

Magdalen College
Middle Common Room

THE CONSTITUTION OF THE MIDDLE COMMON ROOM OF
MAGDALEN COLLEGE, OXFORD

(Including alterations approved by the Governing Body on 12 October 2016)

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Part I – Preliminary

1. Definitions

In this Constitution, unless the contrary intention appears:

Annual General Meeting means the General Meeting referred to in Section 28(2);

Arts and Research Officer means the Committee Member established by Section 12(1)(i);

Associate Member has the meaning given by Section 7;

Bar Manager means a Committee Member established by Section 12(1)(f);

Catering Officer means a Committee Member established by Section 12(1)(g);

Charity and Welfare Officer means a Committee Member established by Section 12(1)(j);

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

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

Committee means the committee established by Section 12;

Committee Meeting means a meeting of the Committee, as referred to in Section 13;

Committee Member means a member of the Committee, as referred to in Section 12(1);

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

Disabled Students Officer means the Committee Member established by Section 12(1)(r);

Executive Officers means the President, Vice-President, Secretary, and Treasurer;

Facilities and Environment Officer means the Committee Member established by Section 12(1) (l);

Freshers' Officer means the Committee Member established by Section 12(1)(n);

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

General Committee Member means a Committee Member established by Section 12(1)(o);

General Meeting means a meeting to which all Members are invited and may be either the Annual General Meeting of a Special General Meeting;

Honorary Member has the meaning given by Section 8;

IT Officer means the Committee Member established by Section 12(1)(m);

LGBTQ Officer means a Committee Member established by Section 12(1)(h);

MCR mailing list means the list of email addresses for those Members who choose to register their email address with the MCR and maintained by the Secretary in accordance with Section 22(d);

MCR means the Magdalen College Middle Common Room established by Section 4;

Member means an Ordinary Member, Associate Member, or Honorary Member for the time being;

Objects means the objects of the MCR set out in Section 4(2);

Ordinary Member has the meaning given by Section 6;

OUSU means the Oxford University Student Union;

President means the Committee Member established by Section 12(1)(a);

Racial Equality Officer means the Committee Member established by Section 12(1)(q);

Returning Officer means the Returning Officer appointed in accordance with Section 32(1);

Secretary means the Committee Member established by Section 12(1)(c);

Social Secretary means a Committee Member established by Section 12(1)(e);

Special General Meeting means a General Meeting other than the Annual General Meeting;

Sport Officer means the Committee Member established by Section 12(1)(k);

Special Resolution means a resolution passed by three fourths of the Members who are entitled to vote on that resolution and vote at a General Meeting;

Treasurer means the Committee Member established by Section 12(1)(d);

University means the University of Oxford;

University student means a matriculated student of the University;

Vice-President means the Committee Member established by Section 12(1)(b);

Women's Officer means the Committee Member established by Section 12(1)(p).

2. Interpretation

- (1) Subject to this Constitution, the Executive Officers may determine all questions concerning the interpretation of this Constitution.
- (2) Subject to Subsection (3), a Member may submit concerning the interpretation of this Constitution to the Executive Officers, who must:
 - (a) determine the question; and
 - (b) set out a written record of the question and its determination; and
 - (c) provide a copy of the written record to the Member; and
 - (d) inform the next General Meeting of the Question and its determination, and table a copy of the written record to be annexed to the minutes of that General Meeting.
- (3) Where a question concerning the interpretation of this Constitution arises in the course of a General Meeting, the Executive Officers must:
 - (a) determine the question; and
 - (b) direct the Secretary to record the question and its determination in the minutes of that General Meeting.
- (4) Where this Constitution fixes a period of time by reference to a day or an event, that period of time does not include that day or the day of that event.

3. Notice

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

- (a) posted on the notice board in the Common Room; and
 - (b) emailed to the MCR mailing list.
- (2) Failure to give notice in accordance with Subsection (1) does not affect the validity of anything done, or purportedly done, in accordance with this Constitution, if the person required to give notice used the person's best efforts, in good faith, to give effective notice of the matter to Members.

Part II – The MCR

4. Name and Objects

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

5. Powers

- (1) Subject to this Constitution, the MCR has all powers that:
- (a) may be exercised by or on behalf of an unincorporated association by law; and
 - (b) are necessary or convenient for carrying out the Objects.

- (2) Without limiting the generality of Subsection (1), the MCR has power to:
 - (a) raise moneys by such means as the Committee may from time to time determine; and
 - (b) accept any gift or donation that will further the promotion of the Objects; and
 - (c) require payment by Members for use of any specified facility owned by the MCR or for participation in any of the MCR's activities.
- (3) The MCR must operate in a fair and democratic manner and be accountable for its finances.

Part III – Members

6. Ordinary Members

- (1) A person is an Ordinary Member if the person:
 - (a) is eligible to be an Ordinary Member under Subsection (2); and
 - (b) has not exercised the person's right not to be a Member, in accordance with Section 9; and
 - (c) has not been excluded from membership in accordance with Section 10.
- (2) A person is eligible to be an Ordinary Member if the person:
 - (a) is a University student; and
 - (b) is subject to batell by the College; and
 - (c) meets at least one of the following criteria:
 - (i) the person holds a degree from any university; or
 - (ii) the person is in the final year of a three- or four-year degree course at the University and has been a University student for at least three years; or
 - (iii) the person was over 21 when the person was presented for matriculation; or
 - (iv) the person has previously attended any university for at least three years.

7. Associate Members

- (1) A person is an Associate Member if the person:
 - (a) is eligible to be an Associate Member under Subsection (2); and
 - (b) has, by notice in writing addressed to the Secretary and signed by the person:
 - (i) applied to be an Associate Member; and
 - (ii) provided sufficient information to satisfy the Secretary that the person is eligible

- to be an Associate Member under Subsection (2); and
 - (c) has paid any subscription determined by the Committee in accordance with Section 11; and
 - (d) has not exercised the person's right not to be a Member, in accordance with Section 9; and
 - (e) has not been excluded from membership in accordance with Section 10.
- (2) A person is eligible to be an Associate Member if the person:
- (a) is not eligible to be an Ordinary Member under Section 6(2); and
 - (b) is not entitled to membership of the middle common room (or equivalent) of any other college of the University; and
 - (c) meets at least one of the following criteria:
 - (i) the person is married to, or in a *de facto* relationship with, an Ordinary Member; or
 - (ii) the person is associated with the College through postgraduate study or research the person is pursuing at the University; or
 - (iii) the person enjoys, in the view of the Committee, a close and substantial connection with the College and with the MCR.

