Universities of Durham and Newcastle upon Tyne Act 1963

Third Schedule

Statutes of the University of Newcastle upon Tyne

Preliminary

1. In these statutes unless the context otherwise requires:

   ‘the Act’ means the Universities of Durham and Newcastle upon Tyne Act, 1963;

   ‘the appointed day’ means 1 August 1963;

   ‘the University’ means the University of Newcastle upon Tyne;

   ‘convocation’, ‘the court’, ‘the council’ and ‘the senate’ means respectively convocation, the court, the council and the senate of the University;

   ‘statutory bodies’ means the court, the council, the senate, the boards of faculties and the academic board of the University;

   ‘lay member’ means a person who is not a member of the salaried staff or a student of the University;

   ‘existing’ means existing immediately before the appointed day;

   ‘year’ means a calendar year;

   ‘month’ means a calendar month;

   words importing the masculine gender include the feminine gender;

   words in the singular include the plural and words in the plural include the singular.

2. As from the appointed day the University shall for every purpose be administered and governed wholly and exclusively in accordance with the provisions of the Act and these statutes.

3. Existing rules and regulations of the University of Durham and of its constituent bodies made under the existing statutes of the University of Durham shall have effect as rules and regulations of the University until they are altered or repealed as nearly as may be practicable and so far as they are consistent with these statutes, except that references in those rules and
regulations to any body, officer or person shall be construed as references to the body, officer or person exercising similar powers or discharging similar duties under these statutes.

**The University**
4. The University shall be governed by a visitor, chancellor, vice-chancellor, convocation, court, council, senate, boards of faculties and the academic board.

**The Visitor**
5. The sovereign for the time being shall be the visitor of the University.

**The Chancellor**
6. (1) There shall be a chancellor of the University, who shall, subject as in these statutes provided, hold office during his life or until his resignation. The first chancellor shall be The Most Noble Hugh Algernon Duke of Northumberland, KG.

   (2) The chancellor shall be the head of the University and shall preside at all meetings of the court.

   (3) In the absence of the chancellor or during a vacancy in the office of chancellor the duties of that office shall be performed by the pro-chancellor, except the conferring of degrees which shall be performed by the vice-chancellor.

   (4) The successors to the first chancellor shall be appointed by convocation on the nomination of the court and the senate sitting in joint session.

**The Pro-Chancellor**
7. (1) There shall be a pro-chancellor of the University. The chairman of the council shall be the pro-chancellor by virtue of holding that office.

   (2) The pro-chancellor may be removed from office for good cause by the council.

**The Vice-Chancellor**
8. There shall be a vice-chancellor of the University who shall be the chief academic and administrative officer of the University and who shall have a general responsibility to the court, the council and the senate for maintaining and promoting its efficiency and good order.

9. The successors to the first vice-chancellor shall be appointed by the council on the nomination of the council and the senate acting jointly.

10. The vice-chancellor shall by virtue of holding that office be a member of the court, the council, the senate, the academic board and convocation and of each board of faculty, and shall preside at all meetings of the senate and the academic board.

11. In the absence of the vice-chancellor or during a vacancy in the office of vice-chancellor the duties of that office shall be performed by the deputy vice-chancellor or in the absence of the
person holding that office or during a vacancy of that office by the senior according to the date of appointment of the pro-vice-chancellors appointed in accordance with statute 13.

**The Deputy Vice-Chancellor**

12. The council may, after consultation with the senate, appoint a deputy to the vice-chancellor. The deputy vice-chancellor will hold office for such period as may be determined by council. The deputy vice-chancellor shall, by virtue of that office, be a member of the court, the council, the senate, the academic board and convocation and of each board of faculty.

**The Pro-Vice-Chancellors**

13. The council shall, if the senate so recommend, appoint one or more pro-vice-chancellors on the nomination of the senate. They shall hold office for periods fixed by the council on the proposal of the senate, and shall, subject to the provisions of these statutes, perform such duties as the senate may from time to time determine. They shall, by virtue of their office, be members of the court, the senate and convocation, and of such boards of faculties as the senate may from time to time determine, and shall have the right to attend meetings of the council.

**The Registrar**

14. There shall be a registrar of the University who, under the supervision of the vice-chancellor, shall perform such duties as the council may prescribe after consultation with the senate.

