ST JOHN'S COLLEGE

STATUTES II, III, V, X, XV and XXIV relating to the election and tenure of the Master

EXPLANATORY NOTES

The changes proposed concern the tenure of the Mastership, the qualifications of the person to be elected to hold that office, and associated matters concerning the timetable applying in the case of a sudden vacancy in the office. The opportunity has been taken to make a few minor corrections and to cast these five statutes into gender-neutral language.

Removed text is struck through; new text is shown in red; rearranged text is shown in green. A clean copy of the proposed new version is also provided.

Statute II is amended so as to give the electors full discretion in judging the qualifications of candidates for the Mastership. It also removes the lower age limit and the implication that candidates must be members of either the University of Cambridge or of Oxford.

Statute III is rearranged to reflect the fact that at present, and in future, vacancy in the office of Master is more likely to arise by retirement or resignation than by death. In the unfortunate case of the latter, it gives the Fellows up to a year to choose a successor rather than, in the current statutes, up to 40 days. Clause (1) is unaltered. Clause 2 incorporates the former clause (7); clauses (3) and (4) divide between them the former clause (2); clause (5) is the former clause (6); clause (6) incorporates the former clauses (3) and (4).

Statute V is amended by addition of a new clause (6) to provide for the election of a Vice-Master in the event of sudden vacancy in the Mastership, given the proposed extended timetable for election of a successor. (At present a Vice-Master can only be elected in case of a Master's ongoing incapacity.) Given this addition, some clauses are rearranged into more logical order: clause (4) becomes clause (7); clause (5) becomes clause (4); and the former clause (6) becomes clause (5).

Statute X is amended to provide for the election of a temporary President in the event that the serving President is elected Vice-Master.

Statute XV is amended to remove the age limit for a Master's retirement from office, replacing this with a fixed term of up to ten years. The date of retirement is set as 31st August, to enable effective transfer of power (and domestic removals) comfortably in advance of the start of the academic year. The general retirement date of 1st October in clause (5) is maintained except, therefore, in the case of the Master. Clause (6) is added to allow for the possibility that a Vice-Master (a temporary office) might be a person beyond the statutory retirement age.

Statute XXIV clause (1) is amended to standardise the wording providing for Fellows to qualify for membership of the Senate with that now proposed for the Master in Statute II clause (1).

Proposed revision of the Statutes relating to the election and tenure of the Master

STATUTE II

Qualification and Duties of the Master

- (1) The Master of the College shall be a Master of Arts, or of some equal or superior degree in the University of Cambridge or of Oxford, and not less than thirty years of age. He shall be a person who is distinguished for his attainments and learning, and, in the judgment of the electors, the best qualified by his piety, discretion, and knowledge of affairs chosen by the electors as the person best qualified in their judgment to secure the good government of the College as a place of education, religion, learning, and research. The Master, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible.
- (2) He The Master shall exercise a general superintendence over the affairs of the College; and shall preside ex officio at all meetings, whether of the Fellows Governing Body or of the Council; and shall, except where otherwise provided, have, in case of equality of votes, a second or casting vote; He and shall have the power, in all cases not provided for by the Statutes of the College or by any College Order, to make such provision for the good government and discipline of the College as he the Master shall think fit.
- (3) All members of the College shall shew him the Master becoming reverence and obedience.

