



**CHURCHILL COLLEGE
CAMBRIDGE**

STATUTES

*These Statutes were approved by the Governing Body on 20 October 2023
and are now submitted to the University and to the Crown in Council for approval.*

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CONSTITUTION AND GOVERNANCE

Statute I: The Foundation

By a Royal Charter approved on 3 August 1960 and dated 6 September 1960, Queen Elizabeth II founded the College, to be known by the name of Churchill College, as a memorial to the Right Honourable Sir Winston Leonard Spencer Churchill, KG, OM, CH. Its corporate title is *The Master, Fellows and Scholars of Churchill College in Cambridge*.

Statute II: Charitable Objects

The College is a registered Charity (No. 1137476). Its purpose is to advance education, learning and research especially in the fields of science and technology. The College shall sustain the Churchill Archives Centre, a national resource for modern British history.

Statute III: Governance

The College shall be governed by the Governing Body and the Council in accordance with the Charter and these Statutes, and by Ordinances and Regulations made under these Statutes, and subject to the provisions of the Universities of Oxford and Cambridge Act 1923 and the Statutes of the University of Cambridge.

Statute IV: The Visitor

There shall be a Visitor who shall be elected by the Governing Body from those who hold or have held high judicial office. The Visitor shall have those powers, duties and functions which shall be determined by Ordinance. On any question that has been referred to the Visitor for resolution, the determination reached by the Visitor shall be binding.

Statute V: The Governing Body

Membership

- 1 The members of the Governing Body shall be:
 - (a) the Master;
 - (b) former Masters who are Fellows;
 - (c) Fellows in Titles A, B, C, E, and G;
 - (d) Fellows in Title D who are members of Council;
 - (e) two representatives elected from among the Undergraduate Students;
 - (f) two representatives elected from among the Postgraduate Students;
 - (g) two representatives elected from among the Non-Academic Staff.

The method of electing representatives under (d)-(f) shall be determined by Ordinance.

- 2 Those Fellows in Titles D and F who are not members of the Governing Body shall be entitled to receive the papers of the Governing Body and may attend and speak at meetings but shall not be entitled to vote.

Powers

- 3 The Governing Body shall have the following powers:

- (a) to amend the Charter in accordance with Article 9 of the Charter;
- (b) to make, amend and repeal Statutes in accordance with Article 8 of the Charter;
- (c) to determine any question which arises on the interpretation or application of the Statutes, subject to a right of appeal to the Visitor;
- (d) to make, amend and repeal standing orders which shall be called Ordinances, provided that such Ordinances shall not be inconsistent with the Statutes;
- (e) to elect the Master;
- (f) to elect the Visitor;
- (g) to elect the Vice-Master and the President of the Senior Combination Room from among the Fellows, and to create and elect into such other offices as may be determined by Ordinance;
- (h) to elect a Secretary of the Governing Body;
- (i) to elect and remove Honorary Fellows;
- (j) to elect and remove Benefactor Fellows;
- (k) to elect Fellows as members of the Council;
- (l) to elect Fellows as members of the Fellowship Electors;
- (m) to admit newly elected Fellows;
- (n) to establish committees, and elect members and establish terms of reference thereof, as determined by Ordinance;
- (o) to make and amend categories of Members of the College which shall carry the titles of By-Fellow or Benefactor Fellow;
- (p) to determine the maximum numbers of Fellows and By-Fellows in each category thereof;
- (q) to receive and consider reports from such persons or bodies as determined by Ordinance;
- (r) to consider proposals by the Council for changes of policy regarding areas of academic work undertaken in the College;
- (s) to name buildings and rooms within the College, and to remove or change names;
- (t) to determine the expected contribution of Fellows to the life of the College.

4 The Governing Body shall also have powers of general oversight of the financial governance of the College, subject to these Statutes, and including:

- (a) to consider the approved College accounts;
- (b) to provide scrutiny of the accounts in a manner determined by Ordinance;
- (c) to approve decisions concerning the property of the College, which affect or may reasonably be expected to affect, more than a percentage of the value of the total net assets of the College to be determined by Ordinance;
- (d) to provide guidance on donations and on the investment policy of the College if it judges ethical considerations arise;
- (e) to receive an annual statement of the remuneration of College offices.

