Tit. IV, Sect. I, cl. 3, *Statutes*, 2000, p. 33) but also the power to make decrees (see *ibid.*, cl. 2), and it has exercised that power (see Decree (1) of 9 November 2000, *Gazette*, p. 306).

15. The other problem with 'decrees' is that the word does not have a constant meaning. It is used to describe not only subordinate legislation of the University which is of general or lasting application but also individual decisions of Council on particular matters.

16. Council has therefore accepted the recommendation of the Working Party that all subordinate legislation made under the new statutes should be called 'regulations' and that the word 'decree' (if it is to be used at all) should be confined to individual decisions or resolutions of Council which do not make laws or rules.

17. The abolition of the distinction between decrees and regulations means that the statutes can simply transfer matters to be embodied in subordinate legislation to 'regulations' generally, and it will not be necessary for the draftsman to make the further distinction, in the statutes, between those matters which must be decrees and those matters which may be in regulations.

18. However, it is also recommended that regulations should be headed in a way which identifies their provenance. Regulations made by Congregation or Council should be headed:

'REGULATIONS FOR [etc.]
Made by [Congregation] [Council] on [date]'

Regulations made by subordinate bodies or individuals under the authority of Council should be headed:

'REGULATIONS FOR [etc.]
Made by [the Rules Committee] on [date]
Authorised by Council'

Notes on individual statutes

19. At the end of each of the draft statutes are endnotes explaining the main purpose, effect, and derivation of the draft.

Draft regulations

20. Not all the regulations associated with the new statutes have yet been drafted. This exercise will continue

during the course of the academic year 2001–2. Illustrative drafts of the regulations associated with Statutes IV (Congregation), VI (Council), and VII (Divisions, Faculties, Sub-Faculties, Departments, and the Department for Continuing Education) are published on the salmon-pink pages enclosed in this Supplement, together with a draft index illustrative of the eventual scope and layout of the full set. The index will have to be supplemented as the work on regulations progresses.

Timetable

21. Because of pressure of time, the drafts of the proposed new legislation have been based on the text of the 2000 edition of *Statutes*, and not all recent changes in existing legislation have yet been incorporated. This will be done before the final drafts are published following the present consultation exercise.

As stated in Council's notice of 7 June, the proposed timetable is as follows.

20 September 2001	Republication in <i>Gazette</i> of resolution permitting promulgation and enactment of proposed new statutes to be dealt with by Congregation in a single stage
1 October 2001 (Monday, MT Week 0)	Deadline (12 noon) for receipt of notice of opposition to resolution
9 October 2001 (Tuesday, MT Week 1)	Resolution submitted to Congregation
10 October 2001 (Wednesday, MT Week 1)	Deadline (6 p.m.) for receipt of comments on consultation paper
8 November 2001 (Thursday, MT Week 5)	Publication in <i>Gazette</i> of final drafts of proposed new statutes
19 November 2001 (Monday, MT Week 7)	Deadline (12 noon) for receipt of notice of opposition or proposed amendments to proposed new statutes
27 November 2001 (Tuesday, MT Week 8)	Proposed new statutes (and any proposed amendments) submitted to Congregation

If and when the proposed new statutes are approved by Congregation, the relevant parts will be sent to Her Majesty in Council for approval, and it is hoped that all the new statutes can come into effect on 1 October 2002. The new regulations will be published during the course of 2001–2 to come into effect on the same date as the new statutes.

Invitation to comment

22. Members of Congregation who wish to express any views on these statutes and regulations are asked to send their comments to the secretary of the Working Party on Statutes and Decrees (Mr D.M.M. Hall, University Offices, Wellington Square; e-mail: David.Hall@admin.ox.ac.uk; telephone: (2)70236) not later than the Wednesday of First Week in Michaelmas Term, **Wednesday, 10 October**. Other draft regulations, so far as they have been completed, are obtainable by members of Congregation from Mr Hall on request.

Index of proposed new Statutes

* Indicates a 'Queen-in-Council' Statute.

† Indicates a partly 'Queen-in-Council' Statute.

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STATUTE I
PRELIMINARY

(This Statute is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

1. The University of Oxford is a civil corporation established under common law which was formally incorporated by the Act for the Incorporation of Both Universities 1571 under the name of 'the Chancellor Masters and Scholars of the University of Oxford'.
2. In these statutes it is called 'the University'.
3. The principal objects of the University are the promotion of learning by teaching and research and its dissemination by every means.
4. The University has the power to do all things permitted by law which are necessary or desirable to promote its objects.
5. These statutes and all regulations made under them shall be interpreted in accordance with those objects and not so as to conflict with them.
6. In the interpretation of these statutes and all such regulations these additional rules apply unless the context otherwise requires:
 - (1) words in the singular include the plural and words in the plural include the singular;
 - (2) references to an Act of Parliament refer also to any statutory amendment, re-enactment, or replacement of it;
 - (3) 'committee' means any body set up by or under the authority of these statutes other than Convocation, Congregation, Council, or a division, faculty, sub-faculty, or department;
 - (4) 'Conference of Colleges' means the voluntary association of the colleges, societies, and Permanent Private Halls which are referred to in Statute V, established by them for the purpose, among others, of appointing their representatives to Council, its committees, and other university bodies;
 - (5) 'Congregation' means the Congregation of the University referred to in Statute IV;
 - (6) 'Council' means the Council of the University referred to in Statute VI;
 - (7) 'division', 'faculty', 'sub-faculty', and 'department' mean a division, faculty, sub-faculty, or department referred to in Statute VII;
 - (8) 'membership' and 'member of the University' have the meanings given to them in Statute II;
 - (9) 'regulation' means a regulation made under these statutes by a person or body authorised to make it;
 - (10) 'statutes' and 'regulations' mean statutes and regulations of the University in force for the time being.
7. Disputes over the interpretation or application of any of these statutes or any regulation shall be decided in accordance with Statute XVII.

[Sections 1–5 are new. Sections 1 and 3 attempt to describe in a few words what the University is and its origin. Sections 4 and 5 follow from sections 1–3.]

Section 6 updates the existing interpretation section.

Section 7 has to be read in conjunction with Statute XVII and replaces the existing dispute-resolution procedures contained in Title I, Section II. The existing procedures are defective in a number of respects. They appear to give the Vice-Chancellor (after consultation with the High Steward when appropriate) the unchallengeable power to determine the meaning of the Statutes of the University. His or her decision, when made, is expressed as binding upon all members of the University, whether or not they were a party to the dispute which gave rise to the question which the Vice-Chancellor had to decide. The present procedure also appears to preclude other bodies such as the Proctors, the Disciplinary or Appeal Court, or the Visitatorial Board from deciding such questions arising in the course of proceedings before them. Finally and more importantly the procedure is blatantly at variance with Article 6 of the European Convention on Human Rights, now embodied in our law by the Human Rights Act 1998.

The new Statute XVII ensures that disciplinary bodies can properly hear and determine questions of interpretation which arise in the course of proceedings before them. In respect of other disputes an informal dispute-resolution procedure is preserved for the Vice-Chancellor, with a procedure for an appeal to the Appeal Court set up under Part B of Statute XI.]

STATUTE II
MEMBERSHIP OF THE UNIVERSITY

1. Membership of the University is divided into the following five categories:

- (1) student membership;
- (2) ordinary membership;
- (3) Convocation membership;
- (4) Congregation membership; and
- (5) additional membership.

2. A person is a member of the University if he or she is duly admitted into one or more of those categories.

3. (1) A member of the University shall enjoy the rights and privileges and incur the obligations which are attached by the statutes and regulations to the category or categories into which he or she is admitted.

(2) No member of the University shall be required to pay any fee or other charge (except one required by way of penalty or fine imposed under the authority of a statute or regulation) unless it is required by statute or regulation.

(3) The University may enter into contracts with its members which are not inconsistent with these statutes and regulations made under them providing for rights, benefits, and facilities to be enjoyed by members and specifying the terms upon which they are given or made available.

Student Members

4. A person shall be a student member if he or she:

- (1) has the academic qualifications for admission (referred to in this section and in section 5 of this statute as 'matriculation') laid down by Council by regulation;
- (2) has been admitted as and remains a member, or has been suspended from membership, of a college, society, or Permanent Private Hall;
- (3) has been and remains registered, or has been suspended from registration, as a student for a degree or other qualification of the University; and
- (4) is to be or has been presented for matriculation as a student member by his or her college, society, or Permanent Private Hall within the period laid down by Council by regulation.

5. Regulations may be made to provide for:

- (1) provisional matriculation where a prospective student member is for good reason unable to be presented for matriculation within the period referred to in section 4 (4) of this statute; and
- (2) the ceremony at which the matriculation of student members will take place and the procedure to be followed;

in addition to the matters referred to in section 4 of this statute.

Ordinary Members

6. A former student member who has satisfied the examiners for a degree of the University but who has not yet been admitted to any degree is an ordinary member.

Convocation Members

7. Convocation members are those persons who are members of Convocation under Statute III.

Congregation Members

8. Congregation members are those persons who are members of Congregation under Statute IV.

Additional Members

9. (1) Persons who are appointed Bedels under the regulations relating to the holders of that office shall be admitted as and shall remain members of the University for so long as they hold that office.

(2) Council may with the consent of Congregation provide by regulation for the admission of other persons or categories of persons as additional members.

Expulsion

10. (1) A student member may be expelled from membership under Statute XI.

(2) Congregation may for good cause, on the recommendation of Council made in accordance with fair procedures to be determined by Council according to the circumstances of the case, expel any member of the University from his or her membership.

(3) Procedures established under sub-section (2) above must include a right of appeal to an independent and impartial tribunal which will give reasons for its decision and (if the member so requires) sit in public.

(4) Nothing in this section authorises the termination of a contract of employment or infringes the rights or protection given by Statute XII to the persons to whom that statute applies.

(5) In this section the word 'expel' bears the meaning given to it in section 1 of Statute XI.

Resignation

11. (1) A member of the University may at any time by giving notice in writing to the Registrar resign his or her membership.

(2) Resignation of membership shall not relieve the member of any liability or penalty incurred under these statutes or any regulation before the date of his or her resignation.

12. A member of the University who has resigned may, with the permission of Council on such terms as it thinks fit, be admitted or readmitted to any category of membership to which he or she would but for the resignation be entitled to belong.

[This statute is entirely new. It is almost impossible, if not actually impossible, to derive a satisfactory definition of membership of the University from the current statutes. There is a definition of 'Junior Member' in clause 1 (b) of Title XIII (which deals with University Discipline). Otherwise the definitions are scattered and inconclusive. The expressions 'admission', 'matriculation', and 'admission to matriculation' are used indiscriminately and interchangeably, and there are two quite separate meanings of the phrase 'provisional matriculation'.

Section 1 identifies five categories of membership, explained below. Sections 2 and 3 (1)–(2) are self-explanatory. Section 3 (3) is an enabling section which reflects discussions taking place elsewhere for expressing some facets of the relationship between the University and its students in a form of contract.

Sections 4 and 5 dealing with student members are drawn from existing provisions, including the definition of 'Junior Members' referred to above. The category of 'ordinary member' is new. It is intended to retain as members of the University ex-students who have ended up in a class list in FHS but have not yet taken their degree. The definition of Convocation members is drawn from existing legislation. The same comment applies to Congregation members. The concept of 'additional members' derives from the fact that Bedels are 'matriculated', and must therefore be members of the University. Section 9 (2) is an enabling section but the Working Party is unaware of any person or category currently falling within this sub-section.

Section 10 deals with expulsion. Section 10 (1) reflects what can currently happen under Title XIII. Sub-sections (2)–(5) are new.

Sections 11 and 12 revise current legislation.

The regulations which have been drafted for this statute gather together and attempt to rationalise material relevant to the definition of membership which is currently situated in a number of different places in the decrees and regulations.]

STATUTE III CONVOCATION

(This Statute is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

1. The functions of Convocation shall be to elect the Chancellor and the Professor of Poetry.

2. Convocation shall consist of all the former student members of the University who hold a degree (other than an honorary degree) of the University, and of those not holding such a degree who are members of Congregation.

3. The procedure for the holding of elections in Convocation shall be laid down by Council by regulation.

[This statute reproduces in a highly abbreviated form the current statute (Title III). The regulations which have been drafted for this statute reproduce the existing decree (Chapter I, Sections VI and VII).]

STATUTE IV CONGREGATION

(Sections 1–4 are ‘Queen-in-Council’ statutes—see section 2 (2) of Statute IV.)

Functions and Powers

1. Congregation shall have the following legislative and other functions, powers, and duties:
 - (1) to decide on proposals submitted to it by Council for amending, repealing, or adding to the statutes or regulations;
 - (2) to decide on resolutions submitted by any twenty or more of its members that Council should be instructed to make proposals for amending, repealing, or adding to the statutes or regulations;
 - (3) to consider any other resolutions submitted to it by Council or by any twenty or more of its members;
 - (4) to exercise the powers in relation to regulations assigned to it in section 17 of Statute VI;
 - (5) to take note of the replies to questions asked by any two or more of its members;
 - (6) to confer degrees;
 - (7) to make the elections laid down for it in any statute or regulation;
 - (8) to approve the appointment of the Vice-Chancellor;
 - (9) to perform any further duties or to exercise any further powers laid down for it in any statute or regulation.
2. (1) Any resolution passed by Congregation or other act done or decision taken by Congregation in accordance with the statutes and regulations shall bind the whole University.
(2) A decision taken by Congregation to amend, repeal, or add to any of the following statutes shall not take effect without the approval of Her Majesty in Council:
 - Statute I
 - Statute III
 - Statute IV (sections 1–4 only)
 - Statute V (section 1 only)
 - Statute VI (sections 1–18 only)
 - Statute XII
 - Statute XV
 - Statute XVI (Part D only)
 - Statute XVII
- (3) Council may by resolution suspend the operation of any statute, other than those specified in sub-section (2) above, to cover some specific case.

Membership

3. Subject to any limit on membership by reason of retirement or age laid down by Congregation by statute, Congregation shall consist of the following:
 - (1) the Chancellor;
 - (2) the High Steward;
 - (3) the Vice-Chancellor;
 - (4) the Proctors;
 - (5) the members of the faculties;
 - (6) the heads of all the colleges, societies, and Permanent Private Halls referred to in Statute V;
 - (7) the members of the governing bodies of all the colleges and societies referred to in Statute V (but not of the Permanent Private Halls);
 - (8) the principal bursar or treasurer of each of the colleges and societies referred to in Statute V (but not of the Permanent Private Halls), if he or she is not a member of its governing body;
 - (9) any other persons or classes of persons admitted by or under regulations made by Congregation;
 - (10) every person who was a member of Congregation under the statutes as they stood on 1 June 1977 for as long as he or she possesses the qualification which entitled him or her to membership on that date.
4. The Registrar shall keep a register of the persons qualified to be the members of Congregation, and shall publish annually in the *University Gazette* as soon as possible after 1 January the register as it stood at that date. No person shall be admitted to vote or act as a member of Congregation unless that person’s name is in the register and he or she is qualified under section 3 of this statute.

Chairman

5. (1) The Chairman of Congregation at the Encaenia, or at any other meeting held for the conferment of Degrees by Diploma or Honorary Degrees, shall be the Chancellor, or, in the Chancellor’s absence, the Vice-Chancellor or a Pro-Vice-Chancellor.

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- (2) The Chairman on all other occasions shall be the Vice-Chancellor, or, in the Vice-Chancellor's absence, a Pro-Vice-Chancellor.

Procedure

6. (1) The business of Congregation shall be conducted in accordance with regulations made by Congregation.
- (2) Council or any twenty or more members of Congregation may propose the amendment or repeal of or an addition to any regulation made under this section.
- (3) Regulations made under this section:
- (a) shall provide for the giving of notice of meetings of Congregation and of the business to be conducted at them; and
- (b) may state a period within which notice of opposition or of a proposed amendment can be given or a request for an adjournment can be made.
- (4) A proposal made under sub-section (2) above shall not have effect unless it:
- (a) is approved at a meeting of Congregation; or
- (b) is declared to have been approved under section 7 of this statute.
- (5) Sections 13–18 of Statute VI shall not apply to regulations made under this section.
7. (1) The Vice-Chancellor shall have the power to declare any proposal made to Congregation under section 6 (2) of this statute or otherwise to have been approved if the following conditions are satisfied:
- (a) that notice of the proposal has been duly given in accordance with regulations made under section 6 of this statute;
- (b) that no opposition or proposed amendment has been notified or request for an adjournment made within the time allowed by those regulations for doing so in respect of any of the business to be conducted at the meeting at which the proposal is to be discussed;
- (c) that in the opinion of the Vice-Chancellor the proposal is not of such general concern to the University as a whole that it would be inappropriate to proceed without an opportunity for further explanation or debate;
- (d) that in the light of (c) the Vice-Chancellor decides that the meeting may and ought to be cancelled;
- (e) that notice of cancellation is published in the *University Gazette* not less than four days before the meeting is due to be held.
- (2) If the Vice-Chancellor makes a declaration under sub-section (1) above, he or she shall publish it in the *University Gazette* either in the notice given under paragraph (e) of sub-section (1) above or as soon afterwards as is practicable.
8. The operation of the whole or any part of sections 5–7 of this statute, or of the associated regulations, may be suspended by resolution of Congregation.