15. The registrar shall be appointed by the council. Before making an appointment the council shall constitute a committee which shall include members of the senate to make recommendations as to the appointment and shall consider the report of that committee.

**The Treasurer**

16. The council may appoint a treasurer of the University who shall, in an honorary capacity, perform such duties and hold office for such period as may be determined by the council.

The treasurer may be removed from office for good cause by the council.

**Auditor**

17. (1) The council shall from time to time appoint and fix the remuneration of an auditor who shall not be a member of any of the statutory bodies.

The auditor shall be eligible for appointment as a company auditor in the United Kingdom under the provisions of the Companies Act 1989 and as such will be an individual or firm that is a member of a Recognised Supervisory Body and eligible for the appointment under the rules of that body.

The auditor may be removed from office for good cause by the council.

(2) The auditor’s term of office shall be one year. The auditor shall be eligible for reappointment.
The Court

18. (1) There shall be a court of the University consisting of:

such principal officers of the University as the court may from time to time determine;

one sabbatical officer of the students’ Union Society elected annually by the Union Society;

seven members of University staff appointed by the academic board;

together with such other co-opted members, not being fewer than thirty nor more than forty, as the court shall from time to time determine. None of the co-opted members shall be salaried staff or students of the University.

The appointed and co-opted members shall hold office for three years and shall be eligible for re-appointment for further periods provided that the total consecutive period of service does not exceed nine years unless, in exceptional circumstances, the chancellor or vice-chancellor determines otherwise.

See also statute 62 – Procedure.

(2) In the absence of the chancellor, the pro-chancellor shall preside at all meetings of the court. In the absence of the chancellor and the pro-chancellor, the vice-chairman of the council shall preside.

Powers of the Court

19. (1) The court shall have such powers as may be provided by the statutes of the University and shall through the exercise of those powers advise upon and further the work of the University. The powers of the court shall be as follows:

(a) to discuss any matters relevant to the interests and well-being of the University and to send views to the council;

(b) to make regulations for the custody and use of the common seal of the University;

(c) to make statutes subject to the provisions of statute 64;

(d) to appoint half the lay membership of the council nominating committee for the purpose of appointing the lay members of the council.

(2) The court and the senate sitting in joint session shall nominate the chancellor for appointment by convocation.
(3) The court shall meet at least twice during each academic year and shall receive reports from the vice-chancellor.

The Council

20. There shall be a council of the University consisting of:
   the vice-chancellor;
   the deputy vice-chancellor (if appointed);
   the treasurer (if such an officer is appointed);

   three members appointed by the senate, of whom two shall be elected from their own number by the professorial members of the senate and one shall be elected from their own number by the non-professorial members of the senate;

   two members elected by and from the academic staff of the University provided that one shall be elected from the professors and the holders of such offices as the senate may from time to time specify as equivalent for the purpose and one shall be elected from the non-professorial academic members of staff;

   thirteen members who shall not be salaried staff of the University appointed by the council on the recommendation of the nominating committee;

   two student members, of whom one shall be from the full-time registered students of the University who are members of the senate in accordance with statute 27(1)(b), and the other to be determined by the Union Society, who may be a full-time registered student not exempt from the requirement of attendance at classes by virtue of being an officer of a student organization;

   the student members shall be elected by the Union Society of the University of Newcastle upon Tyne and shall hold office for one year. Either student member ceasing to be a registered full-time student shall cease to be a member of the council, and the council may, after consultation with the Union Society, co-opt a full-time registered student for the remainder of their period of office;

The members appointed by the senate shall not be required to resign if, during their term of office, they cease to be members of the senate.

All members except ex-officio members and the student members shall hold office for three years and shall be eligible for re-appointment for further periods provided that no member shall serve for more than nine consecutive years and re-appointment beyond six years should be regarded as exceptional unless, in exceptional circumstances, the chairman of council determines otherwise.

Any member of the council (other than a member of the academic staff to whom statute 57 applies) may be removed from membership of the council for good cause by the council.
See also statute 62 – Procedure.