STATUTE III

Election and Admission of the Master

- (1) The Master shall be elected by the Fellows of the College.
- (2) Provision for the pre-election of the Master. When the office of Master is about to become vacant, whether by virtue of Statute XV(1) or by operation of a notice of his resignation already communicated by the Master to, and accepted by, the Governing Body and accepted by it, such notice specifying the date of such resignation, the President shall summon a meeting of the electors Governing Body and, subject to the approval of the Governing Body, an election to the office of Master may be made not more than twelve calendar months before the date of the vacancy. The Governing Body shall to fix the day date and hour for such the election of a new Master, such day to be not more than twelve calendar months before the day on which the office becomes vacant, and (if they see fit) to fix a day on which the new Master shall assume office. which shall be by the same procedure as if the office of Master had already become vacant. Such election shall take effect from the day so specified (if any), and otherwise from the day date on which the office of Master becomes vacant. [moved from (7)]
- (3) Not more than three days after If a vacancy in the office of Master occurs and the procedure in section (2) of this Statute has not been followed, becomes known to him, the President shall summon a meeting of the electors to a meeting to be held within seven days of the vacancy becoming known to him. The electors shall then fix the a day and hour for the election of a new Master, such day to be within twelve calendar months of the day on which the vacancy occurred, and to fix a day on which the new Master shall assume office. not before the thirteenth nor later than the thirtieth from that on which they meet, excluding any period of University vacation, and they shall cause notice thereof to be given to all the electors. [moved from (2)]
- (4) Notice of the day and hour fixed for the election of a Master shall be given to all the electors. On that the day and at the hour thus fixed, the electors shall assemble in the College Chapel, where

the President, and after him followed by the other Fellows in their order, shall make the following declaration:

'I, N.N., do solemnly declare that I will choose as Master the person that shall be in my judgment best qualified, according to the Statutes, to secure the good government of this College as a place of education, religion, learning, and research.'

After this declaration has been made by each elector in turn, the President and two Fellows appointed for the purpose by the electors present shall stand in scrutiny in the following manner: they shall first record their own votes and afterwards receive the votes of all the other Fellows. Voting shall be by separate ballot papers, each of which shall bear only the name of the person for whom the vote is given. The junior of the three scrutineers shall read the number of votes for each person for whom votes are given. If the votes of a majority of the Fellows present are given for one person the President shall pronounce such person duly elected Master of the College. If at this first scrutiny there is no such majority of votes given for one person, the scrutineers shall proceed to make a second scrutiny in the same manner as before, and the person, if any, who on this second scrutiny has the votes of a majority of the Fellows present shall be pronounced to be elected Master. If, however, at this second scrutiny no election shall be made, the scrutineers shall proceed to a third and final scrutiny, when that person shall be pronounced elected who has the greatest number of votes, whether they form a majority of the whole number of votes or not; and in case there be no such greatest number of votes, in consequence of an equality of votes given to the two or more persons who have the most votes, then that one of the two or more such persons shall be elected for whom the President shall give his a casting vote.

Provided that if at this third scrutiny the President shall be one of the persons for whom a casting vote has to be given that casting vote shall be given by the Senior Fellow present who is a member of the Council and not one of those voted for. [moved from (2)]

- (5) If the Master-elect, being present, decline to accept the office, the Fellows shall proceed to another election at the same hour on the following day, unless such day be Sunday, and then on the day following; but if the Master-elect be absent, and refuse to accept the office, the President shall forthwith call together the electors then in residence, and they shall then fix the day and hour, after an interval of not less than three nor more than seven days, for the election of a new Master; and shall cause notice thereof to be given to all the electors. [moved from (6)]
- (6) On the day when the election of the new Master takes effect, or as soon as conveniently may be after that day, the Fellows and other members of the College shall assemble in the College Chapel at an hour of which due notice has been given, at which hour If the Master elect be present and accept the office, the doors of the Chapel shall be thrown open to the other members of the College, after which the President, or, if the President has been elected Master, the Senior Fellow present, shall require the Master to make and sign the following declaration:

'I, A.B., elected Master of the College of St John the Evangelist, do hereby promise that I will faithfully perform the duties of the office with care and diligence, observe all the Statutes and in all things endeavour to the utmost of my power to promote the peace, honour and well being of the College as a place of education, religion, learning and research.' [moved from (3)]

After this declaration is made and signed, the **new Master shall be admitted by** the President or Senior Fellow present, as the case requires, shall admit the new Master by placing him in his by being placed in the Master's Stall. [moved from (4)]

If the Master elect be absent, his admission shall take place in the same manner, as soon as conveniently may be after his arrival. He The Master shall in no case enter upon the duties or enjoy the emoluments of his the office before he is being duly admitted thereto. [moved from (5)]

(7) The Master shall not be present at any meeting of the Governing Body electors held under the provisions of this Statute.