8. Honourary Members

- (1) A person is an Honourary Member if the person:
- (a) is eligible to be an Honourary Member under Subsection (2); and
 - (b) except in the case of a person elected as an Honourary Member in accordance with Subsection (4), has, by notice in writing addressed to the Secretary and signed by the person:
 - (i) applied to be an Honourary Member; and
 - (ii) provided sufficient information to satisfy the Secretary that the person is eligible to be an Honourary Member under Subsection (2); and
 - (c) in the case of a person elected as an Honourary Member in accordance with Subsection (4), has, by notice in writing addressed to the Secretary and signed by the person, accepted election as an Honourary Member; and
 - (d) has not exercised the person's right not to be a Member, in accordance with Section 9;

and

- (e) has not been excluded from membership in accordance with Section 10.
- (2) A person is eligible to be an Honourary Member if the person:
- (a) is not eligible to be an Ordinary Member under Section 6(2) or an Associate Member under Section 7(2); and
 - (b) meets at least one of the following criteria:
 - (i) the person was previously eligible to be an Ordinary Member under Section 6(2); or
 - (ii) the person is a member of the Senior Common Room of the College; or
 - (iii) the person has been elected as an Honourary Member in accordance with Subsection (4).
- (3) The Committee may recommend to the Members in General Meeting that a person be elected as an Honourary Member if:
- (a) the person has rendered special service to the MCR; or
 - (b) the person's association with the MCR would be desirable or advantageous to the MCR.
- (4) At the first General Meeting after receiving a recommendation in accordance with Subsection (3), the Members in General Meeting must:
- (a) by Special Resolution, elect the person as an Honourary Member; or
 - (b) reject the recommendation.

9. Right not to be a member

- (1) A person who is eligible to be an Ordinary Member, Associate Member or Honourary Member has the right not to be a Member.
- (2) The Secretary must, no later than the second Sunday in Michaelmas Term each year, give notice to Members of the right provided in Subsection (1).
- (3) A person may exercise the right provided in Subsection (1):
 - (a) at any time; and
 - (b) by indicating in writing, addressed to the Secretary and signed by the person, that the person does not wish to be a Member.
- (4) A person who has exercised the right provided in Subsection (1) may revoke the exercise of

that right and become a Member:

- (a) at any time; and
 - (b) by indicating in writing, addressed to the Secretary and signed by the person, that the person revokes the person's previous indication and now wishes to be a Member.
- (5) Subject to this Constitution, a person who has exercised the right provided in Subsection (1) is entitled to use all Common Room facilities and to participate in the MCR's social, cultural, artistic, welfare, charitable and sporting activities but is not entitled to enjoy the other rights and privileges enjoyed by Members under this Constitution.

10. Exclusion from membership

- (1) If the Committee resolves that the conduct of a person while a Member has been seriously detrimental to the interests of the MCR or incompatible with the Objects:
- (a) the Committee must convene a Special General Meeting for the purpose of considering a Special Resolution to exclude the person from membership; and
 - (b) the Secretary must communicate to the person, in writing:
 - (i) notice of the proposed Special Resolution; and
 - (ii) when and where the Special General Meeting at which the proposed Special Resolution will be considered is to be held; and
 - (iii) particulars of the conduct the subject of the Committee's resolution.
- (2) At the Special General Meeting referred to in Paragraph (1)(a), the Members in General Meeting:
- (a) must afford the person a reasonable opportunity to be heard; and
 - (b) must consider any representations made in writing to the Members in General Meeting; and
 - (c) may, by Special Resolution, exclude the person from membership.
- (3) If the Members in General Meeting exclude the person from membership in accordance with Subsection (2), the Secretary must communicate that resolution to the person in writing.
- (4) Subject to this Constitution, a person who has been excluded from membership in accordance with Subsection (2) is not entitled to use any facilities provided by the MCR (as distinct from those provided by the College), to participate in the MCR's activities or to

enjoy the other rights and privileges enjoyed by Members under this Constitution.

11. Subscription

- (1) The Committee may from time to time determine the amount of any subscription to be paid by Associate Members.
- (2) Ordinary Members and Honorary Members are not liable to pay any subscription.
- (3) Subject to Subsection (4), each Associate Member must pay the full amount of the subscription determined by the Committee under Subsection (1) in the manner determined by the Committee.
- (4) The Committee may, in special individual cases, waive all or part of the amount determined under Subsection (1) where it considers that it would be just to do so in the circumstances.

Part IV – Management of the MCR's Affairs

12. Committee to manage the MCR's affairs

- (1) The MCR is to have a Committee comprising:
 - (a) the President; and
 - (b) the Vice-President; and
 - (c) the Secretary; and
 - (d) the Treasurer; and
 - (e) two Social Secretaries; and
 - (f) two Bar Managers; and
 - (g) two Catering Officers; and
 - (h) two LGBTQ Officers; and
 - (i) an Arts and Research Officer; and
 - (j) two Charity and Welfare Officers; and
 - (k) a Sports Officer; and
 - (l) a Facilities and Environment Officer; and
 - (m) an IT Officer; and
 - (n) a Freshers' Officer; and
 - (o) four General Committee Members.

- (p) a Women's Officer; and
 - (q) a Racial Equality Officer; and
 - (s) a Disabled Students Officer; and
 - (t) a Brunch Officer.
- (2) Subject to this Constitution, the Committee is properly constituted notwithstanding that one or more positions on the Committee are vacant under Section 33.
- (3) Subject to this Constitution and in accordance with the resolutions of the Members in General Meeting, the Committee is, by resolutions made at Committee Meetings, to manage the affairs of the MCR, and has all the functions and powers necessary or convenient for that purpose.