The Chairman of the Council
21. (1) The council shall appoint from among its own lay members or otherwise a chairman, not being a member of the salaried staff or student of the University, who shall by virtue of that office be the pro-chancellor. A chairman who is appointed from among the members of the council may be required by the council to vacate office on ceasing to be a member of the council. A chairman who is appointed from outside the council shall cease to be a member of the council on ceasing to be the chairman. Subject thereto the chairman shall hold office for three years and shall be eligible for re-appointment for further periods provided that the total consecutive period of service does not exceed nine years and re-appointment beyond six years should be regarded as exceptional. The period of appointment shall be linked to the office. The chairman may be removed from office for good cause by the council.

(2) The council shall appoint from among its own lay members or otherwise a vice-chairman, not being a member of the salaried staff or student of the University. A vice-chairman who is appointed from among the members of the council may be required by the council to vacate office on ceasing to be a member of the council. A vice-chairman who is appointed from outside the council shall cease to be a member of the council on ceasing to be vice-chairman. Subject thereto the vice-chairman shall hold office for three years and shall be eligible for re-appointment for further periods provided that the total consecutive period of service does not exceed nine years and re-appointment beyond six years should be regarded as exceptional. The period of appointment shall be linked to the office. The vice-chairman may be removed from office for good cause by the council.

See also statute 62 – Procedure.

Powers of the Council
22. The council shall be the supreme governing body of the University, subject to the provisions of these statutes, and shall have the custody, control and disposition of all the property and finance of the University.

23. The council shall review the work of the University and, subject to the powers of the senate, shall take such steps as it thinks proper for the purpose of advancing the interests of the University, maintaining its efficiency, encouraging teaching, pursuit of learning and the prosecution of research therein, and for providing facilities for the accommodation, recreation and well-being of students and staff.

24. The powers of the council shall, subject as in these statutes provided, include the following:

(1) to determine any question of finance arising out of the administration of the University or the execution of its policy or in the execution of any trust requiring execution by the University; and
provided that, before determining any question of finance which directly affects the educational policy of the University, the council shall take into consideration any recommendation or report by the senate;

(2) to represent the University in all negotiations for obtaining grants from public bodies in aid of the work of the University;

(3) to authorize, after consultation with the senate, the establishment of academic staff in the University;

(4) after consultation with the senate, to establish, suspend or abolish any post except posts created by these statutes;

(5) to determine, after considering the recommendations of the senate, all University fees;

(6) to appoint the vice-chancellor in accordance with the provisions of statute 9;

(7) to appoint, in accordance with the provisions of statute 12 the deputy vice-chancellor, and in accordance with statute 13 one or more pro-vice-chancellors;

(8) to appoint, after consultation with the senate, the provosts in accordance with the provisions of statute 43(3);

(9) to determine, after consultation with the senate, the conditions of appointment of the academic staff of the University;

(10) to appoint, in accordance with the provisions of statute 54, the professors, readers and the librarian of the University;

(11) to appoint, on the recommendation of the senate, all other members of the academic and research staff of the University;

(12) to appoint, in accordance with the provisions of statute 15, the registrar, and to determine the conditions of the appointment;

(13) to appoint other members of the staff of the University and to determine the conditions of their appointment;

(14) to exercise such powers as are or may be conferred upon it elsewhere in these statutes.

Financial Provisions
25. The University shall have power to borrow or raise money and to guarantee and give security for the payment of money or the performance of obligations of any kind by the University, or any other person, firm, company or body corporate (including any such entity associated with the University) and in particular, but without prejudice to the generality of the forgoing to guarantee and give security by way of mortgage or otherwise secured upon the whole or any part of the property and assets of the University for the purpose of carrying out its duties as defined in the Act and its statutes for the time being in force.

26. (1) (a) The University shall have power to purchase, retain, sell or transfer property real or personal and securities (which term includes stocks, funds and shares) of any description whether or not authorized by law for the investment of trust funds.

(b) Save as may be otherwise expressly provided in relation thereto the powers conferred by the foregoing paragraph shall extend to the investment (including the variation of the investment) of all endowments or other funds.

(c) Unless the terms of the trust provide otherwise any part of the income of a trust fund not expended in any year may, at the discretion of the council, be applied as income in any subsequent year or be invested and added to the capital of the fund.

(d) The income of the trust funds vested in the University for special purposes shall be applied only for those purposes.

(2) To initiate, establish or acquire companies, whether charitable or commercial, alone or in association with any persons or entities for the purpose of or in connection with any of the duties or functions of the University.

