



STATUTES

15 December 2010

STATUTES OF THE UNIVERSITY OF SURREY

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1 Definitions

(1) In these Statutes:-

'Academic Deans' means the Deans of Faculties and any or other groupings of academic activities approved from time to time by the Council on the recommendation of the Senate.

Subject to Statute 23 or unless otherwise stated in the contract of employment 'Academic Staff' means all persons holding appointments as Professors, Readers, Senior Lecturers, or Lecturers of the University and such other persons or holders of appointments as the Council, on the recommendation of the Executive Board may from time to time stipulate.

'Charter' means the Charter of the University.

'Charter Day' means the day on which the Charter becomes of force and effect.

'Constituent Institution' means such higher education institution as may be federated with the University and declared by the Council to be a 'Constituent Institution'.

'Council' means the Council of the University.

'Court' means the Court of the University.

'Department' means a Department or other grouping of academic activities approved from time to time by the Council on the recommendation of the Senate.

'Director of Corporate Services' means the University Director of Corporate Services.

'Executive Board' means the Executive Board of the University.

'Functions' includes powers and duties.

'Ordinances' means Ordinances made pursuant to the Charter or these Statutes.

'Clerk to the Court and Clerk to the Council' means Clerk to the Court of the University and Clerk to the Council of the University.

'Regulations' means Regulations made pursuant to the Charter, these Statutes or the Ordinances.

"School" means a grouping of academic activities approved from time to time by the Council on the recommendation of the Senate.

'Senate' means the Senate of the University.

'Statutory bodies' means the Court, the Council, the Senate and the Executive Board.

'Student' means any Graduate or Undergraduate Student of the University, whether full-time or part-time.

'University' means the University of Surrey.

'Year' means a period of twelve calendar months ending on such date as may be prescribed from time to time by Ordinance, which may prescribe different dates for different purposes.

(2) Words importing the masculine shall include the feminine, and unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

(3) Words defined in the Charter or these Statutes shall have the same meaning in the Ordinances and the Regulations unless the context be repugnant thereto.

2 The Members of the University

(1) The following persons shall be Members of the University:-

The Chancellor.

The Pro-Chancellors.

The Vice-Chancellor & Chief Executive.
The Senior Deputy Vice-Chancellor.
The Treasurer.
The Deputy Vice-Chancellors.
The Academic Deans.
The Members of the Court.
The Members of the Council.
The Members of the Senate.
The employees of the University.
The Emeritus Professors and holders of other emeritus titles.
Holders of such other posts as may be prescribed from time to time by Ordinance.
The Alumni.
The Students.

- (2) The Council, on the recommendation of the Senate, shall have the power to declare such other persons Members of the University as it may deem fit.

3 The Chancellor

- (1) The Chancellor shall be appointed and may be removed by the Court on the recommendation of the Council and the Senate acting jointly. Before making a recommendation the Council and the Senate shall consider a report of a Joint Committee of six persons of whom three shall be members of the Council, not being members of the Senate, who shall be appointed by the Council, and three shall be members of the Senate, who shall be appointed by the Senate. The members appointed by Council shall include the Chairman of Council who shall be ex-officio Chairman of the Joint Committee.
- (2) Subject to these Statutes, the Chancellor shall hold office during his life or until his resignation.
- (3) The Chancellor may resign by writing addressed to the Clerk to the Court.

4 The Pro-Chancellors

- (1) The Court, on the recommendation of the Council and the Senate acting jointly, shall appoint and may remove one or more Pro-Chancellors. Before making a recommendation the Council and the Senate shall consider a report from a Joint Committee constituted in the manner prescribed in Statute 3(1).
- (2) A Pro-Chancellor shall hold office until the end of the third year following his appointment or until such earlier date as the Court on the recommendation of the Council and the Senate may in each case determine and shall be eligible for reappointment by the Court on the recommendation of the Council and the Senate.
- (3) If there is more than one Pro-Chancellor, the Pro-Chancellor who has been in office as such for the longest period or aggregate of periods (whether consecutive or not) shall be the Pro-Chancellor who shall, during a vacancy in the office of Chancellor or during his inability through illness or any other cause to perform his functions, perform the functions of the Chancellor; during the inability of that Pro-Chancellor through illness or other cause to perform those functions, the next senior Pro-Chancellor as aforesaid not so incapacitated shall so act.
- (4) A Pro-Chancellor may resign by writing addressed to the Clerk of the Court.

