UNIVERSITY OF BIRMINGHAM

Statutes of the University

(Includes amendments approved by Council up to July 2007 and by the Privy Council September 2007)

Executive Brief

Set out the legal framework for the exercise of the University's powers. They prescribe the composition, business and powers of the Council, as well as other provisions in connection with the governance of the University and the promotion of the objects of the Charter. Amendments to the Statutes also have to be approved by the Privy Council.

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SECTION 1
PRELIMINARY

In these Statutes:-

"University" means the University of Birmingham.

"Court" means the Court of the University.

"Council" means the Council of the University.

"Senate" means the Senate of the University.

"Chancellor" "Pro-Chancellor" "Deputy Pro-Chancellor" "Vice-Chancellor and Principal" "Vice-Principal" and "Pro-Vice-Chancellor" mean respectively Chancellor Pro-Chancellor Deputy Pro-Chancellor Vice-Chancellor and Principal Vice-Principal and Pro-Vice-Chancellor.

"Statutes" means the Statutes of the University.

"Ordinance" means Ordinance made pursuant to the Statutes.

"Lay member of the Council" means any person appointed or elected by the Council under Class IV of Section 11 of the Statutes.

"Academic Officer" means any person currently holding an appointment which has been designated by the Council on the recommendation of the Senate as an Academic Office.

"Teaching Staff" means the teaching staff of the University and shall include any person currently holding an appointment as Professor, Reader, Senior Lecturer or Lecturer in the University or such other appointment as the Council may from time to time determine by Ordinance.

Subject to Section 24 of the Statutes "Academic Staff" means the academic staff of the University and shall include any person currently holding an appointment as Professor, Reader, Senior Lecturer, Lecturer or Dental Instructor, or who is a member of the Research Staff as defined by Ordinance; or who holds a Senior Library appointment as defined by Ordinance; or who holds such other appointment as the Council may from time to time determine by Ordinance.

"Professor" means Professor appointed to be such in the University.

"Student" means any person currently registered for the receipt of instruction in the University, whether matriculated or not.

"Graduate" means a person upon whom a Degree of the University has been conferred.

"Treasurer" means Treasurer of the University.

"Registrar and Secretary" means Registrar and Secretary of the University.

"Financial year" means the yearly period for which the accounts and financial affairs of the University are for the time being made up arranged and calculated.

"Auditor" means Auditor of the University Accounts.

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Subject to Section 24 of the Statutes "Good cause" when used in reference to dismissal or removal from office membership or employment means

conviction for an offence which may be deemed by the Council to be such as to render the person convicted unfit for the execution of the duties of the office;
or
conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office;
or
conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise.

SECTION 2
THE CHANCELLOR

The Chancellor shall be elected by the Court on the nomination of the Council but his or her election to be effective must be approved by the Crown.
The Chancellor may be removed for good cause by the Visitor at the instance of the Court on the recommendation of the Council.
The Chancellor may resign by writing in a letter signed by him or her and addressed to the Court.

SECTION 3
THE PRO-CHANCELLOR AND THE DEPUTY PRO-CHANCELLOR

The Council shall elect from among its lay members the person who shall chair the Council, and this person shall be ex-officio Pro-Chancellor. The Council shall also elect from among its lay members a person who shall chair the Council in the absence of the Pro-Chancellor, and this person shall be ex-officio Deputy Pro-Chancellor.
The said Officers shall hold office for their term as members of the Council or for such other periods not being in excess of four years as the Council may determine.
Either of the said Officers may be removed for good cause by the Visitor at the instance of the Council.
The said Officers may respectively resign by writing in a letter signed by them and addressed to the Council.

SECTION 4
VICE-CHANCELLOR AND PRINCIPAL

The Vice-Chancellor and Principal shall be appointed by the Council on the recommendation of a joint committee of the Council and the Senate consisting of three members of the Council and three members of the Senate with an additional member from among the lay members of the Council who shall chair the committee. This committee shall consult the Senate before making a recommendation to the Council.
Subject to Section 24 of the Statutes the Vice-Chancellor and Principal shall hold office for such period as may be determined by the Council.
The Vice-Chancellor and Principal may resign by writing in a letter signed by him or her and addressed to the Pro-Chancellor.

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SECTION 5
THE TREASURER

The Treasurer shall be elected by the Council from among the lay members of the Council.
The Treasurer shall hold office for his or her term as a member of the Council or for such other period not being in excess of four years as the Council may determine.
The Treasurer may be removed for good cause by the Council.
The Treasurer may resign by writing in a letter signed by him or her and addressed to the Pro-Chancellor.

SECTION 6
THE REGISTRAR AND SECRETARY

The Council shall from time to time appoint a Registrar and Secretary of the University for such term and at such remuneration as (subject to Section 24 of the Statutes) it shall deem fit.

SECTION 7
OTHER APPOINTMENTS

The Council may from time to time appoint persons to hold such other full-time or part-time senior managerial or administrative offices or appointments for such term, with such remuneration, and upon such conditions as the Council shall determine. Council may from time to time designate such appointments or offices with such names or titles as Council may think fit.