[This statute attempts to set out the basic structure of Congregation together with some of the more important procedural provisions (see sections 5, 7, and 8) which it is felt must appear in a statute.]

The more detailed procedure can be set out in a single set of regulations, but the Working Party believes that Congregation must control its own procedure, and that the procedural regulations must be made by Congregation itself and not by Council. This is reflected in the new section 6.

The associated draft regulations in the insert on salmon-pink paper represent the Working Party's first attempt to clarify and streamline procedures for the conduct of business in Congregation. The task is simplified by the fact that the current legislation contains a great deal of repetition which can be cut out, but complicated by the fact that many of the procedures are inflexible, difficult to understand, and in some cases plainly wrong. The Working Party has attempted to divide up the procedures under separate headings so that they can be more easily followed and has tried to follow the existing procedures so far as it is able to understand them. At many points express provisions have been inserted to reflect what the Working Party believes must necessarily be implied. The only changes of substance which are suggested are the running together of the debate on the preamble to a statute with the debate on the proposal and any amendments at the 'First meeting', and the elimination of the possibility of the further submission of amendments by members of Congregation after a vote on any proposed amendments at the 'Second meeting'. The Working Party may wish to continue to refine these procedures as its work progresses.]

STATUTE V
COLLEGES, SOCIETIES, AND PERMANENT PRIVATE HALLS
(Section 1 is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

Colleges

1. The following foundations in Oxford for academic study are recognised as colleges of the University:

All Souls College	Oriel College
Balliol College	Pembroke College
Brasenose College	Queen's College
Christ Church	St Anne's College
Corpus Christi College	St Antony's College
Exeter College	St Catherine's College
Hertford College	St Edmund Hall
Jesus College	St Hilda's College
Keble College	St Hugh's College
Lady Margaret Hall	St John's College
Linacre College	St Peter's College
Lincoln College	Somerville College
Magdalen College	Templeton College
Manchester Academy and Harris College	Trinity College
Mansfield College	University College
Merton College	Wadham College
New College	Wolfson College
Nuffield College	Worcester College

2. The University may, by statute subject to the approval of Her Majesty in Council, add further foundations to those listed in section 1 of this statute.

Societies

3. The University may establish and maintain institutions to be known as societies.

4. The membership and governance of a society and the rights, privileges, and obligations of a society and its officers shall be provided for in regulations.

5. The following are societies of the University:

Green College
Kellogg College
St Cross College

6. The University may add further institutions to those listed in section 5 of this statute.

Permanent Private Halls

7. The Vice-Chancellor may with the consent of Congregation and on conditions set out in regulations grant a licence for the establishment of a Permanent Private Hall under a name approved by Congregation.

8. Regulations made under section 7 of this statute shall include regulations for the membership, governance, and location of the hall and the rights, privileges, and obligations of the hall and its officers.

9. Every Permanent Private Hall shall be under the supervision and control of the Vice-Chancellor and Proctors.

10. If the Vice-Chancellor considers that it is in the interests of the University that a licence for a Permanent Private Hall should be revoked he or she may after obtaining the consent of Council and Congregation revoke the licence.

11. The following Permanent Private Halls are licensed under this statute:

Blackfriars
Campion Hall
Greyfriars
Regent's Park College
St Benet's Hall
Wycliffe Hall

[This is a substantially shortened version of Title VII. It contains no new material except that it lists in section 5 the institutions currently established as societies and in section 11 the Permanent Private Halls currently licensed.]

The main change is to remove from statute into regulations the detailed provisions applicable to Green College, Kellogg College, and St Cross College respectively and the more detailed provisions concerning the regulation of Permanent Private Halls.]

STATUTE VI
COUNCIL

(Sections 1–18 are ‘Queen-in-Council’ statutes—see section 2 (2) of Statute IV.)

Functions and Powers

1. Council shall be responsible, under the statutes, for the administration of the University and for the management of its finances and property, and shall have all the powers necessary for it to discharge these responsibilities.
2. In the exercise of its functions and powers Council shall be bound by all resolutions passed by Congregation and all other acts done or decisions taken by Congregation in accordance with the statutes and regulations, and shall do all things necessary to carry them into effect.
3. Subject to the provisions of the statutes and regulations, Council may from time to time delegate responsibility for any matter to any other body or person and may delegate such powers (other than the power to put statutes to Congregation) as it may consider necessary for the discharge of this responsibility, provided that any such delegations may be withdrawn (either generally or in respect of a specific item) at any time, and that such delegations shall not relieve Council of general responsibility for the matters delegated.

Membership

4. Subject to section 5 of this statute, Council shall consist of:
 - (1) the Vice-Chancellor;
 - (2) the Chairman of the Conference of Colleges;
 - (3), (4) the Proctors;
 - (5) the Assessor;
 - (6) a member of Congregation elected by the Conference of Colleges;
 - (7), (8) two persons nominated by Council and approved by Congregation who are not when they are nominated members of Congregation or resident holders of teaching, research, or administrative posts in the University or in any college, society, or Permanent Private Hall;
 - (9)–(11) the Heads of the Divisions of Life and Environmental Sciences, of Mathematical and Physical Sciences, and of Medical Sciences;
 - (12)–(14) three members of Congregation elected by Congregation from members of the faculties in the Divisions of Life and Environmental Sciences, of Mathematical and Physical Sciences, and of Medical Sciences;
 - (15), (16) the Heads of the Divisions of Humanities and of Social Sciences;
 - (17)–(20) four members of Congregation elected by Congregation from members of the faculties in the Divisions of Humanities and of Social Sciences;
 - (21)–(23) three members of Congregation, not necessarily being members of any division and not in any case being nominated in a divisional capacity, who shall be elected by Congregation;
5. (1) The election to Council of the members of Congregation under section 4 (12)–(14), (17)–(20), and (21)–(23) of this statute shall be subject to the provisions of sub-sections (2)–(5) above.
 - (2) Not more than three members of the governing body of any one college, society, or Permanent Private Hall may at any time serve as members of Council elected from those three categories taken together.
 - (3) If the outcome of any election within any one or more of those three categories would otherwise result in there being more than three such members of Council, the number in excess of three shall be eliminated by comparing the votes received in that election by each of the candidates in question, confirming the election of the candidate or candidates receiving the highest number of votes until the limit described in sub-section (2) above has been reached, and disqualifying the remaining candidates.
 - (4) If any election is uncontested, a candidate who is returned unopposed shall for the purposes of sub-section (3) above be ranked ahead of all other candidates (unopposed or otherwise) to whom he or she is senior in academic standing.
 - (5) Where it is necessary to rank unopposed candidates of equal academic standing or to make a choice between candidates who have received an equal number of votes, the ranking or choice shall be determined by lot.
6. Council may co-opt up to three members of Congregation as additional members of Council.
7. The Vice-Chancellor, or, in his or her absence, a member of Council deputed by the Vice-Chancellor, shall take the chair at all meetings of Council.
8. Elected, nominated, and co-opted members of Council shall serve for four years and shall be re-eligible, provided that casual vacancies shall be filled for the remaining period of office of the member being replaced.
9. (1) If an elected member of Council ceases to be a member of Congregation, his or her seat shall immediately be vacated.

(2) If a nominated member, having been appointed under the provisions of section 4 (7), (8) of this statute, becomes the resident holder of a teaching, research, or administrative post in the University or in any college, society, or Permanent Private Hall, his or her seat shall immediately be vacated.

10. Council may determine by regulation that if an elected, nominated, or co-opted member of Council has attended fewer than a prescribed number of meetings in any academic year, his or her seat shall be vacated at the close of that year.

11. Council shall determine by regulation arrangements whereby three student members shall be entitled to attend meetings of Council except for such matters of business as may be prescribed by regulation.

12. Any member of Council, and the chairman or vice-chairman of any committee of Council who is not a member of Council, may be relieved of such of his or her university duties, without loss of stipend, as Council shall determine; and Council shall be empowered to make such financial provision as it thinks fit for the carrying out of any of the duties of which such person has been relieved either by Council or by his or her college, society, or Permanent Private Hall.

Regulations

13. Council shall have the power to make regulations not inconsistent with the statutes.

14. Council may authorise any other body or person to make regulations not inconsistent with the statutes, or with regulations made by Council, dealing with such matters as Council shall think fit to delegate.

15. Regulations made under section 13 or section 14 of this statute may:

- (1) be designed to give detailed effect to the statutes; or
- (2) provide for any matter not provided for in the statutes.

16. (1) Regulations made under section 13 or section 14 of this statute may at any time be annulled, amended, or repealed by Council by regulation.

(2) A body or person to whom the power to make regulations has been delegated under section 14 of this statute may unless Council otherwise directs amend or repeal regulations made by that body or person.

(3) The power to annul, amend, or repeal regulations under this section shall not apply to regulations made by the Rules Committee under Statute XI unless Council is required to do so by a resolution of Congregation.

17. (1) All regulations made under sections 13 and 14 of this statute and the annulment, amendment, or repeal of any such regulation shall be published in the *University Gazette* and shall come into force from the fifteenth day after the date of their publication (though a regulation may contain an earlier or later date from which it comes into force), unless notice of a resolution calling upon Council to annul or amend the regulation is received by the Registrar by noon on the eleventh day after the day on which it was published.

(2) If such notice is received, the regulation shall not come into force until it has been approved by Congregation.

18. Regulations and amendments to regulations made under this statute shall bind all members of the University.

Conduct of Business

19. Council may lay down the procedure for the conduct of its business by regulation, standing order, or otherwise as it thinks fit.

Committees

20. (1) Council shall have the following main standing committees and shall lay down by regulation their composition and principal terms of reference, powers, and duties:

- (a) Educational Policy and Standards Committee;
- (b) General Purposes Committee;
- (c) Personnel Committee;
- (d) Planning and Resource Allocation Committee.

(2) These committees may include persons who are not members of Council, or who are appointed by persons or bodies other than Council, in addition to members of Council, but may not consist wholly of such persons.

21. (1) Council may set up such other standing or temporary committees as it may from time to time think fit.

(2) These committees may consist wholly or partly of persons who are not members of Council or who are appointed by persons or bodies other than Council.

22. The composition, terms of reference, powers, and duties of committees set up under section 21 of this statute shall be laid down by Council, by regulation or otherwise as Council shall think appropriate, subject to the provisions of the statutes and regulations.

23. (1) The Registrar shall publish annually a list of all the current committees which have been set up under sections 21 and 22 of this statute, except those which have been set up by statute or regulation, and shall on request supply to any member of Congregation details of their terms of reference and current membership.

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- (2) The Registrar shall also on request supply details of the current membership of committees set up by statute or regulation.

[This statute follows the new Title IV, recently approved by The Queen in Council to give effect to the new form of governance. The existing Title has been split up, re-styled, and renumbered.]

The associated draft regulations in the insert on salmon-pink paper pick up all the committees and other bodies reporting directly to Council or to the main committees of Council.]

STATUTE VII

DIVISIONS, FACULTIES, SUB-FACULTIES, DEPARTMENTS, AND THE DEPARTMENT FOR CONTINUING EDUCATION

Divisions

1. The academic activities of the University in the sciences and related disciplines shall be grouped in the following three divisions:
 - (1) Life and Environmental Sciences;
 - (2) Mathematical and Physical Sciences;
 - (3) Medical Sciences.
2. The academic activities of the University in the arts, humanities, and social sciences shall be grouped in the following two divisions:
 - (1) Humanities;
 - (2) Social Sciences.
3. The composition of the divisions and the allocation of activities to them shall be laid down by Council by regulation.
4. There shall be a divisional board with responsibility, under Council and subject to plans, policies, and guidelines set by Council and its committees, for the management of each division. The membership, functions, and powers of each board shall be laid down by Council by regulation.
5. There shall be a head of each division, the arrangements for whose appointment shall be laid down by Council by regulation.

Faculties, Sub-faculties, and Departments

6. There shall be seventeen faculties:
 - (1) the Faculty of Anthropology and Geography;
 - (2) the Faculty of Biological Sciences;
 - (3) the Faculty of Clinical Medicine;
 - (4) the Faculty of English Language and Literature;
 - (5) the Faculty of Law;
 - (6) the Faculty of Literae Humaniores;
 - (7) the Faculty of Management;
 - (8) the Faculty of Mathematical Sciences;
 - (9) the Faculty of Medieval and Modern European Languages and Literatures other than English (elsewhere in the statutes and regulations referred to as the Faculty of Medieval and Modern Languages);
 - (10) the Faculty of Modern History;
 - (11) the Faculty of Music;
 - (12) the Faculty of Oriental Studies;
 - (13) the Faculty of Physical Sciences;
 - (14) the Faculty of Physiological Sciences;

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- (15) the Faculty of Psychological Studies;
 - (16) the Faculty of Social Studies;
 - (17) the Faculty of Theology.
7. Faculties shall be allocated to divisions by regulations made under section 3 of this statute.
8. The members of each faculty shall be:
- (1) the holders of all university posts¹ approved for this purpose by the relevant divisional board the duties of which include research or teaching;
 - (2) the holders of all posts in the colleges, societies, and Permanent Private Halls of the University the duties of which are certified by the head of the college, society, or hall to include research or teaching;
 - (3) such persons as may be made members by a divisional or faculty board on account of the work being done by them in Oxford in the academic areas with which the board is concerned, subject to conditions (a)–(c) below;
 - (a) the relevant divisional board may, if it thinks fit, permit persons who are not members of the University to be made ‘additional members’ of faculties under this sub-section, but such ‘additional members’ shall not be qualified for membership of Congregation under the provisions of Statute IV;
 - (b) no person who has exceeded the age of 70 years shall be made a member of a faculty, but a member of a faculty who has attained that age while not having attained the age of 75 years may remain a member under sub-sections (1)–(3);
 - (c) in no case shall any person remain a member of a faculty after attaining the age of 75 years.
9. The relevant divisional board shall determine the faculty or faculties of which those qualified under section 7 (1) and (2) of this statute shall be members.
10. The relevant divisional board may, with the consent of Council and on terms authorised by regulation or approved by Council, divide a faculty into sub-faculties.
11. If a divisional board divides a faculty into sub-faculties under section 10 of this statute, it shall determine the sub-faculty or sub-faculties to which each member of the faculty shall be allocated.
12. The relevant divisional board may, with the consent of Council and on terms authorised by regulation or approved by Council, establish and maintain departments.
13. The faculties, faculty boards, sub-faculties, and departments shall perform such functions as are assigned to them by the statutes, by regulations, or by the divisional or faculty boards.

Department for Continuing Education

14. (1) There shall be a Department for Continuing Education which shall, in collaboration with the divisional boards, promote the provision of continuing education opportunities across the University, with the exception of the postgraduate medical education for which the Director of Postgraduate Medical and Dental Education and Training has specific responsibility, and for this purpose shall promote co-operation between the University and other agencies.
- (2) Continuing education shall be defined in this context as all education taken up after a substantial break following initial education, except for the education of mature students on courses leading to postgraduate qualifications under the aegis of the divisions.
15. The department shall be under the general supervision of a Continuing Education Board, the membership, functions, and powers of which shall be laid down by Council by regulation.

¹The posts approved under this clause are those of professor, reader, university lecturer (including faculty, CUF, special (non-CUF), and junior lecturer), senior research officer, instructor, clinical professor, clinical reader, clinical tutor, clinical lecturer, tutor in General Practice, lector under the aegis of the Board of the Faculty of Medieval and Modern Languages, research officer in the Department of Economics and in the Sub-department of Particle and Nuclear Physics, and departmental lecturer. In addition, holders of the following titles shall be faculty members: visiting professor, professor, reader, visiting lecturer, university research lecturer, university lecturer (including CUF lecturer and special (non-CUF) lecturer), clinical professor, clinical reader, and clinical lecturer.

[This statute reduces the provisions of Titles V and VI to their bare constitutional essentials. It also incorporates the corresponding provisions for Continuing Education. The detailed provisions of the present Titles and of Chapter II, Sections III–XII and Chapter III, Section XXXI have been transferred to the associated draft regulations in the insert on salmon-pink paper.]

STATUTE VIII
LIBRARIES, MUSEUMS, AND THE UNIVERSITY PRESS

University Libraries

1. There shall be the following major research libraries of the University:
 - (1) Bodleian Library;
 - (2) Sackler Library;
 - (3) Taylorian Library.
2. There shall be a body of Curators of the University Libraries which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the libraries listed in section 1 of this statute, and such other libraries as Council shall decide from time to time.
3. The membership, functions, and powers of the Curators of the University Libraries shall be laid down by Council by regulation.