5 The Vice-Chancellor & Chief Executive

- (1) The Vice-Chancellor & Chief Executive shall be appointed by the Council after consideration of a report of a Joint Committee constituted in the manner prescribed in Statute 3(1).
- (2) Subject to these Statutes, the Vice-Chancellor & Chief Executive shall hold office until retirement or until his resignation.
- (3) The Vice-Chancellor & Chief Executive shall be ex-officio a member of the statutory bodies and (additional to the establishment thereof as prescribed by Statute or Ordinance or as determined by the body or bodies constituting the same) of all Committees, Sub-Committees and Joint Committees of these bodies except the Joint Committees referred to in paragraph (1) of this Statute, and the Audit Committees of the University referred to in Statute 12. He shall be Chairman of the Senate.
- (4) As Chief Executive and principal academic and administrative officer, the Vice-Chancellor shall have a general responsibility to the Council for maintaining and promoting the efficiency and good order of the University. He shall be Chairman of the Executive Board.
- (5)
 - (A) The Vice-Chancellor may refuse to admit any person as a Student.
 - (B)
 - (a) The Vice-Chancellor may report to the Executive Board a Student whose conduct in his opinion has been or may become harmful to the best interests of the University.
 - (b) The Vice-Chancellor may for reasons other than failure to comply with Regulations prescribing the academic conditions under which Students are permitted to continue their studies but without at the time assigning any reason:-
 - (i) suspend any Student from any class or classes, and
 - (ii) exclude any Student from any part of the University or its precincts, for such period as he may determine subject to the provisions of the Ordinances.
- (6)
 - (A) The Vice-Chancellor may delegate some, but not all, of his responsibilities under paragraph (4) of this Statute and under the Ordinances to the Senior Deputy Vice-Chancellor, such Deputy Vice-Chancellors and Academic Deans or any one of them as he may think fit and/or to the Executive Board or to a committee comprised of such officers/persons as the Vice-Chancellor shall consider appropriate. The delegation shall be on such terms as are approved by the Vice-Chancellor from time to time.
 - (B) The Vice-Chancellor may delegate all or any of his functions under paragraph (5) of this Statute and under the Ordinances referred to therein, to the Senior Deputy Vice-Chancellor, Academic Deans and the Dean of Students, or any one of them, as he may think fit.

6 The Senior Deputy Vice-Chancellor

- (1) The Senior Deputy Vice Chancellor shall be appointed by the Council on the recommendation of the Vice-Chancellor for such period and upon such conditions as the Council shall approve.
- (2) The Senior Deputy Vice-Chancellor shall perform such functions of the Vice-Chancellor as shall be delegated to him by or under the authority of the Vice-Chancellor or the Ordinances.

7 The Treasurer

- (1) The Treasurer shall be appointed and may be removed by the Council.

- (2) The Treasurer shall hold office until the end of the third year following his appointment or until such earlier date as may in each case be determined by the Council and shall be eligible for reappointment for one or more further periods each not exceeding three years and determined by the Council as aforesaid.
- (3) The Treasurer may resign by writing addressed to the Clerk to the Council.

8 The Deputy Vice-Chancellors

- (1) Deputy Vice-Chancellors shall be appointed by the Council on the recommendation of the Vice-Chancellor for such period and upon such conditions as the Council shall approve.
- (2) A Deputy Vice-Chancellor shall perform such of the functions of the Vice-Chancellor as shall be delegated to him by the Vice-Chancellor or under the authority of the Ordinances.

9 The Academic Deans

- (1) The Academic Deans shall be appointed by the Council on the recommendation of the Vice-Chancellor for such period and upon such conditions as the Council shall approve.
- (2) The Academic Deans shall be responsible to the Vice-Chancellor for the proper performance of such functions as may be prescribed by or under the authority of the Ordinances.

10 Clerk to the Court and the Council of the University

The Council may appoint a Clerk to the Court and to the Council of the University with such functions and upon such terms and conditions as it may determine.