SECTION 8
AUDITOR

The Council shall annually appoint an auditor or auditors. Every such auditor shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for Trade and Industry for the purposes of paragraph (a) of subsection (1) of section 389 of the Companies Act 1985 (or any statutory provision amending or replacing the same). No person shall be appointed auditor who is or any one of whose partners is a member of the Court or Council of the University, or the holder of any appointment therein.
The auditor or auditors shall hold office for three years and shall be eligible for re-appointment and shall receive such remuneration as may be determined by the Council.
The auditor or auditors may be removed for good cause by the Council.
If the office of auditor or auditors shall become vacant by his or her or their death or resignation or any other cause before the expiration of his or her or their period of office, the Council shall forthwith appoint an auditor or auditors in his or her or their place for the remainder of such period.
The auditor or auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University, and shall be entitled to require from members of the University such information and explanations as may be necessary for the performance of his or her or their duties.
The auditor or auditors shall make a report to the Council at least once in each year.
The auditor or auditors may resign by writing in a letter signed by him or her or them addressed to the Council.

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SECTION 9
MEMBERS OF THE UNIVERSITY

The following persons shall be members of the University:-

The members of the Court.
The members of the Council.
Full-time and honorary Academic Staff.
Graduates including honorary graduates.
Matriculated students.
Such other persons as may be defined by Ordinance.

Membership of the University shall continue so long only as the qualifications above enumerated shall continue to be possessed by the individual member and expiration of the term of office removal from or resignation of office or withdrawal or resignation of the qualification (as the case may be) shall terminate the individual's membership of the University.

If any graduate on grounds of conscience objects to being a member of the University, he or she may give to the Registrar and Secretary notice in writing to that effect (such notice to be supported by a statutory declaration by the graduate setting out the grounds of conscience upon which he or she is acting) and the graduate shall thereupon cease to be a member of the University but may hold and use any Degree granted to him or her as if he or she were a member of the University.

SECTION 10
THE COURT

The Court shall consist of the following persons, namely:-

Special Class: All those who as at the date at which these Statutes have been approved are Life Governors of the University, and all those who have been appointed or elected by the Court to be members for life.

Class A. Officers:

The Chancellor

The Pro-Chancellor

The Deputy Pro-Chancellor

The Treasurer

The Vice-Chancellor and Principal

The Vice-Principal or Vice-Principals

Class B. Council:

Members of the Council not included in Class A, above

Class C. Senate:

Members elected by and from Senate:

Seventeen members of Academic Staff
Three currently registered students

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Class D. Professores Emeriti
Class E. Honorary Life Members of the Court (to a number not exceeding one hundred)
Class F. Local Government

The Lord Mayor of Birmingham
Thirty-six members appointed by such local authorities as the Court on the recommendation of the Council may from time to time determine

Class G. Ten members of the Houses of Parliament, of the National or of any appropriate regional Assemblies within the United Kingdom, or of the European Parliament, appointed by the Court on the recommendation of the Council
Class H. Higher Education Institutions:

Fourteen persons appointed by such Higher Education Institutions as the Court on the recommendation of the Council may from time to time determine

Class J. Schools:

Ten persons appointed by such schools as the Court on the recommendation of the Council may from time to time determine

Class K. One person appointed by the Lord President of Her Majesty's Most Honourable Privy Council
Class L. Guild of Graduates and Alumni Association
Forty persons elected by and from the Guild of Graduates and Alumni Association
Class M. Learned Bodies National and Local Organisations:

Thirty persons appointed by such bodies and organisations as the Court on the recommendation of the Council may from time to time determine

Class N. Health Authorities:

Six persons appointed by such bodies as the Court on the recommendation of the Council may from time to time determine

Class O. Religious Bodies:

Ten persons appointed by such religious bodies as the Court on the recommendation of the Council may from time to time determine

Class P. Other Officers:

The Registrar and Secretary and other such Officers as the Court on the recommendation of the Council may from time to time determine

Any vacancy occurring in the number of Honorary Life Members in Class E may be filled up by the election by the Court of some fit person.

All casual vacancies shall be filled up as soon as conveniently possible by the person or body which appointed or elected the member whose place has become vacant and any person so appointed or elected shall be a member for the residue of the term for which the person in whose place he or she is appointed or elected was a member.

The members in each of Classes C,F,G,H,J,K,L,M and O shall hold office for five years dating from January 1st in every year and vacancies by retirement shall be filled at such time and in such manner as the person or body which appointed or elected the member respectively think fit.

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Members retiring by effluxion of time may be re-appointed or re-elected.

Members (other than ex-officio members) may be removed for good cause by the Court.

Members in Class L must be members of the Guild of Graduates and Alumni Association and shall cease to be members of the Court if they cease to be members of the Association.

Members in Class C may complete their term of office notwithstanding that they cease to be members of the Senate during such term, provided always that they remain Professors, members of the Academic Staff other than Professors or registered students of the University as the case may be.

Members in each of the classes F,H,J,K,M,N and O need not be members of the bodies by which they are appointed.