13. Committee Meetings

- (1) The Committee must meet at least three times during each Full Term.
- (2) A Committee Meeting may be convened by the President, or by the Vice-President, or by any four or more Committee Members.
- (3) At least twenty-four hours before a Committee Meeting, the Secretary must give notice, by email, to the Committee Members, setting out:
- (a) when and where the Committee Meeting is to be held; and
 - (b) particulars of the business to be transacted at the Committee Meeting and of the order in which that business is to be transacted.

14. Quorum and procedure at Committee Meetings

- (1) At a Committee Meeting:
- (a) ten Committee Members entitled to vote under Paragraph (d) constitute a quorum; and
 - (b) unless the Committee resolves otherwise, any Member and any other person invited by the Committee may attend and address the meeting; and
 - (c) the President, or, in the absence of the President, the Vice-President or other Committee Member nominated by the President, must chair the meeting; and
 - (d) only Members who are present in person may vote; and
 - (e) a resolution is decided by a majority of votes cast by Members entitled to vote under Paragraph (d) on a show of hands; and

- (f) each Member entitled to vote under Paragraph (d) has a deliberative vote and, if the votes are equal, the person chairing the meeting must exercise a casting vote; and
 - (g) subject to this Constitution, the meeting must be conducted in the manner that the person chairing the meeting directs.
 - (h) if a petition, with thirty-five or more MCR members signatures, is presented to the chair of a meeting at a committee meeting or a general meeting, which rejects a motion passed at a meeting, an online MCR-wide vote on the issue will be enacted.
- (2) The Secretary must take full and accurate minutes of the proceedings of a Committee Meeting and the person chairing that Committee Meeting must sign those minutes as correct.
- (3) Minutes signed in accordance with Subsection (2) are, unless the contrary is proved, evidence that:
- (a) the Committee Meeting to which they relate was duly convened and held; and
 - (b) all proceedings recorded as having taken place at the Committee Meeting did in fact take place; and
 - (c) all co-options recorded as having been conducted at the Committee Meeting were validly conducted and the result of those co-options was as recorded.
- (2) As soon as reasonably practicable after a Committee Meeting, the Secretary must circulate, by email to the Committee Members, a copy of the minutes taken in accordance with Subsection (2).

15. Disclosure of pecuniary interest

- (1) Subject to Subsection (2), a Committee Member who has a direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee must:
- (a) as soon as the Committee Member becomes aware of that interest, disclose the nature and extent of the interest to the Committee; and
 - (b) not take part in the deliberations or decision of the Committee with respect to the contract.
- (2) Subsection (1) does not apply with respect to a pecuniary interest that exists only by virtue

of the fact the Committee Member is a member of a class of people for whose benefit the MCR is established.

- (3) The Secretary must record every disclosure made in accordance with Subsection (1) in the minutes of the Committee Meeting at which it is made.

16. Delegation

- (1) The Committee may delegate to a Committee Member, or to one or more subcommittees, the exercise of such functions and powers as are specified in the delegation, other than the power of delegation.
- (2) A subcommittee referred to in Subsection (1):
 - (a) must consist of more Members than people who are not Members; and
 - (b) includes, *ex officio*, the President or a Committee Member nominated by the President.
- (3) A delegation under Subsection (1) is subject to such directions, conditions and limitations as the Committee may set out in the delegation.
- (4) The Committee may continue to exercise any function or power delegated under Subsection (1).
- (5) The Committee may vary or revoke any delegation under Subsection (1).

17. Accounting and finance

- (1) The MCR must maintain, through the Accounts Office of the College:
 - (a) an operational account; and
 - (b) a capital account.
- (2) The Treasurer, and such other Committee Members as the Committee may resolve, must be responsible for all dealings with the Accounts Office of the College with respect to the accounts referred to in Subsection (1).
- (3) The Treasurer must:
 - (a) ensure that all expenses incurred by Committee Members on the accounts referred to in Subsection (1) are authorised; and
 - (b) liaise with the Accounts Office of the College to maintain the MCR's financial records in a manner that:
 - (i) correctly records and explains the financial transactions and financial position of

- the MCR; and
- (ii) enables true and fair accounts of the MCR to be prepared and audited from time to time; and
- (c) prepare and submit a budget for the MCR for approval by the Governing Body of the College; and
- (d) submit to Members at the Annual General Meeting a report of the financial position of the MCR for the financial year immediately preceding the Annual General Meeting, including a list of the external organisations to which the MCR has made donations in the period to which the report relates, together with details of those donations; and
- (e) must make the report referred to in Paragraph (d) available to:
 - (i) the Governing Body of the College; and
 - (ii) any University student who requests to inspect it .
- (4) Any two of the Executive Officers may sign cheques and forms of authority for the payment of funds of the MCR.
- (5) The MCR must not, without the prior approval of the Members in General Meeting:
 - (a) borrow moneys exceeding £200, whether from the College or any other lender; or
 - (b) incur any expense of a capital nature exceeding £350.

18. Affiliation

- (1) The MCR must not, without the prior approval of the Members in General Meeting , determine:
 - (a) to affiliate to an external organisation; or
 - (b) to continue to be affiliated to an external organisation; or
 - (c) not to continue to be affiliated to an external organisation.
- (2) If the MCR determines to affiliate to an external organisation:
 - (a) the Secretary must give notice to Members setting out:
 - (i) the resolution; and
 - (ii) the name of the external organisation; and
 - (iii) details of the subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the external organisation; and
 - (b) the Secretary must make the notice given in accordance with Paragraph (a) available

to:

- (i) the Governing Body of the College; and
 - (ii) any University student who requests to inspect it; and
- (c) the Treasurer must submit to Members at the Annual General Meeting a report (in addition to, or as part of, the report referred to in Section 17(3)(d)) containing:
- (i) a list of the external organisations to which the MCR is currently affiliated; and
 - (ii) details of the subscriptions or other similar fees paid, or donations made, to any external organisation since the last report; and
- (d) the Treasurer must make the report referred to in paragraph (c) available to:
- (i) the Governing Body of the College; and
 - (ii) any University student who requests to inspect it.
- (3) At the Annual General Meeting:
- (a) the Treasurer must propose a resolution to the effect that the MCR approve the list referred to in Subparagraph (2)(c)(i); and
 - (b) the Members must vote on the resolution referred to in paragraph (a); and
 - (c) if, in accordance with paragraphs (a) and (b), the Members resolve not to approve the list:
 - (i) the Treasurer must, in respect of each external organisation on the list, propose a resolution to the effect that the MCR continue to be affiliated to that organisation; and
 - (ii) the Members must vote on the resolution referred to in Subparagraph (I).
- (4) Subject to Subsection (5), if a requisition, signed by at least five per cent of the number of Members at that time, is made to the President to the effect that the question of the MCR's continued affiliation to a particular external organisation be decided upon by secret ballot:
- (a) the Committee must convene a Special General Meeting for the purpose of considering that question; and
 - (b) Section 32(1) has effect as if:
 - (i) the reference in that section to "the Annual General Meeting" were a reference to "the Special General Meeting at which the question is to be decided in accordance with Section 18(4)"; and
 - (ii) Section 32(1)(a)(iii) were omitted; and

- (c) the Returning Officer must provide to all Members who are entitled to vote a ballot paper setting out:
 - (i) the name of the external organisation; and
 - (ii) the option to vote in favour of the MCR's continuing to be affiliated to the organisation; and
 - (iii) the option to vote in favour of the MCR's not continuing to be affiliated to the organisation; and
- (d) notwithstanding section 30(1)(d), the question must be decided by secret ballot.
- (e) Subsections (3) and (4) do not prevent the MCR from determining, at any time, any of the matters referred to in Subsection (1), in accordance with that subsection.

19. Use of the Common Room and MCR facilities

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

Part V – Duties of Committee Members

20. Duties of the President

- (1) In addition to the other duties imposed on the President by this Constitution, by resolution of the Members in General Meeting or by resolution of the Committee, the President must manage the day-to-day affairs of the MCR.
- (2) Without limiting the generality of Subsection (1), the President must:
 - (a) ensure that the MCR complies at all times with this Constitution; and
 - (b) direct, coordinate and supervise the discharge by other Committee Members of their duties in accordance with this Constitution; and
 - (c) represent, in person or by nominee, the MCR on any representative or decision-making body of the College, the University or any other organisation to which the MCR is affiliated of which the President is, *ex officio*, a member; and
 - (d) submit to Members at the Annual General Meeting a report of the MCR's activities for the year immediately preceding the Annual General Meeting.
 - (e) present to Members at all Committee meetings and General Meetings a brief and

informal report of all activities in which the President represented the MCR, since the last Committee or General meeting.

21. Duties of the Vice-President

- (1) In addition to the other duties imposed on the Vice-President by this Constitution, by resolution of the Members in General Meeting or by resolution of the Committee, the Vice-President must assist the President in managing the day-to-day affairs of the MCR and in the performance of the duties imposed on the President by this Constitution.
- (2) Without limiting the generality of Subsection (1), the Vice-President must:
 - (a) liaise with the Outreach Office concerning, and coordinate, the MCR's involvement in the College's Outreach activities; and
 - (b) liaise with the Development Office concerning, and coordinate, the MCR's involvement in the College's alumni engagement, as directed by the Development Office; and
 - (c) liaise with the Home Bursary of the College in conjunction with, and conduct, the ballot for allocation of rooms to graduate students with remaining accommodation entitlement; and
 - (d) liaise with the College Secretary concerning, and coordinate, the MCR's involvement in undergraduate Collections in the College at the start of each Full Term; and
 - (e) represent the MCR on any representative or decision-making body, and at any meeting or conference, of OUSU, unless a proxy is nominated from the Committee.

22. Duties of the Secretary

In addition to the other duties imposed on the Secretary by this Constitution, by resolution of the Members in General Meeting or by resolution of the Committee, the Secretary must:

- (a) maintain a current copy of this Constitution and make it available to any Member who requests to inspect it; and
- (b) maintain the records of the MCR, other than the financial records; and
- (c) maintain a register of Ordinary Members, Associate Members and Honorary Members; and
- (d) maintain the MCR mailing list; and

- (e) coordinate the distribution of, and safeguard, keys to MCR facilities; and
- (f) coordinate the correspondence of the MCR; and
- (g) coordinate publicity for the MCR's activities; and
- (h) organise the annual MCR photographs.

23. Duties of the Treasurer

In addition to the other duties imposed on the Treasurer by this Constitution, by resolution of the Members in General Meeting or by resolution of the Committee, the Treasurer must:

- (a) submit a report of the financial position of the MCR to the Committee at the first Committee Meeting in each Full Term; and
- (b) liaise with the responsible Committee Members concerning, and supervise, the financial aspects of the MCR's activities; and
- (c) arrange and be responsible for the:
 - (i) reimbursement of authorised expenses incurred by Committee Members on behalf of the MCR; and
 - (ii) handling of petty cash; and
 - (iii) payment of the MCR's television licence and subscription to any cable or satellite television service.

24. Duties of the Social Secretaries, Bar Managers, and Catering Officers

(1) In addition to the other duties imposed on the Social Secretaries by resolution of the Members in General Meeting or by resolution of the Committee, the Social Secretaries must:

- (a) plan, organise and promote the MCR's social activities; and
- (b) prepare and distribute a term card setting out details of the MCR's activities.

(2) In addition to the other duties imposed on the Bar Managers by resolution of the Members in General Meeting or by resolution of the Committee, the Bar Managers must:

- (a) manage the bar responsibly; and
- (b) maintain and coordinate the purchase of appropriate bar stocks; and
- (c) assist the Social Secretaries in planning and organising any of the MCR's social activities that make use of the bar.