University Museums

4. There shall be the following major museums and scientific collections of the University:
 - (1) Ashmolean Museum of Art and Archaeology;
 - (2) Botanic Garden;
 - (3) Museum of the History of Science;
 - (4) Oxford University Museum of Natural History;
 - (5) Pitt Rivers Museum.
5. There shall be a body of Visitors of the Ashmolean Museum which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the museum.
6. There shall be a body of Curators of the Botanic Garden which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the garden.
7. There shall be a Committee for the History of Science, Medicine, and Technology, which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the Museum of the History of Science.
8. There shall be a body of Visitors of the Oxford Museum of Natural History, which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the museum.
9. There shall be a Committee for the Pitt Rivers Museum which shall be responsible, under Council, for the safe keeping, preservation, orderly administration, finance, and general policy of the museum.
10. There shall also be a Committee for the Museums and Scientific Collections which shall advise Council as appropriate on any matters connected with the University's museums and scientific collections.
11. The membership, functions, and powers of the bodies referred to in sections 5–10 of this statute shall be laid down by Council by regulation.

University Press

12. There shall be in the University as a department of the University the Oxford University Press.
13. In the statutes and regulations it is called 'the Press'.
14. The objects of the Press are to further the University's objects by publishing and printing in any medium anywhere in the world.
15. (1) The affairs of the Press shall be in the charge of a body known as 'the Delegacy of the Oxford University Press'.
 - (2) The members of the Delegacy are called 'the Delegates'.
16. (1) The Delegates shall establish and maintain a Finance Committee of the Press.
 - (2) The Finance Committee under the general authority of the Delegates shall direct and manage the business, assets, and finances of the Press.
 - (3) The membership of the Finance Committee, the period of office of members, and the conditions governing their appointment or reappointment shall be determined by Council by regulation.
 - (4) The Finance Committee may set up such subcommittees from time to time as it thinks fit.
17. The following shall be the Delegates:
 - (1) the Vice-Chancellor;
 - (2), (3) the Proctors;
 - (4) the Assessor;
 - (5) the Chairman of the Finance Committee of the Press if not already a Delegate when elected as chairman;
 - (6)–(22) seventeen members of Congregation appointed by Council.

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18. (1) An appointed Delegate shall hold office for five years, except that in the case of a vacancy arising in the course of an academic year the appointment shall be for five years together with the remainder of that academic year.
- (2) An appointed Delegate shall then be eligible for reappointment for a second period of five years.
- (3) Exceptionally any Delegate may be reappointed for a third period of five years, subject to confirmation by Council by regulation.
- (4) The Chairman of the Finance Committee may be reappointed for up to three periods of five years from his or her first appointment as a Delegate, subject to confirmation by Council by regulation.
19. Council shall, in making appointments, bear in mind the need to ensure that the composition of the Delegacy as a whole is such as to cover the main branches of academic studies and at the same time to provide a sufficiency of persons competent in matters of organisation and finance.
20. Council may determine by regulation that if an appointed Delegate has attended fewer than a prescribed number of meetings in any academic year, his or her seat shall be vacated at the close of that year.
21. The Delegates shall appoint a Secretary to the Delegates, also known as Chief Executive of the Press, and a Finance Director.
22. (1) The Delegates may from time to time delegate to any other body or person responsibility for any matter for which responsibility has been laid on them and may delegate such powers as they consider necessary for the discharge of this responsibility.
- (2) Any delegation made under sub-section (1) above may be withdrawn either generally or in respect of a specific item at any time, and the Delegates shall not be relieved of their general responsibility for any matter which they may have delegated.
23. Subject to the provisions of this statute the Delegates or any person authorised by them under the statutes and regulations may do all things permitted by law which are necessary or desirable to promote the objects of the Press including:
- (1) purchasing, retaining, selling, or transferring stocks, funds, shares, or other securities;
- (2) borrowing money for the purposes of the Press and making the income of the Press or any property standing to its account security for any loans;
- (3) setting up incorporated or unincorporated branches of the Press anywhere in the world;
- (4) employing persons for service in the Press and determining the conditions as to salary, pensions, and otherwise on which they may be employed.
24. (1) The Delegates shall cause the accounts of the Press to be drawn up and submitted to them.
- (2) The Delegates shall then submit the accounts to Council in accordance with regulations made by Council.

[This statute makes formal provision for the University's major libraries and museums. It will be supplemented by regulations drawn from the remainder of the relevant parts of Title VIII and Chapter III.]

It also makes formal provision for the University Press. The University Press is a department of the University and one of its most important and valuable assets. It is a remarkable thing that the existing statutes and decrees say practically nothing about it. Title VIII, Section II and Chapter III, Section LXXXIV make some provision for the Delegates.

The Working Party thinks that the statutes should give some formal definition of and status to the Press, and sections 12–24 are intended to give effect to this.

Section 12 states what the Press is, and section 14 is an attempt to express its objects in terms which are consistent with section 3 of the proposed Statute I. The provisions relating to the Delegates, the Finance Committee, and the officers of the Press in the proposed statute and in the associated draft regulations simply restate the existing arrangements. The list of powers in section 23 gives expression to what the Working Party believes to be the present unexpressed understanding of the position.]

STATUTE IX
OFFICERS OF THE UNIVERSITY

1. The following are the officers of the University:

- (1) the Chancellor;
- (2) the High Steward;
- (3) the Vice-Chancellor;
- (4) the Vice-Chancellor elect;
- (5) the Pro-Vice-Chancellors;
- (6) the Proctors;
- (7) the Pro-Proctors;
- (8) the Assessor;
- (9) the Registrar;
- (10) the Public Orator;
- (11) the Bedels;
- (12) the Deputy Steward;
- (13) the Clerks of the Market;
- (14) the Verger of the University.

Chancellor

2. The Chancellor shall be elected by Convocation and shall hold office during his or her life or until his or her resignation, whichever is the earlier.
3. There shall be a Chancellor's Court of Benefactors to membership of which the Chancellor may from time to time admit major benefactors of the University.
4. The Chancellor shall have such other functions and powers as are assigned to him or her by the statutes and regulations or by the law of the land.
5. In the event of the incapacity or absence abroad of the Chancellor, or during a vacancy in the Chancellorship, or on delegation from the Chancellor, the Vice-Chancellor may exercise any of the functions and powers of the Chancellor, except where the statutes provide otherwise.

High Steward

6. (1) The High Steward shall be appointed by the Chancellor and shall hold office until he or she reaches the age of 75 or until his or her resignation, whichever is the earlier.
(2) If the Chancellor has made no appointment within three months of the office becoming vacant, Council shall make the appointment.
7. The High Steward shall have such functions and powers as are assigned to him or her by the statutes, by the Chancellor, or by regulation.

Vice-Chancellor

8. The procedures for the appointment of the Vice-Chancellor shall be laid down by Council by regulation.
9. The Vice-Chancellor shall have such functions and powers as are assigned to him or her by the statutes or by Council, whether by regulation or otherwise, or by the law of the land.
10. (1) The Vice-Chancellor shall by virtue of his or her office be chairman of all committees and other bodies of which he or she is a member, unless the statutes or regulations concerning the body in question provide otherwise.
(2) When a person becomes Vice-Chancellor, he or she shall (unless he or she resigns) remain a member of all committees of which he or she was formerly a member, except boards of electors of which he or she was formerly an elected or appointed member.
(3) Notwithstanding any provisions of the statutes and regulations concerning the composition of committees and other bodies and the appointment of chairmen and vice-chairmen, the Vice-Chancellor may attend any meeting of any committee or other body set up by or under the authority of the statutes and may take the chair at it if he or she so wishes, or may appoint any member of Congregation (whether a member of the committee or not) to attend any meeting on his or her behalf and to take the chair if he or she so directs, except that the Vice-Chancellor shall not have the right to take the chair or to appoint a chairman in the case of a meeting at which the Chancellor is present.
11. Subject to the provisions of the statutes and regulations, the Vice-Chancellor may delegate any of his or her functions and powers to any member of Congregation, but such delegations may be withdrawn (either generally

or in respect of a specific item) at any time and shall not relieve the Vice-Chancellor of general responsibility for the matters delegated.

Vice-Chancellor-elect

12. A person appointed Vice-Chancellor under the regulations made in accordance with section 8 above shall be known as the Vice-Chancellor-elect until such time as he or she takes up office.

13. The Vice-Chancellor-elect shall be entitled to attend and to speak at meetings of Council and of all committees of Council from the time of the approval by Congregation of his or her appointment to the time at which he or she takes up office, but shall not be entitled to vote at any such meeting.

14. The Vice-Chancellor-elect shall have such other functions and powers as are assigned to him or her by the statutes and regulations.

Pro-Vice-Chancellors

15. The procedures for the appointment of Pro-Vice-Chancellors shall be laid down by Council by regulation.

16. The Pro-Vice-Chancellors shall have such functions and powers as are or shall be assigned to them by the statutes and regulations, or by the Vice-Chancellor under the provisions of sections 10 (3) and 11 of this statute.

Proctors

17. (1) There shall be two Proctors who shall be members of Congregation who have not previously held the office of Proctor or Assessor and who, on the day on which they take up office:

(a) will have passed their twenty-ninth, but not fifty-second, birthday; and

(b) will have been members of Congregation for at least two years.

(2) The Proctors shall be elected annually under a procedure laid down by Council by regulation, and shall have such functions and powers as are assigned to them by the statutes and regulations.

18. (1) The Proctors shall take an active part in the business of the University.

(2) Each Proctor shall have the right to see the papers of, and to attend and speak at any meeting of, any committee or other body set up by or under the authority of the statutes; but he or she shall not have the right to vote (unless a member of the committee), nor shall he or she be sent the papers of any committee of which he or she is not a member unless he or she so requests.

19. The Proctors shall see that examinations are properly conducted and in accordance with the statutes and regulations concerning them; and they may make such regulations concerning conduct in examinations as they consider necessary.

20. The Proctors shall attend the Chancellor or his or her deputy at official university ceremonies and presentations for degrees, and on other university and public occasions at the Chancellor's request.

21. The Proctors shall be available for consultation by members of the University, and may investigate complaints in accordance with regulations made by Council; and may summon any member of the University before them to assist in their investigations, any failure to attend without reasonable cause being an offence under section 2 of Statute XI.

22. The Proctors shall generally ensure that the statutes, customs, and privileges of the University are observed.

Pro-Proctors

23. Each Proctor shall, at the time of admission to office, appoint two Pro-Proctors, being members of Congregation not less than twenty-nine years of age, each of whom shall act as deputy for the Proctor appointing him or her on such occasions as that Proctor shall determine.

24. (1) At any time during his or her period of office a Proctor may, subject to the approval of the Vice-Chancellor, appoint additional Pro-Proctors, being members of Congregation not less than twenty-nine years of age.

(2) Each such additional Pro-Proctor shall act as deputy to the Proctor appointing him or her on such occasions and for such periods as that Proctor shall determine.

(3) Each such additional Pro-Proctor shall be admitted to office by the Vice-Chancellor as soon as possible after appointment, and his or her name shall be published in the *University Gazette*.

Assessor

25. (1) There shall be an Assessor who shall be a member of Congregation who has not previously held the office of Proctor or Assessor and who, on the day on which he or she takes up office:

(a) will have passed his or her twenty-ninth, but not fifty-second, birthday; and

(b) will have been a member of Congregation for at least two years.

(2) The Assessor shall be elected annually under a procedure laid down by Council by regulation, and shall take an active part in the business of the University.

26. The Assessor shall have the right to see the papers of, and to attend and speak at any meeting of, any committee or other body set up by or under the authority of the statutes; but he or she shall not have the right to vote (unless a member of the committee), nor shall he or she be sent the papers of any committee of which he or she is not a member unless he or she so requests.

27. The Assessor shall undertake any inquiry or special study of any matter concerning the policy or administration of the University at the request of Council.

28. The Assessor shall perform such other duties as are assigned to him or her by statute or regulation.

Registrar

29. The Registrar shall be appointed by Council.

30. The Registrar shall act as principal adviser on strategic policy to the Vice-Chancellor and to Council, and shall ensure effective co-ordination of advice from other officers to the Vice-Chancellor, Council, and other university bodies.

31. The Registrar shall have such other functions and powers as are assigned to him or her by the statutes and regulations, or by the Vice-Chancellor under the provisions of section 11 of this statute.

Public Orator

32. The Public Orator shall be elected by Congregation from among the members of Convocation.

33. The Public Orator's duties shall be to present those who are to be admitted to an honorary degree and to deliver an oration about each one; to compose letters and addresses at the direction of Council; to make speeches at the reception of members of royal families, and on other important occasions, at the direction of the Vice-Chancellor; to deliver the Creweian Oration when required by the Vice-Chancellor; and to perform any other functions that may be laid down by statute or regulation.

34. If the Public Orator is on any occasion prevented from performing the duties of his or her office, he or she may appoint a member of Congregation, subject to the approval of the Vice-Chancellor, to act as deputy on that occasion; or if he or she is unable to appoint a deputy, the Vice-Chancellor shall appoint one.

Bedels

35. There shall ordinarily be four Bedels, who shall be appointed by the Vice-Chancellor and Proctors under arrangements laid down by Council by regulation.

36. At the Encaenia and on special occasions the Vice-Chancellor may appoint two extraordinary Bedels.

37. The duties of the Bedels shall be laid down by Council by regulation.

Deputy Steward and Clerks of the Market

38. (1) The Chancellor may appoint a Deputy Steward and a Clerk of the Market; and the Vice-Chancellor may appoint a Clerk of the Market.

(2) All such appointments shall be reported to Congregation.

Verger of the University

39. The Vice-Chancellor and Proctors may nominate a Verger of the University whose duties and conditions of appointment shall be prescribed by Council by regulation.

Remuneration

40. The remuneration of the officers of the University shall be determined by Council.

[This statute and its associated draft regulations reflect current legislation (see especially Title IX). The new statute is shorter than the existing Title, because much of the more detailed procedure has been transferred to regulations.]

STATUTE X
DEGREES, DIPLOMAS, AND CERTIFICATES

1. The following degrees shall be conferred by the University:

Doctor of Divinity	Master of Fine Art
Doctor of Civil Law	Master of Biochemistry
Doctor of Medicine	Master of Chemistry
Doctor of Letters	Master of Earth Sciences
Doctor of Science	Master of Engineering
Doctor of Music	Master of Mathematics
Doctor of Philosophy	Master of Physics
Doctor of Clinical Psychology	Bachelor of Divinity
Master of Arts	Bachelor of Civil Law
Master of Surgery	Bachelor of Medicine
Master of Science	Bachelor of Surgery
Master of Letters	Bachelor of Music
Master of Philosophy	Bachelor of Philosophy
Master of Studies	Bachelor of Arts
Magister Juris	Bachelor of Fine Art
Master of Theology	Bachelor of Theology
Master of Education	Bachelor of Education
Master of Business Administration	

2. The periods of residence and the qualifications to be attained for ordinary degrees and for diplomas and certificates shall be laid down by regulation.

3. The University shall award such diplomas and certificates as may be provided for by regulation, and these may be made open to persons who are not members of the University.

4. Council shall make arrangements by regulation for the conversion to the appropriate Master's degree of previously awarded degrees of Bachelor of Letters, Bachelor of Philosophy (in a subject other than Philosophy), and Bachelor of Science.

5. (1) Council shall make arrangements by regulation under which members of the Universities of Cambridge and of Dublin may be incorporated as members of this University (that is to say, be admitted to the same degree or position in this University as that to which they have attained in their former university).

(2) Council shall have power to determine:

(a) the members and classes of members of the Universities of Cambridge and of Dublin to which this privilege shall be open;

(b) the conditions upon which the privilege shall be granted in each case.

[This statute and its associated draft regulations are derived from Title XI and the relevant parts of Chapters V and VI of the decrees. The whole of the material is presented in what is believed to be a more logical sequence.]

STATUTE XI
UNIVERSITY DISCIPLINE

PART A: DEFINITIONS AND CODE OF DISCIPLINE

Definitions

1. In this statute unless the context otherwise requires the following words and expressions shall have the following meanings:

(1) 'banning' means a withdrawal of the right of access to specified premises or facilities for a fixed period or pending the fulfilment of certain conditions;

(2) 'college' means any college, society, or Permanent Private Hall recognised by or established under Statute V;

(3) 'expel' means deprive a member permanently of his or her membership of the University;

(4) 'harassment' means a course of unwarranted behaviour which causes and could reasonably be expected to

cause such distress or annoyance as seriously to disrupt the work or substantially to reduce the quality of life of another person;

(5) 'in a university context' means any of the following:

- (a) on university or college premises;
- (b) in the course of university activity in Oxford whether academic, sporting, cultural, or social;
- (c) in the course of university-based activities outside Oxford such as field trips, laboratory or library work, or sporting, musical, or theatrical tours;

(6) 'rustication' means the withdrawal of the right of access to the premises and facilities of the University for a fixed period or until the fulfilment of specified conditions;

(7) 'suspension' means the withdrawal of the right of access referred to in sub-section (6) above for a fixed or indeterminate period or until the fulfilment of specified conditions where action is taken as an interim measure pending further investigation, or where action is taken under the statutes or regulations for non-disciplinary reasons.