11 Heads of School and Department

On the recommendation of the relevant Deputy Vice-Chancellor or Academic Dean, the Vice-Chancellor may appoint Heads of School or Department or other grouping of academic activities in accordance with such procedures and upon such conditions as may be prescribed by Ordinances.

12 The Auditor or Auditors

- (1) The Council shall appoint an Auditor or Auditors. Every such Auditor shall be a member of a recognised supervisory body established in the United Kingdom and for the time being recognised in accordance with the provisions of Part II of the Companies Act 1989, or any statutory modification, consolidation or re-enactment for the time being in force. No person shall be appointed or remain an Auditor who is or any of whose partners is a member of the Court, the Council or the staff of the University.
- (2) The Auditor or Auditors shall hold office for such period as the Council may think fit and shall, subject to any regulation to the contrary, be eligible for reappointment, and shall receive such remuneration as may be determined from time to time by the Council.
- (3) The Auditor or Auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University and shall be entitled to require from the Officers, staff and any constituent body of the University such information and explanations as he or they consider necessary for the performance of his or their duties.

- (4) If the office of Auditor or Auditors shall become vacant by his or their death or resignation or any other cause before the expiration of his or their period of office, the Council shall forthwith appoint an Auditor or Auditors in his or their place for the remainder of such period.
- (5) An Auditor may resign by writing addressed to the Clerk of the Council.
- (6)
 - (A) The Auditor or Auditors shall make a report to the Council at least once in each year.
 - (B) Council may request the attendance of the Auditor or Auditors at a meeting of Council to make their report.
 - (C) The Auditor or Auditors may request to attend a meeting of Council to make their report.

13 The Court

- (1) The membership of the Court, the periods of appointment of Members of the Court and the regulation of the business of the Court shall be prescribed by Ordinance.
- (2) The functions of the Court shall, subject to the Charter and these Statutes, include the following:
 - (A) to appoint, on the recommendation of the Council and the Senate, the Chancellor;
 - (B) to appoint, on the recommendation of the Council and the Senate, the Pro-Chancellors;
 - (C) to receive a report from the Vice-Chancellor on the progress and development of the University and, from the Council, an audited statement of accounts."

14 The Council

- (1) The Council shall consist of the following persons, namely:-
 - (A) The Chairman.
 - (B) Ex-officio Members -
 - (i) The Vice-Chancellor & Chief Executive.
 - (ii) The Senior Deputy Vice-Chancellor.
 - (iii) The Treasurer.
 - (iv) The Deputy Vice-Chancellors.
 - (v) The Chairman of the Academic Assembly.
 - (vi) The President of the Students' Union.
 - (C) Elected Members -
 - (i) Three members of the Senate elected by the Senate, subject to and in accordance with the Ordinances which shall prescribe periods of appointment and arrangements for reappointment.
 - (ii) One elected member of the non-academic staff to be elected by the non-academic staff subject to and in accordance with the Ordinances which shall prescribe periods of appointment and arrangements for re-appointment.
 - (D) Co-opted Members -
 - Eleven persons appointed by the Council, who shall not be members of the staff or students of the University, subject to and in accordance with the Ordinances which shall prescribe periods of appointment and arrangements for re-appointment.

- (2) A member of the Council may resign at any time by writing addressed to the Clerk to the Council. A member other than an Ex-officio Member who for twelve calendar months has not attended any meeting of the Council or of any committee thereof shall cease to be a member at the end of the next ensuing meeting after the expiration of such period, unless the Council at that meeting decides otherwise.
- (A) Any member of the Council, other than an Ex-officio Member or an Elected Member, may be removed from membership of the Council for good cause by the Council.
- (B) No member of the Council shall be removed under the provisions of this Statute unless he shall have been given a reasonable opportunity of being heard by the Council (as the case may be) in his own defence.
- (C) For the purposes of this Statute 'good cause' shall include but is not necessarily restricted to:
- i) conviction for an offence which may be deemed by the Court or the Council, as the case may be, to be such as to render the person convicted unfit for the execution of the duties of the office; or
 - ii) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; or
 - iii) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise.

