



**Magdalen College JCR  
Constitution**

---

**THE CONSTITUTION OF THE JUNIOR COMMON ROOM OF  
MAGDALEN COLLEGE, OXFORD**

**(Adopted at the General Meeting held on 7 November 2010 and approved by the Governing Body on 1 December 2010; last amended at the General Meeting held on 18 January 2015 and so approved by the Governing Body on 21 January 2015)**

**Part I – Preliminary**

1. [Definitions](#)
2. [Interpretation](#)
3. [Notice](#)

**Part II – The JCR**

4. [Name and Objects](#)
5. [Powers](#)
6. [Registration and the Charity Commission](#)

**Part III – Members**

7. [Ordinary Members](#)
8. [Associate Members](#)
9. [Right not to be a Member](#)
10. [Exclusion from membership](#)
11. [Subscription](#)

**Part IV – Management of the JCR's Affairs**

12. [Management of the JCR's affairs](#)
  13. [The Committee](#)
  14. [Officers](#)
  15. [The Consultative Committee](#)
  16. [The Shop Committee](#)
  17. [Terms of office and handover period](#)
  18. [Committee Meetings](#)
  19. [Quorum and procedure at Committee Meetings](#)
  20. [Disclosure of pecuniary interest and entitlement to benefit](#)
-

- [21. Delegation](#)
- [22. Accounting and finance](#)
- [23. JCR Staff](#)
- [24. Use of the Common Room and JCR facilities](#)
- [25. Affiliation](#)
- [26. JCR Annual Report](#)
- [27. JCR Annual Statement of Accounts and Independent Examination](#)
- [28. Annual return to the Charity Commission](#)

## **Part V – Duties of Committee Members and Officers**

- [29. Duties of all Committee Members and Officers](#)
- [30. Duties of the President](#)
- [31. Duties of the Vice-President](#)
- [32. Duties of the Secretary](#)
- [33. Duties of the Treasurer](#)
- [34. Duties of the Access and Admissions Trustee](#)
- [35. Duties of the Entz Trustee and the Entz Officers](#)
- [36. Duties of the Male Welfare Trustee, the Female Welfare Trustee and the Welfare Officer](#)
- [37. Duties of the Charities and Communities Trustee and the Charities and Communities Officers](#)
- [38. Duties of the Quartermaster Trustee and the Quartermaster](#)
- [39. Duties of the First Year Representative](#)
- [40. Duties of Oscar, the Official Tortoise to the JCR](#)
- [41. Duties of the Women’s Officer](#)
- [42. Duties of the Academic Affairs Trustee](#)
- [43. Duties of the Publications Trustee and the Publications Officer](#)
- [44. Duties of the Facilities Trustee](#)
- [45. Duties of the Catering Trustee](#)
- [46. Duties of the Environment and Ethics Trustee](#)
- [47. Duties of the LGBTQ Trustee and the LGBTQ Officer](#)
- [48. Duties of the Arts and Photography Trustee and the Arts and Photography Officer](#)
- [49. Duties of the Computer Trustee](#)
- [50. Duties of the Independent Chair](#)
- [51. Duties of Supernumerary Officers](#)
- [52. Censure of a Committee Member or Officer](#)
- [53. Removal of a Committee Member or Officer](#)

## **Part VI – General Meetings**

- [54. General Meetings](#)
- [55. Ordinary resolutions and special resolutions](#)
- [56. Appealing resolutions](#)
- [57. Notice of General Meetings](#)
- [58. Quorum and procedure at General Meetings](#)

## **Part VII – Elections and Co-options**

- [59. General](#)
- [60. Returning Officer](#)
- [61. Schedule of elections and co-options](#)
- [62. Eligibility and campaigning](#)

- [63. Conduct of elections](#)
- [64. Conduct of co-options](#)
- [65. Vacancies](#)

## **Part VIII – Miscellaneous**

- [66. Constitution](#)
- [67. Dissolution](#)
- [68. Complaints](#)

# **Part I – Preliminary**

## **1. Definitions**

In this Constitution, unless the contrary intention appears:

*Academic Affairs Trustee* means the Committee Member established by section 13(1)(a)(xi);

*academic year* means the period from the beginning of Michaelmas Term until the end of Trinity Term, as reckoned according to the dates fixed by the Council of the University and published in the *Oxford University Gazette*;

*Access and Admissions Trustee* means the Committee Member established by section 13(1)(a)(v);

*Annual General Meeting* means the General Meeting referred to in section 54(2);

*Arts and Photography Officer* means the Officer established by section 14(1)(b)(iii);

*Arts and Photography Trustee* means the Committee Member established by section 13(1)(b)(vii);

*Associate Member* has the meaning given by section 8;

*Black and Minority Ethnic Students officer* means the officer established by section (14)(1)(b)(vi);

*Catering Trustee* means the Committee Member established by section 13(1)(b)(iv);

*Charities and Communities Officer* means one of the Officers established by section 14(1)(a)(iv);

*Charities and Communities Trustee* means the Committee Member established by section 13(1)(a)(ix);

*Charity Commission* means the Charity Commission for England and Wales;

*College JCR Adviser* means the Senior Dean of Arts of the College or any other member of the Governing Body of the College appointed as JCR Adviser by the Governing Body;

*College* means Magdalen College, Oxford, which is, relevantly, an establishment to which Part II of the *Education Act 1994* applies;

*Committee* means the committee established by section 13;

*Committee Meeting* means a meeting of the Committee, as referred to in section 18;

*Committee Member* means an elected Committee Member or a co-opted Committee Member;

**Common Room** means the premises provided by the College for use by the JCR as a common room;

**Computer Trustee** means the Committee Member established by section 13(1)(b)(viii);

**Consultative Committee** means the Consultative Committee established by section 15;

**co-opted Committee Member** means a Committee Member referred to in section 13(1)(b);

**co-opted Officer** means an Officer referred to in section 14(1)(b);

**Disabled Students Officer** means the officer established by section (14)(1)(b)(v);

**elected Committee Member** means a Committee Member referred to in section 13(1)(a);

**elected Officer** means an Officer referred to in section 14(1)(a);

**Electoral Rules** means rules adopted by resolution of the Members in General Meeting to govern the conduct of elections or co-options;

**Entz Officer** means one of the Officers established by section 14(1)(a)(ii);

**Entz Trustee** means the Committee Member established by section 13(1)(a)(vi);

**Environment and Ethics Trustee** means the Committee Member established by section 13(1)(b)(v);

**Executive Committee Member** means the President, Vice-President, Secretary or Treasurer;

**Facilities Trustee** means the Committee Member established by section 13(1)(b)(iii);

**Female Welfare Trustee** means the Committee Member established by section 13(1)(a)(viii);

**First Year Representative** means the Committee Member established by section 13(1)(a)(xii);

**Full Term** means the period of Michaelmas Term, Hilary Term or Trinity Term, as reckoned according to the dates fixed by the Council of the University and published in the *Oxford University Gazette*;

**General Meeting** means a meeting to which all Members are invited and may be either the Annual General Meeting or an Ordinary General Meeting;

**Independent Chair** means the Officer established by section 14(1)(a)(i);

**JCR Annual Report** has the meaning given by section 26(3);

**JCR Annual Statement of Accounts** has the meaning given by section 27(3);

**JCR Financial Year** means the period beginning on 1 November each year and ending on 31 October the following year;

**JCR mailing list** means the list of email addresses for those Members who choose to register their email addresses with the JCR maintained by the Secretary in accordance with section 32(d);

**JCR** means the Magdalen College Junior Common Room established by section 4;

**joke resolution** means a resolution, proposed by any Member, that is intended in jest or that is not, in all of the circumstances, reasonably to be understood as

a serious resolution genuinely intended to bind the JCR or represent the views of Members;

**LGBTQ Officer** means the Officer established by section 14(1)(b)(ii);

**LGBTQ Trustee** means the Committee Member established by section 13(1)(b)(vi);

**Male Welfare Trustee** means the Committee Member established by section 13(1)(a)(vii);

**MCR** means the Magdalen College Middle Common Room;

**Member** means an Ordinary Member or Associate Member for the time being;

**Objects** means the objects of the JCR set out in section 4(2);

**Officer** means an officer referred to in section 14(1);

**Ordinary General Meeting** means a General Meeting other than the Annual General Meeting;

**Ordinary Member** has the meaning given by section 7;

**ordinary resolution** means a resolution that is passed by a simple majority of votes cast (i.e., excluding abstentions) by Members at a General Meeting;

**Oscar** means the Committee Member established by section 13(1)(a)(xiii);

**OUSU** means the Oxford University Student Union;

**President** means the Committee Member established by section 13(1)(a)(i);

**Publications Officer** means the Officer established by section 14(1)(b)(i);

**Publications Trustee** means the Committee Member established by section 13(1)(b)(ii);

**Quartermaster** means the Officer established by section 14(1)(a)(v);

**Quartermaster Trustee** means the Committee Member established by section 13(1)(a)(x);

**resolution** means, in the case of the Members in General Meeting, an ordinary resolution or a special resolution;

**Returning Officer** means the Returning Officer appointed in accordance with section 25(4)(b), section 60(1) or section 65(2)(b);

**Secretary** means the Committee Member established by section 13(1)(a)(iii);

**Shop Committee** means the Shop Committee established by section 16;

**special resolution** means a resolution that is passed by two thirds of the votes cast (i.e., excluding abstentions) by Members at a General Meeting;

**student** means a matriculated student of the University;

**Supernumerary Officer** means an Officer established in accordance with section 14(2);

**Treasurer** means the Committee Member established by section 13(1)(a)(iv);

**University** means the University of Oxford;

**Vice-President** means the Committee Member established by section 13(1)(a)(ii);

**Welfare Officer** means the Officer established by section 14(1)(a)(iii);

**Women's Officer** means the Officer established by section 14(1)(a)(vi).

## **2. Interpretation**

(1) Subject to this Constitution, the Vice-President may determine all questions concerning the interpretation of this Constitution.