The Senate
27. (1) There shall be a senate of the University consisting of:

(a) ex-officio members:
   the vice-chancellor;
   the deputy vice-chancellor;
   the pro-vice-chancellors;
   the provosts;

(b) appointed members:

   three members appointed by each board of faculty;

   eighteen members elected by and from the professors, readers, lecturers and research staff of the University as determined by the senate provided that nine (and only nine) of those members shall be elected from the professors and the holders of such offices as the senate may from time to time specify as equivalent for the purpose of this section;
one member, being a full-time registered student, but not a student exempt from the requirement of attendance at classes by virtue of being an officer of a student organization. The student member not being an officer of a student organization shall be elected by the Union Society of the University of Newcastle upon Tyne and shall hold office for one year.

three elected sabbatical officers of the students’ Union Society appointed by the council after consultation with the Union Council and the senate provided that these persons are full-time registered students of the University. These persons shall be members of the senate for the year of office for which they were elected provided that they remain full-time registered students of the University;\(^7\)

any student member ceasing to be a full-time registered student of the University shall cease to be a member of the senate and for the remainder of their year of office the senate shall, after consultation with the Union Society, co-opt a full-time registered student;

together with, if the senate so determines, up to three members appointed by co-option;

See also University Regulations Section E – Registered Students having Sabbatical Status.

(2) All members except ex-officio members and the student members shall hold office for three years. An ex-officio member shall be eligible to become an appointed member immediately after ceasing to hold office and an appointed member may become an ex-officio member at any time: subject to these provisos no member other than an ex-officio member shall be eligible for reappointment until two academic years have passed since the expiry of the original term of appointment unless that appointment was a result of a casual vacancy.

See also statute 62 – Procedure.

Powers of the Senate

28. The senate shall be the supreme governing and executive body of the University in all academic matters and shall, subject to the powers reserved to the court and the council by these statutes, take such measures and act in such manner as shall appear to it best calculated to promote the interests of the University as a place of education, learning and research.

29. The powers of the senate shall include the following:

(1) to regulate and control, in accordance with procedures approved by it, all teaching, courses of study and examinations within the University, and the conditions qualifying for admission to the various titles, degrees and other distinctions offered by the University;
(2) to act jointly with the council to nominate the vice-chancellor for appointment by the council in accordance with the provisions of statute 9;

(3) except where other provision is made in these statutes, to recommend to the council the appointment of all academic and research staff of the University;

(4) to satisfy itself that the duties and conditions of service of all members of the academic staff are satisfactory and to make representations to the council;

(5) to make recommendations to the council concerning all University fees;

(6) to determine the dates when terms shall begin and end;

(7) to regulate the discipline of the University, and to determine in what manner disciplinary powers shall be exercised;

(8) to regulate the use of academic dress in the University;

(9) to take such steps as it thinks proper for supervising organizations of students;

(10) to make recommendations to the council on any matter of interest to the University;

(11) to discuss and declare an opinion on any academic matter;

(12) except as otherwise provided, to appoint representatives of the University on other bodies;

(13) to exercise such powers as are or may be conferred upon it elsewhere in these statutes.

Matriculation
30. The senate shall prescribe the requirements of the University for matriculation.

Academic Distinctions
31. The senate may:

(1) grant degrees and other academic distinctions to persons who shall have pursued in the University a course of study approved by the senate and shall have passed the examinations of the University under the conditions laid down in the regulations of the University;
(2) grant degrees, diplomas, certificates and other academic distinctions to persons who have pursued a course of study approved by the senate, in this or another institution recognized for this purpose, and passed examinations under conditions approved by the senate;

(3) have the power to grant degrees and other qualifications jointly with other higher education institutions having the power to grant such qualifications to persons who have pursued a course of study and passed examinations under conditions approved by the senate;

(4) grant honorary degrees, the title of professor emeritus or other University distinctions;

(5) accept such examinations and periods of study at such Universities and places of learning as the senate may approve as equivalent to such examinations and periods of study in the University as the senate may determine;

(6) accept courses of study in any other institution which in the opinion of the senate possesses the means of affording the proper instruction for such courses as equivalent to such courses of study in the University as the senate may determine;

(7) determine what formalities shall attach to the conferment of degrees and other distinctions.

32. Except as otherwise provided from time to time in the regulations of the University, the period of study necessary to qualify any student for an initial degree shall be not less than three academic years all of which shall be subsequent to the date at which the student has matriculated in the University.