15 The Chairman and Vice-Chairman of the Council

- (1) The Chairman of the Council shall be appointed by the Council from among its own members or otherwise; provided that the Chairman shall not be a member of the staff or a student of the University. The Chairman shall hold office until the end of the third year following his appointment. Upon completion of his term of office the Chairman shall be eligible for reappointment as Chairman for a further term not exceeding three years, but, on expiry of that extended term or on his ceasing to be Chairman for any reason before such expiry, he shall not be eligible for a further term of office as Chairman until at least one year shall have elapsed from such expiry or cessation as the case may be.
- (2) The Council shall appoint from among its own members a Vice-Chairman not being a member of the staff or a student of the University. The Vice-Chairman shall hold office for such period and on such conditions as to reappointment or otherwise as are prescribed in paragraph (1) of this Statute.

16 Functions Of The Council

The functions of the Council shall, subject to the Charter and these Statutes, include the following:-

- (1) To review the work of the University, to call for reports from the Senate and, subject to the powers of the Senate, to take such steps as it thinks proper to achieve the objects of the University as set out in the Charter and in the University's current strategic plan, to maintain and enhance its reputation and efficiency and promote excellence and to provide for the recreation, cultural development and welfare of the staff and students.
- (2) To have the custody, control and disposition of all the movable and immovable property of or entrusted to the University.
- (3) To govern, manage and regulate the finances of or entrusted to the University; provided that before determining any question of finance which affects the academic policy of the University, the Council shall take into consideration any recommendation or report thereon by the Senate.
- (4) To represent the University in all negotiations for obtaining grants in aid of the work of the University.

- (5) To sell, buy, exchange, lease and accept leases of movable and immovable property on behalf of the University.
- (6) To borrow money on behalf of the University and for that purpose to mortgage or charge all or any part of the property of the University unless the conditions of any bequest (testamentary or otherwise) or any statutory obligations are thereby contravened and to give such other security whether upon movable or immovable property or otherwise as the Council may think fit.
- (7) To invest any moneys belonging to or held by the University in such stocks, funds, fully paid shares or securities as the Council shall from time to time think fit, whether within the United Kingdom of Great Britain and Northern Ireland or not, or in the purchase of freehold or leasehold hereditaments in the said United Kingdom including rents; provided that in the case of moneys held by the University as trustee the powers conferred by this paragraph shall be exercised subject to the provisions of the law relating to investment by trustees; to acquire and dispose of interests in bodies corporate whether solely or jointly with others; to form subsidiary companies; and, to make loans, grants or gifts to any person or body.
- (8) To enter into, vary, carry out and cancel contracts on behalf of the University.
- (9) To have the custody of the Common Seal and Mace of the University.
- (10) To determine all University fees, after considering the recommendations of the Senate.
- (11) To institute or discontinue on the recommendation of the Senate Departments or other academic sections of the University.
- (12) To authorise or control the establishment and disestablishment of Professorships, Readerships, Senior Lectureships, Lectureships and other such posts required by the University and on the recommendation of the Senate to appoint persons thereto.
- (13) To authorise or control the establishment and disestablishment of academic, library, administrative, technical, secretarial and all other posts in the University necessary to the proper functioning of the University in accordance with the Charter and these Statutes, except Offices specifically designated in these Statutes.
- (14) Jointly with the Senate to recommend to the Court persons for appointment as Chancellor and Pro-Chancellors.
- (15) To recommend for appointment a Treasurer and to determine his functions.
- (16) To appoint the Vice-Chancellor, the Senior Deputy Vice-Chancellor and the Deputy Vice-Chancellors after consideration of a report of a Joint Committee constituted in the manner prescribed in Statute 3(1).
- (17) To appoint members of the Academic Staff (in established posts or otherwise) and to appoint or control the appointment of persons to other posts in the University, academic, research or other; provided that the Council shall not make any appointment of a member of the Academic Staff or of a person to any other academic or research post in the University except on the recommendation of the Senate.
- (18) To determine, subject to these Statutes and the Ordinances, the method of appointment, conditions of service and remuneration of all staff of the University, academic or other.
- (19) To make provision for schemes of insurance, superannuation, pensions and retirement benefits for all paid staff of the University, academic and other, and their dependants.
- (20) To appoint and determine the remuneration of the Auditor or Auditors.
- (21) On the recommendation of the Senate to appoint and determine the remuneration of external examiners.
- (22) On the nomination of the Senate to approve persons to receive Honorary Degrees, the title of Professor Emeritus or other such academic distinctions.