The Court may recommend to the Council such alterations in the composition of the Court as may be necessary as a consequence of changes in bodies external to the University.

SECTION 11

The Council shall consist of the following persons namely:-

Class I. The Vice-Chancellor and Principal and the Vice-Principal who is appointed by the Council to act during the absence or inability of the Vice-Chancellor and Principal.

Class II. Four Academic Staff members elected by and from the Academic Staff members of the Senate.

Class III. The President of the Guild of Students and one other student officer of the Guild of Students to be nominated by the Guild of Students in such a manner as it may determine, where normally either the President or the second officer shall be a postgraduate of the University.

Class IV. Other members who are not staff or students of the University to be appointed or elected by the Council on the recommendation of a membership committee of the Council as required by Section 11(2), and who shall number twice the total membership in Classes I, II and III as defined in this Clause.

Notwithstanding the provisions of Section 15 of these Statutes, it shall be a duty of the Council to establish and maintain a membership committee with duties defined in Ordinance.

The length of a term of office for members in Class II shall be four years. Members in Class II shall not normally serve more than two consecutive periods of office but in exceptional circumstances, may be appointed for one further term of office of up to four years. Members in Class II may complete their term of office notwithstanding that they may cease to be members of the Senate during such term, provided always that they remain members of the Academic Staff of the University.

The length of a term of office for members in Class IV shall be four years. Members in Class IV retiring by effluxion of time may be re-appointed. Members in Class IV shall not normally serve more than two consecutive periods of office but in exceptional circumstances may be appointed for one further term of office of up to four years.

Members (other than those who are members by virtue of office) may be removed for good cause by the Council.

As required by Sections 3 and 5 of these Statutes, the Council shall elect from among the members in Class IV the person who shall chair the Council (who shall become ex officio Pro-Chancellor), the person who shall chair the Council in the absence of the Pro-Chancellor (who shall become ex officio Deputy Pro-Chancellor) and the person who shall be ex officio Treasurer. These persons shall hold office for their term as members of the Council.

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SECTION 12
ORDINANCES

1. The Council shall make Ordinances with regard to such matters as are directed by the Charter and Statutes. Where such Ordinances affect the constitution, powers or responsibilities of the Senate, the Senate shall be consulted beforehand.
2. Ordinances shall subject to the Charter and Statutes deal with the following matters:-
    a. The finances investments and accounts of the University;
    b. The Degrees Diplomas Certificates and other academic distinctions which may be awarded by the University;
    c. The appointment duties powers and continuance in office of the holders of academic administrative and other appointments in the University;
    d. The constitution functions and privileges of the Guild of Graduates and Alumni Association and the Guild of Students and other matters connected with the said Guilds requiring to be so prescribed;
    e. Periods of study before graduation;
    f. Such other matters as may seem proper to be so governed.

SECTION 13
TEACHING AND RESEARCH

The University shall so far as and to the full extent which its resources from time to time permit provide for:-

Instruction in such branches of learning as the University may think fit;

The prosecution of original research;

The advancement, dissemination and application of knowledge in such manner as the University may determine;

The institution of fellowships, scholarships, studentships, exhibitions, bursaries, prizes and other such awards.

SECTION 14
ASSESSMENT

The performance of candidates for the award of Degrees, Diplomas, Certificates and other academic distinctions in the University shall be assessed jointly by Internal Examiners, being members of the Academic Staff of the University and the recognised teachers of affiliated or recognised Colleges and Institutions, and by External Examiners.

For each subject or group of subjects forming part of an examination there shall be at least one Internal Examiner and at least one External Examiner.

External Examiners shall be appointed by the Senate, for such term, upon such conditions and with such remuneration as the Senate shall determine.

SECTION 15
COMMITTEES

All the bodies mentioned in the Charter and these Statutes may respectively appoint and dissolve such and so many standing, special, advisory and consultative committees, including joint committees, as may seem to them fit, and any such committees may

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include persons who are not members of the University, or of the body appointing the committee provided that persons who are not members of the University shall constitute not more than half the members of the appointed committee. The powers and duties of any committee shall be such as the body appointing it may from time to time direct and the appointing body may delegate to any such committee or other body any powers or functions which it is itself competent to perform save where the appointing body is under a duty by the provisions of the Charter and Statutes to perform a function. The appointing body shall direct to which committee or body the appointed committee or body shall report. Subject to the approval of the appointing body and for so long as that approval may continue, the said committee or other body may delegate all or any of the said powers to any other committees or body appointed by it.

The Pro-Chancellor and the Vice-Chancellor and Principal shall be ex-officio members of any committee of the Council and the Court and any joint committee of those two bodies and the Vice-Chancellor and Principal shall be an ex-officio member of any committee of the Senate provided that the Vice-Chancellor and Principal shall not be a member of the joint committee set up to recommend the appointment of his or her successor.

The body appointing a committee may make rules of procedure for the committee, but subject thereto every committee may determine its own procedure, times and places of meeting.