(2) Subject to subsection (3) and subsection (4), a Member may submit a question concerning the interpretation of this Constitution to the Vice-President, who must:

- (a) determine the question; and
- (b) set out a written record of the question and its determination; and
- (c) provide a copy of the written record to the Member; and
- (d) inform the next General Meeting of the question and its determination, and table a copy of the written record to be annexed to the minutes of that General Meeting.

(3) Subject to subsection (4), where a question concerning the interpretation of this Constitution arises in the course of a General Meeting, the Vice-President must:

- (a) determine the question; and
- (b) direct the Secretary to record the question and its determination in the minutes of that General Meeting.

(4) The JCR may, by ordinary resolution, alter or repeal any determination or purported determination made by the Vice-President under subsections (1), (2) or (3).

(5) Where this Constitution fixes a period of time by reference to a day or an event, that period of time does not include that day or the day of that event.

(6) Where this Constitution refers to the giving of notice in writing, writing includes communication by email.

(7) Where this Constitution refers to legislation, those references are references to such applicable legislation, including amendments, as may be in force from time to time.

## **3. Notice**

(1) Subject to this Constitution, where a provision of this Constitution requires that notice of any matter be given to Members, that notice must be given in writing:

- (a) posted on the notice board in the Common Room; and
  - (a) emailed to the JCR mailing list.

(2) Failure to give notice in accordance with subsection (1) does not affect the validity of anything done, or purportedly done, in accordance with this Constitution, if the person required to give notice used the person's best efforts, in good faith, to give effective notice of the matter to Members.

# **Part II – The JCR**

## **4. Name and Objects**

- (1) An unincorporated association called the Magdalen College Junior Common Room is established.
- (2) The Objects of the JCR are to advance the education of Members by:
  - (a) promoting their interests and representing their opinions as members of the University and the College; and
  - (b) providing facilities and services:
    - (i) for their education at the University and the College; and
    - (ii) for their recreational and leisure time activities in the interests of their social welfare and, in particular, their personal, physical and cultural development.
- (3) The property and income of the JCR:
  - (a) must be applied solely towards the promotion of the Objects, and no part of that property or income may be paid or otherwise distributed, directly or indirectly, except in good faith in the promotion of those Objects; and
  - (b) must not be paid or otherwise distributed, directly or indirectly, to any charitable organisation or for charitable purposes, unless the JCR specifically raised that property or income for charitable purposes; and
  - (c) is owned by the Members subject to this Constitution.

## **5. Powers**

- (1) Subject to this Constitution, the JCR has all powers that:
  - (a) may be exercised by or on behalf of an unincorporated association by law; and
  - (b) may be exercised by a “charity” within the meaning of the Charities Act 2006; and
  - (c) are necessary or convenient for carrying out the Objects.
- (2) Without limiting the generality of subsection (1), the JCR has power to:
  - (a) raise moneys by such means as the Committee may from time to time determine; and
  - (b) accept any gift or donation that will further the promotion of the Objects; and
  - (c) require payment by Members for use of any specified facility owned by the JCR or for participation in any of the JCR’s activities.
- (3) The JCR must:
  - (a) be a non-discriminatory body; and
  - (b) operate in a fair and democratic manner; and
  - (c) be accountable for its finances; and
  - (d) treat the Common Room with care and protect it, and all other the property of the College used in connection with JCR activities, from damage.

## **6. Registration and the Charity Commission**

(1) This section applies if the JCR is required by law to be registered on the central register of charities maintained by the Charity Commission.

(2) The Committee must:

(a) if the JCR is not registered, apply to the Charity Commission for the JCR to be registered; and

(b) supply the Charity Commission with any information and documentation that the Charity Commission may require from time to time; and

(c) notify the Charity Commission of any changes in the registered particulars of the JCR as soon as practicable after the changes arise; and

(d) ensure that the fact that the JCR is a registered charity is stated in legible characters in all notices, advertisements and other documents issued by or on behalf of the JCR and soliciting money or other property for the benefit of the JCR.

(3) The JCR, the Committee and Committee Members individually, as “charity trustees” within the meaning of the Charities Act 1993, must comply with their obligations at law and, in particular, with all orders, directions, requests, guidance and advice of the Charity Commission.

## **Part III – Members**

### **7. Ordinary Members**

(1) A person is an Ordinary Member if the person:

(a) is eligible to be an Ordinary Member under subsection (2); and

(b) has not exercised the person’s right not to be a Member, in accordance with section 9; and

(c) has not been excluded from membership in accordance with section 10.

(2) A person is eligible to be an Ordinary Member if the person:

(a) is a student; and

(b) is subject to batell by the College; and

(c) is not a member of the MCR or is a member of the MCR in virtue of being in the final year of a three- or four-year degree course at the University and having been a student for at least three years.

### **8. Associate Members**

(1) A person is an Associate Member if the person:

(a) is eligible to be an Associate Member under subsection (2); and

(b) has not exercised the person’s right not to be a Member, in accordance with section 9; and



(c) has not been excluded from membership in accordance with section 10.

(2) A person is eligible to be an Associate Member if the person:

(a) is not an Ordinary Member; and

(b) is, within the meaning of the Constitution of the MCR, an Ordinary Member of the MCR.

## **9. Right not to be a Member**

(1) A person who is eligible to be an Ordinary Member or Associate Member has the right not to be a Member.

(2) The Secretary must, no later than Sunday of the Second Week of Michaelmas Term each year, give notice to Members of the right provided in subsection (1).

(3) A person may exercise the right provided in subsection (1):

(a) at any time; and

(b) by indicating in writing, addressed to the Secretary and signed by the person, that the person does not wish to be a Member.

(4) A person who has exercised the right provided in subsection (1) may revoke the exercise of that right and become a Member:

(a) at any time; and

(b) by indicating in writing, addressed to the Secretary and signed by the person, that the person revokes the person's previous indication and now wishes to be a Member.

(5) Subject to this Constitution, a person who has exercised the right provided in subsection (1) is entitled to use all Common Room facilities and to participate in the JCR's social, cultural, artistic, welfare, charitable and sporting activities but is not entitled to enjoy the other rights and privileges enjoyed by Members under this Constitution.

## **10. Exclusion from membership**

(1) If the Committee resolves that the conduct of a person while a Member has been seriously detrimental to the interests of the JCR or incompatible with the Objects:

(a) the Vice-President must propose a special resolution to be considered at the next General Meeting to exclude the person from membership; and

(b) the Secretary must communicate to the person, in writing:

(i) notice of the proposed special resolution; and

(ii) when and where the General Meeting at which the proposed special resolution will be considered is to be held; and

(iii) particulars of the conduct the subject of the Committee's resolution.

(2) At the General Meeting referred to in subparagraph (1)(b)(ii), the Members in General Meeting:

- (a) must afford the person a reasonable opportunity to be heard; and
- (b) must consider any representations made in writing to the JCR; and
- (c) may, by special resolution, exclude the person from membership.

(3) If the Members in General Meeting exclude the person from membership in accordance with subsection (2), the Secretary must communicate that resolution to the person in writing.

(4) Subject to this Constitution, a person who has been excluded from membership in accordance with subsection (2) is not entitled to use any facilities provided by the JCR (as distinct from those provided by the College), to participate in the JCR's activities or to enjoy the other rights and privileges enjoyed by Members under this Constitution.

## **11. Subscription**

Ordinary Members and Associate Members are not liable to pay any subscription to be Members.

# **Part IV – Management of the JCR's Affairs**

## **12. Management of the JCR's affairs**

(1) The Committee is responsible for the general control and management of the administration of the JCR and its affairs and, subject to this Constitution, has all the functions and powers necessary or convenient for that purpose.

(2) For the avoidance of doubt, the Committee Members, and only the Committee Members, are intended to be "charity trustees" within the meaning of the Charities Act 1993.

(3) In exercising its functions and powers under subsection (1), the Committee must have regard to the resolutions of the Members in General Meeting.

(4) Subject to this Constitution and to the resolutions of the Committee, Committee Members and Officers must assist the Committee in managing the JCR's affairs within their particular areas of responsibility, and have all the functions and powers necessary or convenient for that purpose.

(5) The Consultative Committee and the Shop Committee are advisory bodies and have only the powers necessary for them to fulfil their functions under this Constitution.

## **13. The Committee**

(1) The Committee comprises:

- (a) thirteen elected Committee Members, consisting of:
  - (i) the President; and
  - (ii) the Vice-President; and

- (iii) the Secretary; and
- (iv) the Treasurer; and
- (v) the Access and Admissions Trustee; and
- (vi) the Entz Trustee; and
- (vii) the Male Welfare Trustee; and
- (viii) the Female Welfare Trustee; and
- (ix) the Charities and Communities Trustee; and
- (x) the Quartermaster Trustee; and
- (xi) the Academic Affairs Trustee; and
- (xii) the First Year Representative; and
- (xiii) Oscar, the Official Tortoise to the JCR;

and

- (b) eight co-opted Committee Members, consisting of:
  - (i) the Publications Trustee; and
  - (ii) the Facilities Trustee; and
  - (iii) the Catering Trustee; and
  - (iv) the Environment and Ethics Trustee; and
  - (v) the LGBTQ Trustee; and
  - (vi) the Arts and Photography Trustee; and
  - (vii) the Computer Trustee.

(2) Subject to this Constitution, the Committee is properly constituted notwithstanding that the office of a Committee Member is vacant under section 65.

#### **14. Officers**

- (1) The Officers comprise:
  - (a) eight elected Officers, consisting of:
    - (i) the Independent Chair; and
    - (ii) two Entz Officers; and
    - (iii) one Welfare Officer; and
    - (iv) two Charities and Communities Officers; and
    - (v) one Quartermaster; and
  - (vi) one Women's Officer; and
  - (b) co-opted Officers, consisting of:
    - (i) one Publications Officer; and
    - (ii) one LGBTQ Officer; and
    - (iii) one Arts and Photography Officer; and
    - (iv) any Supernumerary Officers.
  - (v) one Disabled Students Officer
  - (vi) one Black and Minority Ethnic Students Officer

(2) The Committee may, from time to time, resolve to co-opt Supernumerary Officers, whose positions:

- (a) may be designated by such titles as the Committee resolves but must include the words "Supernumerary" and "Officer"; and
  - (b) lapse when they become vacant.
- (3) If the Committee resolves to co-opt a Supernumerary Officer under

subsection (2), section 64 applies on the basis that:

(a) nominations open at 8 am on the day following the Committee Meeting at which the Committee resolved to co-opt the Supernumerary Officer; and

(b) nominations close at 8 pm on the day five days after that Committee Meeting; and

(c) the co-option must be held at the first Committee Meeting after the close of nominations.