Code of Discipline

2. (1) No member of the University shall in a university context intentionally or recklessly:

- (a) disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social, or other activities of the University;
- (b) disrupt or attempt to disrupt the lawful exercise of freedom of speech by members, students, and employees of the University or by visiting speakers;
- (c) obstruct or attempt to obstruct any officer, employee, or agent of the University in the performance of his or her duties;
- (d) damage or deface any property of the University or of any college or of any member, officer, or employee of the University or of any college, or knowingly misappropriate such property;
- (e) occupy or use or attempt to occupy or use any property or facilities of the University or of any college except as may be expressly or impliedly authorised by the university or college authorities concerned;
- (f) forge or falsify any university certificate or similar document or knowingly make false statements concerning standing or results obtained in examinations;
- (g) engage in any activity likely to cause injury or to impair safety;
- (h) engage in violent, indecent, disorderly, threatening, or offensive behaviour or language;
- (i) engage in any dishonest behaviour in relation to the University or the holding of any university office;
- (j) refuse to disclose his or her name and other relevant details to an officer or an employee or agent of the University or of any college in circumstances where it is reasonable to require that that information be given;
- (k) use, offer, sell, or give to any person drugs, the possession or use of which is illegal;
- (l) engage in the harassment of any member, visitor, employee, or agent of the University or of any college;
- (m) commit a breach of a regulation made under section 3 of this statute.

(2) No member of the University shall intentionally or recklessly commit a breach of any of the regulations relating to the use of the libraries or the information and communications technology facilities of the University.

(3) Every member of the University shall, to the extent that such provisions may be applicable to that member, comply with the provisions of the Code of Practice on Freedom of Speech issued from time to time by Council pursuant to the duty imposed by section 43 of the Education (No. 2) Act 1986 and duly published in the *University Gazette*.

3. (1) A person or body having charge of any land or building of the University, or of any facilities or services provided by or on behalf of the University, may, subject to the statutes and regulations, make regulations governing the use of that land or building or of those facilities or services.

(2) If regulations proposed to be made under this section are submitted to the Proctors and the Proctors are satisfied that they

- (a) relate to minor matters, governing the detailed management of the land, building, facilities, or services concerned, and
- (b) are to be published in such a way as reasonably to bring them to the notice of the users of the land, building, facilities, or services concerned,

the regulations in question shall have immediate effect and bind all users of the land, building, facilities, or services to which they refer to the extent provided in them.

4. (1) Council shall establish and maintain a Rules Committee for the purpose of making regulations governing the conduct of student members except in relation to:

- (a) the matters specified in section 2 of this statute;
- (b) the regulations relating to the dress of student members or conduct in examinations.

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- (2) The Rules Committee shall keep all regulations made by it under review and may amend or repeal those regulations as it thinks fit.
- (3) The constitution and further powers and duties of the Rules Committee shall be set out in regulations.
5. (1) The Proctors may, if they consider the matter urgent, make regulations relating to the conduct of student members which are not inconsistent with the statutes and regulations.
- (2) Any regulations made by the Proctors under this section shall have immediate effect and shall be published forthwith in the *University Gazette*.
- (3) Any exercise of this power shall be reported at once to the Rules Committee, and the regulations shall lapse unless the Rules Committee confirms them by a regulation, in the same or substantially the same terms, made and published in the *University Gazette* within three weeks of Full Term from the day the regulations were made by the Proctors.
- (4) If the regulations are not confirmed, they shall none the less have effect from the time at which they were made until the time the Rules Committee decides not to confirm them, or until they lapse, whichever is the earlier.
6. No student member of the University shall intentionally or recklessly commit a breach of any regulation made under section 4 or section 5 of this statute or of any of the regulations relating to the academic dress of student members or examinations.

PART B: COURTS OF THE UNIVERSITY AND THE PROCTORS

Courts of the University

7. There shall be four Courts of the University as follows:

- (1) the Court of Summary Jurisdiction;
- (2) the Disciplinary Court;
- (3) the Visitation Board;
- (4) the Appeal Court.

8. (1) The Court of Summary Jurisdiction shall comprise a chairman, two vice-chairmen, and nine other members, all of whom shall be appointed by Council from among the members of Congregation.

(2) A sitting of the Court shall be sufficiently constituted by a panel comprising the chairman or a vice-chairman and two other members, and shall normally sit on each day of the week in Full Term to be specified in regulations and at such other times as appear to the chairman or a vice-chairman to be necessary.

9. The function of the Court of Summary Jurisdiction shall be to hear and determine complaints made to it by the Proctors that a student member has committed a breach of the provisions of section 2 or section 6, appeals made by student members under section 29, and applications made by the Proctors under section 41 (3) of this statute.

10. (1) If the Court of Summary Jurisdiction is satisfied that a student member is guilty of the breach with which he or she is charged it may:

- (a) impose a fine not exceeding £65 or such other amount as is determined from time to time by Council under section 11 of this statute;
- (b) order the student member to pay compensation to any person or body suffering injury, damage, or loss as a result of the student member's conduct;
- (c) impose an order banning the student member from specified premises or facilities for such period or on such terms as it thinks fit;
- (d) rusticate the student member for a period not exceeding three Full Terms.

(2) The Court of Summary Jurisdiction may impose any of the penalties referred to in sub-section (1) above separately or in any combination.

(3) If the Court of Summary Jurisdiction is satisfied that a student member has intentionally or recklessly committed a breach of the regulations relating to examinations it may, in addition or alternatively to imposing one or more of the penalties referred to in sub-section (1) above, order the examiners to do one or more of the following:

- (a) reduce a mark awarded to any piece of work;
- (b) award no mark to or disregard any piece of work;
- (c) substitute an alternative mark for any piece of work;
- (d) reduce by one or more classes any degree classification;
- (e) permit a student member to re-sit an examination or resubmit a piece of work on such conditions as it thinks fit;
- (f) award a pass degree instead of an honours degree.

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- (4) The Court may instead of exercising its powers under sub-sections (1), (2), and (3) above give the student member a written warning as to his or her future conduct and the Proctors shall keep a record of the warning.
11. Council may from time to time but not more frequently than once in every three years pass a resolution to be published in the *University Gazette* increasing the maximum amount of fine referred to in section 10 (1) (a) of this statute up to but not in excess of any increase which has taken place in the Retail Price Index since the date when the amount was last fixed.
12. If the Court of Summary Jurisdiction considers in any case that its powers under section 10 of this statute are insufficient to meet the gravity of the breach of which it finds a student member guilty it may refer the case to the Disciplinary Court and invite that Court to make such decision as it thinks appropriate.
13. If a student member is aggrieved by a decision of the Court of Summary Jurisdiction he or she may appeal to the Disciplinary Court.
14. (1) The Disciplinary Court shall consist of a chairman, a vice-chairman, and five other members.
(2) A sitting of the Disciplinary Court shall be sufficiently constituted by a panel comprising the chairman or vice-chairman and two other members, and shall be convened whenever necessary.
15. (1) The High Steward shall appoint the chairman and vice-chairman who shall each serve for two years and may be reappointed.
(2) The chairman and vice-chairman shall be persons who are barristers or solicitors of at least five years' standing or persons who have judicial experience, and shall not be members of Congregation.
(3) If the chairman and vice-chairman are for any reason unable to act on any occasion the High Steward or (in his or her absence) the Vice-Chancellor shall appoint a deputy chairman to act in their place for that occasion.
(4) Any deputy chairman must possess the same qualifications as those set out in sub-section (2) above.
(5) If a vacancy arises through the chairman or vice-chairman dying or resigning or becoming a member of Congregation before the completion of his or her period of office the person next appointed shall hold office for the remainder of the period of office of the person replaced.
16. The other five members of the Disciplinary Court shall be appointed by Council from among the members of Congregation.
17. The function of the Disciplinary Court shall be to hear and determine:
(1) complaints made to it by the Proctors that a student member has committed a breach of the provisions of section 2 or section 6 of this statute;
(2) cases which are remitted to it for sentencing under section 12 of this statute;
(3) appeals made by student members under section 13 of this statute.
18. (1) If it is satisfied that a student member is guilty of the breach with which he or she is charged, or in any case remitted to it under section 12 of this statute, the Disciplinary Court may:
(a) impose a fine of such amount as it thinks fit;
(b) order the student member to pay compensation to any person or body suffering injury, damage, or loss as a result of the student member's conduct;
(c) make an order banning the student member from access to specified premises or facilities for such period or on such terms as it thinks fit;
(d) rusticate the student member for such period as it thinks fit;
(e) in the case of an intentional or reckless breach of the regulations relating to examinations:
(i) make any order which the Court of Summary Jurisdiction is empowered to make under section 10 (3) of this statute; or
(ii) order the examiners to declare that a student member has failed his or her examination;
(f) expel the student member.
(2) The Disciplinary Court may impose any of the penalties referred to in sub-section (1) above separately or in any combination.
(3) The Court may instead of exercising its powers under sub-sections (1) and (2) above give the student member a written warning as to his or her future conduct and the Proctors shall keep a record of the warning.
19. If a student member is aggrieved by any decision of the Disciplinary Court he or she may with the permission of the Disciplinary Court or the Appeal Court appeal to the Appeal Court.
20. (1) The Visitation Board is the court constituted under Part C of Statute XII.
(2) The board's constitution, powers, duties, and procedures are those which are set out in that statute and any regulations made in respect of it.
21. The Appeal Court shall be a person appointed by the High Steward who is not a member of the University and is:

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- (1) a Lord or Lady of Appeal in Ordinary, a Lord or Lady Justice of Appeal, or a Justice of the High Court of Justice; or
 - (2) a person who has held such an appointment and is retired; or
 - (3) a Queen's Counsel of not less than six years' standing.
22. (1) The function of the Appeal Court shall be to hear and determine:
- (a) appeals from the Disciplinary Court and the Visitation Board;
 - (b) all other appeals made under Part H of Statute XII;
 - (c) appeals against a decision of the Medical Board made under Part B of Statute XIII;
 - (d) appeals from the Vice-Chancellor against a decision on a dispute over the interpretation or application of a statute or regulation made under section 5 of Statute XVII.
- (2) The Appeal Court shall have full power to open up and review the decision appealed against and quash or confirm it or make any order in substitution for it which the tribunal whose order is being appealed could have made.
23. (1) The Appeal Court may, if it thinks it is in the interests of justice and fairness to do so, sit with two assessors who are members of Congregation appointed by the High Steward and who have knowledge and experience of the practice and procedures of the University relevant to the issues raised in the appeal.
- (2) The assessors shall assist and advise the Court on the matters of practice and procedure relevant to the appeal but shall not be a party to the Court's decision.
24. Further rules relating to the constitution, powers, duties, and procedures of the Court of Summary Jurisdiction, the Disciplinary Court, and the Appeal Court shall be set out by Council by regulation.

The Proctors

25. The Proctors shall have the following duties under this statute in addition to those referred to in sections 3 and 5:
- (1) to take such steps as they consider necessary to enforce sections 2 and 6 of this statute and to prevent breaches of them;
 - (2) to investigate any complaint that a member of the University to whom section 2 or section 6 of this statute applies has committed a breach of either of those sections;
 - (3) to identify the person responsible for any such breach;
 - (4) to impose sentences as specified in section 29 of this statute.
26. (1) In carrying out their duties the Proctors shall have the power to summon any member of the University to assist them in their inquiries.
- (2) A failure to give such assistance without reasonable cause shall constitute a breach of section 2(1)(c) of this statute.

PART C: BREACHES BY STUDENT MEMBERS

27. (1) If the Proctors have reasonable grounds for believing that a student member has committed a breach of section 2 or section 6 of this statute they may refer the matter to the Court of Summary Jurisdiction or the Disciplinary Court.
- (2) In exercising their discretion whether to proceed before the Court of Summary Jurisdiction or the Disciplinary Court the Proctors shall take into account the respective sentencing powers of those Courts.
28. (1) In any case proceeding before the Court of Summary Jurisdiction or the Disciplinary Court or the Appeal Court on appeal from the Disciplinary Court the case for the Proctors may be presented by either of the Proctors or, at their discretion, by any Pro-Proctor or any other member of Congregation, or by a solicitor or barrister.
- (2) In any such proceedings it shall be the duty of the Proctors or their representative to state to the Court what sentence in the Proctors' opinion would be appropriate if the person charged were found guilty and to give the Proctors' reasons for that opinion.
29. (1) The Proctors may during the course of an investigation under section 27 of this statute into an alleged breach other than one involving an accusation of dishonesty, harassment of or serious injury to a person, or serious damage to property invite the student member in question to consider whether he or she is prepared to admit the breach in question and accept a sentence imposed by the Proctors under sub-section (3) below.
- (2) If the student member agrees to the disposal of a case under this section it shall be dealt with by the Proctors accordingly and not referred to the Court of Summary Jurisdiction or the Disciplinary Court.
- (3) The only sentences which the Proctors may impose upon a student under this section are:
- (a) a fine not exceeding £65 or any higher amount prescribed under section 11 of this statute; or
 - (b) a written warning as to his or her future conduct of which the Proctors will keep a record.

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- (4) Further rules relating to the procedures of the Proctors under this section shall be set out by Council by regulation.
30. (1) If the Court of Summary Jurisdiction, the Disciplinary Court, the Appeal Court, or the Proctors in the course of proceedings or an investigation under this statute has or have reasonable grounds for believing that a student member is suffering from a serious problem arising from ill-health the Court concerned or the Proctors shall refer the student to the University Doctor in accordance with the procedures set out in Part B of Statute XIII.
- (2) Until a determination of the case under Part B of Statute XIII all further proceedings under this Part of this statute shall be adjourned.
31. (1) If the Proctors have reasonable grounds to believe that a breach of section 2 or section 6 of this statute has been committed by a student member who is also a person to whom Statute XII applies they shall before deciding to proceed under section 27 of this statute refer the complaint to the Registrar to enable him or her to decide whether to proceed under that statute.
- (2) If the Registrar decides to proceed under Statute XII no further proceedings shall be taken against the student member under section 27 of this statute but the Proctors shall continue to give the Registrar such assistance as he or she may require.

PART D: BREACHES BY OTHER MEMBERS

32. If the Proctors have reasonable grounds for believing that a member of the University who is not a student member has committed a breach of section 2 of this statute they shall, if they consider it appropriate to proceed, inform the member in writing of their intention to refer the complaint to the Registrar.
33. If a complaint is referred to the Registrar under section 32 of this statute against a member who is also a person to whom Statute XII applies the Registrar shall deal with the complaint under the provisions of Statute XII.
34. If a complaint is referred to the Registrar under section 32 of this statute against a member who is not a person to whom Statute XII applies the Registrar shall refer the complaint to Council, the member's college, or such other body or committee within or outside the University as he or she considers appropriate.

PART E: OTHER PROVISIONS

35. (1) A penalty of suspension or rustication imposed by a college upon one of its members shall apply also to university premises and facilities subject to the right of appeal referred to in sub-section (2) below.
- (2) A member of a college penalised under sub-section (1) above may appeal to the Court of Summary Jurisdiction against the application of that penalty to that member's use of university premises and facilities.
- (3) If the Court of Summary Jurisdiction is satisfied that there are special circumstances it may permit the member concerned to continue to have access to university premises and facilities with or without conditions as to such access.
36. If a member of the University is alleged to have committed a breach of section 2 or section 6 of this statute for which he or she is liable to be prosecuted in a court of law, the Proctors or the Registrar (as the case may be) shall not proceed, if at all, unless they are satisfied either that any criminal proceedings in respect of that breach have been completed, whether by conviction or acquittal or discontinuance of the proceedings, or that the member is unlikely to be prosecuted in a court of law in respect of that alleged breach.
37. (1) If criminal proceedings are pending against a student member or the Proctors are of the opinion that action against the student member is necessary to safeguard the interest of other members of the University, the Proctors shall be entitled to apply to the Court of Summary Jurisdiction to suspend the student member in question from some or all of the premises or facilities of the University pending the outcome of those criminal proceedings or a hearing before the Court of Summary Jurisdiction or the Disciplinary or Appeal Court.
- (2) The right of appeal provided for in sections 13 and 19 of this statute shall apply to orders made under this section.
38. (1) If a student member has been convicted of a criminal offence of such seriousness that an immediate term of imprisonment might have been imposed (and whether or not such a sentence was in fact imposed on the student member) the Proctors shall refer the matter to the Disciplinary Court which may, if it thinks fit and in accordance with regulations made under section 24 of this statute, expel the student member from his or her membership of the University or impose such lesser penalty as it thinks fit.
- (2) The right of appeal referred to in section 19 of this statute shall apply to orders made under sub-section (1) above.
- (3) If any other member of the University is convicted of such a criminal offence the matter shall be referred by the Proctors or the Registrar to Council which shall consider whether proceedings should be taken for the expulsion of the member by Congregation under the provisions of section 10 of Statute II.
39. (1) If during a hearing before any of the Courts of the University the conduct of any member is disorderly or

otherwise in breach of section 2 of this statute in respect of the Court the following provisions of this section shall apply.

(2) In the case of a student member the Court shall have summary power in accordance with regulations made under section 24 of this statute to fine, suspend from membership, or rusticate him or her on such terms as it thinks fit.

