

**ORDERS APPROVED AT THE PRIVY COUNCIL HELD BY THE
QUEEN AT BUCKINGHAM PALACE ON 8TH MARCH 2017**

COUNSELLORS PRESENT

**The Rt Hon David Lidington (Lord President)
The Rt Hon Alun Cairns
The Rt Hon Baroness Evans of Bowes Park
The Rt Hon Sir Patrick McLoughlin**

Privy Counsellors	Order recording that The Rt Hon Sir Stephen Irwin, was sworn a Member of Her Majesty's Most Honourable Privy Council.
Proclamation	Proclamation determining the specifications and designs for a new five pound silver coin celebrating British landmarks; and an Order directing the Lord Chancellor to affix the Great Seal to the Proclamation.
British Broadcasting Corporation	Order appointing Dr Ashley Steel, as Nation Member for England, and Steve Morrison, as Nation Member for Scotland, to the Board of the British Broadcasting Corporation.
Naval and Marine Pay and Pensions Act 1865	<ol style="list-style-type: none"> 1. The Naval and Marine Pay and Pensions (Hong Kong Locally Engaged Ratings' Service Pensions Increase) Order 2017; 2. The Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017.
Universities of Oxford and Cambridge Act 1923	<p>Two Orders approving Statutes of:—</p> <ol style="list-style-type: none"> 1. Downing College, Cambridge; 2. Trinity Hall, Cambridge.

United Nations 1946	<ol style="list-style-type: none"> 1. The North Korea (United Nations Sanctions) (Amendment) Order 2017 (SI); 2. The Democratic People's Republic of Korea (Sanctions) (Overseas Territories) (Amendment) Order 2017 (SI).
West Indies Act 1962	The Turks and Caicos Islands (Finance) Order 2017 (SI).
Health Act 1999	The Nursing and Midwifery (Amendment) Order 2017 (SI).
Guernsey	Order approving the Parochial Church Property (Guernsey) Law, 2015.
Burial Act 1853 (Notice)	Order giving notice of the discontinuance of burials in St Mary the Virgin Churchyard, Orton Waterville, Peterborough.



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

This day The Right Honourable Sir Stephen Irwin having been appointed, by Order, a Member of Her Majesty's Most Honourable Privy Council, was, by Her Majesty's command, sworn, and took his place at the Board accordingly.

Richard Tilbrook



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

It is this day ordered by Her Majesty in Council that the Right Honourable the Lord High Chancellor of Great Britain do cause the Great Seal of the Realm to be affixed to the Proclamation of this day's date, determining the specifications and designs for a new five pound silver coin celebrating British landmarks.

Richard Tilbrook



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

WHEREAS the Royal Charter for the continuance of the British Broadcasting Corporation granted to the Corporation on 8th December 2016 provides that the BBC Board shall include a Chair and the four Nation Members; that they shall be appointed by Her Majesty, Her Heirs or Successors in Council; that the period of appointment must be specified in the terms of appointment, and that no period longer than four years may be so specified; that a serving non-executive member of the Board may at any time be re-appointed once by Order in Council for a period of no longer than four years; that this power may be exercised with effect from a date other than that on which the previous term would have expired:

NOW, THEREFORE, Her Majesty, by and with the advice of Her Privy Council, is pleased to order, and it is hereby ordered, as follows:

1. Dr Ashley Steel shall be, and is hereby, appointed as the Nation Member for England of the Board of the British Broadcasting Corporation for the period beginning on 3rd April 2017 and ending on 2nd April 2020.
2. Steve Morrison shall be, and is hereby, appointed as the Nation Member for Scotland of the Board of the British Broadcasting Corporation for the period beginning on 3rd April 2017 and ending on 2nd April 2021.

Richard Tilbrook



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY

IN COUNCIL

WHEREAS by section 3 of the Naval and Marine Pay and Pensions Act 1865(a), it is enacted that all pensions payable in respect of service in Her Majesty's Naval or Marine Forces to a person being or having been a Seaman or Marine therein, shall be paid in such manner and subject to such restrictions, conditions and provisions as are from time to time directed by Order in Council:

AND whereas by Order in Council dated 30th March 1977 rates denominated in Hong Kong dollars and conditions of awards of service pensions, terminal grants and service gratuities were laid down for Naval ratings locally entered at Hong Kong:

AND whereas it is expedient to provide for the increase of certain pensions granted to Locally Engaged Rating of the Hong Kong Division to correspond with the benefits provided, in the case of civil pensions, by the Pensions (Increase) Act 1971(b), as amended by the Superannuation Act 1972(c):

NOW, therefore Her Majesty, in exercise of the powers conferred upon Her by the said Act of 1865 and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Naval and Marine Pay and Pensions (Hong Kong Locally Engaged Ratings' Service Pensions Increase) Order 2017.
2. Subject to the provisions of paragraph 1 of the Schedule to this Order, the pensions granted to Locally Engaged Ratings of the Hong Kong Division shall be increased in accordance with paragraph 2 of the Schedule.