(4) The Committee may, by such selection process as the Committee may resolve:

(a) nominate one or more Ordinary Members for appointment by the College as JCR Punts Reps; and

(b) appoint one or more Ordinary Members to be Stanford Reps.

(5) For the avoidance of doubt, the JCR Punts Reps and the Stanford Reps referred to in subsection (4) are not Committee Members or Officers.

## **15. The Consultative Committee**

(1) The Consultative Committee comprises twelve members, consisting of:

(a) the Executive Committee Members; and

(b) the immediate past Executive Committee Members, whether or not they are still Members; and

(c) the College JCR Adviser; and

(d) a member of the MCR nominated by the MCR; and

(e) two former Members, appointed by the Committee:

(i) by such selection process as the Committee may resolve; and

(ii) for terms of office of no less than one year and no more than two years and, where practicable, staggered.

(2) The Consultative Committee must:

(a) report to the Committee on any question, matter or request for advice referred to it by resolution of the Members in General Meeting, by resolution of the Committee or by the President; and

(b) meet at least once during Hilary Term, to consider the most recent JCR Annual Report and JCR Annual Statement of Accounts and to report to the Committee on any question or matter arising out of that Report or that Statement that the Consultative Committee considers warrants comment.

(3) A meeting of the Consultative Committee:

(a) may be convened by the President or by the College JCR Adviser, during or outside of Full Term; and

(b) must be chaired by the President; and

(c) must be conducted in an informal fashion and in the manner that the President directs.

**16. The Shop Committee**

- (1) The Shop Committee comprises six members, consisting of:
  - (a) the President; and
  - (b) the Vice-President; and
  - (c) the Treasurer; and
  - (d) the Quartermaster Trustee; and
  - (e) the Computer Trustee; and
  - (f) the Quartermaster.
- (2) The Shop Committee must:
  - (a) serve as a forum for supervising, and discussing any question or matter concerning, the operation of the JCR Shop; and
  - (b) meet at least once during Hilary Term, to consider the most recent JCR Annual Report and JCR Annual Statement of Accounts and to report to the Committee on any question or matter arising out of that Report or that Statement in connection with the operation of the JCR Shop.
- (3) A meeting of the Shop Committee:
  - (a) may be convened by the Treasurer or by the Quartermaster Trustee, during or outside of Full Term; and
  - (b) must be chaired by the Treasurer; and
  - (c) must be conducted in an informal fashion and in the manner that the Treasurer directs.

**17. Terms of office and handover period**

- (1) Subject to section 65, elected Committee Members and elected Officers hold office:
  - (a) from Sunday of the Eleventh Week of Michaelmas Term;and
  - (b) until Saturday of the Tenth Week of the following Michaelmas Term.
- (2) Subject to section 65, co-opted Committee Members and co-opted Officers hold office:
  - (a) from the date of their co-option; and
  - (b) until Saturday of the Tenth Week of Michaelmas Term.
- (3) A person elected as an elected Committee Member must, from the time of the person's election until commencement of the person's term of office in accordance with subsection (1):
  - (b) attend all Committee Meetings; and
    - (a) cooperate with the Committee Member holding the position to which the person was elected, in order to ensure a timely and efficient transition of responsibility.

**18. Committee Meetings**

- (1) The Committee must meet at least once every week during Full Term.
- (2) The Committee may meet outside of Full Term.

(3) A Committee Meeting may be convened by the President, or by the Vice-President, or by any four or more Committee Members.

(4) At least twenty-four hours before a Committee Meeting, the Secretary must give notice, by email, to the Committee Members, setting out:

- (a) when and where the Committee Meeting is to be held; and
- (b) particulars of the business to be transacted at the Committee Meeting and of the order in which that business is to be transacted.

## **19. Quorum and procedure at Committee Meetings**

(1) At a Committee Meeting:

(a) ten Committee Members entitled to vote under paragraph (d) constitute a quorum; and

(b) unless the Committee resolves otherwise, any Member and any other person invited by the Committee may attend and address the meeting; and

(c) the President, or, in the absence of the President, the Vice-President or other Committee Member nominated by the President, must chair the meeting; and

(d) subject to section 20(3)(b), only Committee Members who are present in person may vote; and

(e) each Committee Member entitled to vote under paragraph (d) has a deliberative vote and, if the votes are equal, the person chairing the meeting must exercise a casting vote; and

(f) a resolution is decided by a simple majority of votes cast (i.e., excluding abstentions) by Committee Members entitled to vote under paragraph (d) on a show of hands; and

(g) subject to this Constitution, the meeting must be conducted in the manner that the person chairing the meeting directs.

(2) The Secretary must take full and accurate minutes of the proceedings of a Committee Meeting and the person chairing that Committee Meeting must sign those minutes as correct.

(3) Minutes signed in accordance with subsection (2) are, unless the contrary is proved, evidence that:

(a) the Committee Meeting to which they relate was duly convened and held; and

(b) all proceedings recorded as having taken place at the Committee Meeting did in fact take place; and

(c) all co-options recorded as having been conducted at the Committee Meeting were validly conducted and the result of those co-options was as recorded.

(4) As soon as reasonably practicable after a Committee Meeting, the Secretary must circulate, by email to the Committee Members, a copy of the minutes taken in accordance with subsection (2).

(5) The Secretary must make a copy of the minutes taken in accordance with subsection (2) available to Members on request.

## **20. Disclosure of pecuniary interest and entitlement to benefit**

(1) Subject to subsection (2), this section applies to:

(a) a Committee Member who has a direct or indirect pecuniary interest in, or would receive a direct or indirect benefit of any kind under, a contract or proposed contract (including a contract of employment in connection with the JCR Shop), made by, or in the contemplation of, the Committee; and

(b) a person, firm or company connected with a person referred to in paragraph (a).

(2) Subsection (1) does not apply with respect to a pecuniary interest that exists only by virtue of the fact the person, firm or company is a member of a class of people for whose benefit the JCR is established.

(3) If this section applies, the Committee Member must:

(a) as soon as the Committee Member becomes aware of the interest or benefit, disclose the nature and extent of the interest to the Committee; and

(b) not take part in the deliberations or decision of the Committee with respect to the contract.

(4) The Secretary must record every disclosure made in accordance with subsection (3) in the minutes of the Committee Meeting at which it is made.

(5) Subject to this Constitution, if subsection (3) has been complied with, the person, firm or company is entitled to profit from the interest in, or receive the benefit under, the contract.

## **21. Delegation**

(1) The Committee may delegate to a Committee Member or to an Officer, or to one or more subcommittees, the exercise of such functions and powers as are specified in the delegation, other than the power of delegation.

(2) A subcommittee referred to in subsection (1):

(a) must consist of more Members than people who are not Members; and

(b) includes, ex officio, the President or a Committee Member nominated by the President; and

(c) must provide full and timely reports to the Committee on its activities.

(3) A delegation under subsection (1) is subject to such directions, conditions and limitations as the Committee may set out in the delegation.

(4) The Committee may continue to exercise any function or power delegated under subsection (1).

(5) The Committee may vary or revoke any delegation under subsection (1).

## **22. Accounting and finance**

(1) The JCR must maintain such operational and capital accounts as are necessary and convenient for the management of the JCR's finances.

(2) The Committee and, in particular, the Treasurer must maintain the JCR's

financial records in a manner that:

- (a) correctly records and explains the financial transactions and financial position of the JCR; and
- (b) enables true and fair accounts of the JCR to be prepared and examined from time to time.

(3) Without limiting the generality of subsection (2), the JCR's financial records must contain:

- (a) entries showing from day to day all sums of money received and expended by the JCR, and the matters in respect of which the receipt and expenditure took place; and
- (b) a record of the assets and liabilities of the JCR.

(4) The Treasurer must:

- (a) ensure that the JCR's financial records are preserved for at least six years from the end of the JCR Financial Year to which they relate; and
- (b) prepare and submit a budget for the JCR for approval by the Governing Body of the College; and
- (c) ensure that all expenses incurred by Committee Members and Officers on the accounts referred to in subsection (1) are authorised; and
- (d) if section 6 applies, ensure that the fact that the JCR is a registered charity is stated in legible characters:
  - (i) in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed on behalf of the JCR; and
  - (ii) in all bills rendered by the JCR and in all its invoices, receipts and letters of credit.

(5) Any two of the Executive Committee Members may sign cheques and forms of authority for the payment of funds of the JCR.

(6) The JCR must not, without the prior approval of the Members in General Meeting borrow moneys exceeding £200, whether from the College or any other lender.

### **23. JCR Staff**

Subject to this Constitution, the Committee may, by resolution:

- (a) determine that it is necessary and convenient for the JCR to employ staff to assist in the management of the JCR's activities; and
- (b) determine the duties and remuneration of JCR staff positions; and
- (c) advertise and interview for, employ and terminate the employment of, JCR staff.

### **24. Use of the Common Room and JCR facilities**

The Common Room and facilities owned by the JCR must only be used in connection with the JCR's activities or with use as a common room for students of the College.



## 25. Affiliation

(1) The JCR must not, without the prior approval of the Members in General Meeting, determine:

- (a) to affiliate to an external organisation; or
- (b) to continue to be affiliated to an external organisation; or
- (c) not to continue to be affiliated to an external organisation.