- (23) On the recommendation of the Senate to affiliate other bodies, or departments thereof, to the University; on the recommendation of the Senate to admit members of affiliated bodies, or departments thereof, to any of the privileges of the University.
- (24) On the recommendation of the Senate to federate with other higher education institutions and for this purpose to establish such federal structures as maybe appropriate and necessary and to declare with the approval of the Lords of Her Majesty's Most Honourable Privy Council (of which approval a certificate under the hand of the Clerk of the said Privy Council shall be conclusive evidence) that a higher education institution is or has ceased to be a Constituent Institution of such federal structure or structures.
- (25) In accordance with Article 22 of the Charter, to make Statutes.
- (26) In accordance with Article 28 of the Charter, to make, add to, amend or repeal Ordinances.
- (27) To appoint members of the Court as provided for under Statute 12.
- (28) To co-opt members of the Council as provided for under Statute 14.
- (29) To institute, on the recommendation of the Senate and subject to such conditions as the Council and the Senate shall think fit, Fellowships, Studentships, Scholarships, Exhibitions, Bursaries, Prizes and other such grants for the encouragement of study and research.
- (30) To give on behalf of the University guarantees to banks, building societies and other financial institutions whether in pursuance of a continuing arrangement or not.
- (31) To establish Council Appeal Bodies which shall exercise functions in relation to the discipline of Students which may be assigned to them under the Ordinances referred to in Statute 26.
- (32) To establish Joint Committees of the Council and representatives of the Union of Students and to prescribe the method of appointment of such representatives and the functions of such Committees.
- (33) To exercise all such functions as are or may be conferred on the Council by the Charter, these Statutes and the Ordinances and Regulations, and to carry the Charter, these Statutes and the Ordinances and Regulations into effect.
- (34) To delegate such of its functions and on such terms as it sees fit.

17 The Senate

The membership of the Senate and the functions thereof shall be prescribed by Ordinance.

18 The Executive Board

The membership of the Executive Board and the functions thereof shall be prescribed by Ordinance.

19 The Academic Assembly

The Academic Assembly may declare an opinion on any matter whatsoever relating to the University and report its views on such matters to the Council or the Senate as may be appropriate.

20 Academic Staff

Part I Construction, Application and Interpretation

Construction

- (1) This Statute and any Ordinance or Regulation made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say -
- (a) to ensure that Academic Staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
 - (c) to apply the principles of justice and fairness.
Reasonableness of decisions

Reasonableness of decisions

- (2) No provision in Part II or Part III of this Statute shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the Academic Staff unless the reason for his dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissing him.

Application

- (3) (1) This Statute shall apply
- (a) to the persons defined as 'Academic Staff' in Statute 1(1);
 - (b) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute; and
 - (c) to the Senior Deputy Vice-Chancellor.
 - (d) to the Deputy Vice-Chancellors.
- (2) In this Statute any reference to 'Academic Staff' is a reference to persons to whom this Statute applies.

Interpretation

Meaning of 'dismissal'

- (4) In this Statute 'dismiss' and 'dismissal' mean dismissal of a member of the Academic Staff and -
- (a) include remove or, as the case may be, removal from office; and
 - (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

Meaning of 'good cause'

- (5) (1) For the purposes of this Statute 'good cause' in relation to the dismissal or removal from office or place of a member of the Academic Staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the Academic Staff concerned was appointed or employed to do, means -
- (a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the Academic Staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
 - (d) physical or mental incapacity established under Part IV.
- (2) In this paragraph

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

Meaning of 'redundancy'

- (6) For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to -
 - (a) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the Academic Staff concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
 - (b) the fact that the requirements of that activity for members of the Academic Staff to carry out work of a particular kind, or for members of the Academic Staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