Richard Tilbrook

(a) 1865 c.73 (b) 1971 c.56 (c) 1972 c.11

SCHEDULE

PENSION INCREASES

1. A pension to which this Schedule relates may be increased provided either that:
 - (a) the pensioner has attained the age of 55 years, or
 - (b) the pension is a widow's pension, or
 - (c) the pensioner was invalided from Naval Service, or
 - (d) the pensioner is permanently incapacitated by physical or mental infirmity from engaging in regular full-time employment.
2. The appropriate percentage increase for those currently entitled to receive Pension Increases shall be as follows:-

2.7% per cent from 1st January 2017



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY

IN COUNCIL

Her Majesty, in exercise of the powers conferred on Her by section 3 of the Naval and Marine Pay and Pensions Act 1865(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order and it is hereby ordered as follows:

PART 1

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017 and shall come into force on 1st April 2017.

PART 2

AMENDMENT OF SCHEDULE 1 TO THE NAVAL AND MARINE PENSIONS
(ARMED FORCES PENSION SCHEME 1975 AND ATTRIBUTABLE BENEFITS
SCHEME) ORDER 2010

Amendment of Schedule 1 (the Armed Forces Pension Scheme 1975)

2. Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010(b) is amended as set out in this Part.

- (a) 1865 c.73; section 3 was amended by the Armed Forces (Pensions and Compensation) Act 2004 (c.32), section 4, and the Armed Forces Act 2006 (c.52), Schedule 16, paragraph 2.
- (b) The rules of the Armed Forces Pension Scheme 1975 ("the Scheme") in relation to members and former members of the Royal Navy and Royal Marines were restated in Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on 10th February 2010, which came into force on 6th April 2010. Schedule 1 was then revoked and replaced by a revised restatement set out in Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010 made on 15th December 2010, which came into force on 3rd January 2011. Schedule 1 was amended by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 made on 15th February 2012, which came into force on 28th February 2012. Amendments were made to Part E of the Scheme by the Marriage (Same Sex Couples) Act 2013 (Consequential Provisions) Order 2014 (S.I. 2014/107), the Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), and the Marriage (Same Sex Couples) Act 2013 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3061). The Scheme was amended by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015 made on 11th February 2015, which came into force on 1st April 2015. The Scheme was amended and a new Schedule 3 inserted by the Armed Forces (Transitional Provisions) Pensions Regulations 2015 (S.I. 2015/568).

Amendment of rule A.1 (general)

3.—(1) In rule A.1(3), insert at the appropriate place—

“additional maternity leave” means leave which, in the opinion of the Defence Council, corresponds to additional maternity leave within the meaning of section 73 of the Employment Rights Act 1996(a);

“normal minimum pension age” has the same meaning as in section 279(1) of the Finance Act 2004(b);

“ordinary adoption leave” means leave which, in the opinion of the Defence Council, corresponds to ordinary adoption leave within the meaning of section 75A of the Employment Rights Act 1996(c);

“ordinary maternity leave” means leave which, in the opinion of the Defence Council, corresponds to ordinary maternity leave under section 71 of the Employment Rights Act 1996(d);

“paternity leave” means leave which, in the opinion of the Defence Council, corresponds to paternity leave within the meaning of regulation 4 or 8 of the Paternity and Adoption Leave Regulations 2002(e);

“pension attachment order or provision” means—

(a) an order made under section 23 of the Matrimonial Causes Act 1973(f) making provision under section 25B or section 25C of that Act(g);

(a) an order made under section 17(1)(a)(i) of the Matrimonial and Family Proceedings Act 1984(h) making provision equivalent to an order referred to in paragraph (a) of this definition;

(b) an order made under Part 1 of Schedule 5 to the Civil Partnership Act 2004(i) making provision under paragraph 25 or paragraph 26 of that Schedule;

(c) an order made under paragraph 9 of Schedule 7 to the Civil Partnership Act 2004(j) making provision equivalent to an order referred to in paragraph (c) of this definition;