- (3) In addition to the other duties imposed on the Catering Officers by resolution of the Members in General Meeting or by resolution of the Committee, the Catering Officers must:
- (a) plan, organise and promote:
 - (i) dinners, including exchange dinners and guest dinners; and
 - (ii) the MCR banquet; and
 - (b) assist the Social Secretaries in planning and organising any of the MCR's social activities that involve catering; and
 - (c) maintain and coordinate the purchase of appropriate food stocks for the MCR's activities; and
 - (d) represent the MCR on the Catering Committee of the College.

25. Duties of other officers

- (1) In addition to the other duties imposed on the Arts and Research Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Arts and Research Officer must:
- (a) promote the MCR's cultural and artistic activities; and
 - (b) plan, organise and promote MCR Colloquia on a termly basis; and
 - (c) liaise with the JCR Art Officer in order to maintain and promote the joint JCR-MCR art collection.
- (2) In addition to the other duties imposed on the Charity and Welfare Officers by resolution of the Members in General Meeting or by resolution of the Committee, the Charity and Welfare Officers must:
- (a) provide welfare support for graduate University students; and
 - (b) make available information concerning health and welfare services available to graduate University students; and
 - (c) plan, organise and promote the MCR's welfare activities; and
 - (d) plan, organise and promote the MCR's charitable activities.
- (3) In addition to the other duties imposed on the Sports Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Sports Officer must:
- (a) plan, organise and promote the MCR's sporting activities; and
 - (b) maintain and coordinate the purchase of appropriate sporting equipment for the MCR's

- sporting activities; and
- (c) maintain an inventory of the MCR's sporting equipment; and
 - (d) represent the MCR on any sport-related representative or decision-making body of the College, the University or any other organisation to which the MCR is affiliated and on which the MCR is entitled to a representative.
- (4) In addition to the other duties imposed on the Facilities and Environment Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Facilities and Environment Officer must:
- (a) coordinate and maintain in good working order the facilities of the MCR; and
 - (b) on behalf of, and in collaboration with, other relevant Committee Members, coordinate the purchase of new facilities and equipment for the Common Room; and
 - (c) plan, organise and promote measures to ensure that the Common Room is kept in good repair and in a clean and tidy state; and
 - (d) plan, organise and promote the MCR's recycling, conservation and resource-management activities.
- (5) In addition to the other duties imposed on the IT Officer by resolution of the Members in General Meeting or by resolution of the Committee, the IT Officer must:
- (a) in consultation with the Computing Office of the College, coordinate access for graduate University students of the College to the computer facilities of the College; and
 - (b) maintain the MCR's computer equipment; and
 - (c) maintain the MCR's webpage.
- (6) In addition to the other duties imposed on the Freshers' Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Freshers' Officer must:
- (a) plan, organise and promote the MCR's Freshers' Week activities; and
 - (b) liaise with the Grammar Hall of the College in relation to the preparation and distribution of the Freshers' Information pack before the start of Michaelmas Term.
- (7) In addition to the other duties imposed on the LGBTQ (Lesbian, Gay, Bisexual, Trans or Queer/Questioning) Officers by resolution of the Members in General Meeting or by resolution of the Committee, the LGBTQ Officers must:
- (a) act as a point of contact to graduate University students for LGBTQ-related issues; and

- (b) plan, organise and promote the MCR's LGBTQ-related social and welfare activities; and
 - (c) represent the interests of LGBTQ students on any representative or decision-making body of the College, the University, or any other organisation to which the MCR is affiliated and on which the MCR is entitled to a representative; and
 - (d) liaise with and attend any relevant meetings of OUSU, including but not limited to OUSU's LGBTQ Campaign; and
 - (e) liaise with the Charity and Welfare Officers in the execution of the above duties.
- (8) In addition to the other duties imposed on the Women's Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Women's Officer must:
- (a) act as a point of contact to graduate University students for women-related issues; and
 - (b) plan, organise and promote the MCR's women-related social and welfare activities, including but not limited to an International Women's Day event and sexual consent workshops; and
 - (c) represent the interests of women in the MCR on any representative or decision-making body of the College, the University or any other organisation to which the MCR is affiliated and on which the MCR is entitled to a representative; and
 - (d) liaise with and attend any relevant meetings of OUSU, including but not limited to OUSU's Women's Campaign; and
 - (e) liaise with the Charity and Welfare Officers in the execution of the above duties.
- (9) In addition to the other duties imposed on the Racial Equality Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Racial Equality Officer must:
- (a) act as a point of contact to graduate University students for race-related issues; and
 - (b) plan, organise and promote the MCR's race-related social and welfare activities; and
 - (c) represent the interests of people of colour in the MCR on any representative or decision-making body of the College, the University or any other organisation to which the MCR is affiliated and on which the MCR is entitled to a representative; and
 - (d) liaise with and attend any relevant meetings of OUSU, including but not limited to OUSU's Campaign for Racial Awareness and Equality; and
 - (e) liaise with the Charity and Welfare Officers in the execution of the above duties.

- (10) In addition to the other duties imposed on the Disabled Students' Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Disabled Students' Officer must:
- (a) act as a point of contact to graduate University students for disability-related issues; and
 - (b) plan, organise and promote the MCR's disabled students social and welfare activities; and
 - (c) represent the interests of disabled students on any representative or decision-making body of the College, the University or any other organisation to which the MCR is affiliated and on which the MCR is entitled to a representative; and
 - (d) liaise with and attend any relevant meetings of OUSU, including but not limited to OUSU's Oxford Students' Disability Community; and
 - (e) liaise with the Charity and Welfare Officers in the execution of the above duties.
- (11) In addition to the other duties imposed on the Brunch Officer by resolution of the Members in General Meeting or by resolution of the Committee, the Brunch Officer must:
- (a) organise and coordinate brunch in the MCR on each Sunday of Full Term; and
 - (b) coordinate rosters of Committee Members assisting with this activity.

26. Duties of the General Committee Members

In addition to the other duties imposed on General Committee Members by resolution of the Members in General Meeting or by resolution of the Committee, General Committee Members must:

- (a) assist at the MCR's activities; and
- (b) be actively involved in the MCR's activities, Committee Meetings and General Meetings.