Incidental, supplementary and transitional matters

- (7) (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of the Ordinances and Regulations and the provisions of any Ordinance made under this Statute shall prevail over those of any other Ordinance:
 Provided that Part III of and the Annex to this Statute shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved* under subsection (9) of section 204 of the Education Reform Act 1988.
- (2) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a member of the Academic Staff by reason of redundancy or for good cause:
 Provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.
- (3) Nothing in any other Statute or in any Ordinance or Regulation made thereunder shall authorise or require any person to sit as a member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
- (4) In this Statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

Part II Redundancy

Purpose of Part II

- (8) This Part enables the Council, as the appropriate body, to dismiss any member of the Academic Staff by reason of redundancy.

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

* 31 March 1993

- (9) (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the University or apply in relation to a person unless -
- (a) his appointment is made, or his contract of employment is entered into, on or after 20 November 1987; or
 - (b) he is promoted on or after that date.
- (2) For the purposes of this paragraph in relation to a person, a reference to an appointment made or a contract entered into on or after 20 November 1987 or to promotion on or after that date shall be construed in accordance with subsections 3) to (6) of section 204 of the Education Reform Act 1988.

The Appropriate Body

- (10) (1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the Academic Staff -
- (a) of the University as a whole; or
 - (b) of any faculty, school, department or other similar area of the University by way of redundancy.
- (11) (1) Where the appropriate body has reached a decision under paragraph (10)(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose
- (a) to select and recommend the requisite members of the Academic Staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise -
- (a) a Chairman; and
 - (b) two members of the Council, not being persons employed by the University; and
 - (c) two members of the Academic Staff nominated by the Senate.

Notices of intended dismissal

- (12) (1) Where the appropriate body has approved a selection recommendation made under paragraph 11(1) it may authorise an officer of the University as its delegate to dismiss any member of the Academic Staff so selected.
- (2) Each member of the Academic Staff selected shall be given separate notice of the selection approved by the appropriate body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include -
- (a) a summary of the action taken by the appropriate body under this Part;
 - (b) an account of the selection processes used by the Redundancy Committee;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and
 - (d) a statement as to when the intended dismissal is to take effect.

Part III Discipline, Dismissal and Removal from Office

Disciplinary Procedures

- (13) (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used -

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the Academic Staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the Academic Staff by the Academic Dean. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Director of Corporate Services seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Academic Dean and by the Human Resources Department but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

Stage 3 - Appeals

A member of the Academic Staff who wishes to appeal against a disciplinary warning shall inform the Director of Corporate Services within two weeks. A Deputy Vice-Chancellor shall hear all such appeals and his decision shall be final.

Preliminary examination of serious disciplinary matters

- (14) (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Director of Corporate Services who shall bring it to the attention of the Vice-Chancellor.
- (2) To enable the Vice-Chancellor to deal fairly with any complaint brought to his attention under sub-paragraph (1) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.
- (3) If it appears to the Vice-Chancellor that a complaint brought to his attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the University or within the faculty, school, department or other relevant area, or is trivial or invalid he may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Vice-Chancellor does not dispose of a complaint under sub-paragraph (3) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the member on full pay pending a final decision.
- (5) Where the Vice-Chancellor proceeds further under this Part he shall write to the member of the Academic Staff concerned inviting comment in writing.

- (6) As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may -
 - (a) dismiss it himself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself if it appears to the Vice-Chancellor appropriate to do so and if the member of the Academic Staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Director of Corporate Services to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

- (15) (1) In any case where the Vice-Chancellor has directed that a charge or charges be preferred under paragraph 14(6)(d), he shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the Academic Staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.
- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Director of Corporate Services or, if he is unable to act, another officer appointed by the Vice-Chancellor shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
 - (a) to forward the charge or charges to the Tribunal and to the member of the Academic Staff concerned together with the other documents therein specified, and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

The Tribunal

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

Provisions concerning Tribunal procedure

- (17) (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
 - (a) that the member of the Academic Staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;

- (b) that a charge shall not be determined without an oral hearing at which the member of the Academic Staff concerned and any person appointed by him to represent him are entitled to be present;
- (c) that the member of the Academic Staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him is based; and
- (d) that full and sufficient provision is made for -
 - (i) postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors; and
 - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal's expeditiously as reasonably practicable.