STATUTE V

Provision in case of Incapacity of the Master or Vacancy in the Mastership

- (1) Should the Master at any time become temporarily incapable of performing the duties of his the office, and should it appear that such incapacity is likely to continue for a prolonged period, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint one of the Fellows to act in the Master's place during such his incapacity, for periods not exceeding one year at a time or two years in all, and to assign to the Fellow so appointed such stipend portion as they shall think fit, not exceeding one third, of the Master's emoluments.
- (2) It shall be incumbent upon the President to summon the meeting of the Governing Body, for the purpose in the foregoing paragraph mentioned, upon the request of eight or more of the Fellows, and not less than ten days' notice of such meeting shall be sent to each of the Fellows.
- (3) The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. If the Fellow appointed to be Vice-Master be a Member of the Council he shall vacate his that place on the Council shall be vacated. He The Vice-Master shall retain his the office of Vice-Master, and receive the assigned stipend portion of the Master's emoluments which shall have been assigned to him, for the period for which he was appointed the appointment was made, unless and until the Master shall be reinstated in his office, or shall cease to be Master, and the Vice-Master so long as he shall continue in office he shall exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master.
- (4 5) If in the judgment of the Governing Body the Master shall at any time after the appointment of a Vice-Master again become capable of performing his the duties of the office, the Governing Body shall have power in the like manner to reinstate him the Master in his power and functions, and in receipt of his whole emoluments.
- (5 €) Should the incapacity of the Master still continue at the expiration of the period or periods for which a Vice-Master has been appointed, or should it appear at any time that the Master has become permanently incapable of performing the duties of his the office, the Governing Body may, by the vote of a majority of the Fellows present at a meeting specially summoned for the purpose in the manner prescribed in this Statute, provide for the retirement of the Master from his office and the Council shall assign him the outgoing Master such pension or other allowance, in addition to any amounts accruing to him under any pensionary or insurance scheme adopted under Statute XXVI, as may appear to them to be reasonable, having regard to all the circumstances of the case.
- (6) Should a vacancy in the office of Master occur, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint, for duration of the vacancy, one of the Fellows to exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and to assign to the Fellow so appointed such stipend as they shall think fit. The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. The Fellow so appointed shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master, and if the Vice-Master be a Member of the Council that place on the Council shall be vacated.

(7 4) If the Vice-Master shall die, or resign his the office, or vacate or be deprived of his a Fellowship, or become permanently incapable of discharging his the duties of the office, the Governing Body shall have the like power in the like manner of appointing instead another of the Fellows to be Vice-Master in his room, and of assigning a stipend to such Vice-Master. [moved from (4)]

STATUTE X

The President

- (1) The President shall be elected by the Governing Body from among the Fellows of the College on a day to be appointed by the Council, who shall determine the day of the entry of the President-elect into his office, subject to any rules made by the Governing Body under Statute VIII(4). The Council shall give not less than fourteen days' notice of the day appointed for the election. The President may be elected for a period not exceeding four years. A casual vacancy in the office of President shall be filled up as soon as conveniently may be, and in any case within three calendar months.
- (2) The President shall attend, under the Master, to the good government of the Fellows, Scholars, Students, Officers, and Servants of the College. He The President shall enforce the observance of the Statutes, act as the Master's deputy in his case of absence, and perform such other acts as are prescribed by these Statutes, or by any College Order. In the absence of the President the Senior Fellow present who is a member of the Council shall in all cases take his the President's place. The President shall not, during Term, be out of residence at the same time as the Master, except for some grave cause to be approved by the Council.
- (3) If the President be appointed Vice-Master, then, for the duration of the tenure of that office, another Fellow of the College shall be elected by the Governing Body to be President instead.