(2) If, in accordance with subsection (1), the JCR determines to affiliate to an external organisation:

- (a) the Secretary must give notice to Members setting out:
  - (i) the resolution; and
  - (ii) the name of the external organisation; and
  - (iii) details of the subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the external organisation; and
- (b) the Secretary must make the notice given in accordance with paragraph (a) available to:
  - (i) the Governing Body of the College; and
  - (ii) any student who requests to inspect it; and
- (c) the Treasurer must submit to Members at the Annual General Meeting a report containing:
  - (i) a list of the external organisations to which the JCR is currently affiliated; and
  - (ii) details of the subscriptions or other similar fees paid, or donations made, to any external organisation since the last report; and
- (d) the Treasurer must make the report referred to in paragraph (c) available to:
  - (i) the Governing Body of the College; and
  - (ii) any student who requests to inspect it.

(3) At the Annual General Meeting:

- (a) the Treasurer must propose an ordinary resolution to the effect that the JCR approve the list referred to in subparagraph (2)(c)(i); and
- (b) the Members must vote on the resolution referred to in paragraph (a); and
- (c) if, in accordance with paragraphs (a) and (b), the Members resolve not to approve the list:
  - (i) the Treasurer must, in respect of each external organisation on the list, propose an ordinary resolution to the effect that the JCR continue to be affiliated to that organisation; and
  - (ii) the Members must vote on the resolution referred to in subparagraph (i).

(4) Subject to subsection (5), if a request, signed by at least five percent of the number of Members at that time, is made to the Vice-President to the effect that the question of the JCR's continued affiliation to a particular external organisation be decided upon by secret ballot:

(a) the Vice-President must propose an ordinary resolution to be considered at the next General Meeting for the purpose of considering that question; and

(b) section 60(1) has effect as if:

(i) “before the General Meeting at which the question is to be decided in accordance with section 25(4)” were substituted for the phrase “no later than Sunday of the Fourth Week of Michaelmas Term”; and

(ii) section 60(1)(a)(iii) were omitted; and

(c) the Returning Officer must provide to all Members who are entitled to vote a ballot paper setting out:

(i) the name of the external organisation; and

(ii) the option to vote in favour of the JCR’s continuing to be affiliated to the organisation; and

(iii) the option to vote in favour of the JCR’s not continuing to be affiliated to the organisation; and

(d) notwithstanding section 58(1)(d), the question must be decided by secret ballot.

(5) Subsections (3) and (4) do not prevent the JCR from determining, at any time, any of the matters referred to in subsection (1), in accordance with that subsection.

## **26. JCR Annual Report**

(1) As soon as practicable after the end of the JCR Financial Year, the President must, in respect of that JCR Financial Year, prepare, in draft form, an annual report on the JCR’s activities:

(a) setting out:

(i) the main activities undertaken by the JCR to further the Objects; and

(ii) the main achievements of the JCR; and

(b) if section 6 applies, otherwise complying with the requirements for the annual report that the Committee is required by law to submit to the Charity Commission.

(2) On or before the Saturday of the Fourth Week of Michaelmas Term:

(a) the President must submit the draft annual report prepared in accordance with subsection (1) to a Committee Meeting; and

(b) at a Committee Meeting, the Committee must, by resolution:

(i) approve the draft report, with any alterations that the Committee may, by resolution, make; and

(ii) authorise the Executive Committee Members to sign and date the finalised report.

(3) The annual report approved and signed in accordance with paragraph (2)(b) is the JCR Annual Report for the JCR Financial Year to which it relates.

- (4) The President must:
- (a) submit the JCR Annual Report to:
    - (i) the Annual General Meeting; and
    - (ii) the Governing Body of the College; and
  - (b) make the JCR Annual Report available to:
    - (i) any student who requests to inspect it; and
    - (ii) any member of the public who requests, in writing, a copy of it and who pays any reasonable fee that the Committee may resolve to charge to cover the cost of complying with that request; and
  - (c) ensure that JCR Annual Reports are preserved for at least six years from the end of the JCR Financial Year to which they relate.

## **27. JCR Annual Statement of Accounts and Independent Examination**

(1) As soon as practicable after the end of the JCR Financial Year, the Treasurer must, in respect of that JCR Financial Year, prepare, in draft form, an annual statement of accounts:

- (a) including:
    - (i) a statement of financial activities showing the total incoming resources and application of the resources, together with any other movements in the total resources, of the JCR; and
    - (ii) a balance sheet showing the state of affairs of the JCR as at the end of the JCR Financial Year; and
    - (iii) a list of the external organisations to which the JCR has made donations, together with details of those donations; and
  - (b) if section 6 applies:
    - (i) prepared in accordance with the provisions of any statement of recommended practice issued by the Charity Commission; and
    - (ii) otherwise complying with the requirements for the statement of accounts that the Committee is required by law to submit to the Charity Commission.
- (2) On or before the Saturday of the Fourth Week of Michaelmas Term:
- (a) the Treasurer must submit the draft annual statement of accounts prepared in accordance with subsection (1) to a Committee Meeting; and
  - (b) at a Committee Meeting, the Committee must, by resolution:
    - (i) approve the draft report, with any alterations that the Committee may, by resolution, make; and
    - (ii) authorise the Executive Committee Members to sign and date the finalised annual statement of accounts; and
    - (iii) appoint as an independent examiner a person who has the requisite ability, practical experience and professional standing to carry out a competent examination of the JCR Annual Statement of

#### Accounts.

(3) The annual statement of accounts approved and signed in accordance with paragraphs (2)(b)(i) and (2)(b)(ii) is the JCR Annual Statement of Accounts for the JCR Financial Year to which it relates.

(4) The Treasurer must:

- (a) submit the JCR Annual Statement of Accounts to:
  - (i) the Annual General Meeting; and
  - (ii) the Governing Body of the College; and
- (b) make the JCR Annual Statement of Accounts available to

:

- (i) any student who requests to inspect it; and
  - (ii) any member of the public who requests, in writing, a copy of it and who pays any reasonable fee that the Committee may resolve to charge to cover the cost of complying with that request; and

- (c) submit the JCR Annual Statement of Accounts to be examined and reported on by the independent examiner appointed under subparagraph (2)(b)(iii) in accordance with applicable legislation; and

- (d) ensure that JCR Annual Statements of Accounts and the associated reports of the independent examiner are preserved for at least six years from the end of the JCR Financial Year to which they relate.

## **28. Annual return to the Charity Commission**

If section 6 applies, as soon as is reasonably practicable after the report of the independent examiner in relation to a JCR Annual Statement of Accounts is available, and in any event within ten months of end of the JCR Financial Year, the President must prepare and submit to the Charity Commission, in relation to the preceding JCR Financial Year:

- (a) an annual return in the form and containing such information as is required by law; and
- (b) the JCR Annual Report; and
- (c) the JCR Annual Statement of Accounts; and
- (d) a copy of the report made by the independent examiner.

## **Part V – Duties of Committee Members and Officers**

### **29. Duties of all Committee Members and Officers**

(1) Committee Members and Officers must, in discharging their duties, exercise such care, skill and diligence as is reasonable in all the circumstances.

(2) Committee Members and Officers must assist, and be actively involved, in the JCR's activities.

(3) Unless they have a reasonable excuse for not attending and have given notice in writing of that excuse to the Secretary in advance:

- (a) Committee Members and Officers must attend all

General Meetings; and

(b) the following Committee Members must attend all Committee Meetings:

- (i) the Executive Committee Members; and
- (ii) the Entz Trustee; and
- (iii) the Male Welfare Trustee; and
- (iv) the Female Welfare Trustee; and
- (v) the Charities and Communities Trustee; and
- (vi) the Quartermaster Trustee; and
- (vii) the Academic Affairs Trustee; and

(c) any Committee Member not referred to in paragraph (b) must attend a Committee Meeting if the Secretary, by notice in writing to that Committee Member, requests the Committee Member to attend the Meeting.

(4) Committee Members and Officers (other than Supernumerary Officers) must, no later than Saturday of the Third Week of Michaelmas Term, prepare a set of detailed handover materials relating to their office to assist their successors.

(5) Committee Members and Officers must make themselves available to Members to discuss any matter within their areas of responsibility.

### **30. Duties of the President**

(1) In addition to the other duties imposed by this Constitution and by resolution of the Committee, the President must manage the day-to-day affairs of the JCR.

(2) Without limiting the generality of subsection (1), the President must:

(a) ensure that the JCR complies at all times with this Constitution; and

(b) represent, in person or by nominee, the JCR on any representative or decision-making body of the College, the University or any other organisation to which the JCR is affiliated of which the President is, ex officio, a member; and

(c) liaise with the Tutor for Admissions of the College in relation to, and coordinate, the JCR's involvement in the admissions process; and

(d) ensure that all Members are, and are aware of their rights to be, represented before the Cases Committee of the College;

(e) at General Meetings, speak on any resolution proposed by the Committee or nominate another Committee Member to do so; and

(f) prepare a report on the JCR's activities for publication in the *Magdalen College Record*; and

(g) direct, coordinate and supervise the discharge by other Committee Members and Officers of their duties in accordance with this Constitution; and

(h) direct, coordinate and supervise the discharge by JCR staff of their duties.

### **31. Duties of the Vice-President**

(1) In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Vice-President must assist the President in managing the day-to-day affairs of the JCR and in the performance of the duties imposed on the President by this Constitution.

(2) Without limiting the generality of subsection (1), the Vice-President must:

(a) represent the JCR on any representative or decision-making body of the College, the University or any other organisation to which the JCR is affiliated of which the Vice-President is, ex officio or by nomination of the Committee, a member; and

(b) coordinate the selection, by lot, of junior members of the College to sit on the Disciplinary Committee of the College; and

(c) liaise with the Home Bursary of the College in conjunction with the ballot for the allocation of rooms to undergraduate students; and

(d) organise and oversee the voting on applications to the Creative Projects Fund in the last General Meeting of each Full Term; and

(e) maintain a list of Magdalen Sports and Society Captains and Presidents.

### **32. Duties of the Secretary**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Secretary must:

(a) maintain a current copy of this Constitution and make it available to any Member who requests to inspect it; and

(b) maintain the records of the JCR, other than the financial records; and

(c) maintain a register of Ordinary Members and Associate Members; and

(d) maintain the JCR mailing list and JCR notice boards; and

(e) coordinate the correspondence of the JCR; and

(f) coordinate publicity for the JCR's activities; and

(g) prepare and distribute a term card setting out details of the JCR's activities; and

(h) assist the Access and Admissions Trustee and the First Year Representative in the preparation and publication of the Alternative Magdalen Prospectus and the Freshers' Handbook; and

(i) direct, coordinate and supervise the discharge by the Publications Trustee, the Computer Trustee and the Publications Officer of their duties in accordance with this Constitution.