Nothing in this Section shall enable the Council to delegate its power to reach a decision under paragraph 10(2) of Section 24 of the Statutes.

In the event of a conflict between this Section and Section 11(2) of the Statutes, Section 11(2) shall prevail.

SECTION 16
ADVISORY BOARDS

The Council may from time to time appoint Advisory Boards consisting either wholly or partly of members unconnected with the University upon such terms and for such purposes as the Council may consider advisable and may refer to them for advice and report any subject or matter in the Council's opinion requiring to be so dealt with. Any such advice and report shall be duly considered and weighed by any body in the University to which the Council direct such advice to be given or report to be made.

SECTION 17
AFFILIATION AND RECOGNITION

The Council shall have power to affiliate or recognise Colleges and Institutions which may have attained a standard which shall be deemed satisfactory by the University, to require contributions for University purposes from such Colleges or Institutions as a condition of affiliation or otherwise, and to make Ordinances for regulating their relations to the University.

The Senate may recognise attendance upon courses of study in an affiliated College or Institution as wholly or in part qualifying students for the Degrees, Diplomas, Certificates and other academic distinctions of the University and so notify the Council. Provided that the recognition of lecturers teachers and examiners the regulations respecting the period of attendance upon and the character and subjects of such courses and the period of attendance at such College or Institution and the period of collegiate study for which exemption is to be granted shall be approved by the Senate.

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Notwithstanding that a subject is not taught in the University the Council shall have power to recognise a College or Institution in which such subject is taught and the Senate shall have power to recognise such subject as a subject for Degrees in the University. Provided that pursuance of a scheme of study in that subject approved by the Senate be a condition precedent to examination in that subject.

SECTION 18
MEETINGS OF THE COURT

A meeting hereinafter distinguished as the "yearly meeting" of the Court shall be held once a year on such date as the Council may decide and at such yearly meeting a Report of the Proceedings of the Council and of the University together with a Statement of Accounts as audited shall be presented by the Council. A Report shall also be presented by the Vice-Chancellor and Principal.

For the purpose of transacting the business mentioned in the preceding clause a quorum of the Court shall be twenty members.

All other business at the yearly meeting shall be deemed special business and for the purpose of any such special business and also for the purposes of all special general meetings the quorum shall be thirty members.

In the absence of a quorum no business but the adjournment of the Court can be transacted.

Special general meetings may be convened by the Council at any time or as may be prescribed by the Court.

Twenty-one days' notice of the yearly meeting shall be sent by the Registrar and Secretary to every member of the Court.

Members intending to bring forward any special business at the yearly meeting shall give notice of such business to the Registrar and Secretary at least fourteen days before the day appointed for such meeting and at least seven days' notice of all special business to be brought forward at the yearly meetings shall be sent to every member of the Court.

Twenty-one days' notice of any special general meeting stating generally the nature of the business to be transacted shall be sent to each member of the Court and no meeting shall be competent to transact any business other than that mentioned in the notice or directly arising thereout.

The procedure at meetings of the Court shall be in accordance with the standing orders made for governing the same as provided by the Charter.

SECTION 19
POWERS OF THE COURT

The Court shall have power to discuss any matters relevant to the interests and well-being of the University and to send views to the Council.

The Court shall have power to discuss any proposed changes in the Charter and Statutes and to send views to the Council.

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Except as otherwise may be provided by the Charter and subject to the Statutes the Court may determine all matters relating to the nomination and appointment of members of the Court and to the constitution and procedure of the Court.

The Court shall elect the Chancellor on the nomination of the Council.

SECTION 20
VALIDITY OF PROCEEDINGS

No act or resolution of the Court the Council the Senate or any committee or body duly established under these Statutes shall be invalid by reason of:-

any vacancy in its membership; or

any want of qualification by or invalidity in the election or appointment of any person acting as a member whether present or absent; or

any accidental failure of the University to give to any person or of any person to receive notice of a meeting.

SECTION 21
POWERS OF THE COUNCIL

The Council shall exercise all the powers and authority of the University except to the extent to which the exercise of the same may by the Charter Statutes and Ordinances be otherwise provided for.

The Council shall subject to the Charter make Statutes either on its own initiative or on the proposal of the Senate. No Statute shall be made amended or repealed until the Court and the Senate shall have had an opportunity of pronouncing an opinion thereon.

All Statutes must be passed by a Special Resolution of the Council and special notice of the fact that Statutes will be considered and containing a short statement of the nature of the proposed Statutes must have been given.

A Special Resolution of the Council means a resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than three calendar months after the former provided the resolution be passed at each meeting by not less than two-thirds of those present and voting.

Subject to the Charter and the Statutes the Council shall have the following powers:-

To make Ordinances for any matters in respect of which Ordinances are authorised to be made.

To exercise all such powers as are conferred on the Council by the Charter and Statutes and to carry the Charter Statutes and Ordinances into effect.

To review and control or disallow any act of the Senate and to give directions to be obeyed by the Senate.

To govern manage and regulate the finances accounts investments property business and all affairs whatsoever of the University.

To make contracts on behalf of the University.