33. The senate may revoke any degree or other distinction conferred by the University and all privileges connected therewith if it appears to the senate that the degree or other distinction has been obtained by or as a result of fraud on the part of the holder.

Tests
34. (1) No religious test shall be required of or imposed upon any teacher appointed by the University and no such test shall be required of or imposed upon any student in the University:

provided always that where any condition involving such test has been attached by the founder to a benefaction, the regulations made for the administration of the benefaction shall, as far as possible, give effect to the wishes of the founder.

(2) All the degrees of the University shall be open to women on the same terms as to men.
The Academic Board
35. There shall be an academic board of the University consisting of:
   the vice-chancellor;
   the deputy vice-chancellor;
   the pro-vice-chancellors;
   the professors and readers and the librarian of the University;
   the lecturers of the University, as defined by the senate;
   the wardens of halls of residence;
   the holders of such other academic and administrative posts as may be designated by the senate;
   such other teachers and research workers in the University as may be nominated by the senate.

36. The vice-chancellor shall be the chairman of the academic board.

37. The academic board may:
   
   (1) discuss and declare an opinion on any matter whatsoever relating to the University including any matters referred to it by the council or the senate;

   (2) enter into communication directly with the council or the senate on any matter affecting the University.

38. The vice-chancellor may at any time at his discretion, and shall upon the requisition in writing of not fewer than twenty-five members of the academic board stating the purpose for which the meeting is to be called, summon meetings of the academic board.

Faculties
39. The word ‘faculty’ means any branch or aggregate of branches of study in which degrees are conferred by the University. The scope of any faculty may be defined by the senate.

40. There shall be such faculties in the University as the council, on the recommendation of the senate, shall from time to time determine.

Note: the following is a list of the existing faculties in the University:

Humanities and Social Sciences;

Medical Sciences;

Science, Agriculture and Engineering.

41. There shall be a board of each faculty.

Boards of Faculties – Constitution
42. The council, on the recommendation of the senate, shall from time to time determine the constitution of the board of each faculty.

Note: The following is an explanation of the constitution of boards of faculties as determined by the council.

On the recommendation of the senate, council has determined that each board of faculty shall at present be constituted as follows:

(1) the vice-chancellor, the deputy vice-chancellor, the pro-vice-chancellors and members of the academic board in the faculty;

(2) such other members of academic board in subjects outside the faculty as the board of faculty may from time to time determine having regard to the importance of that subject to students in the faculty;

(3) so many additional persons as shall be determined from time to time by the board of faculty. These persons shall be appointed by the board. Membership in this category shall be confined to individuals who are not salaried staff of the University.

Provosts
43. (1) There shall be a provost of each faculty.

(2) The provost of each faculty shall be the chairman of the board of the faculty.

(3) The provost of each faculty, who shall be an academic, shall be appointed by the council, after consultation with the senate, for such period not exceeding five years as the council on the occasion of each appointment shall determine.

Powers of Boards of Faculties
44. Each board of faculty shall have the following powers and duties:

(1) to consider, and report to senate on such matters of academic policy or principle relating to the faculty as shall be determined by senate;

(2) to serve as a forum for the discussion of University policy affecting the faculty;

(3) to discuss and make representations to senate on any academic matter relating to the faculty;

(4) to deal with any matter which may be referred to it by the senate; and
(5) to appoint six members of the court in accordance with the provisions of statute 18.

Convocation
45. There shall be a convocation of the University consisting of the vice-chancellor, the deputy vice-chancellor the pro-vice-chancellors, and all persons registered on or after the appointed day as members of convocation.

46. A register of members of convocation shall be kept by the registrar and, subject to the payment of such fees as may be prescribed by the council, the following shall be entitled to be registered as members of convocation:

(1) all alumni of the University;

(2) those alumni of the University of Durham who were during their courses registered students of the Newcastle Division of the University of Durham before the appointed day;

(3) those alumni of the University of Durham who were during their courses matriculated students at Sunderland Technical College;

(4) the five elected academic staff to the council;

(5) such other persons or classes of persons as the court may from time to time decide upon the recommendation of the senate.