### **33. Duties of the Treasurer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Treasurer must:

(a) submit a report of the financial position of the JCR to the Committee at the first Committee Meeting in each Full Term; and

- (b) liaise with the responsible Committee Members and Officers concerning, and supervise, the financial aspects of the JCR's activities; and
- (c) arrange and be responsible for the:
  - (i) reimbursement of authorised expenses incurred by Committee Members and Officers on behalf of the JCR; and
  - (ii) handling of petty cash; and
  - (iii) payment of the JCR's television licence and subscription to any cable or satellite television service; and
- (d) represent the JCR on any representative or decision-making body of the College, the University or any other organisation to which the JCR is affiliated of which the Treasurer is, ex officio or by nomination of the Committee, a member; and
- (e) supervise, and liaise with the Quartermaster Trustee and the Quartermaster in relation to, the operation of the JCR Shop, vending machines and other services of a commercial nature provided by, through or on behalf of the JCR.

#### **34. Duties of the Access and Admissions Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Access and Admissions Trustee must:

- (a) represent the JCR on any representative or decision-making body of the College, the University or any other organisation to which the JCR is affiliated of which the Access and Admissions Trustee is, ex officio or by nomination of the Committee, a member; and
- (b) assist the President with respect to the JCR's involvement in the admissions process; and
- (c) represent the views and interests, and assist in the representation, of undergraduate students of the College in access matters; and
- (d) coordinate the preparation and publication of the Alternative Magdalen Prospectus; and
- (e) assist the First Year Representative in the preparation and publication of the Freshers' Handbook.

#### **35. Duties of the Entz Trustee and the Entz Officers**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Entz Trustee and the Entz Officers must work together to:

- (a) plan, organise and promote the JCR's social activities; and
- (b) coordinate and maintain the JCR's social links with other colleges and organisations within and external to the University.

#### **36. Duties of the Male Welfare Trustee, the Female Welfare Trustee and the Welfare Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Male Welfare Trustee, the Female Welfare Trustee and the Welfare Officer must work together to:

- (a) ensure equality of opportunity for all undergraduate students of the College; and
- (b) provide welfare support to all undergraduate students of the College; and
- (c) make available information concerning health and welfare services available to undergraduate students of the College; and
- (d) coordinate and maintain the JCR parenting system; and
- (e) plan, organise and promote the JCR's welfare activities.

### **37. Duties of the Charities and Communities Trustee and the Charities and Communities Officers**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Charities and Communities Trustee and the Charities and Communities Officers must work together to:

- (a) plan, organise and promote the JCR's charitable activities; and
- (b) oversee the distribution of funds from the Charities Emergency Reserve Fund and Charities Special Reserve Fund, on the basis that:
  - (i) the Charities Reserve Funds will be financed with the proceeds from their respective levies on the annual optional JCR Levies Form; and
  - (ii) any Member may propose, by ordinary resolution, to be considered at the next General Meeting, to make a one-off donation to a charity from the Charities Special Reserve Fund; and
  - (iii) no more than one fifth of the amount contained in the Charities Special Reserve Fund at the beginning of the JCR's Financial Year may be distributed to any one charity in that JCR Financial Year; and
  - (iv) any member may propose, by ordinary resolution to be considered at the next General Meeting, to make a one-off donation to a charity operating in an emerging crisis from the Charities Emergency Reserve Fund; and
  - (v) no more than one half of the funds contained within the Charities Emergency Reserve Fund at the time of the motion may be distributed to the charity identified by the motion, unless a special resolution is passed; and
- (c) oversee the distribution of funds, or the payment of any income or property, specifically raised for charitable purposes during the JCR Financial Year, on the basis that distributions or payments must benefit one national charity and one international charity selected:
  - (i) by resolution of the Members in General Meeting;and
  - (ii) no later than the second General Meeting of Michaelmas term; and



(iii) from a list of suggestions made by Members, where a brief summary of each suggested charity's financial position is made available to the General Meeting; and

(d) ensure that at least £500 remains in the Campaigns Fund at the end of their time in office, to be available as start-up funding for the incoming Charities and Communities Officers; and

(e) represent the JCR on any representative or decision-making body, and at any meeting or conference, of OUSU and of any other organisation external to the College and the University to which the JCR is affiliated of which the Charities and Communities Trustee or one of the Charities and Communities Officers is, ex officio or by nomination of the Committee, a member; and

(f) coordinate publicity for the charitable activities of OUSU and of any other organisation external to the College and the University to which the JCR is affiliated.

### **38. Duties of the Quartermaster Trustee and the Quartermaster**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, and in consultation with the Treasurer, the Quartermaster Trustee and the Quartermaster must work together to:

(a) direct, coordinate and supervise the responsible and efficient management of the JCR Shop; and

(b) maintain and coordinate the purchase of appropriate JCR Shop stock; and

(c) at the end of each Full Term, provide to the Treasurer the report of a professional stock take of the JCR Shop; and

(d) maintain for the College Porters a list of those people permitted to access the JCR Shop; and

(e) maintain and coordinate the operation of the JCR DVD library.

### **39. Duties of the First Year Representative**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the First Year Representative must:

(a) represent the views and interests, and assist in the integration, of first year Members and visiting and exchange students at the College; and

(b) coordinate the preparation and publication of the Freshers' Handbook; and

(c) assist the Access and Admissions Trustee in the preparation and publication of the Alternative Magdalen Prospectus; and

(d) assist the Access and Admissions Trustee in the coordination and maintenance of the JCR personal tutors scheme.

### **40. Duties of Oscar, the Official Tortoise to the JCR**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, Oscar, the Official Tortoise to the JCR, must:

- (a) liaise with, and assist, the responsible Committee Members and Officers in relation to Oscar's participation in JCR activities; and
- (b) at General Meetings, propose joke resolutions; and
- (c) represent the JCR in the annual Corpus Tortoise Race and any similar events involving the tortoises of Oxford.

#### **41. Duties of the Women's Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Women's Officer must:

- (a) Be aware of and be willing to provide information about misogyny, sexism and sexual assault to members of the JCR; and
- (b) Circulate weekly, by email to the JCR mailing list, a notice of women related events planned around the university; and
- (c) Run women's only events, including sexual consent workshops and a tea to welcome new women Members in Noughth Week of Michaelmas Term; and
- (d) Liaise with the Development Office to continue and improve women's alumnae and networking events.

#### **42. Duties of the Academic Affairs Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Academic Affairs Trustee must:

- (a) represent the JCR on any representative or decision-making body, and at any meeting or conference, of the College, the University, OUSU or any other organisation to which the JCR is affiliated of which the Academic Affairs Trustee is, ex officio or by nomination of the Committee, a member; and
- (b) represent the views and interests, and assist in the representation, of undergraduate students of the College in academic matters; and
- (c) report to the JCR on the activities of OUSU; and
- (d) liaise with the College Development Office to plan, organise and promote the annual College Careers Fair; and
- (e) coordinate and maintain the tutorial feedback process; and
- (f) coordinate and maintain information on and publicity for career opportunities; and
- (g) coordinate publicity for the activities of OUSU and of any other organisation external to the College and the University to which the JCR is affiliated.

#### **43. Duties of the Publications Trustee and the Publications Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Publications Trustee and the Publications Officer must work together to:

- (a) plan, organise and promote the *Bogsheet*; and
- (b) assist the Access and Admissions Trustee and the First Year Representative in the preparation and publication of the Alternative Magdalen Prospectus and the Freshers' Handbook; and
- (c) coordinate the preparation and publication of the Finalists' Yearbook.

#### **44. Duties of the Facilities Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Facilities Trustee must:

- (a) ensure that the Common Room and the JCR kitchen are kept in good repair and in a clean and tidy state; and
- (b) coordinate and maintain in good working order the facilities of the JCR, including all electronic equipment; and
- (c) maintain the JCR's fleet of bicycles.

#### **45. Duties of the Catering Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Catering Trustee must:

- (a) liaise with, and represent the interests and concerns of the JCR and Members to the management and staff of the Old Kitchen Bar; and
- (b) plan, organise and promote the annual Halfway Dinner, Whole Way Dinner and Committee Dinner; and
- (c) plan, organise and promote the Winter Sports Dinner and the Summer Sports Dinner; and
- (d) plan, organise and promote JCR brunch; and
- (e) assist other Committee Members and Officers in relation to JCR activities involving catering.

#### **46. Duties of the Environment and Ethics Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Environment and Ethics Trustee must:

- (a) represent the JCR on any representative or decision-making body of the College, the University or any other organisation to which the JCR is affiliated of which the Environment and Ethics Trustee is, ex officio or by nomination of the Committee, a member; and
- (b) plan, organise and promote the JCR's recycling, conservation and resource-management activities; and
- (c) monitor and report on the environmental and ethical implications of the JCR's activities; and
- (d) coordinate publicity for the environmental and ethical activities and campaigns of OUSU and of any other organisation external to

the College and the University to which the JCR is affiliated.

**47. Duties of the LGBTQ Trustee and the LGBTQ Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the LGBTQ Trustee and the LGBTQ Officer must work together to:

- (a) ensure equality of opportunity for all undergraduate lesbian, gay, bisexual, transgender, transsexual, intersex and queer students of the College; and
- (b) provide welfare support to all undergraduate lesbian, gay, bisexual, transgender, transsexual, intersex and queer students of the College; and
- (c) make available information concerning lesbian, gay, bisexual, transgender, transsexual, intersex and queer issues to undergraduate students of the College.

**48. Duties of the Disabled Students Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Disabled Students Officer must:

- (a) work to ensure equality of opportunity for all undergraduate students with disabilities of the College; and
- (b) provide welfare support to all undergraduate students with disabilities of the College; and
- (c) make available information concerning disability issues to undergraduate students of the College.