Meetings and procedure

5 The Governing Body shall hold at least one meeting in each University term. At least fourteen days' notice shall be given of each meeting.

6 The Master may at any time summon a meeting of the Governing Body, and shall do so with all convenient speed if requested by the Council or by at least ten members of the Governing Body. Seven days' notice shall be given of such a meeting.

7 At meetings of the Governing Body, the Master shall preside, or, in the absence of the Master, the Vice-Master, failing whom the senior Fellow present who is a member of the Governing Body.

- 8 The quorum for the transaction of business by the Governing Body shall be one-third of its members who are Fellows.
- 9 All elections and other matters put to the vote at a meeting of the Governing Body, except as otherwise provided in the Charter or these Statutes, shall be decided by a majority of those present and voting. In the case of an equality of votes, where a simple majority is required, a proposal shall fail, for lack of a majority.
- 10 The following decisions shall require a majority of two-thirds of those present and voting:
- (a) the making, amending and repealing of Statutes;
 - (b) the making, amending and repealing of Ordinances;
 - (c) the election or removal of Honorary Fellows;
 - (d) the election or removal of Benefactor Fellows;
 - (e) the election of the Visitor.
- 11 There shall be reserved business of the Governing Body. Reserved business shall include:
- (a) the election of the Visitor, the Master, the Vice-Master, the President of the Senior Combination Room, and of any person to Membership of the College;
 - (b) matters affecting the personal position of any Member of the College;
 - (c) such further business as the majority of the Governing Body who are Fellows shall declare to be reserved.
- In case of doubt, the Master or the presiding Fellow shall decide whether an item of business is reserved, and that decision shall be final.
- 12 Members of the Governing Body who are Fellows shall be entitled to receive papers, speak in discussion and cast votes in relation to reserved business. Fellows elected into Titles D and F shall be entitled to receive papers, speak in discussion, but may not cast any vote in relation to reserved business. Members of the Governing Body who are not Fellows shall not be entitled to receive papers, be present, or cast any vote in relation to reserved business.
- 13 The Minutes of the Governing Body shall be accessible to its members and to all Fellows.

Statute VI: The Council

Membership

- 1 The members of the Council shall be:
- (a) the Master, *ex officio*;
 - (b) the Vice-Master, *ex officio*;
 - (c) ten Fellows (other than Title F Fellows) elected by the Governing Body of whom up to two may be Fellows under Title D.
- 2 Of the ten elected Fellows, annually the Governing Body shall elect five to serve for two years. A Fellow may be re-elected on two successive occasions, after which they shall not be eligible for re-election for two years. The methods of election and the filling of casual vacancies shall be determined by Ordinance.
- 3 Any conditions under which membership of the Council is forfeited shall be determined by Ordinance.

- 4 The following shall receive papers, attend, and be entitled to speak at meetings of the Council except as determined by Statute VI. 19-21:
- (a) the Senior Tutor, *ex officio*;
 - (b) the Senior Postgraduate Tutor, *ex officio*;
 - (c) the Bursar, *ex officio*;
 - (d) two representatives elected from among the Undergraduate Students;
 - (e) two representatives elected from among the Postgraduate Students;
 - (f) two representatives elected from among the Non-Academic Staff.

The methods of election of representatives shall be determined by Ordinance.

Meetings and procedure

- 5 The Council shall hold regular meetings, and, if necessary, such emergency meetings as the Master or Vice-Master shall deem necessary. The Master or Vice-Master shall call a meeting with all convenient speed if requested by at least six members of the Council or of those entitled to attend under VI.4.
- 6 At meetings of the Council, the Master shall preside, or, in the absence of the Master, the Vice-Master, failing whom the senior Fellow present.
- 7 The quorum for the transaction of business by the Council shall be eight members.
- 8 Except as determined by Statute VI.20, all matters put to the vote shall be decided by a majority of members present and voting. In the case of an equality of votes, a proposal shall fail, for lack of a majority.
- 9 The Minutes of the Council shall be accessible to its members, to those entitled to attend under VI.4, and to all Fellows, except as provided by VI.22.