STATUTE XV

Retiring Age

- (1) The Master shall retire when he reaches the age of seventy years on the last day of August of the tenth year in office.
- (2) The President shall retire when he reaches on reaching the age of sixty-seven years, but may be reelected by the Governing Body, provided that he a President shall not hold office after reaching the age of seventy years.
- (3) A Bursar, a Steward, or other administrative officer shall retire when he reaches on reaching the age of sixty-seven years, but he may be re-elected to his office by the votes of not less than nine members of the Council, exclusive of such officer if he be a member thereof, for periods not exceeding three years in all, provided that he shall not hold office the officer shall retire after reaching the age of seventy years.
- (4) A Tutor, a Dean, a Lecturer, or other educational officer of the College, shall retire when he reaches on reaching the age of sixty-seven years.
- (5) The actual retirement of any person under this Statute other than the Master shall take effect not later than the first day of October following the date at which he reaches the specified age has been reached.
- (6) The provisions of this Statute shall not apply to a Vice-Master.

STATUTE XXIV

General provisions with regard to Fellows other than Honorary Fellows

- (1) Every Fellow, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible. Every Fellow shall proceed to the degree of Master of Arts, or other degree qualifying for membership of the Senate of the University, as soon as he is of standing to take such degree.
- (2) Any The Fellowship of any Fellow not proceeding to such degree in due course (unless prevented by illness, or other grave cause to be approved by the Council) shall forfeit his Fellowship be forfeited.
- (3) The admission of a Fellow to a superior degree, or the transfer of a Fellow from one Title to another, shall not affect the order of seniority on the Roll of Fellows.
- (4) A Fellow of the College shall vacate his Fellowship if he shall become The Fellowship of a Fellow of the College who becomes Master or Fellow, other than Honorary Fellow, of any other College, shall be vacated.
- (5) All Fellows of the College shall, if in residence, be entitled to rooms and commons, or to such pecuniary allowances in lieu thereof as the Council shall from time to time determine.
- (6) Every All Fellows shall register with such officer as the Council shall appoint a place of address to which all notices intended for him them are to be sent; and in all cases in which by these Statutes notice is required to be given to any Fellow, it shall be sufficient that the notice be sent by post or otherwise to this address.

Proposed revised of the Statutes relating to the election and tenure of the Master (clean copy)

STATUTE II

Qualification and Duties of the Master

- (1) The Master of the College shall be chosen by the electors as the person best qualified in their judgment to secure the good government of the College as a place of education, religion, learning, and research. The Master, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible.
- (2) The Master shall exercise a general superintendence over the affairs of the College; shall preside *ex officio* at all meetings, whether of the Governing Body or of the Council; shall, except where otherwise provided, have, in case of equality of votes, a second or casting vote; and shall have the power, in all cases not provided for by the Statutes of the College or by any College Order, to make such provision for the good government and discipline of the College as the Master shall think fit.
- (3) All members of the College shall shew the Master becoming reverence and obedience.

STATUTE III

Election and Admission of the Master

- (1) The Master shall be elected by the Fellows of the College.
- (2) When the office of Master is about to become vacant, whether by virtue of Statute XV(1) or by operation of a notice of resignation already communicated by the Master to, and accepted by, the Governing Body, such notice specifying the date of such resignation, the President shall summon a meeting of the electors to fix the day and hour for the election of a new Master, such day to be not more than twelve calendar months before the day on which the office becomes vacant, and (if they see fit) to fix a day on which the new Master shall assume office. Such election shall take effect from the day so specified (if any), and otherwise from the day on which the office becomes vacant.
- (3) If a vacancy in the office of Master occurs and the procedure in section (2) of this Statute has not been followed, the President shall summon a meeting of the electors to fix a day and hour for the election of a new Master, such day to be within twelve calendar months of the day on which the vacancy occurred, and to fix a day on which the new Master shall assume office.
- (4) Notice of the day and hour fixed for the election of a Master shall be given to all the electors. On that day and hour, the electors shall assemble in the College Chapel, where the President, followed by the other Fellows in their order, shall make the following declaration:
 - 'I, N.N., do solemnly declare that I will choose as Master the person that shall be in my judgment best qualified, according to the Statutes, to secure the good government of this College as a place of education, religion, learning, and research.'