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To sell buy exchange lease or take leases of the University's real and leasehold estates.

To provide the buildings premises furniture and apparatus and other means needed for carrying on the business of the University.

Subject to Section 25 of the Statutes to entertain adjudicate upon and if thought fit redress the grievances of members, employees and students of the University who may for any reason feel aggrieved.

To select a seal and arms for the University and have the sole custody and use of the seal.

To borrow money on behalf of the University and for that purpose (if the Council think fit) to mortgage all or any part of the property of the University whether real or personal or give such other security whether upon such real or personal property or otherwise as the Council think fit.

To appoint the auditor or auditors.

The Council shall obey and carry out the Statutes.

SECTION 22
POWERS OF THE SENATE

The Senate shall:-

keep under review the overall policies of the University and make recommendations thereon to the Council.

be responsible to the Council for regulating and directing the academic work of the University in teaching examining and research for the award of all Degrees Diplomas Certificates and other academic distinctions of the University and for the discipline (whether intra-mural or extra-mural) of the students of the University and for the enforcement of such discipline.

The Senate shall have power to discuss any proposed change in the Charter and Statutes and to send views to the Council.

The Senate shall establish a committee with such membership as shall be prescribed by Ordinance, through which the Senate shall carry out its responsibilities for the discipline of the students of the University and for the enforcement of such discipline. The procedures of this committee shall be in accordance with the principles of natural justice and students shall have the right to appeal to the Council against its decisions in accordance with the Statutes.

4. Such matters as shall be committed to the Senate by the Council shall be transacted by the Senate.

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SECTION 23
CONTRACTS

Contracts made by or on behalf of the University shall be validly made and binding on the University if made as follows:-

Any contract which if made between private persons would be by law required to be in writing and if made according to English Law to be under seal may be made on behalf of the University in writing under its common seal and such contract may be in the same manner varied or discharged.

Any contract which if made between private persons would be by law required to be in writing and signed by the parties to be charged therewith may be made on behalf of the University in writing and signed by any person acting under the express or implied authority of the Council and such contract may be in the same manner varied or discharged.

Any contract which if made between private persons would by law be valid although made verbally only and not reduced into writing may be made either in writing or verbally on behalf of the University by any person acting under the express or implied authority of the Council and such contract may be in the same manner varied or discharged.

SECTION 24
ACADEMIC STAFF

PART I CONSTRUCTION, APPLICATION AND INTERPRETATION

Construction

This Section and any Ordinance or Regulation made under this Section shall be construed in every case to give effect to the following guiding principles, that is to say -

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;

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

to apply the principles of justice and fairness.

Reasonableness of decisions

No provision in Part II or Part III shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff 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 dismissing that member.

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Application

This Section shall apply

to the persons who are described as "academic staff" in Section 1 of these Statutes;

to the Registrar and Secretary and the Librarian and Director of Information Services; and

to the Vice-Chancellor and Principal to the extent and in the manner set out in the Annex to this Section.

In this Section any reference to "academic staff" is a reference to persons to whom this Section applies.

Interpretation

Meaning of "dismissal"

In this Section "dismiss" and "dismissal" mean dismissal of a member of the academic staff and -

include remove or, as the case may be, removal from office; and

in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

Meaning of "good cause"

For the purposes of this Section "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 -

conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the academic staff; or

conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or

physical or mental incapacity established under Part IV.

In this paragraph -

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"capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and

"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.

Meaning of "redundancy"

For the purposes of this Section dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to -

the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the academic staff 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 member concerned worked; or

the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

Incidental, supplementary and transitional matters

In any case of conflict, the provisions of this Section shall prevail over those of any other Section and over those of the Ordinances and Regulations and the provisions of any Ordinance made under this Section shall prevail over those of any other Ordinance:

Provided that Part III of and the Annex to this Section shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Section concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause:

Provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.

Nothing in any other Section or in any Ordinance or Regulation made thereunder shall authorise or require any officer of the University to sit as a member of any Committee, Tribunal or body appointed under this Section 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.

In this Section references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Section.

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PART II REDUNDANCY

Purpose of Part II

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

Exclusion from Part II of persons appointed or promoted before 20th November 1987

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

The Appropriate Body

10.
    1. The Council shall be the appropriate body for the purposes of this Part.
    2. This paragraph applies where the appropriate body 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 faculty, school, department or other similar area of the University by way of redundancy.

11.
    1. Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it 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 their recommendations to the appropriate body.
    2. The appropriate body shall either approve any selection recommendation made under sub-paragraph (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. two members of the Council, not being persons employed by the University; and
        c. two members of the academic staff nominated by the Senate.

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Notices of intended dismissal

12.
    1. Where the appropriate body has approved a selection recommendation made under paragraph 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.
    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 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 V (Appeals); and
        d. a statement as to when the intended dismissal is to take effect.