47. Convocation, from its own members, shall elect a chairman and may elect a deputy chairman who shall respectively hold office for five years. Any retiring chairman or deputy chairman shall be eligible for re-election. Neither the chairman nor the deputy chairman shall be a member of the salaried staff of the University.

48. (1) Convocation shall hold at least one ordinary meeting in each year.

(2) An emergency meeting of convocation may be summoned at any time by the vice-chancellor.

(3) Notice of meetings shall be given by public notices in Newcastle and by such other means including communication to the press, as the vice-chancellor may direct.

49. The quorum of convocation for the despatch of business shall be thirty members, and if, after the expiration of half an hour from the time for which a meeting is summoned, a quorum has not been formed the meeting shall be dissolved.

50. The chairman of convocation or, in the event of the office of chairman being vacant, the deputy chairman may at any time at his discretion, and shall upon the requisition in writing of not fewer than fifty members of convocation stating the purpose for which the meeting is to be
called, summon an extraordinary meeting of convocation. The notice summoning the meeting shall specify the business to be considered. No extraordinary meeting called upon the requisition of members for any purpose shall be held before the expiration of three months from the date of the last foregoing meeting summoned for the same, or substantially the same, purpose. If any question arises whether the purpose of the two meetings is or is not the same or substantially the same the decision of the chairman or deputy chairman (as the case may be) of convocation shall be final.

51. Convocation shall appoint the chancellor on the nomination of the court and the senate sitting in joint session.

52. Convocation may discuss and, if it thinks fit, make representations on any matter whatsoever relating to the University.

53. All questions in convocation shall be determined by the votes of the majority of the numbers present and voting.

Appointment of Professors, Readers and the Librarian

54. Professors, readers and the librarian shall be appointed by the council after considering a report of a committee constituted to make recommendations as to the appointment, and the comments of the senate on that report. The committee shall consist of the vice-chancellor, the deputy vice-chancellor, two members appointed by the council, and five members appointed by the senate. The committee shall invite the assistance of at least two external assessors. The report of the committee shall be submitted to the senate and communicated by the senate to the council with an expression of the views of the senate.

Retirement of Members of the Academic and Administrative Staff of the University

55. (1) The vice-chancellor, the professors and readers, and all other teachers and officers of the University (other than the chancellor and the treasurer) shall vacate office on such date, not being earlier than the first day of August or later than the thirtieth day of September, next following the date on which they respectively attain the age of 65 years, as may be determined by the council, provided that the term of office of these persons may be extended by the council, on the recommendation of the senate, from time to time for one year or more than one year but not for more than five years in all.

(2) Provided that the part-time professors, readers, lecturers and clinical teachers in the faculty of medical sciences whose primary appointments are on the active medical staff of one or more of the associated hospitals shall vacate office if they cease to be on that staff, unless in view of exceptional circumstances the council, on the recommendation of the senate, otherwise determines.

(3) Provided also that nothing in this statute shall prevent the council from appointing to part-time posts, for periods of not more than one year at a time, persons who, at the date of the first such appointment, were over 65 years of age.

Removal of Chancellor
56. If, on the recommendation of the council, the court by a majority of two-thirds of its members present and voting represent to the visitor that the chancellor of the University should be removed, the visitor may remove the chancellor.

**Academic Staff**

57.

*Part I*

*Construction, Application and Interpretation*

**Construction**

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

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

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

   (3) to apply the principles of justice and fairness.

**Reasonableness of decisions**

2. 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 his dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissing him.

**Application**

3. (1) This statute shall apply:

   (a) to the professors and readers and other members of the academic and research staff of the University appointed by the council on the recommendation of the senate under statute 24(10) or (11);

   (b) to the registrar and other members of the staff of the University who are designated by the council for the purposes of this statute;

   and

   (c) to the vice-chancellor to the extent and in the manner set out in the Annex to this statute (see page X).
(2) In this statute any reference to ‘academic staff’ is a reference to persons to whom this statute applies.

Interpretation

Meaning of ‘dismissal’

4. In this statute ‘dismiss’ and ‘dismissal’ mean dismissal of a member of the academic staff and:

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

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

Meaning of ‘good cause’

5. (1) For the purposes of this statute ‘good cause’ in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means:

(a) conviction for an offence which may be deemed by 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

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

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

(d) physical or mental incapacity established under Part IV.