After this declaration has been made by each elector in turn, the President and two Fellows appointed for the purpose by the electors present shall stand in scrutiny in the following manner: they shall first record their own votes and afterwards receive the votes of all the other Fellows. Voting shall be by separate ballot papers, each of which shall bear only the name of the person for whom the vote is given. The junior of the three scrutineers shall read the number of votes for each person for whom votes are given. If the votes of a majority of the Fellows present are given for one person the President shall pronounce such person duly elected Master of the College. If at this first scrutiny there is no such majority of votes given for one person, the scrutineers shall proceed to make a second scrutiny in the same manner as before, and the person, if any, who on this second scrutiny has the votes of a majority of the Fellows present shall be pronounced to be elected Master. If, however, at this second scrutiny no election shall be made, the scrutineers shall proceed to a third and final scrutiny, when that person shall be pronounced elected who has the greatest number of votes, whether they form a majority of the whole number of votes or not; and in case there be no such greatest number of votes, in consequence of an equality of votes given to the two or more persons who have the most votes, then that one of the two or more such persons shall be elected for whom the President shall give a casting vote.

Provided that if at this third scrutiny the President shall be one of the persons for whom a casting vote has to be given that casting vote shall be given by the Senior Fellow present who is a member of the Council and not one of those voted for.

(5) If the Master-elect, being present, decline to accept the office, the Fellows shall proceed to another election at the same hour on the following day, unless such day be Sunday, and then on the day following; but if the Master-elect be absent, and refuse to accept the office, the President shall forthwith call together the electors then in residence, and they shall then fix the day and

hour, after an interval of not less than three nor more than seven days, for the election of a new Master; and shall cause notice thereof to be given to all the electors.

- (6) On the day when the election of the new Master takes effect, or as soon as conveniently may be after that day, the Fellows and other members of the College shall assemble in the College Chapel at an hour of which due notice has been given, at which hour the President, or, if the President has been elected Master, the Senior Fellow present, shall require the Master to make and sign the following declaration:
 - 'I, A.B., elected Master of the College of St John the Evangelist, do hereby promise that I will faithfully perform the duties of the office with care and diligence, observe all the Statutes and in all things endeavour to the utmost of my power to promote the peace, honour and well being of the College as a place of education, religion, learning and research.'

After this declaration is made and signed, the new Master shall be admitted by the President or Senior Fellow present, as the case requires, by being placed in the Master's Stall.

The Master shall in no case enter upon the duties or enjoy the emoluments of the office before being duly admitted thereto.

(7) The Master shall not be present at any meeting of the electors held under the provisions of this Statute.

STATUTE V

Provision in case of Incapacity of the Master or Vacancy in the Mastership

- (1) Should the Master at any time become temporarily incapable of performing the duties of the office, and should it appear that such incapacity is likely to continue for a prolonged period, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint one of the Fellows to act in the Master's place during such incapacity, for periods not exceeding one year at a time or two years in all, and to assign to the Fellow so appointed such stipend as they shall think fit.
- (2) It shall be incumbent upon the President to summon the meeting of the Governing Body, for the purpose in the foregoing paragraph mentioned, upon the request of eight or more of the Fellows, and not less than ten days' notice of such meeting shall be sent to each of the Fellows.
- (3) The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. If the Fellow appointed to be Vice-Master be a Member of the Council that place on the Council shall be vacated. The Vice-Master shall retain the office, and receive the assigned stipend for the period for which the appointment was made, unless and until the Master shall be reinstated in office, or shall cease to be Master, and the Vice-Master shall exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master.
- (4) If in the judgment of the Governing Body the Master shall at any time after the appointment of a Vice-Master again become capable of performing the duties of the office, the Governing Body shall have power in the like manner to reinstate the Master in power and functions.
- (5) Should the incapacity of the Master still continue at the expiration of the period or periods for which a Vice-Master has been appointed, or should it appear at any time that the Master has become permanently incapable of performing the duties of the office, the Governing Body may, by

the vote of a majority of the Fellows present at a meeting specially summoned for the purpose in the manner prescribed in this Statute, provide for the retirement of the Master from office and the Council shall assign the outgoing Master such pension or other allowance, in addition to any amounts accruing under any pensionary or insurance scheme adopted under Statute XXVI, as may appear to them to be reasonable, having regard to all the circumstances of the case.