**49. Duties of the Black and Minority Ethnic Students Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Black and Minority Ethnic Students Officer must:

- (a) work to ensure equality of opportunity for all undergraduate BME students of the College; and
- (b) provide welfare support to all undergraduate BME students of the College; and
- (c) make available information concerning BME issues to undergraduate students of the College.

**50. Duties of the Arts and Photography Trustee and the Arts and Photography Officer**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Arts and Photography Trustee and the Arts and Photography Officer must work together to:

- (a) coordinate and maintain the JCR art collection; and
- (b) plan, organise and promote the JCR's artistic and cultural activities, including Arts Week; and
- (c) arrange the annual photographs of JCR sporting teams; and
- (d) arrange the annual JCR fun photo.

## **51. Duties of the Computer Trustee**

In addition to the other duties imposed by this Constitution and by resolution of the Committee, the Computer Trustee must:

- (a) in consultation with the Computing Office of the College, coordinate access for undergraduate students of the College to the computer facilities of the College; and
  - (b) maintain the JCR's website, including assisting Committee Members and Officers in relation to publication, publicity and promotion of activities on the JCR website; and
  - (c) maintain the JCR's computer equipment; and
  - (d) assist the Secretary in maintaining the JCR mailing list;
- and
- (e) liaise with the Quartermaster Trustee and the Quartermaster with respect to information technology systems used in the operation of the JCR Shop.

## **52. Duties of the Independent Chair**

In discharging the duties imposed by this Constitution and any duties imposed by resolution of the Members in General Meeting, the Independent Chair must act independently of the Committee, Committee Members and Officers.

## **53. Duties of Supernumerary Officers**

In addition to the duties imposed by this Constitution on Officers, Supernumerary Officers must discharge such duties as the Committee may resolve.

## **54. Censure of a Committee Member or Officer**

(1) For the purposes of this section, if the Vice-President or the Secretary is the Committee Member whose censure is in issue, a reference to the "Vice-President" or the "Secretary" is taken to be a reference to the President as required.

(2) This section applies if:

(a) the Committee resolves that a Committee Member or Officer has failed to adequately discharge the Committee Member or Officer's duties; or

(b) a number of Members equal to at least five percent of the total number of Members have, by notice in writing to the Vice-President, requested that a resolution to censure a Committee Member or Officer be proposed to a General Meeting.

(3) The Vice-President must propose an ordinary resolution to be considered at the next General Meeting to censure the Committee Member or Officer.

(4) The Secretary must communicate to the Committee Member or Officer, either orally or in writing:

(a) notice of the proposed ordinary resolution; and

(b) when and where the General Meeting at which the proposed ordinary resolution will be considered is to be held; and

(c) particulars of the failure or failures referred to in subsection (2).

(5) At the General Meeting referred to in subsection (3), the Members in General Meeting:

(a) must afford the Committee Member or Officer a reasonable opportunity to be heard; and

(b) must consider any representations made in writing to the JCR; and

(c) may, by ordinary resolution, censure the Committee Member or Officer in question.

(6) If the Members in General Meeting censure the Committee Member or Officer in accordance with subsection (5), the Secretary must communicate that resolution to the Committee Member or Officer in writing.

## **55. Removal of a Committee Member or Officer**

(1) For the purposes of this section, if the Vice-President or the Secretary is the Committee Member whose removal is in issue, a reference to the “Vice-President” or the “Secretary” is taken to be a reference to the President as required.

(2) This section applies if:

(a) in one Full Term, a Committee Member or Officer fails to attend two General Meetings or a Committee Member fails to attend two Committee Meetings that the Committee Member was required to attend, without having given the notice required by section 29(3); or

(b) the Committee resolves that a Committee Member or Officer has consistently failed to adequately discharge the Committee Member or Officer’s duties; or

(c) a number of Members equal to at least five percent of the total number of Members have, by notice in writing to the Vice-President, requested that a resolution to remove a Committee Member or Officer be proposed to a General Meeting.

(3) The Vice-President must propose a special resolution to be considered at the next General Meeting to remove the Committee Member or Officer from office.

(4) The Secretary must communicate to the Committee Member or Officer, either orally or in writing:

(a) notice of the proposed special resolution; and

(b) when and where the General Meeting at which the proposed special resolution will be considered is to be held; and

(c) particulars of the failure or failures referred to in subsection (2).

(5) At the General Meeting referred to in subsection (3), the Members in General Meeting:

(a) must afford the Committee Member or Officer a reasonable opportunity to be heard; and

(b) must consider any representations made in writing to the JCR; and

(c) may, by special resolution, remove the Committee

Member or Officer from office.

(6) If the Members in General Meeting remove the Committee Member or Officer from office in accordance with subsection (5):

- (a) the Secretary must communicate that resolution to the Committee Member or Officer in writing; and
- (b) the Committee Member or Officer's position is vacant.

## **Part VI – General Meetings**

### **56. General Meetings**

(1) A General Meeting must only be held during Full Term.

(2) The Committee must, by resolution, convene an Annual General Meeting, to be held in the Fifth Week of Michaelmas Term, for the following purposes:

- (a) receiving the JCR Annual Report and the JCR Annual Statement of Accounts for the preceding JCR Financial Year; and
- (b) approving the list of external organisations to which the JCR is affiliated, in accordance with section 25(3); and
- (c) considering any resolutions proposed under sections 10(1)(a), 25(4)(a), 37(b)(ii), 41(b), 52(3) and 53(3); and
- (d) transacting any other business specified in accordance with section 57(2)(c).

(3) Unless the Committee resolves that it is not possible to do so, because of extraordinary circumstances, the Committee must, by resolution, convene Ordinary General Meetings in the First, Third and Seventh Weeks of Michaelmas Term and the First, Third, Fifth and Seventh Weeks of Hilary and Trinity Terms, for the following purposes:

- (a) considering any matter arising out of, or since, the last General Meeting, which it is necessary or convenient for the Members in General Meeting to consider; and
- (b) considering any resolutions proposed under sections 10(1)(a), 25(4)(a), 37(b)(ii), 41(b), 52(3) and 53(3); and
- (c) transacting any other business specified in accordance with section 57(2)(c).

(4) The Committee may, by resolution, at any time during Full Term convene an Ordinary General Meeting in addition to the Annual General Meeting and the Ordinary General Meetings referred to in subsection (3).

(5) If the Committee does not convene three General Meetings in any given term, ten Members may, by signed notice in writing posted in the Common Room, convene an Ordinary General Meeting as if they were the Committee.

### **57. Ordinary resolutions and special resolutions**

(1) A proposed resolution is a proposed special resolution:

- (a) if it proposes an amendment to this Constitution; or
  - (b) by operation of section 10(1)(a); or
  - (c) by operation of section 53(3); or
  - (d) if, by resolution at a previous General Meeting, the JCR has resolved that it should be a proposed to a General Meeting as a special resolution; or
  - (e) if the Committee has resolved that it should be proposed to a General Meeting as a special resolution; or
  - (f) if a number of Members equal to at least five percent of the total number of Members have, by notice in writing to the Secretary, requested that it be proposed to a General Meeting as a special resolution.
  - (g) if the motion would allocate more than £500 of JCR funds
- (2) A proposed resolution is a proposed ordinary resolution if it is not a proposed special resolution by operation of subsection (1).
- (3) Subject to this Constitution, the Committee or any Member may:
- (a) propose a special resolution to be considered at a General Meeting by submitting a copy of that proposed special resolution to the Vice-President no later than 12 pm on the day four days before a General Meeting; and
  - (b) propose an ordinary resolution to be considered at a General Meeting by submitting a copy of that proposed ordinary resolution to the Vice-President no later than 12 pm on the day two days before a General Meeting.

## **58. Appealing resolutions**

(1) A resolution of the Members in General Meeting enters into force at midnight on the day three days after the General Meeting at which it was passed, unless:

- (a) the Vice-President finds that the resolution or the manner in which the resolution was passed was in breach of this Constitution, in which case:

- (i) the resolution is annulled; and
- (ii) paragraph (4)(b) does not apply; or

- (b) before the resolution enters into force, a petition is presented to the Vice-President requesting that the resolution be reconsidered by the Members in General Meeting, where the petition:

- (i) is in writing; and
- (ii) clearly sets out the names and signatures of a number of Ordinary Members at least equal to fifty more than the number of votes by which the resolution was passed.

(2) No action may be undertaken under a resolution until the resolution enters into force.

(3) If a petition in relation to a resolution is presented to the Vice-President in accordance with paragraph (1)(b):

- (a) the resolution does not enter into force; and
- (b) the Vice-President must give written notice to Members



of the petition; and

(c) if the resolution is such that it requires urgent action by the JCR, the Committee must convene a General Meeting as soon as practicable so that the resolution can be reconsidered by the Members in General Meeting before action under it is required; and

(d) at the next General Meeting:

(i) the Secretary must note the petition and the details of the petition in the minutes; and

(ii) the resolution is taken to be re-proposed by its original proponent and in the form in which it was originally proposed; and

(iii) if the resolution as re-proposed passes, paragraph (1)(b) does not apply to the resolution as re-proposed and passed; and

(iv) if the resolution as re-proposed is not passed, the original resolution is repealed and may not be reconsidered by the Members in General Meeting in the course of that academic year, unless circumstances have, in the interim, drastically changed.

(4) In the course of an academic year:

(a) a resolution that has entered into force may not be reconsidered by the Members in General Meeting, unless circumstances have, in the interim, drastically changed; and

(b) a proposed resolution that did not pass may be re-proposed to a General Meeting only once, unless circumstances have, in the interim, drastically changed.

(5) For the purposes of subparagraph (3)(d)(iv) and subsection (4), the Vice-President must determine whether:

(a) two resolutions are the same; and

(b) circumstances have drastically changed.

(6) Subsections (3) and (4) have effect subject to section 25.

## **59. Notice of General Meetings**

(1) The Vice-President must, no later than 12 pm on the day three days before a General Meeting, give notice to Members setting out particulars of any special resolutions proposed in accordance with section 55(3)(a) to be considered at the General Meeting.