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- (a) 1996 c.18; section 73 was substituted by the Employment Relations Act 1999 (c.26), Schedule 4, paragraph 1, and was amended by the Employment Act 2002 (c.22), section 17(4), the Work and Families Act 2006 (c.18), Schedule 1, paragraph 32, and the Children and Families Act 2014 (c.6), section 118(3).
- (b) 2004 c.12, to which there are amendments not relevant to this Order.
- (c) 1996 c.18; section 75A was amended by the Work and Families Act 2006 (c.18), Schedule 1, paragraph 33, the Children and Families Act 2014 (c.6), sections 118(4), 121(1) and 122(1), and the Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regulation 145.
- (d) 1996 (c.18); section 71 was substituted by the Employment Relations Act 1999 (c.26), Schedule 4, paragraph 1, and was amended by the Employment Act 2002 (c.22), section 17(2)-(3), the Work and Families Act 2006 (c.18), Schedule 1, paragraph 31, and the Children and Families Act 2014 (c.6), section 118(2).
- (e) S.I. 2002/2788, amended by S.I. 2005/2114, 2014/2112 and 2014/3206.
- (f) 1973 c.18; section 23 was amended by the Matrimonial and Family Proceedings Act 1984 (c.42), sections 21(a) and 48(2) and the Administration of Justice Act 1982 (c.53), sections 16 and 77(1); it is substituted by the Family Law Act 1996 (c.27), Schedule 2, paragraph 4 (not yet in force).
- (g) Section 25B was amended by the Welfare Reform and Pensions Act 1999 (c.30), Schedule 4, paragraph 1(2)-(9), and section 25C was amended by the Welfare Reform and Pensions Act 1999 (c.30), Schedule 4, paragraph 2(2)-(5).
- (h) 1984 c.42; section 17(1) was substituted by the Welfare Reform and Pensions Act 1999 (c.30), Schedule 12, paragraph 3, and amended by the Pensions Act 2008 (c.30), Schedule 6, paragraph 11.
- (i) 2004 c.33.
- (j) Paragraph 9 was amended by the Pensions Act 2008 (c.30), Schedule 6, paragraph 20(1) and (2).

- (d) an order made under article 25 of the Matrimonial Causes (Northern Ireland) Order 1978(a) or article 21 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989(b) making provision under article 27B or 27C of the Matrimonial Causes (Northern Ireland) Order 1978(c);
- (e) an order made under Part 1 of Schedule 15, or paragraph 9 of Schedule 17, to the Civil Partnership Act 2004(d) making provision under Part 5 of Schedule 15 to that Act;
- (f) an order made under section 8 of the Family Law (Scotland) Act 1985(e) by virtue of section 12A(f) of that Act;
- (g) an order made under Part 4 of the Matrimonial and Family Proceedings Act 1984(g) corresponding to an order referred to in paragraph (g) of this definition;
- (h) an order made under paragraph 2 of Schedule 11 to the Civil Partnership Act 2004(h) corresponding to an order referred to in paragraph (g) of this definition; or
- (i) a provision contained in a qualifying agreement within the meaning of section 28(3) of the Welfare Reform and Pensions Act 1999(i) corresponding to provision which may be made by an order under section 8(1)(ba) of the Family Law (Scotland) Act 1985(j);

“pension sharing order or provision” means an order or provision mentioned in section 28(1) of the Welfare Reform and Pensions Act 1999(k);

“personal representative” means—

- (a) a person responsible for administering the member’s estate under the law of England and Wales, Scotland or Northern Ireland, or
- (b) a person who, under the law of another country or territory, has functions equivalent to those of administering the individual’s estate;

(a) S.I. 1978/1045 (N.I.15); article 25 was amended by the Matrimonial and Family Proceedings Act (Northern Ireland) Order 1989 (S.I. 1989/677 (N.I.4)), article 5.

(b) S.I. 1989/677 (N.I.4); article 21 was substituted by the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I.11)), Schedule 9, paragraph 2, and amended by the Pensions (No. 2) Act (Northern Ireland) 2008 (c.13), Schedule 5, paragraph 11.

(c) Articles 27B and 27C were inserted by article 162(1) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)) and were amended by the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)), Schedule 4, paragraphs 1 and 2.

(d) Paragraph 9 of Schedule 17 was amended by the Pensions (No. 2) Act (Northern Ireland) 2008 (c.13), Schedule 5, paragraph 20.

(e) 1985 (c.37). Section 8 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c.40), Schedule 8, paragraph 34 and Schedule 9; the Pensions Act 1995 (c.26), section 167(1); the Welfare Reform and Pensions Act 1999 (c.30), section 20(2) and Schedule 12, paragraph 6; the Civil Partnership Act 2004 (c.33), Schedule 28, paragraph 14(2)-(3); and the Pensions Act 2008 (c.30), Schedule 7, paragraph 2 and Schedule 11, paragraph 1.