(3) In the case of any other member of the University the Court shall refer the complaint to the Registrar who shall proceed against the member under section 33 or section 34 of this statute as the case may be.

(4) In all cases the Court shall give written reasons for the order which it makes.

40. (1) Where a fine is imposed upon a student member under the provisions of this statute it shall be paid within seven days whether or not an appeal is pending, unless an order is made by a Court suspending payment.

(2) If the fine is not paid in time the Court which imposed it may rusticate the student member for such period as it thinks fit.

(3) Fines or any damages imposed by any Court shall be paid through the Clerk to the Proctors.

41. (1) If a person or body having charge of any land or building of the University, or of any facilities or services provided by or on behalf of the University, or the authorised agent of any such person or body, has reasonable grounds to believe that someone who has the use of or access to the land, building, facilities, or services in question is likely or threatens to cause damage to property or inconvenience to other users, that person or body shall immediately make a complaint under the provisions of this section.

(2) A complaint against a student member shall be made to the Proctors.

(3) The Proctors shall consider the complaint expeditiously, and, if they think fit, apply to the Court of Summary Jurisdiction for an order banning the student member from the use of or access to the land, building, facilities, or services in question, or for the suspension of the student member, for such period and on such terms as the Court of Summary Jurisdiction thinks fit.

(4) A complaint against any other member of the University or any other person shall be made to the Registrar who shall consider the complaint expeditiously, and, if he or she thinks fit after appropriate consultation, apply to the Visitation Board for an order banning the person concerned from the use of or access to the land, building, facilities, or services in question on such terms and for such period as he or she thinks fit.

(5) Where the conduct of the person concerned gives rise to a need for urgent action, the person or body referred to in sub-section (1) above may ban the person concerned from the use of or access to the land, building, facilities, or services in question forthwith pending further proceedings under this section, such a ban not to exceed twenty-one days.

(6) Where an order is made under sub-section (5) above, the person concerned shall have the right of appeal to the Court of Summary Jurisdiction in the case of a student member, or the Visitation Board in the case of any other member of the University or any other person.

(7) If the person referred to in sub-section (1) above is the Registrar, the functions assigned to the Registrar under sub-sections (4) and (5) shall be performed by the Vice-Chancellor.

(8) Nothing in this section shall prevent the University from proceeding against any person in a court of law.

Proctors' Annual Report

42. The Proctors shall at the end of Hilary Term in each year make a report to Congregation giving the number and kinds of offences dealt with during the year by them and the Courts, and giving the number and kinds of penalty imposed.

[This statute replaces the present Title XIII. The definitions in section 1 clarify the words used to describe the various sentences which may be imposed. To the present Code of Discipline are added an express reference to library and ICT regulations (section 2 (2)), and provisions to replace the present Title XV, Section I, clauses 2–3 relating to rules governing access to the University's land, buildings, facilities, and services (sections 2 (1) (m) and 3). The main intention behind the changes from the existing legislation is to ensure that the University's disciplinary procedures fully comply with the Human Rights Act. To this end, a Court of Summary Jurisdiction would be established to deal with student members accused of minor offences who were unwilling both to admit the offence and to accept Proctorial jurisdiction; the new Court would also serve as an appeal body from sentences imposed by the Proctors (sections 8–12 and 29). The present Disciplinary Court and Appeal Court would be retained but the former would have an external chairman (sections 13–18), and the latter would become an external tribunal as required by the Act (sections 19–23). It would also serve as the appeal body from decisions of the Visitation Board in cases involving members of the University who were not student members, from decisions of the Medical Board taken under Statute XIII, Part B (Student Members and Medical Incapacity), and from decisions of the Vice-Chancellor taken under Statute XVII (Resolution of Disputes over the Interpretation or Application of Statutes and Regulations). More detailed provisions governing these courts will be contained in regulations.]

STATUTE XII

ACADEMIC STAFF AND THE VISITATORIAL BOARD

(This Statute is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

PART A: CONSTRUCTION, APPLICATION, AND INTERPRETATION

1. This statute and any decree or regulation made under this statute shall be construed in every case to give effect to the following guiding principles, that is to say:
 - (1) to ensure that 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;
 - (2) to enable the University to provide education, promote learning, and engage in research efficiently and economically; and
 - (3) to apply the principles of justice and fairness.
2. No provision in Part B, Part D, Part E, or Part G shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissal.
3. (1) This statute shall apply:
 - (a) to professors, readers, and lecturers;
 - (b) to employees of the University who are subject to the jurisdiction of the Visitation Board under the provisions of Part C; and
 - (c) to the Vice-Chancellor to the extent and in the manner set out in Part G.(2) In this statute any reference to 'a member of the academic staff' is a reference to a person to whom this statute applies.
4. In this statute 'dismiss' and 'dismissal' mean dismissal of a member of the academic staff and
 - (1) include remove or, as the case may be, removal from office; and
 - (2) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.
5. (1) For the purposes of this statute 'good cause' in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means:
 - (a) conviction for an offence which may be deemed by the Visitation Board in the exercise of its powers under Part D to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or
 - (b) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office or employment; or
 - (d) physical or mental incapacity established under Part E.(2) In this clause:
 - (a) 'capability', in relation to such a member, means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and
 - (b) 'qualifications', in relation to such a member, means any degree, diploma or other academic, technical, or professional qualification relevant to the office or position held by that member.
6. For the purposes of this statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:
 - (1) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or
 - (2) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.
7. (1) In any case of conflict, the provisions of this statute shall prevail over those of any other of the statutes and over those of the regulations and the provisions of any regulation made under this statute shall prevail over those of any other regulation; provided that Part D and Part G shall not apply in relation to anything done or omitted to be done before the date on which the instrument making this statute was approved under sub-section

(9) of section 204 of the Education Reform Act 1988;¹ and provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant statutes in force immediately before that date.

(2) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause; provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.

(3) In any case where an officer of the University or any other person is designated to perform any duties or exercise any powers under this statute, and that officer or other person is involved in the matter in question, an alternate may be appointed to act in his or her place under procedures prescribed by regulations made under this statute.

(4) Nothing in any other of the statutes or in any regulation made under them shall authorise or require any officer of the University to sit as a member of any committee, tribunal, or body appointed under this statute or to be present when any such committee, tribunal, or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.

(5) This statute shall be without prejudice to any power given by the statutes of any college to the governing body of that college to deprive a member of the academic staff who is a fellow of the college of his or her fellowship or of any part of the emoluments which he or she is entitled to receive as fellow for any cause (including redundancy) for which any other fellow of the college would be liable to be so deprived.

(6) In this statute references to lettered Parts and to numbered sections and sub-sections are references to Parts, sections, and sub-sections so lettered or numbered in this statute.

PART B: REDUNDANCY

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

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

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

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

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

10. (1) Council shall be the appropriate body for the purposes of this Part.

(2) This Part applies only where Congregation has decided that it is desirable that there should be a reduction in the academic staff

(a) of the University as a whole; or

(b) of any division, faculty, school, department, or other similar area of the University by way of redundancy.

11. (1) Where Congregation has reached a decision under section 10 (2), the appropriate body shall appoint a Redundancy Committee (to be constituted in accordance with sub-section (3) of this section) to give effect to that decision by such date as the appropriate body may specify, and for that purpose:

(a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and

(b) to report its recommendations to the appropriate body.

(2) The appropriate body shall either approve any selection recommendation made under sub-section (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

(3) A Redundancy Committee appointed by the appropriate body shall comprise:

(a) a chairman; and

(b) four members of Congregation nominated by Council, including not less than two members of the academic staff.

12. (1) Where the appropriate body has approved a selection recommendation made under section 11 (1), it may authorise an officer of the University as its delegate to dismiss any member of the academic staff so selected.

(2) Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.

¹27 October 1993 (The University Commissioners (Statute Modifications) (The University of Oxford) Order 1993—SI 1993 No. 2674).

(3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include:

- (a) a summary of the action taken by Congregation and the appropriate body under this Part;
- (b) an account of the selection processes used by the Redundancy Committee;
- (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part H; and
- (d) a statement as to when the intended dismissal is to take effect.

PART C: VISITATORIAL BOARD

13. The Visitatorial Board shall consist of a chairman and four members.
14. (1) The High Steward shall appoint the chairman who shall serve for two years and may be reappointed.
- (2) The chairman shall be a person who is not a member of Congregation and is a barrister or solicitor of at least five years' standing or a person who has judicial experience.
- (3) If the chairman is for any reason unable to act on any occasion the High Steward or (in his or her absence) the Vice-Chancellor shall appoint a deputy chairman to act in the place of the chairman for that occasion.
- (4) Any deputy chairman must possess the same qualifications as those set out in sub-section (2) above.
- (5) If a vacancy arises through the chairman dying or resigning or becoming a member of Congregation before the completion of his or her period of office the person next appointed shall hold office for the remainder of the period of office of the person replaced.
15. The four other members of the board shall be members of Congregation selected from a panel of twelve persons elected by Congregation under arrangements which shall be prescribed from time to time by Council by regulation.
16. The board shall consider:
- (1) any reference made by the Vice-Chancellor under Part D concerning any person who is employed by the University and who is a member of the Federated Superannuation System for Universities or the Universities' Superannuation Scheme or who would be a member if he or she had not been exempted under the provisions of Statute XIV.
- (2) any other matter which falls within its jurisdiction as prescribed by statute from time to time.
17. Sections 22 and 23 of Part D shall apply to the procedure of the board following a reference made by the Vice-Chancellor under that Part. The procedure in respect of other matters shall be as prescribed in the relevant statute or regulation.

PART D: DISCIPLINE, DISMISSAL, AND REMOVAL FROM OFFICE

18. (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal, the following procedure shall be used:

Stage 1—Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal oral warning by the head of department (which for the purposes of this statute means the head of the relevant department or other institution of the University or, in the absence of such an entity, the chairman of the relevant divisional board or similar university body). The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure, and of the right of appeal under this section. A brief note of the oral warning will be kept but it will be spent after twelve months, subject to satisfactory conduct and performance.

Stage 2—Written Warning

If the offence is a serious one, or if a further offence occurs, a written warning will be given to the member of the academic staff by the head of department. This will give details of the complaint, the improvement required, and the time scale. It will warn that a complaint may be made to the Registrar seeking the institution of charges to be heard under this Part by the Visitatorial Board if there is no satisfactory improvement and will advise of the right of appeal under this section. A copy of this written warning will be kept by the head of department, but it will be disregarded for disciplinary purposes after two years subject to satisfactory conduct and performance.

Stage 3—Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Registrar within two weeks. A Pro-Vice-Chancellor shall hear all such appeals and his or her decision shall be final.

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19. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in section 18, or in any case where it is alleged that the conduct or performance of a member of the academic staff may constitute good cause for dismissal or removal from office, a complaint, seeking the institution of charges to be heard by the Visitation Board, may be made to the Registrar who shall bring it to the attention of the Vice-Chancellor.
- (2) To enable the Vice-Chancellor to deal fairly with any complaint brought to his or her attention under sub-section (1), such investigations or inquiries (if any) shall be instituted as appear to the Vice-Chancellor to be necessary.
- (3) If it appears to the Vice-Chancellor that a complaint brought to his or her attention under sub-section (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under section 18 or which relates to a particular alleged infringement of decrees or regulations for which a standard penalty is normally imposed in the University or within the division, faculty, school, department, or other relevant area, or is trivial or invalid, he or she may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Vice-Chancellor does not dispose of a complaint under sub-section (3), he or she shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he or she sees fit, the Vice-Chancellor may suspend the member on full pay pending a final decision, such power of suspension being exercisable either at this stage or at any time prior to the final decision.
- (5) Where the Vice-Chancellor proceeds further under this Part, he or she shall write to the member of the academic staff concerned, inviting comment in writing.
- (6) As soon as may be following receipt of the member's comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may:
- (a) dismiss it; or
 - (b) refer it for consideration under section 18; or
 - (c) deal with it informally, if it appears to the Vice-Chancellor appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with by the Vice-Chancellor in that way; or
 - (d) direct that a charge or charges be preferred under section 20 for consideration by the Visitation Board under this Part.
- (7) If no comment is received within twenty-eight days, the Vice-Chancellor may proceed as above as if the member concerned had denied the substance and validity of the alleged case in its entirety.
20. (1) In any case where the Vice-Chancellor has directed that a charge or charges be preferred under section 19 (6) (d), he or she shall refer the case to the Visitation Board to hear the charge or charges under this Part and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.
- (2) Where the Visitation Board has been requested to hear the charge or charges under this Part, the Registrar or a solicitor or other suitable person appointed by the Vice-Chancellor shall be instructed to formulate, or arrange for the formulation of, the charge or charges and to present, or arrange for the presentation of, the charge or charges before the board.
- (3) It shall be the duty of the person formulating the charge or charges:
- (a) to forward the charge or charges to the board and to the member of the academic staff concerned, together with the other documents specified in the charge or charges; and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents, and generally for the proper presentation before the board of the case against the member concerned.
21. The Visitation Board shall be constituted in accordance with Part C of this statute; provided that no member of the board who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation, shall take part in the hearing of the complaint.
22. (1) The procedure to be followed in respect of the preparation, hearing, and determination of charges by the Visitation Board under this Part shall be that set out in regulations made under this section.
- (2) Without prejudice to the generality of the foregoing, such regulations shall ensure:
- (a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by the board;
 - (b) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent that person are entitled to be present;
 - (c) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge and may be questioned concerning any relevant evidence; and

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- (d) that full and sufficient provision is made:
- (i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, and remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors; and
 - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge shall be heard and determined by the board as expeditiously as is reasonably practicable.
23. (1) The Visitation Board shall send its decision on any charge referred to it (together with a statement of its findings of fact and the reasons for its decision regarding that charge, and its recommendations, if any, as to the appropriate penalty) to the Vice-Chancellor and to each party to the proceedings, namely the person presenting the charge, the person charged, and any person added as a party at the direction of the board.
- (2) The board shall draw attention to the period of time within which any appeal should be made, by ensuring that a copy of Part H accompanies each copy of its decision sent to a party to the proceedings in accordance with sub-section (1).
24. (1) Where any charge is upheld and the Visitation Board finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the person concerned. If the appropriate officer decides to accept the recommendation, he or she may dismiss that person forthwith.
- (2) In any case where a charge is upheld, other than a case where the appropriate officer has decided under sub-section (1) to dismiss the person concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the board) may be:
- (a) to discuss the issues raised with the person concerned; or
 - (b) to advise the person concerned about his or her future conduct; or
 - (c) to warn the person concerned; or
 - (d) to suspend the person concerned with or without pay for such period as the appropriate officer shall think fair and reasonable, not to exceed three months after the board's decision; or
 - (e) to take such further or other action under the contract of employment or terms of appointment of the person concerned as appears fair and reasonable in all the circumstances of the case; or
 - (f) any combination of any of the above.
25. (1) The Vice-Chancellor shall be the appropriate officer to exercise the powers conferred by section 24, but he or she may appoint a delegate to exercise those powers, and any reference to the appropriate officer includes a reference to any such delegate.
- (2) Any action taken by the appropriate officer shall be confirmed in writing.

PART E: REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

26. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his or her delegate to perform the relevant act.
- (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member, in addition to (or instead of) that member.
27. (1) Where it appears to the appropriate officer that the dismissal or removal from office of a member of the academic staff on medical grounds would be justified, the appropriate officer:
- (a) shall inform the member accordingly;
 - (b) may suspend the member from duty without loss of pay; and
 - (c) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member elects to retire voluntarily on medical grounds, he or she shall be allowed to do so, and the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not elect to retire voluntarily on medical grounds, the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a board (hereinafter referred to as the 'Medical Board') comprising:
- (a) one person nominated by Council;
 - (b) one person nominated by the member concerned or, in default of the latter nomination, by Council; and

(c) a medically qualified chairman jointly agreed by Council and the member or, in default of agreement, nominated by the President of the Royal College of Physicians.

(4) The Medical Board appointed under this clause may require the member concerned to undergo medical examination at the University's expense.

(5) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board shall be prescribed by regulations made under this sub-section. Such regulations shall ensure:

(a) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of the board;

(b) that a case shall not be determined without an oral hearing at which the member concerned, and any person appointed to represent that member, are entitled to be present;

(c) that witnesses may be called and may be questioned concerning any relevant evidence; and

(d) that the case is heard and determined as expeditiously as is reasonably practicable.

28. If the Medical Board appointed under section 27 determines that the member shall be required to retire on medical grounds, the appropriate officer shall forthwith terminate the employment of the member concerned on those medical grounds.

PART F: GRIEVANCE PROCEDURES

29. The aim of this Part is to settle or redress individual grievances promptly, fairly, and so far as may be, within the division, faculty, school, department, or other relevant area by methods acceptable to all parties.

30. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate:

(1) to matters affecting themselves as individuals; or

(2) to matters affecting their personal dealings or relationships with other staff of the University, not being matters for which express provision is made elsewhere in this statute.