(2) In this paragraph:

(a) ‘capability’, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
(b) ‘qualifications’, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

Meaning of ‘redundancy’

6. For the purposes of this statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:

(1) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the 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

(2) 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

7. (1) In any case of conflict, the provisions of this statute shall prevail over those of any other statute and over those of the rules and regulations and the provisions of any regulation made under this statute shall prevail over those of any other regulations:

provided that Part III of and the Annex to this statute 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.

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

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

(3) Nothing in any other statute or in any rule or regulation made thereunder shall authorize or require any person to sit as a member of any committee, tribunal or body appointed under this statute or to be present when any such committee, tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
Part II

Purpose of Part II

Redundancy

8. This Part of this statute 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 20 November 1987

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

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

(b) he 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.

**Notices of intended dismissal**

12. (1) Where the appropriate body has approved a selection recommendation made under paragraph 11(1) it may authorize 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 or other officer of the University designated by the vice-chancellor. 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 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 or other officer of the University designated by the vice-chancellor but it will be disregarded for disciplinary purposes after two years subject to satisfactory conduct and performance.

**Stage 3 – Appeals**

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the registrar within two weeks. The deputy vice-chancellor shall hear all such appeals and his 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 who shall bring it to the attention of the vice-chancellor.

(2) To enable the vice-chancellor to deal fairly with any complaint brought to his attention under sub-paragraph (1) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.

(3) If it appears to the vice-chancellor that a complaint brought to his 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 bye-laws 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 may dismiss it summarily, or decide not to proceed further under this Part.

(4) If the vice-chancellor does not dispose of a complaint under sub-paragraph (3) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the member on full pay pending a final decision.

(5) Where the vice-chancellor proceeds further under this Part he 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 shall consider the matter in the light of all the material then available and may:

(a) dismiss it himself; or

(b) refer it for consideration under paragraph 13; or

(c) deal with it informally himself if it appears to the vice-chancellor appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or

(d) direct the registrar 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 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 has directed that a charge or charges be preferred under paragraph 14(6)(d), he 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 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 or, if he is unable to act, another officer appointed by the vice-chancellor 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.
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:

(1) a chairman; and

(2) one member of the council, not being a person employed by the University; and

(3) 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 rules made under this paragraph.

(2) Without prejudice to the generality of the foregoing such rules 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 him to represent him 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 him is based; and

(d) that full and sufficient provision is made:

(i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge
or charges to the vice-chancellor for further consideration
and for the correction of accidental errors; and

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

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
recommendation, if any, as to the appropriate penalty) to the vice-chancellor 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 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
three 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 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 or an officer acting as his 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.

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 chairman 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 or his 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:

(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 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, 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 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 outside the 28-day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he 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 being persons 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 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
The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in rules made under this paragraph.

Without prejudice to the generality of the foregoing such rules 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 appeal;

(b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him to represent him, 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.

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 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 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 faculty, 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:

(1) to matters affecting themselves as individuals; or

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

Exclusions and informal procedures

33. (1) If other remedies within the faculty, school, department or other relevant area have been exhausted the member of the academic staff may raise the matter with the head of the faculty, 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 faculty, school, department or other relevant area, the member may apply in writing to the vice-chancellor for redress of the grievance.

(3) If it appears to the vice-chancellor that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the vice-chancellor he shall inform the member and the grievance committee accordingly.

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

(a) a complaint under Part III;
(b) a determination under Part IV; or

(c) an appeal under Part V

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

(5) If the vice-chancellor does not reject the complaint under sub-paragraph (3) or if he does not defer action upon it under sub-paragraph (4) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he 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 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 rules 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.

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.
1. The council may request its chairman to remove the vice-chancellor 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 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, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he 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 under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he 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 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 recommendations, if any, as to the appropriate penalty, to the vice-chancellor 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.

2. Where a complaint is to be referred to a tribunal under this statute, the chairman of the council may suspend the vice-chancellor from his duties and may exclude the vice-chancellor from the precincts of the University or any part thereof without loss of salary.

3. ‘Good cause’ in this Annex has the same meaning as in paragraph 5 of this statute.

4. For the purpose of the removal of the vice-chancellor for incapacity on medical grounds, Part IV shall have effect subject to the following modifications:

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

   (2) for any reference to the office of vice-chancellor there shall be substituted a reference to the office of chairman of the council;

   (3) for paragraph 23 there shall be substituted

      ‘23. If the board determines that the vice-chancellor 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 on those medical grounds.’