Responsibilities and duties

- 10 The members of the Council shall be the Charity Trustees of the College as defined by the Charities Act 2011 section 177 (or in any amended or substituted legislative provision to similar effect) and shall, in their capacities as Charity Trustees of the College, act in a manner conducive to the achievement of the College's charitable purposes.
- 11 The Council shall exercise all the powers and responsibilities of Charity Trustees and shall manage and administer the affairs, property and funds of the College.
- 12 It shall be the duty of every Trustee to avoid any conflict, or the appearance of any conflict, between their personal interests and their fiduciary duty to act solely in the best interests of the College in the furtherance of its charitable objects. Procedures for managing conflicts of interest shall be determined by Ordinance.
- 13 The Council shall make, amend and repeal Regulations for the care and good government of the College, provided that such Regulations shall not be inconsistent with the Statutes and Ordinances. The Council shall consider proposals for the making, amending, or repealing of Statutes. The Council shall have power to recommend to the Governing Body the making, amending, or repealing of Ordinances.

Educational authority and responsibilities

- 14 The Council shall exercise general superintendence over the educational work of the College. It shall set policies for:
- (a) areas of academic work undertaken in the College, consistent with Statutes V.3.s., XI.4 and XII.3;
 - (b) the admission and removal of Students;
 - (c) the oversight of the academic progress and conduct of Students;
 - (d) the award of scholarships, studentships and prizes.

Financial authority and responsibilities

- 15 The Council shall have general oversight of the financial administration and property of the College. The Council shall:
- (a) undertake the care and management of the property and assets of the College, including investments and reserves;
 - (b) approve the investment policy;
 - (c) oversee income and expenditure;
 - (d) approve the accounting policy;
 - (e) approve and publish the annual accounts;
 - (f) approve the appointment of an external auditor of the accounts;
 - (g) subject to Statute XIX, approve any loan, mortgage, or other form of debt or security;
 - (h) authorise any business activity of the College;
 - (i) accept and manage donations to the College, including special trusts;
 - (j) make grants and awards;
 - (k) determine fees and charges;
 - (l) authorise the affixing of the College Seal, as determined by Ordinance.

Authority and responsibilities over offices and persons

- 16 The Council shall exercise a general superintendence over the holders of all College offices and holders of academic positions, and shall have the following powers which shall be exercised or delegated in accordance with the Statutes and Ordinances:
- (a) to elect Fellows in Titles A, C, D, and G;
 - (b) to assign responsibilities to and appoint holders of College offices except the Visitor, Master, Vice-Master, and President of the Senior Combination Room;
 - (c) to appoint Tutors and Directors of Studies, who shall perform such duties relating to the education, welfare and conduct of Students as shall be determined by Ordinances and Regulations;
 - (d) to appoint other persons to perform such duties in the College as it may consider appropriate, and to dismiss such persons when appropriate;
 - (e) to the extent provided for by these Statutes, to remove the holders of College offices, academic positions, and Fellowships;
 - (f) in accordance with any procedures determined by Ordinance, to assign to Fellows and College officers such remuneration and benefits as it shall from time to time consider appropriate for fulfilling the College's charitable purposes, the amount of such being reported annually to the Governing Body;
 - (g) except as otherwise determined by these Statutes, to grant and remove Membership of the College;
 - (h) to elect By-Fellows in such categories as prescribed by Ordinance.

Committees

- 17 The Council may establish standing or *ad hoc* committees, whose members need not be restricted to members of the Governing Body, and may delegate any remit and function of the Council to any such committee, or revoke the delegation thereof.
- 18 The procedures for appointment to, and the terms of reference of, any committee of the Council shall be determined by Regulations.

Reserved business

- 19 There shall be reserved business of the Council. Reserved business shall include:
 - (a) the election of Fellows in Title A, C, D, and G, and the election of persons to such categories of By-Fellows as shall be determined by Ordinance;
 - (b) *ad personam* matters, including the election, appointment, duties, promotion, removal, or any matters affecting the personal position of any Fellow or any member of the Academic or Non-Academic Staff of the College.
- 20 All matters put to the vote shall be decided by a majority of members of Council present and voting, except that the election or removal of a Fellow shall require a majority of nine members. In the case of an equality of votes, where a simple majority is required, a proposal shall fail, for lack of a majority.
- 21 The Senior Tutor, Senior Postgraduate Tutor, and Bursar shall normally receive papers for and attend reserved business, but may be instructed by the chair to withdraw for particular items of business. They shall not vote. Elected representatives of Students and of Non-Academic Staff shall not receive papers nor attend reserved business.
- 22 Unless judged confidential, the Minutes of reserved business shall be accessible to members of the Council, to those entitled to attend under VI.4, and to all Fellows.