31. (1) If other remedies within the division, faculty, school, department, or other relevant area have been exhausted, the member of the academic staff may raise the matter with the head of department (as defined in section 18 (2)).

(2) If the member of the academic staff is dissatisfied with the result of an approach under sub-section (1) or if the grievance directly concerns the head of department, the member may apply in writing to the Vice-Chancellor for redress of the grievance.

(3) If it appears to the Vice-Chancellor that the matter has been finally determined under Part D, E, or H, or that the grievance is trivial or invalid, he or she may dismiss it summarily or take no action upon it. If it so appears to the Vice-Chancellor, he or she shall inform the member accordingly.

(4) If the Vice-Chancellor is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):

(a) a complaint under Part D,

(b) a determination under Part E, or

(c) an appeal under Part H,

he or she shall defer action upon it under this Part until the relevant complaint, determination, or appeal has been heard or the time for instituting it has passed, and he or she shall notify the member accordingly.

(5) If the Vice-Chancellor does not reject the complaint under sub-section (3), or if he or she does not defer action upon it under sub-section (4), the Vice-Chancellor shall decide whether it would be appropriate, having regard to the interests of justice and fairness, to seek to dispose of it informally. If the Vice-Chancellor so decides, he or she shall notify the member and proceed accordingly.

32. If the grievance has not been disposed of informally under section 31 (5), the Vice-Chancellor shall refer the matter to the Grievance Committee for consideration.

33. There shall be a Grievance Committee appointed by Council, which shall comprise:

(1) a chairman; and

(2), (3) two members of Congregation, at least one of whom shall be a member of the academic staff.

34. The procedure in connection with the consideration and determination of grievances shall be determined in regulations in such a way as to ensure that the aggrieved person, and any person against whom the grievance lies, shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

35. The committee shall inform Council whether the grievance is or is not well-founded, and if it is well-founded the committee shall make such proposals to Council for the redress of the grievance as it sees fit, and Council shall take such action as it deems fit.

PART G: REMOVAL OF THE VICE-CHANCELLOR FROM OFFICE

36. The Chancellor may be requested to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Part.

(1) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than eight members of Council to the Chancellor.

(2) If it appears to the Chancellor, on the available material, that the complaint raises a *prima facie* case and that this could, if proved, constitute good cause for removal from office, he or she shall require Council to appoint a tribunal to hear and determine the matter.

(3) If it appears to the Chancellor that a complaint made under sub-section (1) does not raise a *prima facie* case or is trivial or invalid, he or she may recommend to Council that no further action be taken upon it.

(4) When Council has appointed a tribunal under sub-section (2), the Chancellor shall instruct the Registrar to appoint a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the tribunal. It shall be the duty of the person formulating the charge or charges:

(a) to forward the charge or charges to the tribunal and to the Vice-Chancellor, together with the other documents specified in the charge or charges; and

(b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents, and generally for the proper presentation before the tribunal of the case against the Vice-Chancellor.

(5) A tribunal appointed by Council shall comprise:

(a) a person not employed by the University holding, or having held, judicial office or being a barrister or solicitor of at least ten years' standing, who shall act as chairman; and

(b), (c) two members of Congregation who shall be selected by Council, and at least one of whom shall be a member of the academic staff.

(6) A charge referred to the tribunal shall be dealt with in accordance with the procedure prescribed in section 22, provided:

(a) that the Chancellor shall perform any duty, and exercise any power, there assigned to the Vice-Chancellor; and

(b) that the only recommendation that the tribunal may make is whether or not the Vice-Chancellor should be removed from office.

(7) The tribunal shall send its reasoned decision on any charge referred to it, together with a statement of its findings of fact regarding the charge and its recommendation on the question of removal from office, to the Chancellor and to the Vice-Chancellor, drawing attention to the period of time within which any appeal under Part H should be made.

(8) Where a charge or charges have been upheld by the tribunal and not dismissed on appeal, the Chancellor shall decide whether or not to remove the Vice-Chancellor from office. If the Chancellor decides to accept the recommendation for removal, he or she may remove the Vice-Chancellor from office forthwith.

37. Where a complaint is to be referred to a tribunal under section 36, the Chancellor may suspend the Vice-Chancellor from his or her duties and may exclude the Vice-Chancellor from the precincts of the University or any part of those precincts without loss of salary.

38. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part E shall have effect subject to the following modifications:

(1) for references to a member of the academic staff there shall be substituted references to the Vice-Chancellor;

(2) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chancellor; and

(3) for section 28 there shall be substituted:

'28. If the Medical Board determines that the Vice-Chancellor should be required to retire on medical grounds, it shall ask the Chancellor, as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those grounds. If the Chancellor accepts the board's determination, he or she may remove the Vice-Chancellor from office forthwith.'

PART H: APPEALS

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

40. (1) This Part applies:

(a) to any appeal against a decision of Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part B;

- (b) to any appeal arising in any proceedings, or out of any decision reached, under Part D other than appeals against disciplinary warnings under section 18;
- (c) to any appeal against dismissal otherwise than in pursuance of Part B, D, E, or G;
- (d) to any appeal against a disciplinary decision otherwise than in pursuance of Part D;
- (e) to any appeal against a decision reached under Part E; and
- (f) to any appeal against a decision reached by a tribunal under Part G;

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

(2) No appeal shall however lie against:

- (a) a decision of Congregation under section 10 (2);
- (b) any finding of fact of the Visitation Board under section 23 (1) save where, with the consent of the person or persons hearing the appeal, new evidence is called on behalf of the appellant at that hearing;
- (c) any medical finding by a board set up under section 27 (3), save where, with the consent of the person appointed, new evidence is called on behalf of the appellant at that hearing.

(3) The parties to an appeal shall be the appellant, the Registrar, or a solicitor or other suitable person appointed by the Vice-Chancellor, and any other person added as a party at the direction of the Appeal Court.

41. A member of the academic staff shall institute an appeal by serving on the Registrar, within the time allowed under section 42, notice in writing setting out the grounds of the appeal.

42. (1) A notice of appeal shall be served within twenty-eight days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the Appeal Court may determine under sub-section (3).

(2) The Registrar shall bring any notice of appeal received (and the date when it was served) to the attention of Council and shall inform the appellant that he or she has done so.

(3) Where the notice of appeal was served on the Registrar outside the twenty-eight-day period the Appeal Court shall not permit the appeal to proceed unless it considers that justice and fairness so require in the circumstances of the case.

43. (1) Where an appeal is instituted under this Part, it shall be heard and determined by the Appeal Court constituted under Statute XI.

(2) The provisions of section 23 of Statute XI (appointment and functions of assessors) shall apply to appeals made to the Appeal Court under this Part.

44. (1) The procedure to be followed in respect of the preparation, consolidation, hearing, and determination of appeals shall be that set out in regulations made under this section.

(2) Without prejudice to the generality of the foregoing, such regulations shall ensure:

- (a) that an appellant is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of the appeal;
- (b) that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed to represent the appellant are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
- (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution, and for the correction of accidental errors; and
- (d) that the Appeal Court may set appropriate time limits for each stage (including the hearing itself), to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable.

(3) The Appeal Court may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:

- (a) remit an appeal from a decision under Part B (or any issue arising in the course of such an appeal) to Council as the appropriate body for further consideration as the Appeal Court may direct; or
- (b) remit an appeal arising under Part D for rehearing or reconsideration by the Visitation Board as the Appeal Court may direct; or
- (c) remit an appeal from a decision of the appropriate officer under Part E for further consideration as the Appeal Court may direct; or
- (d) remit an appeal by the Vice-Chancellor arising under Part G for rehearing or reconsideration by the same or by a differently constituted tribunal to be appointed under that Part; or
- (e) substitute any lesser alternative penalty that would under Part D have been open to the appropriate officer following a finding by the Visitation Board on the original charge or charges.

45. The Appeal Court shall send a reasoned decision, including any decision reached in exercise of its powers under section 44 (3) (a), (b), (c), or (d), on any appeal together with a statement of any findings of fact different from those of Council as the appropriate body under Part B, or of the Visitation Board under Part D, or of the Medical

Board under Part E, or of the tribunal appointed under Part G, as the case may be, to the Vice-Chancellor (or, where the Vice-Chancellor is a party to the appeal, to the Chancellor) and to the parties to the appeal.

[This statute combines, in a more logical sequence, the present Title XVII, which is the 'Commissioners' Statute' (drawn up by the University Commissioners under the Education Reform Act 1988) with the existing provisions of Tit. VIII, Sect. I governing the Visitatorial Board (Part C). More detailed provisions governing the board will be contained in regulations.]

STATUTE XIII

STUDENT MEMBERS: OTHER PROVISIONS

PART A: OXFORD UNIVERSITY STUDENT UNION AND CONSULTATION WITH STUDENT MEMBERS

Oxford University Student Union

1. (1) There shall be an Oxford University Student Union, which shall be an association of the generality of student members of the University, as defined in section 4 of Statute II.
(2) Junior Common Rooms and Middle Common Rooms of the colleges, societies, and Permanent Private Halls recognised under Statute V may be affiliated to the Student Union.
(3) Such individual affiliated Junior Common Rooms and Middle Common Rooms shall be the constituent organisations of the Student Union.
2. Every student member of the University shall have the right to opt out of membership of the Student Union.
3. The Student Union shall be recognised by the University as the organisation representing the generality of student members on university, as distinct from college, matters and shall elect student members to such committees as may be specified by statute or regulation.
4. The Student Union shall have a written constitution the provisions of which shall be subject to the approval of Council and to review by Council at intervals of not more than five years.
5. Council shall take such steps as are necessary to satisfy itself that elections to major offices of the Student Union are fairly and properly conducted.
6. The Student Union shall not have as an officer or as a full member, that is a member entitled to vote in any meeting or election, any person who is not a student member of the University.
7. (1) Council shall publish a code of practice setting out the manner in which the requirements of the Education Act 1994 with regard to student unions are to be carried into effect.
(2) The code of practice shall be brought to the attention of all student members annually together with any restrictions imposed on the Student Union by the law relating to charities and with the provisions of section 43 of the Education (No. 2) Act 1986.
8. Information with regard to the right to opt out of membership of the Student Union, and arrangements made to supply Student Union services to student members who have exercised this right, shall be drawn to the attention of all student members annually and to the attention of persons considering whether to become students at the University.
9. Council shall have power to make regulations governing the Student Union and its officers.

Joint Committees with Student Members

10. No recommendation from a Joint Committee with Student Members, or other body for consultation with student members, established under any statute or regulation shall be rejected without the student members of the committee or body having been given an opportunity of discussion with the body with which it is a joint committee or consultative body.

Committee of Presidents of Junior Common Rooms

11. There shall be a Committee of Presidents of Junior Common Rooms to which the President (or other chief officer) of the Junior Common Room of every college, society, and Permanent Private Hall recognised under Statute V shall be entitled to belong.

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12. The committee shall elect from its own number undergraduate student members to such committees as may be specified by statute or regulation.

PART B: STUDENT MEMBERS AND MEDICAL INCAPACITY

13. For the purposes of this Part there shall be:
- (1) a panel of medical practitioners to assist the University in the administration of the procedures prescribed in this Part; and
 - (2) a Medical Board.
14. (1) The panel of medical practitioners shall be appointed by the Regius Professor of Medicine.
- (2) If the Regius Professor is not clinically qualified, he or she shall take appropriate professional advice before making the appointments.
- (3) When a panel member is requested to act under these procedures he or she shall be known as the University Doctor.
15. The Medical Board shall comprise:
- (1) a person nominated by Council;
 - (2) a person nominated by Council in consultation with the student member's college, society, or Permanent Private Hall;
 - (3) a medically qualified chairman nominated by the Regius Professor of Medicine.
16. (1) If the Proctors or any Court of the University believe or believes that a student member is suffering from a serious problem arising from ill-health, whether this has come to light in the course of an investigation or proceedings under Statute XI or otherwise, they or it shall refer the student member to the University Doctor.
- (2) Before any such reference is made, the student member shall be given a reasonable opportunity to make representations to the Proctors or the Court in question as to why such a reference should not take place.
17. (1) The University Doctor shall be responsible for seeking medical evidence from the student member's general practitioner and may recommend that the student member submit to an independent medical examination at the University's expense.
- (2) Any request for a medical report from a student member's general practitioner shall observe the provisions of the Access to Medical Reports Act 1988.
18. If a student member fails to co-operate reasonably with the University Doctor's inquiry, or refuses to provide a medical report, or to attend for the purposes of a medical examination, he or she may be liable to suspension by the Medical Board.
19. The University Doctor, having considered the evidence available, shall report his or her findings to the Medical Board.
20. (1) If the Medical Board is of the opinion that further action may be necessary, it shall summon the student member to a hearing to consider all the evidence.
- (2) The student member shall be given reasonable notice of any hearing, and shall be entitled to legal or other representation before the board.
- (3) Having considered the evidence, the board may proceed in one of the following ways:
- (a) it may discharge the student member (whether or not subject to conditions); or
 - (b) it may suspend the student member (whether or not subject to conditions) for a specified period, or for an indefinite period; or
 - (c) in any case where disciplinary proceedings have been adjourned, but the board is satisfied that the student member is not suffering from a serious problem relating to ill-health, it may order the resumption of those proceedings.
- (4) Further rules relating to the constitution, powers, duties, and procedures of the board shall be set out by Council by regulation.
21. If the student member fails to attend or to make representations, the Medical Board may proceed in his or her absence.
22. Any hearing under these procedures shall be in private.
23. (1) Where a student member's conduct gives rise to a need for urgent action, the Proctors may suspend him or her forthwith pending investigation, such suspension not to exceed twenty-one days.
- (2) The student member shall have the right of appeal to the Vice-Chancellor or to his or her duly appointed deputy in respect of such an interim order.
24. A student member who has been suspended on the grounds of his or her state of health under section 20 above shall be entitled to invite the Medical Board to reconsider the case after the expiry of at least fourteen days from the date of the initial decision and on the production of medical evidence in support of his or her claim.

25. There shall be a right of appeal to the Appeal Court against any decision of the Medical Board.

[This statute combines the present Title XV, Section IV governing OUSU and consultation with student (currently called 'junior') members with the present Title XIV concerning student members' ill-health. The latter has been modified by the transfer from the Proctors to the Medical Board of decisions on the appropriate treatment of a student member judged to be suffering from serious ill-health (except for a time-limited power to deal with an urgent case under section 23). More detailed provisions governing OUSU, as required by the Education (No. 2) Act 1986 and the Education Act 1994, have been transferred to regulations.]

STATUTE XIV

EMPLOYMENT OF ACADEMIC AND NON-ACADEMIC STAFF BY THE UNIVERSITY

Authority to employ and dismiss Staff

1. No official of the University or any other person employed by the University or working in or in connection with any department of or under the control of the University shall have authority, except with the express consent of Council and subject to sections 2–5 below:

(1) to offer any person employment as a member of the University's academic-related or non-academic staff, or to sign letters of appointment for such academic-related and non-academic staff;

(2) to dismiss such non-academic staff; or

(3) to dismiss such academic-related staff in circumstances other than those which fall within the provisions of Parts B–E of Statute XII.

2. Any offer of employment shall be on the appropriate terms and conditions of employment for the category of staff concerned.

3. Any dismissal shall have complied with the appropriate procedures for the dismissal of the member of staff concerned.

4. No consent given by Council under the provisions of sections 1–3 above shall be operative until a copy of the resolution of Council, certified by the Registrar, has been delivered to the official or other person concerned.

5. Council may delegate its powers under sections 1–4 above to its Personnel Committee, or to the chairman or to an officer or officers of that committee, as it may deem appropriate and on such conditions as it may lay down; and a consent signed by the Chairman of the Personnel Committee or by a designated officer shall have the same effect as a certified resolution of Council.

General Conditions of Service

6. The numbers of persons employed by the University, their conditions of service, and their method of appointment shall be determined from time to time by Council, subject to sections 7–14 below and to the other provisions of the statutes and regulations.

7. The three main categories of academic staff shall be professors, readers, and lecturers.

8. The holders of all academic posts shall be paid under standard arrangements to be determined from time to time by Council, provided that this shall not prevent the payment of additional emoluments, which may be pensionable:

(1) in the form of such allowances in respect of administrative responsibilities as may be prescribed by regulation; or

(2) in the form of awards in recognition of academic distinction or contribution to academic work of the University in accordance with arrangements to be determined from time to time by Council.

9. Arrangements shall be made by Council under which all professors, readers, lecturers, and holders of other posts approved for this purpose by Council shall be entitled to apply for one term of leave for every six terms of service.

10. Every holder of a full-time professorship or readership, or of any other post approved for this purpose by regulation, and every holder of a full-time lectureship who has been appointed to that lectureship until retirement age, shall be entitled to hold a fellowship in a college or society, provided that the offer of a fellowship to any person who is entitled under this statute, or to any person who would become so entitled on reappointment to the

retirement age, shall satisfy any obligation of the University in respect of that person's entitlement to hold a fellowship.