PART III DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

Disciplinary Procedures

13.
    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. 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 paragraph. A brief note of the oral warning will be kept but it will be spent after 12 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 School. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Registrar and Secretary seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of School but it will be disregarded for disciplinary purposes after 2 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 and Secretary within two weeks. The

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appropriate Pro-Vice-Chancellor shall hear all such appeals and that Pro-Vice-Chancellor's decision shall be final.

Preliminary examination of serious disciplinary matters

14.

1. If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Registrar and Secretary who shall bring it to the attention of the Vice-Chancellor and Principal.
2. To enable the Vice-Chancellor and Principal to deal fairly with any complaint brought to his or her attention under sub-paragraph (1) he or she shall institute such investigations or enquiries (if any) as appear to him or her to be necessary.
3. If it appears to the Vice-Chancellor and Principal that a complaint brought to his or her attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the University or within the 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 and Principal does not dispose of a complaint under sub-paragraph (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, he or she may suspend the member on full pay pending a final decision.
5. Where the Vice-Chancellor and Principal 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 comments (if any) the Vice-Chancellor and Principal shall consider the matter in the light of all the material then available and may -
    a. dismiss it himself or herself; or
    b. refer it for consideration under paragraph 13; or
    c. deal with it informally himself or herself if it appears to the Vice-Chancellor and Principal appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
    d. direct the Registrar and Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
7. If no comment is received within 28 days the Vice-Chancellor and Principal may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

15.

1. In any case where the Vice-Chancellor and Principal has directed that a charge or charges be preferred under paragraph 14(6)(d), he or she shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for

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dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.

2. Where the Council has been requested to appoint a Tribunal under paragraph 16 the Registrar and Secretary or, if that officer is unable to act, another officer appointed by the Vice-Chancellor and Principal shall take charge of the proceedings.
3. The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
4. It shall be the duty of the officer in charge of the proceedings
    a. to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and
    b. to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

The Tribunal

16. A Tribunal appointed by the Council shall comprise:
    a. a Chairman; and
    b. one member of the Council, not being a person employed by the University; and
    c. one member of the academic staff nominated by the Senate.

Provisions concerning Tribunal procedure

17.
    1. The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.
    2. Without prejudice to the generality of the foregoing such Ordinances shall ensure -
        a. that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
        b. that a charge shall not be determined without an oral hearing at which the member of the academic staff concerned and any person appointed by that member to represent the member are entitled to be present;
        c. that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against that member is based; and
        d. that full and sufficient provision is made for -

            postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor and Principal for further consideration and for the correction of accidental errors; and

            for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

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Notification of Tribunal decisions

18.

1. A Tribunal shall send its decision on any charge referred to it (together with 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 Principal and to each party to the proceedings.
2. A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

Powers of the appropriate officer where charges are upheld by Tribunal

19.

1. Where the charge or charges are upheld and the Tribunal 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 member of the academic staff concerned.
2. In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -
    a. to discuss the issues raised with the member concerned; or
    b. to advise the member concerned about his or her future conduct; or
    c. to warn the member concerned; or
    d. to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
    e. any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

Appropriate Officers

20.

1. The Vice-Chancellor and Principal shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer includes a reference to a delegate of that officer.
2. Any action taken by the appropriate officer shall be confirmed in writing.

PART IV REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

21.

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 and Principal or an officer acting as the Vice-Chancellor and Principal's 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 in addition to (or instead of) that member.

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22.
    1. Where it appears that the removal of a member of the academic staff on medical grounds would be justified, the appropriate officer -
        a. shall inform the member accordingly; and
        b. shall notify the member in writing that it is proposed to make an application to the member's doctor 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 shares that view the University shall meet the reasonable costs of any medical opinion required.
    3. If the member does not share that view 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 comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chairperson jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
    4. The Board may require the member concerned to undergo medical examination at the University's expense.

Termination of Employment

23. If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Registrar and Secretary or his or her delegate to terminate the employment of the member concerned on those medical grounds.

PART V APPEALS

Purpose of Part V

24. 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.

Application and interpretation of Part V

25.
    1. This Part applies -
        a. to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
        b. to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);
        c. to appeals against dismissal otherwise than in pursuance of Part II or Part III;
        d. to appeals against discipline otherwise than in pursuance of Part III; and
        e. to appeals against decisions reached under Part IV

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

    2. No appeal shall however lie against -

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a. a decision of the appropriate body under paragraph 10(2);
b. the findings of fact of a Tribunal under paragraph 18(1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
c. any finding by a Board set up under paragraph 22(3).

3. In this Part references to "the person appointed" are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.
4. The parties to an appeal shall be the appellant and the Registrar and Secretary and any other person added as a party at the direction of the person appointed.

Institution of Appeals

26. A member of the academic staff shall institute an appeal by serving on the Registrar and Secretary, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

Time for appealing and notices of appeal

27.

1. A notice of appeal shall be served within 28 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 person appointed may determine under sub-paragraph (3).
2. The Registrar and Secretary shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he has done so.
3. Where the notice of appeal was served on the Registrar and Secretary outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless the person appointed considers that justice and fairness so require in the circumstances of the case.

Persons appointed to hear and determine appeals

28.

1. Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.
2. The persons described in this sub-paragraph are persons not employed by the University holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.
3. The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with two other persons.
4. The other persons who may sit with the person appointed shall be -
   a. one member of the Council not being a person employed by the University; and
   b. one member of the academic staff nominated by the Senate.

Provisions concerning appeal procedures and powers

29.

1. The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.

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2. Without prejudice to the generality of the foregoing such Ordinances shall ensure -
    a. that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his or her appeal;
    b. that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by the appellant to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
    c. that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
    d. that the person appointed 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 reasonably practicable.
3. The person or persons hearing the appeal 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 II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
    b. remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or
    c. remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
    d. substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

Notification of decisions

30. The person appointed shall send the reasoned decision, including any decision reached in exercise of his or her powers under paragraph 29(3)(a), (b) or (c), on any appeal together with any findings of fact different from those come to by the Council as the appropriate body under Part II or by the Tribunal under Part III, as the case may be, to the Vice-Chancellor and Principal and to the parties to the appeal.

PART VI GRIEVANCE PROCEDURES

Purpose of Part VI

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

Application

32. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate -
    a. to matters affecting themselves as individuals; or
    b. 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 Section.

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Exclusions and Informal Procedures

33.

1. If other remedies within the school, department or other relevant area have been exhausted the member of the academic staff may raise the matter with the Head of the school, department or other relevant area.
2. If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the school, department or other relevant area, the member may apply in writing to the Vice-Chancellor and Principal for redress of the grievance.
3. If it appears to the Vice-Chancellor and Principal that the matter has been finally determined under Part III, IV or V 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 and Principal he or she shall inform the member and the Grievance Committee accordingly.
4. If the Vice-Chancellor and Principal 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 III;
    b. a determination under Part IV; or
    c. an appeal under Part V

    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 the Vice-Chancellor and Principal shall notify the member and the Grievance Committee accordingly.

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

Grievance Committee Procedure

34. If the grievance has not been disposed of informally under paragraph 33(5), the Vice-Chancellor and Principal shall refer the matter to the Grievance Committee for consideration.
35. The Grievance Committee to be appointed by the Council shall comprise -
    a. a Chairman; and
    b. one member of the Council not being a person employed by the University; and
    c. one member of the academic staff nominated by the Senate.

Procedure in connection with determinations; and right to representation

36. The procedure in connection with the consideration and determination of grievances shall be determined in Ordinances 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.

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Notification of decisions

37. The Committee shall inform the Council whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

Paragraph 3(1)(c)

ANNEX
PROVISIONS AS TO THE VICE-CHANCELLOR AND PRINCIPAL

1. The Council may request its Chairman to remove the Vice-Chancellor and Principal from office for good cause in accordance with the procedure described in this Annex.
    1. A complaint seeking the removal from office of the Vice-Chancellor and Principal for good cause may be made by not less than three members of the Council to the Chairman of the Council.
    2. If it appears to the Chairman of the Council, on the material before him or her, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he or she shall request the Council to appoint a Tribunal to hear and determine the matter.
    3. If it appears to the Chairman of the Council that a complaint made to him or her under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.
    4. When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
    5. A Tribunal appointed by the Council shall comprise:
        a. an independent Chairman; and
        b. one member of the Council, not being a person employed by the University; and
        c. one member of the academic staff.
    6. Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
    7. The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairman of the Council and to the Vice-Chancellor and Principal drawing attention to the period of time within which any appeal should be made.
    8. Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
    9. A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the. Tribunal and his or her recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and Principal and to the Chairman of the Council.
    10. Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Vice-Chancellor and Principal.
2. Where a complaint is to be referred to a Tribunal under this Section, the Chairman of the Council may suspend the Vice-Chancellor and Principal from his or her duties and may exclude the Vice-Chancellor and Principal from the precincts of the University or any part thereof without loss of salary.

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3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this Section.
4. For the purpose of the removal of the Vice-Chancellor and Principal for incapacity on medical grounds, Part IV of this Section shall have effect subject to the following modifications:-

   for references to a member of the academic staff there shall be substituted references to the Vice-Chancellor and Principal;

   for any reference to the office of Vice-Chancellor and Principal there shall be substituted a reference to the office of Chairman of the Council;

   for paragraph 23 there shall be substituted -

5. If the Board determines that the Vice-Chancellor and Principal should be required to retire on medical grounds, it shall ask the Chairman as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor and Principal on those medical grounds."

SECTION 25
MATRICULATION OF STUDENTS

The examination for Matriculation into the University, to be passed by students before entering upon Degree courses, shall consist of such examination or examinations as may be determined by the Senate.

SECTION 26
INTERPRETATION

1. These Statutes shall be interpreted in such a manner as not to conflict with the Charter.
2. Words defined in the Charter or Statutes shall have the same meaning in the Ordinances unless the context be repugnant thereto.