(f) Section 12A was amended by the Welfare Reform and Pensions Act 1999 (c.30), Schedule 12, paragraph 9 and Schedule 13, paragraph 1; the Civil Partnership Act 2004 (c.33), Schedule 28, paragraph 19; the Family Law (Scotland) Act 2006 asp 2, section 17(4) and Schedule 2, paragraph 5(2); the Family Law (Scotland) Act 2006 (Consequential Modifications) Order, S.S.I. 2006/384, article 8(a) and (b); and the Pensions Act 2008 (c.30), Schedule 7, paragraph 5.

(g) 1984 c.42.

(h) 2004 c.33; paragraph 2 was amended by the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, S.I. 2011/1484, Schedule 7, paragraph 16(7).

(i) 1999 c.30.

(j) 1985 c.37.

(k) 1999 c.30; section 28(1) was amended by the Civil Partnership Act 2004 (c.33), Schedule 27, paragraph 159(2)-(7) and the Children and Families Act 2014 (c.6), section 18(3)(b)(i).

“statutory adoption pay” has the meaning given in section 171ZL(1) of the Social Security Contributions and Benefits Act 1992(a);

“statutory maternity pay” has the meaning given in section 164(1) of the Social Security Contributions and Benefits Act 1992(b);

“statutory paternity pay” means statutory paternity pay within the meaning of section 171ZA(1) (entitlement: birth) or 171ZB(1) (entitlement: adoption) of the Social Security Contributions and Benefits Act 1992(c); and

“statutory shared parental pay” means any pay payable in accordance with the provisions of Part 12ZC of the 1992 Act(d) (or pay which, in the opinion of the Defence Council, corresponds to such pay).

(2) In rule A.1(3), for the definition of “pension code”, substitute—

““pension code” means a code published by the Scheme administrator which specifies rates of pension based on the rates of pay approved by the Secretary of State;”.

Amendment of rule A.6 (assumed pay)

4.—(1) In rule A.6(3)(b)(i), after “statutory paternity pay”, insert “, statutory shared parental pay”.

(2) In rule A.6(3)(b)(ii), after “on”, insert “ordinary maternity leave; paternity leave, ordinary adoption leave, or”.

Amendment of rule B.1 (eligibility: general)

5.—(1) For rule B.1(5)(b), substitute—

“(b) the person has opted to cease to be in pensionable service and paragraph (5A) applies to the person.”.

(2) After rule B.1(5), insert the following paragraph—

“(5A) This paragraph applies to the person if—

- (i) the person opted (before 6th April 2005) to resume pensionable service and has not again opted to cease to be in such service; or
- (ii) the person opted to resume membership of the Scheme as an active member as described in rule B.4A(5).”.

(a) 1992 c.4. Section 171ZL was inserted by the Employment Act 2002 (c. 22), section 4, and was amended by: the Adoption and Children Act 2002 (Consequential Amendment to Statutory Adoption Pay) Order 2006 (S.I. 2006/2012), article 3(a) and (b); the Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740), Schedule 1, paragraphs 1 and 4; the Children and Families Act (c. 6), section 121(5); and the Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regulation 135.

(b) 1992 c.4. Section 164 was amended by: the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 1, paragraph 12(2) and (3); and the Employment Act 2002 (c. 22), section 20(b), (c) and (d), Schedule 7, paragraph 6 and Schedule 8, paragraph 1.

(c) 1992 c.4. Sections 171ZA and 171ZB were inserted by the Employment Act 2002 (c. 22), section 2. Section 171ZA was amended by the Work and Families Act 2006 (c.18), Schedule 1, paragraphs 11 and 12, and the Children and Families Act 2014 (c.6), Schedule 7, paragraphs 11 and 12(2) and (3). Section 171ZB was amended by: the Work and Families Act 2006, Schedule 1, paragraphs 11 and 13; the Children and Families Act 2014, Schedule 7, paragraphs 11 and 13(2)-(4); and the Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regulation 132.

(d) Part 12ZC was inserted by the Children and Families Act 2014 (c. 6), section 119.

Amendment of rule B.3 (active membership)

6. For rule B.3, substitute—

“(1) An active member continues to be such a member for as long as he or she is eligible to be such a member.

(2) A member who is on loan to an organisation and is required to be an active member of a pension scheme open to members of that organisation resumes membership as an active member of the Scheme if the loan ends and the member continues to serve in the armed forces.

(3) For the purposes of paragraph (2), the date of resumption of membership as an active member of the Scheme is the day after the date on which loan ends.