(2) Subject to subsection (1), the Vice-President must, no later than 12 pm on the day before a General Meeting, give notice to Members setting out:

(a) when and where the General Meeting is to be held; and

(b) in the case of the Annual General Meeting, that the General Meeting is the Annual General Meeting; and

(c) the business to be conducted at the General Meeting and the order in which that business is to be conducted, including:

(i) particulars of any special resolutions proposed in accordance with section 55(3)(a); and

(ii) particulars of any ordinary resolutions proposed

in accordance with section 55(3)(b).

**60. Quorum and procedure at General Meetings**

(1) Subject to this Constitution, at a General Meeting:

(a) a quorum is constituted:

(i) for the purposes of considering an ordinary resolution, by twenty-five Members entitled to vote under paragraph (c); and

(ii) for the purposes of considering a special resolution, by forty Members entitled to vote under paragraph (c); and

(b) the Independent Chair or, in the absence of the Independent Chair, the Vice-President or a person nominated by the Vice-President must chair the meeting; and

(c) only Members who are present in person may vote; and

(d) a resolution is decided on a show of hands unless at least five Members entitled to vote under paragraph (c) request a ballot, in which case the resolution must be decided by secret ballot administered by the person chairing the meeting; and

(e) each Member entitled to vote under paragraph (c) has a deliberative vote; and

(f) unless the Members in General Meeting resolve otherwise:

(i) proposed special resolutions may only be considered if they have been submitted, and notice of them given, in accordance with section 55(3)(a); and

(ii) proposed ordinary resolutions may only be considered if they have been submitted, and notice of them given, in accordance with section 55(3)(b); and

(g) subject to this Constitution, and to any Procedural Rules adopted by ordinary resolution of the Members in General Meeting, the meeting must be conducted in the manner that the person chairing the meeting directs.

(2) The Secretary must take full and accurate minutes of the proceedings of a General Meeting and the person chairing that General Meeting must sign those minutes as correct.

(3) Minutes signed in accordance with subsection (2) are, unless the contrary is proved, evidence that:

(a) the General Meeting to which they relate was duly convened and held; and

(b) all proceedings recorded as having taken place at the General Meeting did in fact take place.

(4) As soon as reasonably practicable after a General Meeting, the Secretary must give notice to Members of the minutes taken in accordance with subsection (2).

## Part VII – Elections and Co-options

### 61. General

(1) Subject to this Constitution and to any Electoral Rules, an election or a co-option must be conducted in the manner that the person conducting the election or co-option directs.

(2) At any time during the period from the time that nominations open until forty-eight hours after the announcement of the result of the election or co-option:

(a) any Member may, orally or in writing addressed to the Returning Officer, make a complaint, allegation or appeal, or raise any other issue arising out of or in connection with an election or co-option; and

(b) any nominee in an election may request a recount.

(3) The person conducting an election or co-option must determine:

(a) any complaint, allegation, appeal, request for a recount or other issue arising out of or in connection with the election or co-option; and

(b) any action or consequence arising out of any determination made under paragraph (a).

(4) Subject only to steps taken by the College JCR Adviser under subsection (5), all determinations or purported determinations made under subsection (3) are final and conclusive and binding on all Members.

(5) The College JCR Adviser may take such reasonable steps as are necessary or convenient for the Governing Body of the College to be satisfied that an election or a co-option is fairly and properly conducted in accordance with this Constitution, including observing the election or co-option.

### 62. Returning Officer

(1) The Committee must, no later than Sunday of the Fourth Week of Michaelmas Term:

(a) appoint as the Returning Officer a person who:

(i) should, so far as is practicable, be experienced in electoral procedures; and

(ii) may or may not be a Member; and

(iii) is not a person who intends to nominate for election as an elected Committee Member or elected Officer; and

(b) provide the Returning Officer with such information as may be necessary for the Returning Officer to determine the validity of nominations and eligibility to vote.

(2) The Returning Officer may appoint as deputies one or more people, each of whom also meets the requirements set out in paragraph (1)(a).

(3) The Returning Officer must appoint at least one Committee Member who has not nominated and does not intend to nominate for election as an elected Committee Member or elected Officer that term to observe the counting of ballots and calculation of results.

**63. Schedule of elections and co-options**

(1) The President, Vice-President and Treasurer must be elected at an election conducted in accordance with sections 62 and 63 according to the following timetable:

- (a) nominations open at 8 am on Sunday of the Fifth Week of Michaelmas Term; and
- (b) nominations close at 8 pm on Saturday of the Fifth Week of Michaelmas Term; and
- (c) hustings take place on Sunday of the Sixth Week of Michaelmas Term; and
- (d) the election is held on Thursday of the Sixth Week of Michaelmas Term.

(2) Subject to subsection (1), elected Committee Members and elected Officers must be elected at an election conducted in accordance with sections 62 and 63 according to the following timetable:

- (a) nominations open at 8 am on Sunday of the Sixth Week of Michaelmas Term; and
- (b) nominations close at 8 pm on Saturday of the Sixth Week of Michaelmas Term; and
- (c) hustings take place on Sunday of the Seventh Week of Michaelmas Term; and
- (d) the election is held on Thursday of the Seventh Week of Michaelmas Term.

(3) Co-opted Committee Members and co-opted Officers must be co-opted at a co-option conducted in accordance with section 64 according to one of the following two timetables. The decision of which timetable to follow must be made by the newly elected JCR President :

(a) nominations open at 8am on Thursday of the Seventh Week of Michaelmas Term; nominations close at 8pm on Monday of Eighth Week of Michaelmas Term; the co-option is held at a Committee Meeting between Tuesday and Saturday of Eighth Week of Michaelmas Term; or

(b) nominations open at 8am on Thursday of Noughth Week of Hilary Term; nominations close at 8pm on Monday of the First Week of Hilary Term; the co-option is held at a Committee Meeting between Tuesday and Saturday of the First Week of Hilary Term.

**64. Eligibility and campaigning**

(1) Subject to subsections (2), (3) and (4), a person is eligible to be elected or co-opted as a Committee Member or Officer if the person is an Ordinary Member.

(2) No person may hold the position of more than one Committee Member or Officer.

(3) Only a person who:

- (a) is male is eligible for election or co-option as Male

- Welfare Trustee; and
- (b) is female is eligible for election or co-option as Female Welfare Trustee; and
- (c) identifies as a woman is eligible for election or co-option as Women's Officer
- (4) No person is eligible to be elected or co-opted as a Committee Member or Officer:
- (a) if the person has been convicted of any offence involving dishonesty or deception; or
- (b) unless the person has been discharged, if:
- (i) the person has been adjudged bankrupt or is the subject of bankruptcy restrictions or an interim order; or
- (ii) sequestration of the person's estate has been awarded; or
- (c) if the person has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it; or
- (d) has at any time been removed from the office of "charity trustee" or "trustee for a charity", within the meaning of those terms in the Charities Act 1993, otherwise than by operation of section 53; or
- (e) is disqualified by law from acting as the director, receiver or liquidator of a company or from directly or indirectly taking part or being concerned in the promotion, formation or management of a company, or from acting as an "insolvency practitioner" within the meaning of that term in the Insolvency Act 1986.
- (5) Nominees for election or co-option:
- (a) subject to section 63(2)(c) and section 64(3)(c), must nominate individually, and not in conjunction with any nominee nominating for election or co-option to any other position; and
- (b) must not nominate, support or canvass support for or from:
- (i) other nominees; or
- (ii) Committee Members or Officers in office; and
- (c) may engage in campaigning only to the extent, and in the manner permitted, by the Returning Officer under any Electoral Rules; and
- (d) must not engage in any conduct that is unfair or improper.

## **65. Conduct of elections**

- (1) The Returning Officer must, by notice in writing to Members, call for nominations at the time nominations open.
- (2) Nominations must be in writing and must:
- (a) state the position concerned; and
- (b) in the case of a nomination for election to a position other than a related position:
- (i) be in writing signed by the nominee and two other

- Ordinary Members who support the nominee's nomination; and
- (ii) state the full names of the nominee and the two Ordinary Members referred to in subparagraph (i); and
- (c) in the case of a nomination for election to a position that is a related position:
- (i) be joint nominations by a team of nominees for the related positions comprising no more than the number of people who may hold the positions; and
- (ii) be in writing signed by all of the nominees and by two other Ordinary Members who support the nominees' nomination; and
- (iii) state the full names of the nominees and the two Ordinary Members referred to in subparagraph (ii).
- (3) For the purposes of subsection (2), the following are related positions:
- (a) the positions of Entz Trustee and Entz Officers; and
- (b) the positions of Charities and Communities Trustee and Charities and Communities Officers; and
- (c) the positions of Quartermaster Trustee and Quartermaster.
- (4) If, at the close of nominations:
- (a) there are no nominations for a position, the Returning Officer must not conduct an election for that position, and the position is, at the time the Committee Member or Officer holding the position leaves office, vacant; and
- (b) there is at least one nomination for a position, the Returning Officer must conduct an election for that position.
- (5) At an election:
- (a) polls must be open for twelve hours; and
- (b) the Returning Officer must provide to all Members who are entitled to vote a ballot paper setting out:
- (i) the name of the position; and
- (ii) the number of vacancies for the position; and
- (iii) each nomination for the position; and
- (iv) the option to vote in favour of re-opening nominations; and
- (v) a notice that voters should indicate their preferences by numbering the boxes in order but that they do not have to number all boxes; and
- (c) only Members who are present in person may vote, with the exception of those students who are on their year abroad and those Members who, for good reason vouched for by a tutor or a Magdalen College SCR member, are unable to be in College during the twelve hours on Thursday of 6th week Michaelmas Term or the Thursday of 7th week Michaelmas Term when JCR elections are held. Students in these two categories may vote by email via the Returning Officer during the twelve hours in which JCR elections are held on Thursday of 6th week Michaelmas

Term and Thursday of 7th week Michaelmas Term. For students to fall into the latter category, they must have a tutor or a Magdalen College SCR member email the Returning Officer prior to the opening of polls to vouch for the Member's inability to be in College during the election; and

(d) ballots must be cast by secret optional preferential ballot; and

(e) ballots must be counted as soon as practicable after the polls close; and

(f) in the event of a tie at any stage in the calculation of results, the election must be resolved:

(i) in favour of the nominee who received the greatest number of first preference votes; or

(ii) if the criterion in subparagraph (i) does not break the tie, in favour of the nominee whose name is randomly selected by the drawing of lots.