27. Removal of a Committee Member

- (1) If the Committee resolves that a Committee Member has consistently failed adequately to discharge the duties of the Committee Member's position:
- (a) the Committee must convene a Special General Meeting for the purpose of considering

- a Special Resolution to remove the Committee Member from the Committee; and
- (b) the Secretary, or, in the case of the Secretary, the President, must communicate to the Committee Member, either orally or in writing:
 - (i) notice of the proposed Special Resolution; and
 - (ii) when and where the Special General Meeting at which the proposed Special Resolution will be considered is to be held; and
 - (iii) particulars of the failure the subject of the Committee's resolution.
- (2) Sections 10(2) and 10(3) have effect as if each instance in those sections of the phrase "exclude the person from membership" were replaced with the phrase "remove the Committee Member from the Committee".

Part VI – General Meetings

28. General Meetings

- (1) Subject to subsection 29(1), a General Meeting must only be held during Full Term.
- (2) The Committee must convene an Annual General Meeting, to be held in the second half of Michaelmas Term, for the following purposes:
 - (a) receiving the reports referred to in Sections 17(3)(d) and 20(2)(d); and
 - (b) approving the list of external organisations to which the MCR is affiliated, in accordance with Section 18(3); and
 - (c) electing Committee Members, in accordance with Section 31(1); and
 - (d) transacting any other business specified in accordance with Paragraphs (6)(c) and (6)(d).
- (3) The Committee must convene a Special General Meeting in each of Hilary Term and Trinity Term, for the following purposes:
 - (a) considering any matter arising out of, or since, the last General Meeting, which it is necessary or convenient for the Members in General Meeting to consider; and
 - (b) transacting any other business specified in accordance with Paragraphs (6)(c) and (6)(d).
- (4) Subject to subsections (1), (2) and (3), the Committee:
 - (a) may at any time convene a Special General Meeting; and

- (b) must convene a Special General Meeting in accordance with Section 10(1), Section 27(1) or Section 18(4); and
- (c) must convene a Special General Meeting within two weeks of receiving a request to convene a Special General Meeting:
 - (i) in writing; and
 - (ii) signed by at least ten Members; and
 - (iii) stating the purpose for which the Special General Meeting is requested.
- (5) If the Committee does not convene a Special General Meeting in accordance with Paragraph (4)(c), the Members who made the request may convene a Special General Meeting as if they were the Committee.
- (6) Subject to Subsection (7), the Secretary must, at least three days before a General Meeting, give notice to Members setting out:
 - (a) when and where the General Meeting is to be held; and
 - (b) in the case of the Annual General Meeting, that the General Meeting is the Annual General Meeting and calling for nominations for the positions of Committee Members; and
 - (c) the business to be conducted at the General Meeting and the order in which that business is to be conducted; and
 - (d) if a Special Resolution is to be proposed at the General Meeting:
 - (i) particulars of that resolution; and
 - (ii) the intention to propose that resolution as a Special Resolution.
- (7) The Secretary must give the notice referred to in subsection (6) at least seven days before a General Meeting if:
 - (a) the General Meeting is the Annual General Meeting; or
 - (b) a Special Resolution is to be proposed at the General Meeting; or
 - (c) an election is to be conducted at the General Meeting.

29. Emergency General Meetings

- (1) Notwithstanding Subsection 28(1) but subject to Subsections (2) and (3), a Special General Meeting may, with the prior approval of the College MCR Advisor, be held other than during a Full Term.

- (2) The business transacted at a Special General Meeting held in accordance with Subsection (1) must:
 - (a) be business that is, in the opinion of the Executive Officers and the College MCR Adviser, so urgent that it could not reasonably be transacted at a General Meeting held during the next Full Term; and
 - (b) be proposed for ratification at the next General Meeting held during Full Term.
- (3) The business transacted at a Special General Meeting held in accordance with Subsection (1) is:
 - (a) if the Members at the General Meeting referred to in Paragraph (2)(b) resolve to ratify the business, taken to have been validly transacted and effective from the date of the Special General Meeting; and
 - (b) if the Members at the General Meeting referred to in Paragraph (2)(b) resolve not to ratify the business, taken to have been validly transacted and effective only for the period between the date of the Special General Meeting and the date of the General Meeting referred to in Paragraph (2)(b).

30. Quorum and procedure at General Meetings

- (1) Subject to this Constitution, at a General Meeting:
 - (a) fifteen Members entitled to vote under paragraphs (c) and (*) constitute a quorum; and
 - (b) the person who must chair the meeting is:
 - (i) in the case of the Annual General Meeting, unless the Members resolve otherwise, the person appointed by the Committee under Section 32(1)(c); and
 - (ii) in the case of a Special General Meeting, unless the Members resolve otherwise, the President, or, in the absence of the President, the Vice-President or another Committee Member nominated by the President; and
 - (c) Members who are present in person may vote; and
 - (*) Members who are unable to access the meeting room may participate and vote via telepresence, which may be arranged by contacting the Secretary not less than 24 hours before the meeting; and
 - (d) subject to this Constitution, a resolution is decided by a majority of votes cast by Members entitled to vote under Paragraph (c) by a show of hands or, alternatively, by signalling

- their intent to vote in another way as prearranged with the secretary; and
- (e) each Member entitled to vote under Paragraph (c) has a deliberative vote and, if the votes are equal, the resolution fails; and
 - (f) subject to this Constitution, the meeting must be conducted in the manner that the person chairing the meeting directs.
- (2) The Secretary must take full and accurate minutes of the proceedings of a General Meeting and the person chairing that General Meeting must sign those minutes as correct.
- (3) Minutes signed in accordance with Subsection (2) are, unless the contrary is proved, evidence that:
- (a) the General Meeting to which they relate was duly convened and held; and
 - (b) all proceedings recorded as having taken place at the General Meeting did in fact take place; and
 - (c) all elections recorded as having been conducted at the General Meeting were validly conducted and the result of those elections was as recorded.
- (4) As soon as reasonably practicable after a General Meeting, the Secretary must give notice to Members of the minutes taken in accordance with Subsection (2).