(4) A member who is on loan to an organisation and is required to be an active member of a pension scheme open to members of that organisation resumes membership as an active member of the Scheme if the member dies during the loan.

(5) For the purposes of paragraph (4), the date of resumption of membership as an active member of the Scheme is the date of the member’s death.”.

Amendment of rule B.4A (fixed protection membership)

7. After rule B.4A(4), insert—

“(5) A fixed protection member may opt to cease to be such a member and resume membership of the Scheme as an active member.

(6) A fixed protection member must exercise the option by notice in writing to the Scheme administrator in such form as the Scheme administrator may require, and the option is exercised on the date on which such notice is received by the Scheme administrator.

(7) A fixed protection member who exercises the option resumes membership of the Scheme as an active member on the last day of the calendar month in which the option is exercised.

(8) A fixed protection member may exercise the option only once.

(9) If a fixed protection member resumes membership of the Scheme as an active member—

- (a) the period of service in respect of which the person was a fixed protection member (“the fixed protection service”) is not pensionable service; and
- (b) any promotion during the fixed protection service will be taken into account when determining the person’s pension rank under rule A.2 and for the purpose of calculating any rank addition under rule D.13.”.

Amendment of rule C.3 (purchase of additional reckonable service in respect of period on loan)

8.—(1) After rule C.3(1), insert—

“(1A) In the circumstances set out in paragraph (1B), the lump sum referred to in paragraph (1) may be paid by—

- (a) the member’s personal representative;
- (b) the member’s surviving spouse or civil partner; or
- (c) a person entitled to a pension by virtue of rule E.1(13) (surviving eligible partner or adult dependant).

(1B) The circumstances referred to in paragraph (1A) are that the member—

- (a) died during the period; or
- (b) died no more than 12 months after the date on which the period ended, and had not exercised the option.”.

(2) In rule C.3(4), after “the member” insert “or a person specified in paragraph (1A)”.

Amendment of rule D.7 (amount of immediate pension: ill health)

9. After rule D.7(4), insert—

“(5) If the member meets the ill-health condition immediately following a period which is qualifying service under rule A.10(c) (loan to another organisation), the Scheme administrator may reduce the amount of the pension payments in accordance with rule D.24.”.

Insertion of rule D.24 (ill-health benefits: reduction in respect of loan to another organisation)

10. After rule D.23, insert—

“D.24 Ill-health benefits: reduction in respect of loan to another organisation

(1) This rule applies if the Scheme administrator reduces, under rule D.7(5), the amount of any pension paid to the member under Part D.

(2) The aggregate of the reductions must not exceed the aggregate amount of the ill-health benefits payable to the member by the organisation to which the member was on loan.”.

Amendment of rule E.2 (amount of surviving spouse or civil partner's short-term pension)

11. After rule E.2(4), insert—

“(5) If, following the death of a member during a period in which they were on loan to another organisation, a pension is payable under rule E.1(6), the Scheme administrator may reduce the pension in accordance with rule E.35 (death benefits: reduction in respect of loan to another organisation).”.

Amendment of rule E.3 (amount of surviving spouse or civil partner's long-term pension: active or fixed protection member)

12. After rule E.3(3), insert—

“(4) If, following the death of a member during a period in which they were on loan to another organisation, a person is entitled to a pension under rule E.1(7) which is payable under rule E.1(8), the Scheme administrator may reduce the pension in accordance with rule E.35 (death benefits: reduction in respect of loan to another organisation).”.

Amendment of rule E.13 (amount of child's short-term pension)

13. After rule E.13(2), insert—

“(2A) If, following the death of a member during a period in which they were on loan to another organisation, a person is entitled to a pension under rule E.12(2), the Scheme administrator may reduce the pension in accordance with rule E.35 (death benefits: reduction in respect of loan to another organisation).”.

Amendment of rule E.14 (amount of child's longer-term pension)

14. After rule E.14(8), insert—

“(9) If, following the death of a member during a period in which they were on loan to another organisation, a pension is payable under rule E.12(5), the Scheme administrator may reduce the pension in accordance with rule E.35 (death benefits: reduction in respect of loan to another organisation).”.

Amendment of rule E.21 (amount of lump sum: active members)

15. After rule E.21(3), insert—

“(4) If, following the death of a member during a period in which they were on loan to another organisation, a lump sum is payable under rule E.20, the Scheme administrator may reduce the amount of that lump sum in accordance with rule E.35 (death benefits: reduction in respect of loan to another organisation).”.