11. (1) Every full-time professorship shall be allocated from time to time by Council to a college or society, and the successive holders of that professorship shall be fellows of that college or society.
(2) The college or society of allocation shall have the right to have two representatives on the board of electors for the professorship.
12. (1) All persons employed by the University shall be subject either to the Federated Superannuation System for Universities or the Universities Superannuation Scheme, or (if they are not eligible to become members of either scheme) to a Pension Scheme managed by the University, and shall be entitled to the benefits of any scheme for the supplementation of superannuation benefits that may be applicable to universities generally.
(2) Council shall determine in any cases of doubt, but having regard to the practice of universities generally, and the rules of the Universities Superannuation Scheme, the scheme to which a person shall belong.
(3) Council shall exempt from the need to be subject to a scheme any person who is excluded from membership of the appropriate scheme by virtue of age or who is already in receipt of pension from one of the schemes or who submits a written request for exemption.
(4) Council may exclude any person from membership of a scheme on account of the short-term or part-time nature of his or her employment or if he or she is subject to an alternative scheme approved by Council.
13. Every employee of the University who is subject to the jurisdiction of the Visitation Board under the provisions of Statute XII, other than the holder of a professorship to which a canonry is annexed who is exempt from membership of the appropriate pension scheme referred to in section 12 above, shall retire not later than the date applicable to that employee as laid down by Council by regulation.
14. (1) Any employee of the University who is not subject to the jurisdiction of the Visitation Board under the provisions of Statute XII shall, in the event of dismissal in a case in which the dismissal arises from disciplinary action, have a right of appeal to a panel consisting of two members of the Personnel Committee appointed by the chairman of that committee (or his or her deputy) and one member of Council, not being a member of the Personnel Committee, appointed by the Vice-Chancellor.
(2) Pending the outcome of any appeal, the employee will be regarded as suspended without pay.
(3) On the hearing of an appeal, the panel may confirm or revoke the dismissal or may make such order as it may think just, and Council shall pay the appellant the sum, if any, ordered by the panel to be paid to him or her.

[This statute replaces the present Title X, Sections I and II. Detailed provisions governing retirement dates of university employees have been transferred to regulations.]

STATUTE XV

COLLEGE CONTRIBUTIONS SCHEME¹

(This Statute is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

1. This statute is made by the University in the exercise of its powers under section 16 of the Universities of Oxford and Cambridge Act, 1877, but does not prevent the University from exercising those powers in such other manner as it thinks fit.

Definitions

2. In this statute and any associated regulations the following expressions shall have the meanings set out below unless the context otherwise requires:
 - (1) 'the scheme' means the scheme referred to in section 3 of this statute;
 - (2) 'the fund' means the College Contributions Fund constituted by the contributions to be paid by the colleges;

¹This statute is (with necessary minor changes) as approved by Congregation on 12 December 2000, but is still subject to the approval of Her Majesty in Council.

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- (3) 'the committee' means the College Contributions Committee;
 - (4) 'college' means
 - (a) any of the colleges and societies listed in Statute V, sections 1 and 5 (but not the Permanent Private Halls), and
 - (b) any foundation which Council, with the prior agreement of the Conference of Colleges, shall by regulation declare to be a college for the purposes of the scheme;
 - (5) 'statutory endowment income' means income calculated in accordance with regulations made by Council for ascertaining that income;
 - (6) 'financial year' means a year beginning on 1 August and ending on 31 July following;
 - (7) 'land' includes buildings, easements, and sporting rights;
 - (8) 'agricultural land' means land used for agricultural purposes and includes sporting rights, and 'non-agricultural land' means any other land.

College Contributions Fund

- 3. The purpose of the College Contributions Scheme is to establish the College Contributions Fund, which shall be used to make such grants and loans to colleges as may seem desirable, and to make loans to the Loan Fund for College Buildings established by section 10 below.
- 4. The scheme shall be administered by the College Contributions Committee, the membership, functions, and powers of which shall be laid down by Council by regulation.
- 5. Each college shall as soon as possible after the end of each financial year and in any case before the 31 January next following pay to the University for the account of the fund a sum calculated in accordance with regulations made by Council.
- 6. Distributions from the fund to the colleges and the societies or any of them, and to the Loan Fund for College Buildings when appropriate, shall be made annually by regulation after Council has considered the recommendations made by the committee.

Accounts of the Colleges

- 7. As soon as may be after 31 July in each year every college shall prepare and submit for examination by an auditor or auditors statements which in respect of the financial year ended on that date:
 - (1) give a true and fair view of:
 - (a) the income of the college from all sources, the expenditure of a revenue nature properly chargeable against such income, and the extent by which in total such income exceeded or fell short of such expenditure;
 - (b) the allocation of such income and expenditure as between
 - (i) Endowment
 - (ii) Education and Research
 - (iii) Internalin accordance with this statute, and with the associated regulations, showing the resultant surplus or deficit in each case;
 - (c) the nature and extent of all other changes in the balances of the funds, other than invested balances of capital and trust funds, administered by the college (provided that in relation to the revenue transactions of trust funds administered for purposes wholly external to the college it shall suffice to show only the amount by which the income exceeded or fell short of the expenditure);
 - (d) the assets and liabilities by which those balances were represented at the end of the financial year;
 - (2) show the computation of the statutory endowment income and of the liability for, or as the case may be the exemption from, college contribution.
8. The statements required under section 7 of this statute shall be prepared so as to conform in all material respects to regulations made by Council for the preparation of college accounts.
9. (1) Not later than 31 December in each year, the statements and the certificate of the auditor or auditors shall be presented to the College Accounts Committee, the membership, functions, and powers of which shall be laid down by Council by regulation.
- (2) The College Accounts Committee shall then order the publication of those statements and certificates within the University.

Loan Fund for College Buildings

- 10. The fund known as the Loan Fund for College Buildings shall be used to make loans approved by Council on the recommendation of the College Contributions Committee to any college (as defined for the purposes of the College

Contributions Scheme under the provisions of section 2 of this statute), for such building purposes and on such conditions as Council shall determine.

[This statute replaces the present Title XII. Detailed provisions governing the calculation of Statutory Endowment Income, the payment of contributions, and the format of college accounts have been transferred to regulations.]

STATUTE XVI

PROPERTY, CONTRACTS, AND TRUSTS

(Sections 16–22 are ‘Queen-in-Council’ statutes—see section 2 (2) of Statute IV.)

PART A: UNIVERSITY PROPERTY

General

1. Unless it is bound by the terms of an express trust in relation to any particular property, the University as a civil corporation
 - (1) holds all property belonging to it not on charitable trusts but as beneficial owner; and
 - (2) has all the powers of a natural person to manage, deal with, and dispose of its property, including the power to invest, borrow, and charge its property as security, as it thinks fit.
2. At its discretion, Council shall arrange for the investment of all funds, endowments, and capital money of the University which are not required for immediate use upon such securities, shares, stocks, funds, or other investments (including land) in any part of the world, and whether involving liability or not, as in its absolute discretion it shall think fit.
3. (1) Except in the cases referred to in sub-section (2) below, the powers conferred by section 2 of this statute shall extend to the investment (including the variation of the investment) of the funds of any specific trust administered or to be administered by or for purposes connected with the University.
(2) When less than sixty years have elapsed since the instrument creating a trust came into operation, the powers conferred by section 2 of this statute may not be exercised in the following circumstances:
 - (a) if the terms of that trust expressly provide to the contrary; or
 - (b) in the case of a trust of which the University is not sole trustee, without the consent of the trustees or governing body of that trust.

Sites and Buildings

4. No allocation for University purposes of a site the area of which exceeds 1,000 square metres, or of a building the overall floor area of which exceeds 600 square metres, shall be made unless approved by resolution of Congregation under section 1 of Statute IV.

PART B: INTELLECTUAL PROPERTY

5. (1) The University claims ownership of all intellectual property specified in section 6 of this statute which is devised, made, or created:
 - (a) by persons employed by the University in the course of their employment;
 - (b) by student members in the course of or incidentally to their studies;
 - (c) by other persons engaged in study or research in the University who, as a condition of their being granted access to the University’s premises or facilities, have agreed in writing that this Part shall apply to them; and
 - (d) by persons engaged by the University under contracts for services during the course of or incidentally to that engagement.(2) The University’s rights under sub-section (1) above may be waived or modified by agreement in writing with the person concerned.
6. The intellectual property of which ownership is claimed under section 5 (1) of this statute comprises:
 - (1) works generated by computer hardware or software owned or operated by the University;
 - (2) films, videos, multimedia works, typographical arrangements, and other works created with the aid of university facilities;

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- (3) patentable and non-patentable inventions;
 - (4) registered and unregistered designs, plant varieties, and topographies;
 - (5) university-commissioned works not within (1), (2), (3), or (4);
 - (6) databases, computer software, firmware, courseware, and related material not within (1), (2), (3), (4), or (5), but only if they may reasonably be considered to possess commercial potential; and
 - (7) know-how and information associated with the above.
7. Notwithstanding section 6 of this statute, the University will not assert any claim to the ownership of copyright in:
- (1) artistic works, books, articles, plays, lyrics, scores, or lectures, apart from those specifically commissioned by the University;
 - (2) audio or visual aids to the giving of lectures; or
 - (3) computer-related works other than those specified in section 6 of this statute.
8. For the purpose of sections 6 and 7 of this statute, 'commissioned works' are works which the University has specifically employed or requested the person concerned to produce, whether in return for special payment or not, but, save as may be separately agreed between the University Press and the person concerned, works commissioned by the University Press in the course of its publishing business shall not be regarded as 'works commissioned by the University'.
9. Council may make regulations:
- (1) defining the classes of persons or naming individuals to whom section 5 (1) (c) of this statute shall apply;
 - (2) requiring student members and such other persons as may be specified in regulations to sign any documents necessary in order to give effect to the claim made by the University in this Part and to waive any rights in respect of the subject-matter of the claim which may be conferred on them by Chapter IV of Part 1 of the Copyright, Designs and Patents Act 1988; and
 - (3) generally for the purposes of this Part.
10. This Part shall apply to all intellectual property devised, made, or created on or after 1 October 2000 and is subject to the provisions of the Patents Act 1977.

PART C: AUTHORITY TO BIND THE UNIVERSITY

11. The Vice-Chancellor and the Registrar shall each have, and may delegate in writing, authority generally to sign contracts for the University.
12. (1) Council may by regulation give to classes of persons or individuals the authority to sign contracts for the University to the extent and in respect of the subject-matter specified in regulations.
- (2) The authority given under sub-section (1) above may itself be delegated in writing, but no such delegation shall be operative until a copy of the instrument recording the delegation has been delivered to the Registrar.
13. The Seal of the University shall not be affixed to any document except by the Vice-Chancellor, the Registrar, or an officer or employee of the University deputed by the Registrar for this purpose (either generally or in relation to particular transactions).
14. (1) Except as stated in this statute and in sections 22 and 23 of Statute VIII (University Press), no officer of the University, or any other person employed by the University or working in or in connection with any department or body within or under the control of the University, shall have authority to make any representations on behalf of the University or to enter into any contract on behalf of the University, except with the express consent of Council.
- (2) No such consent given by Council shall be operative until a copy of the resolution of Council, certified by the Registrar, has been delivered to such officer or other person.
15. (1) The Registrar shall keep a register of all delegations under this Part; and of all documents to which the Seal has been affixed.
- (2) The Registrar shall on request from any member of Council open the register for inspection by that member.

PART D: TRUSTS

(Sections 16–22 are 'Queen-in-Council' statutes—see section 2 (2) of Statute IV.)

16. The University shall stand possessed of all the trusts listed in Schedules A and B below, and such other trusts as may be added to those schedules.
17. (1) Any proposal for amending, repealing, or adding to the provisions which govern the trusts listed in Schedules A and B below and which are marked with an asterisk shall be treated as a legislative proposal under the provisions of Statute IV and the associated regulations.

(2) Any such proposal approved by Congregation shall come into effect only if and when it has subsequently been approved by Her Majesty in Council.

18. Any proposal for amending, repealing, or adding to any of the other provisions which govern the trusts listed in Schedule A below shall be treated as a legislative proposal under the provisions of Statute IV and the associated regulations and shall come into effect if and when it has been approved by Congregation.

19. Any amendment to, repeal of, or addition to the other provisions which govern the trusts listed in Schedule B below shall be made by Council by regulation under sections 13–18 of Statute VI.

20. [Any surplus income in any fund in any year may, in the absence of provision in Schedule A or Schedule B to the contrary, be used at the discretion of the board of management or other body responsible for the administration of that fund:

(1) on expenditure in that year in furtherance of the main objects of the fund as defined in Schedule A or Schedule B; or

(2) on expenditure in subsequent years under the provisions of Schedule A or Schedule B relating to the fund.]¹

21. (1) Any person who has been allowed by Council to offer himself or herself as a candidate for honours in a Final Honour School under the provisions of [...] shall, for the purpose of reckoning his or her standing and age in entering his or her name for a university fellowship, studentship, scholarship, exhibition, or prize, be permitted to exclude such additional time as he or she has been granted by Council for the purpose of taking the Final Honour School.

(2) The provisions of this section shall not apply to the following university fellowships, scholarships, or prizes (where the University is precluded by the terms of the relevant trust deed from modifying the conditions of age and standing):

(a) Boden Scholarship;

(b) Dean Ireland's Scholarships;

(c) Matthew Arnold Memorial Prize;

(d) Newdigate Prize.

22. Notwithstanding the provisions of any statute or regulation governing the award of prizes or scholarships, whenever the examiners for any such award are unable to distinguish between the merits of the best candidates, the body responsible for the award may authorise its division, and any consequential adjustment of the emoluments which that body thinks fit.

¹Note. Cy-près provisions to be redrafted by Counsel.

[Parts A–C of this statute draw together and modernise the present widely scattered (and in places long-outdated) provisions governing contracts, university property (both real and intellectual), and other financial matters. Part D combines in a clearer and more succinct form the present Title XVI and Chapter. IX, Section 1 governing the University's many trust funds. There seem advantages in having all these provisions in the same place, in alphabetical order, and setting out plainly whether each may be changed by Council, or only by Congregation, or only with the approval of Her Majesty in Council. As set out below, the draft gives by way of example the first six Parts of each of the proposed Schedules A and B. These schedules will be completed on the same basis before the final version of Statute XVI is submitted to Congregation for formal approval.]

SCHEDULE A

Part 1: Abbott Fund

(Sections 1.1–1.4 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*1.1. The assets from time to time representing Mr John Abbott's bequest, accepted by the University in 1871, shall constitute a fund known as the Abbott Fund.

*1.2. The fund shall be administered by a board of management of which the constitution shall be determined by Council.

*1.3. The board shall from time to time apply the income of the fund in making awards, to be known as Abbott's Bursaries, for the support of members of the University who are children (including orphan children) of the clergy of the Church of England, and who are:

(1) reading for

(a) a first degree, or

(b) the Degree of Bachelor of Medicine or an equivalent degree, or

(c) a second Honour School, of the University; and

(2) standing in need of financial assistance to enable them to obtain the full benefit of a university education.

*1.4. The board shall, subject to the approval of Council, determine from time to time the conditions of award of the bursaries, and their several value and tenure, and the eligibility of candidates, subject to the following conditions:

(1) the bursaries shall be awarded in such a way as to give encouragement to learning; and

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- (2) if two or more candidates show equal proficiency, preference shall be given to candidates who establish that they were born in the area of the former West Riding of Yorkshire.

Part 2: Arnold Memorial Prize

(Section 2.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

- *2.1. The main object of the Matthew Arnold Memorial Prize shall be the encouragement and promotion of the study of English Literature among members of the University.
- 2.2. The prize shall be awarded annually, if a candidate of sufficient merit presents himself or herself, for an English essay upon some subject connected with English Literature.
- 2.3. The Board of the Faculty of English Language and Literature shall be the board of management of the prize.
- 2.4. All expenses incurred in connection with the award of the prize, including examiners' fees and any expenses of administration, shall be met from the annual income from the trust.
- 2.5. The examiner or examiners shall be appointed by the board, and shall receive such remuneration as the board shall direct.
- 2.6. The value of the prize shall be fixed from time to time by the board and shall be announced at the same time as the subject of the essay.
- 2.7. The subject of the essay shall be set by the board and shall be announced not later than the last day of Trinity Full Term, and the competing essays shall be sent in to the Registrar on or before the first day of the following March.
- 2.8. The candidates must be members of the University who, on the day appointed for sending in the essay, have qualified by examination for the degree of BA and have not exceeded seven years from their matriculation, or have qualified by examination for any other degree of the University and have not exceeded four years from their matriculation, or, not being graduates of the University, are pursuing a course of study leading to a postgraduate degree of the University and have not exceeded three years from their matriculation.
- 2.9. The prize shall in no case be awarded to the same person a second time.
- 2.10. Surplus income arising from vacancies or from any other cause may at the discretion of the board be applied for any of the following purposes:
- (1) the award in any year, on the recommendation of the examiner or examiners, of an additional prize or additional prizes, of a value to be determined by the board when making the award;
 - (2) any other purpose consistent with the main object of the bequest as defined in section 2.1 above.