Trustee remuneration

- 23 No Trustee shall receive any remuneration, or any other benefit, for acting as a Trustee of the College, other than any reasonable out-of-pocket expenses incurred in the course of their duties as Trustee.
- 24 A person who is a Trustee of the College may, in some other capacity, receive remuneration or other benefits from the College, provided that such remuneration or benefits are authorised by Statute or Ordinance, and are either:
 - (a) received by that person as a beneficiary of the College's charitable purposes; or
 - (b) pertinent to carrying out the College's charitable purposes for the public benefit as the Council shall judge.

Statute VII: The Fellowship Electors

Membership

- 1 The Fellowship Electors shall consist of:
 - (a) the Master *ex officio*;
 - (b) the Vice-Master *ex officio*;
 - (c) ten Electors elected from among the Fellowship.

- 2 Of the ten elected Fellows, annually the Governing Body shall elect five, to serve for two years. A Fellow may be re-elected on two successive occasions, after which they shall not be eligible for re-election for two years. The method of election and the filling of casual vacancies shall be determined by Ordinance.
- 3 Any conditions under which the membership of the Fellowship Electors is forfeited shall be determined by Ordinance.

Meetings and procedure

- 4 The Fellowship Electors shall hold regular meetings as it shall determine for the proper conduct of its business. At least fourteen days' notice of a meeting shall be given.
- 5 At meetings of the Fellowship Electors, the Vice-Master shall preside, or, in the absence of the Vice-Master, the senior Fellow present.
- 6 The quorum for the transaction of business by the Fellowship Electors shall be eight members.
- 7 All matters put to the vote shall be decided by a majority of those present and voting, except that the election of a Fellow shall require a majority of nine members. In the case of an equality of votes, where a simple majority is required, a proposal shall fail, for lack of a majority.
- 8 The Minutes of the Fellowship Electors shall be accessible to its members and to all Fellows.

Powers

- 9 The Fellowship Electors shall elect Fellows in Titles B, E, and F, and into such categories of By-Fellows as shall be determined by Ordinance, and in compliance with expenditures authorised by the Council.

MEMBERS OF THE COLLEGE

Statute VIII: Membership

The Members of the College shall be the Master, Fellows, By-Fellows, Honorary Fellows, Benefactor Fellows, Students, and any person who has held any of these categories of Membership, until resignation from Membership, or until deprived of Membership in accordance with Statutes and Ordinances.

Statute IX: The Master

- 1 The Master shall be elected by the Governing Body according to procedures determined by Ordinance. The Governing Body shall have power to delegate the election to a meeting of all Fellows.
- 2 Before entering office, the Master shall be admitted by the Vice-Master and the Fellows after having read aloud in their presence the following declaration:

'I, AB, elected Master of Churchill College, do solemnly declare that I will endeavour to the utmost of my power without fear or favour, to promote the interests of the College as a place of education, learning, and research.'

- 3 The Master shall exercise a general superintendence over the affairs of the College and shall ordinarily preside at meetings of the Governing Body and the Council. The Master shall have the power, in all cases not provided for by these Statutes or by order of the Governing Body or the Council, to make such provision for the good government of the College as they shall think fit.
- 4 The terms of appointment, responsibilities, residence, tenure, remuneration, and other benefits – together with provisions for removal, and where relevant dismissal from employment – of the Master shall be determined by Ordinance or Regulation.
- 5 During any absence or illness of the Master or when the Mastership is vacant, the functions of the Mastership shall be performed by the Vice-Master or, in the absence or illness of the Vice-Master, by the senior Fellow who is a member of the Council.
- 6 The Master on resignation or retirement shall become a Fellow under Title D.