The Union Society of the University of Newcastle upon Tyne
58. In so far as it shall further the educational purposes of the University, there shall be a union of students which shall be called the Union Society of the University of Newcastle upon Tyne.

Joint activities with the University of Durham and with other Universities or Higher Education Institutions
59. The University shall, subject to the provisions of these statutes, have the power to cooperate by means of joint boards or otherwise with the University of Durham or any other university or higher education institution for the extension of university teaching and influence in academic matters, and for such purposes as the council may from time to time determine.

Riddell Memorial Lecture
60. The standing committee for carrying out the duties assigned to it by clause 5 of the declaration of trust dated 15 June 1928, for the emolument of a lectureship called the Riddell Memorial Lecture shall consist of the following persons:

- the Lord Bishop of Newcastle for the time being;
- the vice-chancellor;
- five members appointed by the senate (representing as far as possible the subjects covered by the lectures);
- one person appointed by the senate of the University of Durham;

Together with such other persons not exceeding four in number as the senate may from time to time determine.

**Patents and Inventions**

61. No person shall, in connection with any invention, patent, process or manufacture, have authority to make representations on behalf of the University, or to enter into any contract in the like behalf or to be concerned in the like behalf in any transactions whatsoever relating thereto without the consent of the University body or officer authorized for this purpose by the council.

**Procedure**

62. (1) The following provisions shall, save and except where other provision is expressly made in these statutes, apply to the statutory bodies and each of them:

(a) Any appointed member and the chairman (other than an ex-officio chairman) may resign. Any appointed member and the chairman (other than an ex-officio chairman) shall be eligible for reappointment. An appointed member need not be a member of the appointing body;

(b) Any appointed member who is required by these statutes to possess any qualification shall, if ceasing to possess that qualification, vacate office;

(c) There shall be a quorum at any meeting of the statutory bodies when one hundred members, or not fewer than one-third of the members, whichever may be the smaller number are present. Every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the chairman or other presiding officer shall have a second or casting vote;

(d) The statutory bodies may determine the time and place of their meetings and the procedure to be followed thereat;

(e) A member of the statutory bodies or any of them who is appointed to fill a casual vacancy shall hold office only for the unexpired term of office of that vacancy, provided that the unexpired term is one year or more;

(f) The term of office of the members of any of the statutory bodies shall begin on 1 August, other than a members appointed to fill casual vacancies arising during the course of the year;
(g) the statutory bodies may appoint such and so many committees consisting either wholly or partly of members of the body as they may respectively think fit; and the provisions of this statute shall apply to any committee of any of the statutory bodies;

(h) the statutory bodies may make regulations for the purpose of the exercise of any of their powers or the performance of any of their duties;
    provided that no such regulations shall be repugnant to law or to the statutes of the University;

(j) the proceedings of the statutory bodies shall not be invalidated by any vacancy in their number or by any defect in the appointment or qualifications of the members;
    provided that nothing in this paragraph shall enable the council to delegate its power to reach a decision under paragraph 10(2) of statute 57.

(2) Any person appointed to an office under these statutes shall, except as otherwise provided in these statutes, be eligible for reappointment.

Reserved Matters
63. The student members shall be required to withdraw from the meeting when it is declared by the chairman of the meeting that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion of the reserved area of business is completed; the student members shall not receive minutes and other records which relate to the discussion of reserved areas of business. Reserved areas of business shall be:

(a) matters affecting the appointment, promotion and personal affairs of individual members of staff of the University; and

(b) matters affecting the admission and academic assessment of individual students.

Amendment of Statutes
64. (1) The court may, on the recommendation of the council, make statutes altering, amending, adding to or repealing any of these statutes (except this statute), but no such statute shall be operative until allowed by Her Majesty in Council.

No such statute shall be submitted to Her Majesty in Council unless it has been communicated to convocation and the academic board and any representations made by those bodies or either of them have been taken into account by the senate and the council. Before making any recommendation to the court under this statute the council shall consult the senate and shall convey the views of the senate to the court.

(2) Notwithstanding anything contained in the Statutory Instruments Act, 1946, the provisions of that Act shall not apply to an Order in Council or other document allowing a statute made under this statute.