Part 3: Bagby Bequest

(Section 3.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

- *3.1 The bequest by Mr Philip H. Bagby of the residue of his estate shall be used, as to either income or principal, in such manner as shall seem to the authorised officers of the University best to encourage within the appropriate department or departments of the University the comparative study of the development of urban, literate cultures in accordance with anthropological principles and methods.
- 3.2. The authorised officers for the purpose of administering the bequest shall be the Life and Environmental Sciences Board on the recommendation of the Professor of Social Anthropology.
- 3.3. The appropriate department of the University for the purpose of study under the terms of the bequest shall be the Institute of Social and Cultural Anthropology.

Part 4: Bampton Lectures

(Sections 4.1–4.6 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

- *4.1. There shall be delivered, annually or biennially, at the Church of St Mary the Virgin, eight divinity lecture sermons, to be called the Bampton Lectures, which shall be delivered 'upon either of the following subjects: to confirm and establish the Christian Faith, and to confute all heretics and schismatics—upon the divine authority of the Holy Scriptures—upon the authority of the writings of the Primitive Fathers, as to the Faith and Practice of the Primitive Church—upon the Divinity of our Lord and Saviour Jesus Christ—upon the Divinity of the Holy Ghost—upon the Articles of the Christian Faith, as comprehended in the Apostles' and Nicene Creeds'.
- *4.2. The Bampton Lectures shall be delivered on such eight days in either or both of Full Hilary and Trinity Terms as the Vice-Chancellor may appoint.
- *4.3. The Bampton Lecturer shall be elected by the heads of colleges only, and proceedings for such election shall be initiated after at least six calendar months' public notice, not less than twenty-two nor more than twenty-six calendar months before the day upon which the first of his or her Bampton Lectures is to be preached.
- *4.4. The stipend of the Bampton Lecturer shall be such sum being not less than £300 as the electors shall from time to time determine; but the lecturer shall not be paid, nor be entitled to be paid, before there shall have been printed, within twelve months after they are preached, unless an extension of time is granted by the electors in view of special circumstances, sufficient copies of his or her lecture sermons for one copy to be given to the

Chancellor of the University, one to the head of every college, society, and Permanent Private Hall, one to the Lord Mayor of the City of Oxford, and one to the Bodleian Library. The expense of printing shall be paid from the fund.

*4.5. (1) No person shall be qualified to preach the Bampton Lectures unless he or she be a university graduate.

(2) The same person shall not preach the Bampton Lectures twice.

*4.6. The first charge on the income of the Bampton Fund shall be the stipend of the Bampton Lecturer, and the expense of printing the Bampton Lectures; any balance may, at the discretion of the electors to the Bampton Lecturership, be carried forward for use in a subsequent year or applied in one or more of the following ways:

(1) towards the payment of the travelling expenses of the lecturers;

(2) towards other costs associated with the Bampton Lectures;

(3) in the making of grants for the promotion of studies in the subjects specified in section 4.1 above.

Part 5: Beit Professor of the History of the British Commonwealth

(Sections 5.1–5.3 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*5.1. The Beit Professor of the History of the British Commonwealth shall lecture and give instruction in the History of the British Empire and Commonwealth.

*5.2. The professor shall be elected by an electoral board consisting of:

(1) the Vice-Chancellor, or, if the head of the college specified in (2) of this section is Vice-Chancellor, a person appointed by Council;

(2) the head of the college to which the professorship shall be for the time being allocated by Council under any statute or regulation, or, if the head is unable or unwilling to act, a person appointed by the governing body of the college;

(3) a person appointed by the governing body of the college specified in (2) of this section;

(4), (5) two persons appointed by Council;

(6)–(9) four persons appointed by the Board of the Faculty of Modern History.

*5.3. The professor shall be subject to any general statutes or regulations concerning the duties of professors and to any particular regulations which are applicable to this chair.

Part 6: Boden Fund

(Sections 6.1–6.11 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*6.1. (1) The first charge on the income of the Boden Fund shall be the payment of a contribution towards the cost of the Boden Professorship of Sanskrit equal to one-half of the total income of the fund, net of such management fee as shall be determined by Council from year to year.

(2) In the event of a vacancy in the professorship this contribution shall be paid into the University General Revenue Account.

*6.2. The second charge on the income of the Boden Fund shall be the financing of the Boden Scholarship for the encouragement of the study of, and proficiency in, the Sanskrit Language and Literature tenable on the conditions set out below for two years in the first instance, with an annual stipend to be fixed at the discretion of the Board of the Faculty of Oriental Studies.

*6.3. The Board of the Faculty of Oriental Studies shall be the board of management of the scholarship.

*6.4. (1) The scholar shall be elected in such term as the board may from time to time determine, provided that not less than three months' notice of each election shall have been given in the *University Gazette*.

(2) The electors shall be the Boden Professor of Sanskrit or his or her deputy and one or more others appointed by the board on each occasion not less than one month before the election.

(3) The electors shall take into account the previous records and declared intentions of the candidates, and they may also, if they think fit, examine them either orally or in writing or in both ways.

*6.5. (1) The scholarship shall be open to all graduate members of the University of Oxford who on the first day of the term in which the election is held shall have exceeded the ninth term from their matriculation but not the thirtieth year of their age.

(2) Candidates shall produce to the Boden Professor documentary evidence of their eligibility under this section, and also a written permission, signed by the heads or vicegerents of their respective colleges, societies, or Permanent Private Halls to offer themselves as candidates, but no person shall be eligible whose vernacular language is any Indian language.

*6.6. The board may, on the recommendation of the electors, permit a scholar to retain his or her scholarship for a third year but not for longer.

*6.7. (1) The scholar shall keep statutable residence for six weeks in every term of the tenure of his or her scholarship unless, on the recommendation of the Boden Professor, the board shall grant leave to reside elsewhere on the ground that he or she can there pursue his or her studies more profitably than in Oxford.

(2) The scholar shall be required during residence in Oxford to attend such of the Boden Professor's lectures as the professor shall deem best adapted to the scholar's proficiency in Sanskrit.

(3) The board may also dispense with statutory residence on the ground of illness or for other urgent cause.

*6.8. The scholarship shall immediately become void if the scholar is non-resident in any term (unless his or her residence has been dispensed with under section 6.7 above) or fails to comply with any other requirement specified in this Part.

*6.9. At the end of each term the scholar shall apply to the Boden Professor for a certificate that he or she is worthy to receive his or her stipend and shall deliver such a certificate signed by the Boden Professor together with a certificate of residence to the Registrar, and in default of such certificates or either of them (subject nevertheless to any dispensation as to residence granted under section 6.7 above) the scholar shall receive no stipend in respect of the following term.

*6.10. (1) Electors other than the Boden Professor may, if the board for good reasons so determines on any occasion, receive an honorarium not exceeding £5.

(2) Any such honorarium and all other necessary expenses of administration shall be paid out of the income of the fund.

*6.11. (1) Any surplus income of the fund not required for the above purposes (including any emoluments forfeited by a scholar and any income accruing during a vacancy and not required to be paid into the University General Revenue Account under section 6.1 above) shall be applied in the first instance to making a grant to the Library of the Indian Institute of £50 per annum or such lesser sum as may in any given year be available.

(2) Any remaining surplus income may at the discretion of the board be applied to any one or more of the following purposes, namely:

(a) to the provision of a junior scholarship or prize for the encouragement of the study of and proficiency in the Sanskrit Language and Literature;

(b) to the assistance of publications or any other purpose connected or consistent with the advancement of Sanskrit studies.

[etc.]

SCHEDULE B

Part 1: African Humanities Research Fund

(Section 1.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*1.1. The University accepts with gratitude an anonymous benefaction which shall be used, together with any further donations for this purpose, to form a fund for the support of research within the University in African Studies in the Humanities, with reference to any of the regions or peoples of the African continent and its islands.

1.2. The Inter-faculty Committee for African Studies shall be the management committee for the fund.

1.3. The first call on the income of the fund shall be the maintenance of up to three scholarships, to be known as the ORISHA Studentships, tenable for up to four years each, by persons registered as graduate students of the University whose work involves the study of Africa in one or more of such of the following disciplines as the management committee for the fund shall from time to time determine using the criterion set out in section 1.4 below:

(1) Social and Cultural Anthropology;

(2) Archaeology;

(3) Egyptology;

(4) Human Geography;

(5) History;

(6) Politics and International Relations;

(7) Religious Studies.

1.4. (1) The management committee may add disciplines to those specified in section 1.3 above, provided that the main object of the fund as defined in section 1.1 above shall always be observed.

(2) In considering the disciplines in which scholarships shall be offered and in adding disciplines, the management committee shall take into account whether adequate supervision is available in the field in question, in the form of the presence of one or more permanent members of the academic staff with major research or teaching interests in African Studies.

1.5. The management committee shall make all necessary arrangements for each of the scholarships, including the determination of their respective values.

1.6. Any surplus income in the fund arising because scholarships are not awarded on any occasion or for any other reason shall be expended at the discretion of the management committee on the support of African Studies in the Humanities, including any expenditure necessary in subsequent years to cover the costs of scholarships already

awarded, the provision of additional scholarships, the provision of funds for libraries, and the support of visiting scholars.

Part 2: Aldrichian and Aldrichian-Tomlinsian Funds

(Sections 2.1–2.2 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*2.1. The income arising from the Bequest of George Aldrich, Doctor of Medicine, shall be applied as follows:

- (1) one-third to be paid to the Regius Professor of Medicine who shall by virtue of his or her office become the Aldrichian Professor of Medicine;
- (2) one-third to be paid to the Aldrichian Praelector and Reader in Chemistry; and
- (3) one-third to be paid to the Aldrichian-Tomlinsian Fund and applied as directed by section 2.2 below.

*2.2. The emoluments arising from the benefactions of Richard Tomlins, Esquire, and George Aldrich, Doctor of Medicine, shall be applied to the payment of a Departmental Lecturer or Lecturers in Zoology appointed by the Head of the Department of Zoology.

Part 3: Andbell AS Fund

(Section 3.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*3.1. The University accepts with gratitude from Andbell AS the sum of £96,000, which shall be used, together with any further sums accepted for this purpose, to establish a fund, to be called the Andbell AS Fund, for the furtherance of legal teaching within the University.

3.2. The fund shall be administered by the Board of the Faculty of Law, which shall apply the income of the fund for the support of a part-time senior teaching fellowship, and/or for such other purposes as shall, in the board's opinion, promote the study of European Law within the University, under such conditions as the board shall from time to time determine.

Part 4: Arboretum, Nuneham Courtenay

(Section 4 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*4. The University accepts with gratitude from an anonymous benefactor the sum of £2,000 to establish a fund the capital and accumulated income of which may be used for the benefit of the Nuneham Courtenay Arboretum at the discretion of Council acting on the recommendation of the Curators of the Botanic Garden.

Part 5: Aris Fund for Tibetan and Himalayan Studies

(Section 5.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*5.1. The University accepts with deep gratitude from the Michael Aris Trust for Tibetan and Himalayan Studies, through the generosity of Hans and Märit Rausing and Joseph and Lisbet Koerner, a sum which, together with any further sums which may be donated for the same purpose, shall be used to establish a fund, to be known as the Michael Aris Fund for Tibetan and Himalayan Studies, the net income of which shall be used for the advancement of Tibetan and Himalayan Studies within the University.

5.2. The fund shall be administered by a board of management comprising the Chairman of the Board of the Faculty of Oriental Studies (chairman), a person appointed by the faculty board, the Keeper of the Oriental Collections in the Bodleian Library, the Boden Professor of Sanskrit, a person appointed by Council, and a person appointed by the Curators of the University Libraries.

5.3. (1) The first charge on the net income of the fund shall be the salary and associated costs of a university lecturership in Tibetan and Himalayan Studies.

(2) Other charges on the fund shall be the provision, under such arrangements as the board of management may from time to time determine, of support for Tibetan language instruction, library provision (both for staff and for materials relating to Tibetan and Himalayan Studies), teaching materials and research expenses for the lecturer, research fellowships, and any other purpose approved by the board of management as contributing to the advancement of Tibetan and Himalayan Studies within the University.

5.4. (1) The University Lecturer in Tibetan and Himalayan Studies shall lecture and give instruction and carry out advanced study and research in Tibetan and Himalayan Studies under the direction of the Board of the Faculty of Oriental Studies.

(2) The lecturer shall be appointed by the Board of the Faculty of Oriental Studies, in accordance with the provisions of [...].

Part 6: Arnold Prizes

(Section 6.1 may be changed only with the approval of Her Majesty in Council—see section 17 of Statute XVI.)

*6.1. The object of the institution of the Arnold Prizes shall be the encouragement of the study of history ancient and modern in the University of Oxford.

6.2. There shall be two prizes to be called 'the Arnold Prizes' for the encouragement of the study of history, one for ancient history and one for modern history.

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- 6.3. (1) The Ancient History Prize shall be awarded each year in Hilary Term to the writer of the best essay or dissertation on some subject of ancient history between 1500 BC and AD 500, if such essay shall be deemed worthy of a prize.
- (2) The offer of the prizes for the next year shall be announced before the close of Hilary Term.
- (3) The candidates shall be members of the University reading for a Final Honour School; they may choose their own subjects, subject to the approval of the Board of the Faculty of Literae Humaniores, under such conditions as the board may prescribe.
- (4) The board shall appoint up to three judges, to serve for such terms as it may prescribe.
- 6.4. (1) The Modern History Prize shall be awarded each year to the writer of the best thesis in modern history submitted in the Honour School of Modern History, or any joint school in which Modern History is a component, or in the Honour School of Philosophy, Politics, and Economics, if such thesis shall be deemed worthy of a prize.
- (2) Modern History shall be defined for the purpose of this Part as the period between AD 285 and the latest terminal date for the time being of the subjects of the Honour School of Modern History.
- (3) The judges shall be the Public Examiners in the Honour School of Modern History in consultation as they shall think fit with the Public Examiners in the other schools referred to in this section.
- 6.5. Each prize shall be of such equal value as the Boards of the Faculties of Literae Humaniores and of Modern History shall in consultation from time to time determine.
- 6.6. Neither prize shall be awarded twice to the same person and only one of the prizes may be awarded in respect of any one essay.
- 6.7. The judges shall have power:
- (1) to award the prizes;
- (2) to divide a prize between two candidates whose essays are of equal merit;
- (3) to make awards of lesser value than the prizes to unsuccessful candidates whose essays have shown special excellence.
- 6.8. The judges shall be allowed, subject to the approval of the Vice-Chancellor and Proctors, to appoint one or more assessors.
- 6.9. Any surplus income of the fund shall be divided into two sub-accounts to be designated the ancient history account and the modern history account respectively, as follows:
- (1) whenever either prize is not awarded, the value, less the value of any lesser award made under section 6.7 (3) above, shall be credited in full to the respective sub-account;
- (2) any other surplus income shall be credited in the proportion one part to the ancient history account and nine parts to the modern history account.
- 6.10. Moneys standing in the sub-accounts shall be applied by the respective faculty board, either directly or by delegation at its sole discretion, to the following purposes:
- (1) for the payment of lesser awards made by the judges under section 6.7 (3) above when the prize itself is awarded;
- (2) to pay such fees to the judges of the Ancient History Prize and to any assessors they may appoint as the Board of the Faculty of Literae Humaniores shall determine;
- (3) on the recommendation of the judges to contribute to the cost of printing the whole or parts of any prize-winning essay;
- (4) to encourage in any other way as the respective faculty board may see fit the study of ancient and modern history by members of the University.

[etc.]

STATUTE XVII
RESOLUTION OF DISPUTES OVER THE INTERPRETATION OR
APPLICATION OF STATUTES AND REGULATIONS

(This Statute is a 'Queen-in-Council' statute—see section 2 (2) of Statute IV.)

1. If a dispute over the interpretation or application of any of these statutes or any regulation arises in the course of proceedings taken under Statute XI, Statute XII, or Part B of Statute XIII it shall be decided, subject to any right of appeal, by the person or tribunal before whom the proceedings are taking place.
2. Any other such dispute arising between the University and any of its members shall be referred to the Vice-Chancellor in writing for informal determination without a hearing.
3. In determining a dispute referred to him or her the Vice-Chancellor may require the parties to provide further information about the dispute and may consult the High Steward and any other person he or she thinks fit.
4. The decision of the Vice-Chancellor shall be sent to the parties in writing as soon as reasonably practicable together with the reasons for the decision.
5. If any party to a dispute referred to the Vice-Chancellor under section 2 of this statute is dissatisfied with the Vice-Chancellor's decision and wishes to appeal against it, he or she shall within twenty-eight days of receiving the decision give notice to the Registrar requiring the appeal to be determined by the Appeal Court constituted under Part B of Statute XI.
6. The Appeal Court shall have full power to open up and review the Vice-Chancellor's decision and quash, revise, or confirm that decision as it thinks fit.
7. The decision of the Appeal Court made under section 6 of this statute shall be final and binding on the parties.
8. If notice of appeal is not given under section 5 of this statute the decision of the Vice-Chancellor shall be final and binding on the parties.

[See note on section 7 of Statute I above.]