Statute X: College Offices

- 1 There shall be College offices of Master, Vice-Master, Bursar, Senior Tutor, Senior Postgraduate Tutor, Tutor, Director of Studies, President of the Senior Combination Room, and such others as Governing Body or Council may determine.
- 2 The Vice-Master shall be elected from among the Fellows of the College.
- 3 The Bursar, Senior Tutor, and Senior Postgraduate Tutor shall be Fellows, or shall be elected to Fellowships by the Council.
- 4 Every Tutor, if not already a Fellow, shall be elected to a Fellowship by the Council.
- 5 Procedures for the election or appointment to College offices shall be determined by Ordinance.
- 6 With regard to College offices, the terms of appointment, responsibilities, residence, tenure, remuneration, and other benefits – together with provisions for removal, and where relevant dismissal from employment – shall be determined by Ordinance.

Statute XI: The Fellows

- 1 A Fellow of the College shall hold a Fellowship under one of the following Titles:

Teaching Fellowships under Title A
Research Fellowships under Title B
Professorial Fellowships under Title C
Emeritus/Emerita Fellowships under Title D
Extraordinary Fellowships under Title E
Overseas Fellowships under Title F
Official Fellowships under Title G
- 2 A Fellow of the College is a person who holds one of these Titles, and does not include By-Fellows, Honorary Fellows, or Benefactor Fellows.

- 3 The Council shall elect Fellows under Titles A, C, D, and G. The Fellowship Electors shall elect Fellows under Titles B, E, and F. Ordinances shall determine which categories of By-Fellows shall be elected by the Council and which by the Fellowship Electors.
- 4 Approximately seventy per cent of the total number of Fellows in each Title except Titles D, F, and G shall be persons engaged in teaching or research in the fields of science or technology. The subjects included within science and technology shall be determined by Ordinance.
- 5 The eligibility, method of election, responsibilities, remuneration, allowances, and privileges of Fellows under each Title shall be determined by Ordinances.
- 6 The Governing Body shall have power annually to determine the maximum number of Fellowships in each Title and By-Fellowships in each category.
- 7 As soon as may be convenient after the date of first election of any Fellow, the Master or presiding Fellow shall, at a meeting of the Governing Body, call upon the new Fellow to make the following declaration:

'I, AB, elected a Fellow of Churchill College, do solemnly declare that I will, so far as in me lies, loyally observe the Statutes, Ordinances and customs of the College and in all things endeavour to promote learning and advance knowledge.'
- 8 No person shall be elected a Fellow without the concurrence of at least nine members at the meeting of the body appointed to make elections.
- 9 Under these Statutes all Fellows are elected except that a Master upon resignation or retirement shall become a Fellow under Title D.
- 10 The eligibility of Fellows to serve in College meetings and committees during leave of absence shall be determined by Ordinance.
- 11 The seniority of Fellows shall be determined by Ordinance.
- 12 The Governing Body shall have the power to determine the expected contribution of Fellows to the life of the College.

Statute XII: The Students

- 1 Students of the College shall be those who have been admitted by the Tutors, who have come into residence and who are following a course of study or are carrying out research approved by the Council.
- 2 The Students of the College shall comprise Postgraduates and Undergraduates, of whom at least one-third shall be Postgraduate Students.
- 3 Approximately seventy per cent of Undergraduate Students and of Postgraduate Students shall be persons admitted in the fields of science or technology. The subjects included within science and technology shall be determined by Ordinance.
- 4 Every person admitted to Membership of the College and who is *in statu pupillari*, as defined by the University Statutes, shall matriculate in accordance with the University Statutes and shall be assigned a Tutor and, where appropriate, a Director of Studies.

- 5 The Council shall make Regulations concerning the admission, conduct, and academic progress of students.
- 6 Students shall undertake to abide by the Statutes, Ordinances and Regulations of the College.