(6) If, at an election, a simple majority of votes is cast in favour of reopening nominations for the position:

(a) the Returning Officer must report to the Committee accordingly; and

(b) a further election for the position must be conducted in accordance with this section and section 62, on the basis that:

(i) nominations open at 8 am on the day following the first election; and

(ii) nominations close at 8 pm on the day five days after the first election; and

(iii) the election must be held at the Thursday of the next full week of Full Term after the close of nominations.

(7) If, at a further election conducted in accordance with subsection (6), a simple majority of votes is cast in favour of reopening nominations for the position:

(a) the Returning Officer must report to the Committee accordingly; and

(b) the position is, at the time the Committee Member or Officer holding the position leaves office, or remains, vacant.

## **66. Conduct of co-options**

(1) For the purposes of this section, if the position of Vice-President is vacant, "Vice-President" means the Committee Member on whom the duties relating to the position of Vice-President are imposed in accordance with section 65(2)(a), section 65(5)(a) or section 65(6)(a).

(2) The Vice-President must, by notice in writing to Members, call for nominations at the time nominations open.

(3) Nominations must be in writing and must:

(a) state the position concerned; and

(b) in the case of a nomination for co-option to a position other than a related position:

(i) be in writing signed by the nominee and two other

- Ordinary Members who support the nominee's nomination; and
- (ii) state the full names of the nominee and the two Ordinary Members referred to in subparagraph (i); and
  - (c) in the case of a nomination for co-option to a position that is a related position:
    - (i) be joint nominations by a team of nominees for the related positions comprising no more than the number of people who may hold the positions; and
    - (ii) be in writing signed by all of the nominees and by two other Ordinary Members who support the nominees' nomination; and
    - (iii) state the full names of the nominees and the two Ordinary Members referred to in subparagraph (ii).
  - (d) include a personal statement or manifesto of no more than two sides of A4 in support of the nomination.
- (4) For the purposes of subsection (3), the following are related positions:
- (a) the positions of Publications Trustee and Publications Officer; and
  - (b) the positions of LGBTQ Trustee and LGBTQ Officer; and
  - (c) the positions of Arts and Photography Trustee and Arts and Photography Officer.
- (5) If, at the Committee Meeting at which the co-option is held:
- (a) there are no nominations for the position, the Vice-President must not conduct a co-option for that position, and the position is vacant; and
  - (b) there is at least one nomination for the position, the Vice-President must conduct a co-option for that position.
- (6) At a co-option:
- (a) the Vice-President must offer Committee Members the option to vote in favour of re-opening nominations; and
  - (b) votes must be cast by Committee Members on a show of hands, such that:
    - (i) a person is co-opted if a simple majority of votes is cast in favour of that person; and
    - (ii) subject to paragraph (c), if no person is co-opted on the first show of hands a second and subsequent vote must be taken, with the nominee who received the fewest votes on the previous show of hands excluded; and
  - (c) if a simple majority of votes is cast in favour of re-opening nominations:
    - (i) the Vice-President must report to the Committee accordingly; and
    - (ii) the position is, or remains, vacant.
-



**67. Vacancies**

- (1) The position of a Committee Member or Officer is vacant:
    - (a) by operation of section 53(6)(b), section 63(4)(a), section 63(7)(b), section 64(5)(a) or section 64(6)(c) or paragraph (2)(e) or paragraph (3)(e); or
    - (b) in the case of a Supernumerary Officer, at the end of the Supernumerary Officer's term of office; and
    - (c) if the person elected or co-opted to the position:
      - (i) dies; or
      - (ii) is permanently incapacitated by mental or physical ill-health; or
      - (iii) resigns from the position by notice in writing addressed to the President or, in the case of the President, to the Vice-President; or
      - (iv) ceases to be eligible for election or co-option by operation of section 62(4).
  - (2) If the position of an Executive Committee Member is vacant:
    - (a) at the first Committee Meeting after the vacancy arises, the duties relating to the position must, for the period until the position is filled, be imposed on such other Committee Member or Committee Members as the Committee may resolve; and
    - (b) section 60 applies as if "at the first Committee Meeting after the vacancy arises" were substituted for the phrase "no later than Sunday of the Fourth Week of Michaelmas Term"; and
    - (c) the position must be filled by election and sections 62 and 63 apply on the basis that:
      - (i) nominations open at 8 am on the day following the first Committee Meeting after the vacancy arises; and
      - (ii) nominations close at 8 pm on the day five days after that Committee Meeting; and
      - (iii) the election must be held on the Thursday of the next full week of Full Term after the close of nominations; and
    - (d) if a person is elected in accordance with paragraph (c), the person holds office:
      - (i) from the date of the person's election; and
      - (ii) until Saturday of the Tenth Week of Michaelmas Term; and
    - (e) if a simple majority of votes is cast in favour of reopening nominations for the position, the position remains vacant.
  - (3) If the position of the Independent Chair is vacant:
    - (a) the duties relating to the position must, until the position is filled, be imposed on the Vice-President; and
    - (b) section 60 applies as if "at the first Committee Meeting after the vacancy arises" were substituted for the phrase "no later than Sunday of the Fourth Week of Michaelmas Term"; and
    - (c) the position must be filled by election and sections 62 and
-

63 apply on the basis that:

(i) nominations open at 8 am on the day following the first Committee Meeting after the vacancy arises; and

(ii) nominations close at 8 pm on the day five days after that Committee Meeting; and

(iii) hustings take place and the election must be held at the first General Meeting following the close of nominations, in a manner to be determined by the Vice-President; and

(d) if a person is elected in accordance with paragraph (c), the person holds office:

(i) from the date of the person's election; and

(ii) until Saturday of the Tenth Week of Michaelmas

Term; and

(e) if a simple majority of votes is cast in favour of reopening nominations for the position, the position remains vacant.

(4) Subject to subsections (2) and (3), if the position of a Committee Member or Officer is vacant, at the first Committee Meeting after the vacancy arises:

(a) the President must inform the Committee of the vacancy;

and

(b) the Committee must resolve:

(i) to permit the position to remain vacant; or

(ii) to fill the vacancy in accordance with

subsection (6).

(5) If the Committee resolves, in accordance with subparagraph (4)(b)(ii), to permit the position to remain vacant:

(a) the duties relating to the position must be imposed on such Committee Member or Committee Members as the Committee may resolve; and

(b) at any subsequent Committee Meeting, the Committee may resolve to fill the vacancy in accordance with subsection (6).

(6) If the Committee resolves, in accordance with subparagraph (4)(b)(i) or paragraph (5)(b), to fill the vacancy in accordance with this subsection:

(a) the duties relating to the position must, for the period until the position is filled, be imposed on such Committee Member or Committee Members as the Committee may resolve; and

(b) the position is to be filled by co-option and section 64 applies on the basis that:

(i) the position is not a related position; and

(ii) nominations open at 8 am on the day following the Committee Meeting at which the Committee resolves to fill the vacancy; and

(iii) nominations close at 8 pm on the day five days after that Committee Meeting; and

(iv) the co-option must be held at the first Committee Meeting after the close of nominations; and

(c) if a person is co-opted in accordance with paragraph (b), the person holds office:

- (i) from the date of the person's co-option; and
- (ii) until Saturday of the Tenth Week of Michaelmas

Term.

## **Part VIII – Miscellaneous**

### **68. Constitution**

(1) This Constitution is subject to review by the Governing Body of the College at least every five years.

(2) Subject to subsection (3), this Constitution may only be altered:

(a) by special resolution approved by the Governing Body of the College; and

(b) with effect from the date that the special resolution is approved by the Governing Body, or such other date as may be specified by the resolution or by the Governing Body.

(3) No alteration to this Constitution is permitted if the alteration would cause the JCR to cease to be a charity at law.

(4) If section 6 applies, the Committee must notify the Charity Commission of any alteration to this Constitution as soon as is reasonably practicable after the alteration comes into effect.

### **69. Dissolution**

(1) The Members in General Meeting may, by special resolution, dissolve the JCR.

(2) In the event of dissolution:

(a) the Executive Committee Members remain in office for the purpose of winding up the affairs of the JCR; and

(b) if section 6 applies, the Executive Committee Members must notify the Charity Commission that the JCR has been dissolved and comply with any outstanding or further requirements of the Charity Commission; and

(c) the Executive Committee Members must collect in all the property and income of the JCR and satisfy all debts and liabilities of the JCR; and

(d) if, after complying with paragraph (c), there remains any property whatsoever, that property must be:

(i) transferred to the College; or

(ii) if section 6 applies, be applied in such other manner as the Charity Commission may approve by notice in writing in advance.

## **70. Complaints**

(1) Any person may complain to the Independent Chair, or, if the Independent Chair is the subject of the complaint, to the President, because the person:

- (a) is dissatisfied with the governance or operation of the JCR; or
- (b) is dissatisfied, in any way, in the person's dealings with the JCR; or
- (c) claims to be unfairly disadvantaged by the person's exercise of the right not to be a Member, in accordance with section 9.

(2) Any complaint under subsection (1) must be dealt with promptly and fairly and, where a complaint is upheld, the JCR must provide an effective remedy.

(3) If a complaint under subsection (1) cannot be resolved informally to the satisfaction of the person making the complaint, the Independent Chair, or, if the Independent Chair is the subject of the complaint, the President, must refer the complaint to the College JCR Adviser, who may determine the complaint and require the JCR to provide an effective remedy.

(4) If the person making the complaint or the Committee is dissatisfied with the determination, in accordance with subsection (3), of a complaint under subsection (1):

- (a) the Governing Body of the College may appoint an independent person to investigate and report on the complaint; and
- (b) the person appointed in accordance with paragraph (a) may determine the complaint and require the JCR to provide an effective remedy.