Part VII – Elections and Co-options

31. General

- (1) Subject to Section 33, Committee Members:
- (a) must be elected at the Annual General Meeting at an election conducted in accordance with Section 32; and
 - (b) hold office:
 - (i) in the case of a person elected to a position on the Committee at the Annual General Meeting, from the Sunday of the Ninth Week of Michaelmas Term until the Saturday of the Eighth Week of the following Michaelmas Term; and
 - (ii) in all other cases, from the date of their election or co-option until the Saturday of the Eighth Week of Michaelmas Term; and
 - (c) may not hold more than one position on the Committee.
- (2) The College MCR Adviser may take such reasonable steps as are necessary or convenient

for the Governing Body of the College to be satisfied that an election or a co-option is fairly and properly conducted in accordance with this Constitution, including observing the election or co-option.

- (3) Subject to this Constitution, an election or a co-option must be conducted in the manner that the person conducting the election or co-option directs.
- (4) For the purposes of Sections 32 and 33, all positions on the Committee are taken to be vacant at the Annual General Meeting, notwithstanding that Committee Members continue to hold office for all other purposes in accordance with Paragraph (1)(b).
- (5) A person elected to a position on the Committee at the Annual General Meeting must, from the time of the Annual General Meeting until commencement of the person's term of office in accordance with Paragraph (1)(b):
 - (a) attend all Committee Meetings; and
 - (b) cooperate with the Committee Member holding the position to which the person was elected, in order to ensure a timely and efficient transition of responsibility.

32. Conduct of elections

- (1) The Committee must, at least seven days before the Annual General Meeting:
 - (a) appoint as the Returning Officer a person who:
 - (i) should, so far as is practicable, be experienced in electoral procedures; and
 - (ii) may or may not be a Member; and
 - (iii) is not a person who intends to nominate for election to the Committee; and
 - (b) provide the Returning Officer with such information as may be necessary for the Returning Officer to determine the validity of nominations; and
 - (c) appoint to chair the Annual General Meeting, subject to Section 30(1)(b)(i), a person who:
 - (i) is a Committee Member; and
 - (ii) is not a person who intends to nominate for election to the Committee.
- (2) Subject to Subsections (4) and (8) and to Section 31(1)(c), a person is eligible to be elected to a position on the Committee if the person:
 - (a) is an Ordinary Member or an Associate Member; and
 - (b) has, at least three days before the Annual General Meeting, and in the manner directed

by the Returning Officer, given notice to the Returning Officer:

- (i) stating the position to which the person nominates for election; and
 - (ii) signed by the person and by two other Ordinary Members or Associate Members who support the person's nomination for election to that position; and
 - (iii) stating the full names of the person and of the two Members referred to in Subparagraph (ii).
- (3) If, at the Annual General Meeting, the number of people eligible to be elected to a position on the Committee under Subsection (1) is at least equal to the number of vacancies for the position, the Returning Officer must conduct an election in accordance with Subsection (7).
- (4) If, at the Annual General Meeting, the number of people eligible to be elected to a position on the Committee under Subsection (2) is less than the number of vacancies for the position:
 - (a) the Returning Officer must report to the Annual General Meeting accordingly and call for further nominations; and
 - (b) a person who is an Ordinary Member or an Associate Member and who has not been elected to a position on the Committee at the Annual General Meeting may nominate for the position from the floor; and
 - (c) any person who nominates in accordance with paragraph (b) is, notwithstanding paragraph (2)(b), eligible to be elected to that position.
- (5) If, after the Returning Officer has called for further nominations in accordance with Subsection (4):
 - (a) there is at least one person eligible to be elected under Subsection (2) or Paragraph (4)(c), the Returning Officer must conduct an election in accordance with Subsection (7); and
 - (b) there is no person eligible to be elected under Subsection (2) or Paragraph (4)(c), the Returning Officer must not conduct an election and the position remains vacant.
- (6) Notwithstanding Subsection 30(1)(c), all Members of the MCR are eligible to vote; and
- (7) At an election:
 - (a) the Returning Officer must conduct elections for positions on the Committee in the order in which those positions are listed in Section 12(1); and
 - (b) unless the Members resolve otherwise:
 - (i) if the number of people eligible to be elected to a position on the Committee

- under Subsections (2), (4) and (8) is more than equal to the number of vacancies for the position, the Returning Officer must permit those people to address the Members in General Meeting for a period of five minutes each, or such longer period as the Returning Officer may allow; and
- (ii) if the number of people eligible to be elected to a position on the Committee under Subsections (2), (4) and (8) is less than or equal to the number of vacancies for the position, the Returning Officer may permit those people to address the Members in General Meeting for a period of five minutes each, or such longer period as the Returning Officer may allow; and
- (c) polls must be open for twenty-four hours; and
- (d) the Returning Officer must provide to all Members who are entitled to vote a ballot setting out:
- (i) the name of the position; and
- (ii) the number of vacancies for the position; and
- (iii) the name of each person nominated to be elected to the position; and
- (iv) the option to vote in favour of reopening nominations for the position; and
- (e) votes must be cast by secret, optional preferential ballot; and
- (f) a person is elected if a simple majority of votes is cast in favour of that person:
- (i) in the case of an election for a position for which there is only one vacancy, on the first count; or
- (ii) in the case of an election for a position for which there is more than one vacancy, on the first count or any subsequent count from which the person elected on a prior count is excluded and preferences distributed.
- (8) If, at an election under subsection (7), a simple majority of votes is cast in favour of reopening nominations for the position:
- (a) the Returning Officer must report to the Annual General Meeting accordingly; and
- (b) a further election for that position must be conducted in accordance with this Section, where:
- (i) nominations open at noon on the day following the first election; and
- (ii) nominations close at 6pm on the day five days following the first election; and
- (iii) the election must be as soon as practicable following the close of nominations

during Full Term.