Insertion of rule E.35 (death benefits: reduction in respect of loan to another organisation)

16. After rule E.34, insert—

“E.35 Death benefits: reduction in respect of loan to another organisation

(1) This rule applies if the Scheme administrator reduces—

- (a) under rule E.2(5), any pension payable under rule E.1(6);
- (b) under rule E.3(4), any pension payable under rule E.1(7);
- (c) under rule E.13(2A), any pension payable under rule E.12(2);
- (d) under rule E.14(9), any pension payable under rule E.12(5); or
- (e) under rule E.21(4), a lump sum payable under rule E.20.

(2) The aggregate of the reductions must not exceed the aggregate amount of any death benefits payable in respect of the member’s death by the organisation to which the member was on loan.”

Amendment of rule F.1 (transfers out)

17. In rule F.1(1), for “Chapter 4 of Part 4” substitute “Chapter 1 of Part 4ZA”(a).

Amendment of rule F.2 (application for transfer in)

18. In rule F.2(1), for “Chapter 4 of Part 4” substitute “Chapter 1 of Part 4ZA”.

Amendment of rule G.6 (effect of exercise of option to aggregate)

19.—(1) After rule G.6(11), insert—

“(11A) Paragraph (12) applies in respect of a member who has exercised the option under rule G.4 or G.5 before 1 April 2017.

(11B) Paragraphs (13) to (17) apply in respect of a member who exercises the option under rule G.4 or G.5 on or after 1 April 2017.”

(2) After rule G.6(12), insert—

“(13) If a lump sum has been paid to the member under rule D.1 (entitlement to immediate pension and lump sum) in respect of the earlier period, the indexed amount must be deducted from—

- (a) any further lump sum payable to the member under Part D; or
- (b) any lump sum payable in respect of the member under rule E.20 (lump sum benefit: active or fixed protection, deferred and pensioner members) on the member’s death during the later period.

(a) Chapter 4 of Part 4 of the Pension Schemes Act 1993 (c.48) was renumbered as Chapter 1 of Part 4ZA of that Act by the Pension Schemes Act 2015 (c.8), Schedule 4(1), paragraph 4.

(14) The “indexed amount” is to be calculated in accordance with paragraphs (15) to (19).

(15) For the financial year in which the lump sum was paid under rule D.1, the indexed amount is the original amount of the lump sum paid under rule D.1.

(16) For each subsequent financial year, the indexed amount is calculated in accordance with the following formula—

$$A + (A \times C).$$

(17) In paragraph (16)—

- (a) “A” is the indexed amount calculated for the preceding financial year; and
- (b) “C” is—
 - (i) if there was a relevant increase in the consumer prices index in the preceding financial year, that percentage increase; or
 - (ii) if there was not a relevant increase in the consumer prices index in the preceding financial year, zero.

(18) There was a relevant increase in the consumer prices index for a financial year if the consumer prices index for September in that financial year was higher than the consumer prices index for September in the preceding financial year.

(19) In this rule, “consumer prices index” means—

- (a) the general index of consumer prices (for all items) published by the Office for National Statistics; or
- (b) if that index is not published for a relevant month, any substituted index or figures published by that Office.”.

Substitution of rule H.1 (further pensionable service: general rule)

20. For rule H.1, substitute—

“(1) This rule applies if a pensioner member is in further pensionable service including service by virtue of which the person is eligible for membership of the AFPS 2015, other than—

- (a) service in respect of which the member is eligible to be an active member by virtue of rule B.2 (pensioner members recalled under the Reserve Forces Acts); or
- (b) permanent service of a member of a reserve force who is called out under Part 6 of the Reserve Forces Act 1996(a).

(a) 1996 c.14. A member of a reserve force may be called out for permanent service under Part 6.

(2) The member's pension shall be abated in full, for as long as this rule applies.

(3) This rule is subject to—

- (a) rule H.2 (service for short periods); and
- (b) rule H.3 (service on lower pay)."

Amendment of rule H.3 (service on lower pay)

21. After rule H.3(4), insert—

"(4A) If a pension sharing order or provision or a pension attachment order or provision has been made in respect of the member's pension, A is the annual amount of the pension immediately after that order or provision takes effect."

Amendment of rule H.4 (reserve service)

22.—(1) In rule H.4(1), after "AFPS 2015", insert "but not permanent service on call out under Part 6 of the Reserve Forces Act 1996".

(2) After rule H.4(4), insert the following paragraph—

"(4A) If a pension sharing order or provision or a pension attachment order or provision has been made in respect of the member's pension, A is the annual amount of the pension immediately after that order or provision takes effect."

Amendment of rule H.5 (employment in reserved civil service post)

23. After rule H.5(4), insert—

"(4A) If a pension sharing order or provision or a pension attachment order or provision has been made in respect of the member's pension, A is the annual amount of the pension immediately after that order or provision takes effect."