- (6) Should a vacancy in the office of Master occur, the Governing Body shall have power, by the vote of a majority of the Fellows present at a meeting summoned for the purpose of taking the matter into consideration, to appoint, for duration of the vacancy, one of the Fellows to exercise and perform all the functions and duties, and have all the powers and authorities of the Master, and to assign to the Fellow so appointed such stipend as they shall think fit. The Fellow who shall be appointed to act in the Master's place shall be called 'Vice-Master'. The Fellow so appointed shall be bound to residence in the same manner, and be liable to deprivation for the same causes and in like manner as the Master, and if the Vice-Master be a Member of the Council that place on the Council shall be vacated.
- (7) If the Vice-Master shall die, or resign the office, or vacate or be deprived of a Fellowship, or become permanently incapable of discharging the duties of the office, the Governing Body shall have the like power in the like manner of appointing instead another of the Fellows to be Vice-Master, and of assigning a stipend to such Vice-Master.

STATUTE X

The President

- (1) The President shall be elected by the Governing Body from among the Fellows of the College on a day to be appointed by the Council, who shall determine the day of the entry of the President-elect into office, subject to any rules made by the Governing Body under Statute VIII(4). The Council shall give not less than fourteen days' notice of the day appointed for the election. The President may be elected for a period not exceeding four years. A casual vacancy in the office of President shall be filled up as soon as conveniently may be, and in any case within three calendar months.
- (2) The President shall attend, under the Master, to the good government of the Fellows, Scholars, Students, Officers, and Servants of the College. The President shall enforce the observance of the Statutes, act as the Master's deputy in case of absence, and perform such other acts as are prescribed by these Statutes, or by any College Order. In the absence of the President the Senior Fellow present who is a member of the Council shall in all cases take the President's place. The President shall not, during Term, be out of residence at the same time as the Master, except for some grave cause to be approved by the Council.
- (3) If the President be appointed Vice-Master, then, for the duration of the tenure of that office, another Fellow of the College shall be elected by the Governing Body to be President instead.

STATUTE XV

Retiring Age

- (1) The Master shall retire on the last day of August of the tenth year in office.
- (2) The President shall retire on reaching the age of sixty-seven years, but may be re-elected by the Governing Body, provided that a President shall not hold office after reaching the age of seventy years.

- (3) A Bursar, a Steward, or other administrative officer shall retire on reaching the age of sixty-seven years, but may be re-elected to office by the votes of not less than nine members of the Council, exclusive of such officer if a member thereof, for periods not exceeding three years in all, provided that the officer shall retire after reaching the age of seventy years.
- (4) A Tutor, a Dean, a Lecturer, or other educational officer of the College, shall retire on reaching the age of sixty-seven years.
- (5) The actual retirement of any person under this Statute other than the Master shall take effect not later than the first day of October following the date at which the specified age has been reached.
- (6) The provisions of this Statute shall not apply to a Vice-Master.

STATUTE XXIV

General provisions with regard to Fellows other than Honorary Fellows

- (1) Every Fellow, if not qualified for membership of the Senate, shall proceed to a qualifying degree as soon as possible.
- (2) The Fellowship of any Fellow not proceeding to such degree in due course (unless prevented by illness, or other grave cause to be approved by the Council) shall be forfeited.
- (3) The admission of a Fellow to a superior degree, or the transfer of a Fellow from one Title to another, shall not affect the order of seniority on the Roll of Fellows.
- (4) The Fellowship of a Fellow of the College who becomes Master or Fellow, other than Honorary Fellow, of any other College, shall be vacated.
- (5) All Fellows of the College shall, if in residence, be entitled to rooms and commons, or to such pecuniary allowances in lieu thereof as the Council shall from time to time determine.
- (6) All Fellows shall register with such officer as the Council shall appoint a place of address to which all notices intended for them are to be sent; and in all cases in which by these Statutes notice is required to be given to any Fellow, it shall be sufficient that the notice be sent by post or otherwise to this address.