- (9) If, at a further election conducted in accordance with subsection (8), a simple majority of votes is cast in favour of reopening nominations for the position:
- (a) the Returning Officer must report to the Annual General Meeting accordingly; and
 - (b) the position remains vacant.

33. Vacancies

- (1) A position on the Committee is vacant:
- (a) by operation of Section 31(4), Section 32(5)(b), Section 32(9)(b), Section 34(6) or Section 34(8)(b); or
 - (b) if the person elected or co-opted to the position:
 - (i) dies; or
 - (ii) is permanently incapacitated by mental or physical ill-health; or
 - (iii) resigns from the position by notice in writing addressed to the President or, in the case of the President, to the Vice-President; or
 - (iv) ceases to be an Ordinary Member or an Associate Member; or
 - (v) is absent from more than four consecutive Committee Meetings without the leave of the Committee and without reasonable excuse; or
 - (vi) is removed from the position in accordance with Section 27.
- (2) If a position on the Committee is vacant by operation of Section 31(4):
- (a) that position is to be filled at an election in accordance with Section 32; and
 - (b) Subsection (3) does not apply.
- (3) Subject to Subsection (2), if a position on the Committee is vacant, at the first Committee Meeting after the vacancy arises:
- (a) the President or, in the case of the President, the Vice-President must inform the Committee of the vacancy; and
 - (b) the Committee must resolve:
 - (i) to permit the position to remain vacant; or
 - (ii) to fill the vacancy in accordance with Subsection (5).
- (4) If the Committee resolves, in accordance with Subparagraph (3)(b)(i), to permit the position to remain vacant:

- (a) the duties relating to the position must be imposed on such other Committee Member or Committee Members as the Committee may resolve; and
 - (b) at any subsequent Committee Meeting, the Committee may resolve to fill the vacancy in accordance with Subsection (5).
- (5) If the Committee resolves, in accordance with Subparagraph (3)(b)(i) or Paragraph (4)(b), to fill the vacancy in accordance with this Subsection:
- (a) in the case of a position on the Committee of an Executive Officer:
 - (i) the position is to be filled by election at a Special General Meeting; and
 - (ii) Section 32 has effect as if each reference in that section to “the Annual General Meeting” were a reference to “the Special General Meeting at which the vacancy is to be filled in accordance with Section 33(5)”; and
 - (b) in the case of the position of a Committee Member other than an Executive Officer, the position is to be filled in accordance with Section 34; and
 - (c) the duties relating to the position must, for the period until the position is filled, be imposed on such other Committee Member or Committee Members as the Committee may resolve.

34. Co-option

- (1) In this section, a reference to the Secretary is, if the position of Secretary is vacant, to be taken as a reference to the Committee Member on whom the duties relating to the position of Secretary are imposed in accordance with Section 33(4)(a) or Section 33(5)(c).
- (2) At the Committee Meeting at which the Committee resolves to fill a vacancy in a position, the Committee must set a date, at least seven days after that Committee Meeting, for a Committee Meeting at which the vacancy is to be filled.
- (3) The Secretary must, at least seven days before the Committee Meeting at which the vacancy is to be filled, give notice to Members setting out:
 - (a) when and where that Committee Meeting is to be held; and
 - (b) calling for nominations for the position.
- (4) Subject to Section 31(1)(c), a person is eligible to be co-opted to the vacant position if the person:
 - (a) is an Ordinary Member or an Associate Member; and

- (b) has, at least three days before the Committee Meeting at which the vacancy is to be filled, and in the manner directed by the Secretary, given notice to the Secretary:
 - (i) stating that the person nominates for co-option to the position; and
 - (ii) signed by the person and by two other Ordinary Members or Associate Members who support the person's nomination for co-option; and
 - (iii) stating the full names of the person and of the two Members referred to in Subparagraph (ii).
- (5) If, at the Committee Meeting at which the vacancy is to be filled, there is at least one person eligible to be co-opted under Subsection (4), the Secretary must conduct a co-option in accordance with Subsection (7).
- (6) If, at the Committee Meeting at which the vacancy is to be filled, there is no person eligible to be co-opted under Subsection (4), the Secretary must not conduct a co-option and the position remains vacant.
- (7) At a co-option:
 - (a) votes must be cast by Members on a show of hands; and
 - (b) a person is co-opted if a simple majority of votes is cast in favour of that person:
 - (i) in the case of co-option for a position for which there is only one vacancy, on the first show of hands; or
 - (ii) in the case of a co-option for a position for which there is more than one vacancy, on the first show of hands or any subsequent show of hands from which the person co-opted on a prior show of hands is excluded.
- (8) If, at a co-option under subsection (7), a simple majority of votes is not cast in favour any person:
 - (a) the Secretary must report to the Committee Meeting accordingly; and
 - (b) the position remains vacant.

Part VIII -Miscellaneous

35. Constitution

- (1) This Constitution may only be altered by Special Resolution approved by the Governing Body of the College.

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

36. Complaints

- (1) Any person may complain to the President, or, if the President is the subject of the complaint, to the Vice-President, because the person:
 - (a) is dissatisfied with the governance or operation of the MCR; or
 - (b) is dissatisfied, in any way, in the person's dealings with the MCR;
 - (c) claims to be unfairly disadvantaged by the person's exercise of the right not to be a Member, in accordance with Section 9.
- (2) Any complaint under Subsection (1) must be dealt with promptly and fairly and, where a complaint is upheld, the MCR must provide an effective remedy.
- (3) If a complaint under Subsection (1) cannot be resolved informally to the satisfaction of the person making the complaint, the President, or, if the President is the subject of the complaint, the Vice-President, must refer the complaint to the College MCR Adviser, who may determine the complaint and require the MCR to provide an effective remedy.
- (4) If the person making the complaint or the Committee is dissatisfied with the determination, in accordance with subsection (3), of a complaint under Subsection (1):
 - (a) the Governing Body of the College must appoint an independent person to investigate and report on the complaint; and
 - (b) the person appointed in accordance with Paragraph (a) may determine the complaint and required the MCR to provide an effective remedy.