Notification of Tribunal decisions

- (18) (1) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Vice-Chancellor and to each party to the proceedings.
- (2) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

Powers of the appropriate officer where charges are upheld by Tribunal

- (19) (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the Academic Staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the Academic Staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -
 - (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about his future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
 - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

Appropriate Officers

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

Part IV Removal for Incapacity on Medical Grounds

- (21) (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.

- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
 - (3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his delegate to perform the relevant act.
 - (4) References to the member of the Academic Staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.
- (22) (1) Where it appears that the removal of a member of the Academic Staff on medical grounds would be justified, the appropriate officer -
- (a) shall inform the member accordingly; and
 - (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate, and a medically qualified chairman jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the University's expense.

Termination of Employment

- (23) If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Director of Corporate Services or his delegate to terminate the employment of the member concerned on those medical grounds.

Part V Appeals

Purpose of Part V

- (24) This Part establishes procedures for hearing and determining appeals by members of the Academic Staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

Application and interpretation of Part V

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

- (2) No appeal shall however lie against -
 - (a) a decision of the appropriate body under paragraph 10(2);
 - (b) the findings of fact of a Tribunal under paragraph 18(1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
 - (c) any finding by a Board set up under paragraph 22(3).
- (3) In this Part references to 'the person appointed' are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.
- (4) The parties to an appeal shall be the appellant and the Director of Corporate Services and any other person added as a party at the direction of the person appointed.
- (26) A member of the Academic Staff shall institute an appeal by serving on the Director of Corporate Services, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

Time for appealing and notices of appeal

- (27) (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-paragraph (3).
- (2) The Director of Corporate Services shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he has done so.
- (3) Where the notice of appeal was served on the Director of Corporate Services outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.

Persons appointed to hear and determine appeals

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

Provisions concerning appeal procedures and powers

- (29) (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
 - (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his appeal;

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

Notification of decisions

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

Part VI Grievance Procedures

Purpose of Part VI

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

Application

- (32) The grievances to which this Part applies are ones by members of the Academic Staff concerning their appointments or employment where those grievances relate -
- (a) to matters affecting themselves as individuals; or
 - (b) to matters affecting their personal dealings or relationships with other staff of the University, not being matters for which express provision is made elsewhere in this Statute.

Exclusions and Informal Procedures

- (33) (1) If other remedies within the faculty, school, department or other relevant area have been exhausted the member of the Academic Staff may raise the matter with the Head of the faculty, school, department or other relevant area.
- (2) If the member of the Academic Staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the faculty, school, department or other relevant area, the member may apply in writing to the Vice-Chancellor for redress of the grievance.

- (3) If it appears to the Vice-Chancellor that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Vice-Chancellor he shall inform the member and the Grievance Committee accordingly.
- (4) If the Vice-Chancellor is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) -
 - (a) a complaint under Part III;
 - (b) a determination under Part IV; or
 - (c) an appeal under Part V
 he shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he shall notify the member and the Grievance Committee accordingly.
- (5) If the Vice-Chancellor does not reject the complaint under sub-paragraph (3) or if he does not defer action upon it under sub-paragraph (4) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.

Grievance Committee Procedure

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

Procedure in connection with determinations and right to representation

- (36) The procedure in connection with the consideration and determination of grievances shall be determined in Ordinances in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

Notification of decisions

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

Annex Provisions as to the Vice-Chancellor

- (1) The Council may request its Chairman to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than three members of the Council to the Chairman of the Council.
 - (2) If it appears to the Chairman of the Council, on the material before him, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he shall request the Council to appoint a Tribunal to hear and determine the matter.

- (3) If it appears to the Chairman of the Council that a complaint made to him under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chairman; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the Academic Staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairman of the Council and to the Vice-Chancellor drawing attention to the period of time within which any appeal should be made.
 - (8) Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least 10 years standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chairman of the Council.
 - (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Vice-Chancellor.
- (2) Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Vice-Chancellor from his duties and may exclude the Vice-Chancellor from the precincts of the University or any part thereof without loss of salary.
 - (3) 'Good cause' in this Annex has the same meaning as in paragraph 5 of this Statute.
 - (4) For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications:-
 - (a) for references to a member of the Academic Staff there shall be substituted references to the Vice-Chancellor;
 - (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chairman of the Council;
 - (c) for paragraph 23 there shall be substituted -
 - (5) If the Board determines that the Vice-Chancellor should be required to retire on medical grounds, it shall ask the Chairman as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those medical grounds.