Amendment of rule J.10 (commutation of small pensions)

24.—(1) For rule J.10(1)(b), substitute—

- "(b) in a case where that person is a member and the pension is one which may not be less than the guaranteed minimum, the member—
 - (i) has reached state pension age; or
 - (ii) having left service on or after 1 April 2017, has reached normal minimum pension age."

(2) After rule J.10(1), insert—

"(1A) The Scheme administrator may reduce the amount of the lump sum by such an amount as the Scheme actuary advises to represent the capital value of the pension on the date on which the lump sum is intended to be paid."

PART 3

AMENDMENT OF SCHEDULE 3 TO THE NAVAL AND MARINE PENSIONS
(ARMED FORCES PENSION SCHEME 1975 AND ATTRIBUTABLE BENEFITS
SCHEME) ORDER 2010

Amendment of Schedule 3 (transitional provision for the Armed Forces Pension Scheme 1975)

25. Schedule 3 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 is amended as set out in this Part.

Amendment of paragraph 41 (amount of immediate pension: other officers (including medical and dental officers of any rank))

26. In paragraph 41, in paragraph (2B) of the text substituted for paragraph (2) in rule D.5—

- (a) for “sub-paragraph 3(a), (b) or (c)”, substitute “paragraph 3(a), (b) or (c)”; and
- (b) in Step 3, for “exactly 16 whole years reckonable service in the AFPS 1975”, substitute “the same number of whole years’ reckonable service that the member has in the AFPS 1975”.

Insertion of paragraph 42A (amount of immediate pension: final salary link)

27. After paragraph 42, insert—

“Amount of immediate pension: final salary link

42A.—(1) This paragraph applies to transition members with continuity of service to whom rule D.5 (amount of immediate pension: other officers) or rule D.6 (amount of immediate pension: other ranks) of the AFPS 1975 applies.

(2) In rule D.5 or rule D.6 (as those rules apply to transition members by virtue of paragraphs 41 and 42), references to the “member’s pension rank” are to be read as references to whichever is the higher of—

- (a) the pension rank(a) held by the member on their last day of pensionable service under the AFPS 2015; and
- (b) the pension rank held by the member on their last day of pensionable service under the AFPS 1975 before the transition date.

(3) In rule D.5 (as it applies to transition members by virtue of paragraph 41), references to the member’s “representative rate of pay” are to be read as references to the representative rate of pay for a person of the pension rank determined under paragraph (2)(a).”.

(a) “Pension rank” is defined in rule A.2 of the AFPS 1975 rules.9

Amendment of paragraph 48 (purchase of additional reckonable service in respect of period on loan)

28. In paragraph 48(2), in paragraph (1) of the text substituted for rule C.3, for “secondment”, substitute “loan”.

Richard Tilbrook

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on 10th February 2010 (“the 2010 Order”).

The rules of the Armed Forces Pension Scheme 1975 (“the Scheme”) in relation to members and former members of the Royal Navy and Royal Marines set out in Schedule 1 to the 2010 Order were revoked and substituted by Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010 made on 15th December 2010. That Order also amended the rules of the Naval and Marines Attributable Benefits Scheme set out in Schedule 2 to the 2010 Order.

The 2010 Order has been further amended by:

- the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 made on 15th February 2012;
- the Marriage (Same Sex Couples) Act 2013 (Consequential Provisions) Order 2014 (S.I. 2014/107);
- the Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560);
- the Marriage (Same Sex Couples) Act 2013 and Civil Partnership (Scotland) Act 2013 (Consequential Provisions) Order 2014 (S.I. 2014/3061);
- the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015 made on 11th February 2015; and
- the Armed Forces (Transitional Provisions) Pensions Regulations 2015 (S.I. 2015/568).

This Order amends Schedules 1 (the Scheme) and 3 (transitional provision for the Scheme) to the 2010 Order.

Part 2 of this Order amends the Scheme.

Paragraph 3(1) amends rule A.1 to define new terms used in amendments made by Part 2 of this Order to rules A.6, C.3, H.3, H.4, H.5 and J.10. Paragraph 2(2) amends the definition of “pension code” in rule A.1 to make it clear that the Scheme administrator is responsible for publishing the pension code at least annually. The Scheme administrator is Defence Business Services (“DBS”), which is part of the Ministry of Defence.

Rule A.6 provides that the member will be considered to be in receipt of assumed pay during certain periods (i.e. the member is considered to be in receipt of amounts equal to the pensionable earnings they would otherwise have received). Paragraph 4 amends rule A.6 so that those periods also include periods during which the member is or was on ordinary maternity leave, paternity leave or ordinary adoption leave, or is or was receiving statutory shared parental pay.