CONDUCT, DISCIPLINE, AND REMOVAL

Statute XIII: Conduct, Discipline and Removal of Academic Staff

- 1 Ordinances shall determine the circumstances in which a member of the Academic Staff may be removed from, or suffer any disciplinary sanction or raise any grievance in relation to, any position in the College held by that member.
- 2 Ordinances shall determine the grounds and procedures for the removal of any member of the Academic Staff from their position in the College, and for the imposition of any disciplinary sanction or the handling of any grievance that relates to such a position. Such procedures shall include a right of appeal.
- 3 Ordinances made under this Statute may make different provision for different positions in the College and for different circumstances, and may in particular take account of the following considerations:
 - (a) the probationary or post-probationary tenure, the fixed or indefinite term, and the full-time or part-time nature of a position;
 - (b) the distinction between dismissal on grounds of redundancy and dismissal for good cause (and distinctions between different categories of good cause).
- 4 Any Ordinance or change of Ordinance made under Section 1 shall be disregarded in any proceedings conducted under Section 2 that depend materially on circumstances that occurred before the Ordinance or the change was made. Any Ordinance or change of Ordinance made under Section 2 shall be disregarded in any proceedings that commenced before the Ordinance or change was made.
- 5 Any Ordinance made under this Statute shall be construed in every case to give effect to the following guiding principles:
 - (a) to ensure that members of the Academic Staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the College to provide education, promote learning, and to engage in research effectively and economically;
 - (c) to apply the principles of justice and fairness;
 - (d) to ensure that no member of the Academic Staff shall be dismissed unless the grounds for the dismissal may in the circumstances, including the size and administrative resources of the College, reasonably be treated as sufficient.

Statute XIV: Conduct, Discipline and Removal of Fellows

- 1 Ordinances shall determine the circumstances in which a Fellow may be removed from their Fellowship.

- 2 Ordinances made under this Statute may make different provision for different positions in the College and for different circumstances, and may in particular distinguish between:
 - (a) Fellowships linked to Academic Staff positions;
 - (b) Fellowships linked to Non-Academic Staff positions;
 - (c) Fellows who are not members of Staff.
- 3 Ordinances shall, as appropriate, make equivalent provisions in respect of By-Fellows, Honorary Fellows, and Benefactor Fellows.
- 4 No determination or redress of a complaint or grievance under Statute XVI shall include the sanction of deprivation from a Fellowship or By-Fellowship without the consent of nine members of the Council, except that such power in relation to Honorary Fellows and Benefactor Fellows shall lie with the Governing Body.

Statute XV: Conduct, Discipline and Removal of Students

Ordinances and Regulations shall determine provisions concerning the responsibilities of Students in relation to academic progress and conduct, and the circumstances in which they shall receive disciplinary sanction or be removed.

Statute XVI: Grievances and Complaints by Fellows, By-Fellows, Honorary Fellows and Benefactor Fellows

- 1 Ordinances shall determine fair and expeditious procedures for settling and redressing any complaint or grievance of a Fellow, By-Fellow, Honorary Fellow, or Benefactor Fellow relating to their employment or Fellowship or other position within the College, or relating to their personal interactions with Members, Academic Staff, or Non-Academic Staff.
- 2 Procedures made under Section 1 shall include provision for:
 - (a) informal resolution;
 - (b) formal determination and resolution by an appropriate person or committee;
 - (c) an appeal to an appropriate person or committee.

Statute XVII: Grievances and Complaints by Students

- 1 Ordinances and Regulations shall determine fair and expeditious procedures for settling and redressing any complaint or grievance of a Student of the College.
- 2 A complaint or grievance under these procedures is a matter that affects the Student directly, either as an individual or in their personal dealings with other Members, Academic Staff, or Non-Academic Staff of the College. These procedures shall not preclude recourse by Students to alternative provisions prescribed by the law of the land or by the Statutes, Ordinances, and Regulations of the University.
- 3 Procedures made under Section 1 shall include provision for:
 - (a) informal resolution;
 - (b) formal determination and resolution by an appropriate person or committee;
 - (c) an appeal to an appropriate external committee comprising persons who are not Members of the College.

- 4 No determination or redress of a complaint or grievance shall include the sanction of deprivation of Membership of the College without the consent of the Council.

FINANCE AND REMUNERATION

Statute XVIII: Principal Financial Responsibilities

Financial management

- 1 In accordance with the responsibilities of the College as a charitable institution, the Council shall establish appropriate committees and procedures to plan and manage the financial affairs of the College, which shall comply with relevant legislation and best practice, and with the Statutes of the University.

Accounts

- 2 The College shall prepare and publish annual accounts, in accordance with applicable accounting standards, such as to provide a true and fair view of the financial position and financial activities of the College.