21 Retirement And Resignation Of Officers And Academic Staff

- (1) The Vice-Chancellor, the Senior Deputy Vice-Chancellor, the Deputy Vice-Chancellors, the members of the Academic Staff and the holders of any post specified for this purpose by the Council shall retire from office on the thirtieth day of September following the date prescribed for retirement in the contract of service of the person concerned; provided that the term of office of these persons may be extended by the Council, from time to time for one year or more.
- (2) The holder of any post referred to in paragraph (1) of this Statute shall be at liberty to resign his appointment and terminate his engagement with the University by giving to the Council in writing at least three calendar months' notice to that effect expiring on either the thirtieth day of April or the thirty-first day of August or the thirty-first day of December in any year.

22 Statutory Bodies (Sundry Provisions)

- (1) The term of membership of any of the statutory bodies in the case of members first appointed shall be reckoned from a day or days to be determined by the statutory body concerned and in the case of any subsequent members, other than a member appointed to fill a casual vacancy, from the date when his predecessor shall have vacated office.
- (2) A member of the statutory bodies or any of them who is appointed to fill a casual vacancy shall remain a member as such only for the unexpired term of office of the member in whose place he is appointed.
- (3) The proceedings of any of the statutory bodies or of any committee thereof shall not be invalidated by any vacancy in its number or by any defect in the appointment or qualifications of its members.
- (4) The statutory bodies may determine the time and place of their respective meetings and the procedure to be followed thereat.
- (5) There shall be a quorum at any meeting of any of the statutory bodies when ten members or not less than one-third of the members, whichever may be the less, are present. Subject to Articles 21 and 22 of the Charter, every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the chairman or other presiding officer shall have a second or casting vote.
- (6) Each of the statutory bodies may appoint such and so many committees consisting either wholly or partly of members of the body as they may respectively think fit and may delegate functions to such committees or otherwise to such persons and on such terms as they see fit.
- (7) Each of the statutory bodies may make rules for the purpose of the exercise of any of its powers or the performance of any of its duties, provided that no such rules shall be repugnant to these Statutes.
- (8) Subject to the Ordinances the provisions of this Statute shall apply to any committee of any of the statutory bodies.
- (9) Nothing in this Statute shall enable the Council to delegate its power to reach a decision under paragraph 10(2) of Statute 23.

23 Common Seal

The Common Seal of the University shall not be impressed upon or affixed to any document whatsoever except in the presence of one member of the Council and the Clerk to Council (or a deputy designated by the Council) who shall sign their names upon such document in attestation of the Seal having been impressed or affixed in their presence; and if the said Seal shall be impressed upon or affixed to any document and such impression or affixing shall be attested by a person purporting to be a member of the Council and by a person purporting to be the Clerk to Council (or a deputy designated by the Council) as the case may be then such document shall be accepted in all courts of law and elsewhere as prima facie evidence that the said Seal was duly impressed or affixed and attested.

24 Service of Notices And Documents

- (1) Any notice or document required by or for the purpose of the Charter or these Statutes to be given or sent to a person may be given or sent either personally or by sending it by post to him at his last address registered by the University.
- (2) Where a notice or other document is sent by post, service thereof shall be deemed to have been properly effected by properly addressing and posting a letter containing the notice or other document, and shall be deemed to have been effected at the time at which the letter would in the ordinary course be delivered.

25 Interpretation Of Statutes

These Statutes shall be interpreted in such manner as not to conflict with the Charter.

The text of the Statutes above incorporates amendments approved by the Privy Council as follows:

- 15 December 2010
- 10 October 2008
- 18 February 2008
- 5 December 2006
- 9 February 2005
- 27 July 2004
- 9 January 2002
- 24 November 1999
- 31 March 1993
- 17 December 1992