FIRST APPENDIX
TRANSITIONAL PROVISIONS, INITIAL APPOINTMENTS AND MEETINGS

1. Notwithstanding anything to the contrary contained in the Statutes the following provisions shall apply to the initial appointment of certain members of the Court the Council and the Senate, and to the first meetings of those bodies.
2. The first meetings of the Court, the Council and the Senate shall be held within specified periods from an appointed day. The appointed day shall be the 15th November 1975.
3. The first representative members of the Court shall be appointed as soon as conveniently possible by the person or bodies concerned.
4.
   1. Not more than three months after the appointed day a Special Meeting of the Court shall be held.
   2. The business to be transacted at this meeting shall be to appoint the first members of the Council referred to in the Statutes.
   3. The fact that some of the representative members of the Court may not have been appointed before the commencement of the Special Meeting shall not invalidate the proceedings of the said meeting.
   4. An Honorary Life Member of the Court (under Class E of Section 13.1 of the Statutes) may be elected only when two vacancies have occurred among the Special Class of members of the Court, provided that when the number of

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Honorary Life Members and members of the Special Class together falls below one hundred, Honorary Life Members may be elected, such in number that the number of Honorary Life Members and members of the Special Class together does not exceed one hundred.

When the number of Honorary Life Members reaches one hundred, the provisions of statute 13.2 shall apply.

5.
    1. The first meeting of the Council shall be held not more than one month after the date of the Special Meeting of the Court referred to in sub-paragraph 1 of paragraph 4 of this Appendix.
    2. The business to be transacted at this meeting shall be to make such appointments and to determine such matters as shall facilitate the transition to governance in accordance with the amended Charter and Statutes.
    3. The fact that some of the members of the Council referred to in the Statutes shall not have been appointed before the commencement of the Special Meeting shall not invalidate the proceedings of the said meeting.
6. The Chairperson and members of the present Council of the University shall continue to hold office from the date on which the amendments to the Charter become of force and effect until the date of the first meeting of the reconstituted Council, and during that period shall be vested with all the rights, powers, duties and privileges conferred on the reconstituted Council by the amended Charter and the Statutes as if it had been appointed in terms thereof.
7. The present Senate of the University shall continue to hold office from the date on which the amendments to the Charter become of force and effect until the date of the first meeting of the reconstituted Senate and during that period shall be vested with all the rights, powers, duties and privileges conferred upon the reconstituted Senate by the amended Charter and Statutes as if it had been appointed in terms thereof.
8.
    1. The first meeting of the Senate shall be held not more than two months after the appointed day.
    2. The business to be transacted at this meeting shall be to make such elections and to determine such matters as shall facilitate the transition to governance in accordance with the amended Charter and Statutes.
9.
    1. Not more than fourteen days after the appointed day the Registrar shall effect such arrangements as may be necessary for the purpose of electing the first members of the Senate referred to in the Statutes.
    2. The election shall be by ballot and the persons elected shall hold office as prescribed by the Statutes.
10. The Chancellor and all other persons who hold office immediately before the date on which the amendments to the Charter become of force and effect shall continue to hold the same offices, as if they had been appointed under the Charter and the Statutes and shall thereupon be governed in respect of powers, functions and tenure of office by the provisions thereof.
11. No appointment or election or the holding of any office or the business to be transacted at any meeting if held under the provisions of this Appendix shall be invalid by reason of the failure to make the appointment or election or to hold the meeting within the dates and times prescribed therein.

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SECOND APPENDIX

1. For the purposes of this Second Appendix only:
    - "Appointed Day" shall mean 4 October 2000;
    - "new Council" shall mean the members of the Council elected on the Appointed Day by the retiring Council on the recommendations of the membership committee of the Council;
    - "retiring Council" shall mean the members of the Council appointed in accordance with the Statutes prior to the Appointed Day.
2. The following provisions shall apply to the initial appointment of the members of the new Council, the membership committee of the Council, and to their first meetings.
3. The first members of the membership committee of the Council shall be elected by the retiring Council within four months of the final resolution by the retiring Council to approve these amendments to the Statutes that take effect on the Appointed Day. The first meeting of the membership committee shall be held within one month of its members being elected. The business to be transacted at this first meeting shall be to initiate proceedings by which members of the new Council may be recommended for appointment by the retiring Council as required by Clause 4 of this Second Appendix.
4. On the Appointed Day, a Special Meeting of the retiring Council shall be held. The business to be transacted at this meeting shall be, on the recommendation of the membership committee of the Council, to make such appointments to the new Council and to determine such matters as shall facilitate the transition to governance in accordance with the amended Statutes.
5. Not more than one month after the Special Meeting of the retiring Council referred to in Clause 4, the new Council shall hold its first meeting. The Chairperson and members of the retiring Council shall continue to hold office from the date on which the amendments to the Statutes become of force and effect until the date of the first meeting of the new Council, and during that period shall be vested with all the rights, powers, duties and privileges conferred on the new Council by the Charter and the amended Statutes as if it had been appointed in terms thereof.
6. No appointment or election or the holding of office or the business to be transacted at any meeting if held under the provisions of this Second Appendix shall be invalid by reason of the failure to make the appointment or election or to hold the meeting within the dates and times prescribed therein.

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Contact Details

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