Auditors

- 3 The accounts of the College shall be audited annually by an external auditor appointed by the Council. The external auditor shall be a qualified auditor or firm of qualified auditors. No person who is a Member of the College may act as an external auditor.
- 4 The Governing Body shall annually review the audited accounts for the previous financial year and shall have power to determine by Ordinance procedures for consideration of the accounts.

Statute XIX: Principal Financial Powers

Scope of powers

- 1 The powers conferred by this Statute shall apply to all funds and endowments of the College whether or not they are held on trust.

Property

- 2 In this Statute, 'property' means property of every description, wherever situated, real or personal, including land and any estate or interest in land, intellectual property, money, securities, including financial instruments of any description, things in action, shares, stocks, funds and goods, and also every description of an interest, whether present, future, vested or contingent, arising out of or incidental to such property.

Authority to act

- 3 The Council shall exercise the powers of the College under this Statute, in particular as provided for in Statute VI.
- 4 The Governing Body shall by Ordinance or otherwise, and the Council shall by Regulation or otherwise, have power to delegate their respective authorities under this Statute.

- 5 A statement to the effect that any Statute, or any financial Ordinance, or any financial Regulation, has been complied with shall be conclusive in favour of any person having relevant dealings with the College, provided always that such statement is signed or certified by any two persons from among the Master, Vice-Master, Bursar, and Senior Tutor.

Powers of a natural person

- 6 The College shall have all the powers which an individual of full legal capacity could exercise over property, so as to acquire, manage, deal with, invest and vary the investment of, sell, mortgage, charge, lease or otherwise dispose of any property; and to enter into and carry out any transaction relating to such property, or otherwise in connection with the management of its affairs, in such manner and upon such terms as the College shall at its discretion think fit.

Power to create funds

- 7 The College shall have power to create funds for the general purpose or any specific purposes of the College; and may allocate capital and income to such funds at its discretion.

Power to invest

- 8 The College shall have power to invest any property held by or for the College, whether held collectively with other property or otherwise, and shall determine by Ordinance such powers and responsibilities for investment as are appropriate to its charitable purposes. In particular, the College shall have power to treat all or any part of such property, whether held on special trust or otherwise, as one or more amalgamated funds to be invested for the benefit of the constituent funds comprised therein.

Power to expend

- 9 The College shall have power to appropriate for expenditure such part of the value of its property as shall be determined by Ordinance. Any reference to income in the Statutes, Ordinances, or Regulations of the College shall include the total sums appropriated under the powers conferred by this section.
- 10 Any surplus income of any fund associated with the College may at the discretion of the Council be applied as income for the purposes of the fund in any subsequent year or be applied for the general educational purposes of the College.

Power to raise debt

- 11 The College shall have power in furtherance of its charitable purposes to borrow or raise money in any manner, and to secure, guarantee or in any other way support the payment or repayment of such money.

Power to carry on business

- 12 The College shall have power in furtherance of its charitable purposes to carry on any business which the Council authorises, whether by means of or through the agency of a body corporate or unincorporated, or otherwise.

INTERPRETATION AND IMPLEMENTATION

Statute XX: Interpretation and Implementation

- 1 If any question arises regarding the interpretation of any of these Statutes, it shall be decided by the Governing Body. A right of appeal to the Visitor shall be determined by Ordinance.
- 2 Save where a failure to conform to the Statutes and Ordinances has been minor and has not affected an action that has been taken or a decision that has been reached, any such failure by some person or body acting or purporting to act with the authority of the College shall be a ground for deeming the relevant action or decision by that person or body to be invalid and thus of no effect. Procedures for passing judgement on the status of any action or decision which is contested on such a ground shall be determined by Ordinance. Included in such procedures shall be a limit on the period of time during which any challenge to an action or decision can be initiated.
- 3 Statutory alterations, made in accordance with Article 8 of the Charter, shall, before they are submitted to the Crown in Council, be notified to the University, which has power to withhold consent if the alteration affects the University.
- 4 Statutory alterations shall take effect from the date on which they are approved by the Crown in Council. The repeal of former Statutes shall not revive the provisions of any previously existing Statutes of the College.