Paragraphs 5 and 7 amend rules B.1 and B.4A so that a fixed protection member can opt to resume membership of the Scheme as an active member. The period of service during which a member is a fixed protection member is not pensionable service in the Scheme, even if the member later opts to resume service as an active member.

Amendments are made to the rules concerning the benefits payable to, or in respect of, a member who has been on a loan to a host organisation (e.g. the UN or NATO).

- Paragraph 6 amends rule B.3 so that a member who dies during the loan will be considered to resume membership of the Scheme as an active member from the date of death, and a member whose loan ends because of injury or ill-health will be considered to resume membership of the Scheme as an active member from the day after the date on which the loan ends. The benefits payable to, or in respect of, a member who resumes membership as an active member are calculated on the basis that they are an active member.
- Rule C.3 provides that a member, on returning from loan, may use the contributions refunded by the host organisation's pension scheme to pay a lump sum to purchase additional reckonable service equal to the period of the loan. Paragraph 8 amends rule C.3 so that the lump sum may be paid by a specified person such as the member's personal representative, or surviving spouse or civil partner if the member dies during the loan, or dies within 12 months after the loan ends not having exercised the option.
- Amendments made to rules D.7, E.2, E.3, E.13, E.14 and E.21 make provision with respect to the calculation of benefits payable in respect of a member whose loan ends because of injury or ill-health and who is medically retired from the Scheme, and a member who dies during the loan. If the host organisation pays benefits in respect of the member's ill-health, the Scheme administrator may proportionately reduce the ill-health benefits payable under the Scheme to ensure that the member does not receive more than they would have received had they not been on loan. If the host organisation pays a survivor benefits in respect of the member's death, the Scheme administrator may proportionately reduce the death benefits payable under the Scheme to ensure that the survivor does not receive more than they would have received had the member not been on loan. Amendments made to rules D.24 and E.35 provide that the aggregate of any reductions must not exceed the amount of the relevant benefits that would have been payable under the Scheme to, or in respect of, a member.

Paragraphs 17 and 18 amend rules F.1 and F.2 to update references to the relevant provisions in the Pension Schemes Act 1993 (c.48).

Paragraph 19 amends rule G.6 to set out the effect of a deferred member or pensioner member opting to aggregate an earlier period of pensionable service with a later period of pensionable service. In respect of members who opt to aggregate on or after 1st April 2017, rule G.6 is amended to allow the Scheme administrator to re-value the amount of any pension lump sum paid to the member in respect of the earlier period, which will be deducted from the amount of any further lump sum paid to the member. The amount of the first lump sum will be indexed to present day value in line with increases in the consumer prices index.

Paragraphs 20, 21, 22 and 23 amend rules H.1, H.3, H.4 and H.5 in relation to the interpretation of the pension abatement rules that apply to further service by certain pensioner members.

- Paragraph 20 amends rule H.1 to insert another exclusion from the pension abatement rules for service by pensioner members during their mobilisation as members of a reserve force under Part 6 of the Reserve Forces Act 1996 (c. 14).
- Paragraphs 21, 22 and 23 amend rules H.3, H.4 and H.5 to require the Scheme administrator to re-assess the calculation of the amount to be abated if a pension sharing order or pension attachment order has been made in respect of the member's pension.

Paragraph 24 amends rule J.10 to allow a member to commute small pensions into lump sums from "normal minimum pension age" (age 55) instead of "state pension age".

Part 3 of this Order amends Schedule 3 to the 2010 Order.

Schedule 3 to the 2010 Order makes provision with respect to members who transitioned from the Scheme to the Armed Forces Pension Scheme 2015 ("AFPS 15") established by the Armed Forces Pension Regulations 2014 (S.I. 2014/2336). AFPS 15 was established in accordance with the new arrangements for public service pension schemes set out in the Public Service Pensions Act 2013 (c. 25) ("the 2013 Act"). The Scheme members to whom Schedule 3 applies have accrued rights in the Scheme and continuity of service between the Scheme and AFPS 15.

- Paragraph 26 amends paragraph 41 of Schedule 3, under which the amount of immediate pension is calculated.
- The 2013 Act protects the benefits earned by members in respect of past service in existing public service final salary schemes such as the Scheme ("old schemes") before they transitioned to also become members of public service schemes made in accordance with the 2013 Act ("new schemes"). Schedule 7 to the 2013 Act (final salary link) ensures that increases in a member's salary during their service in a new scheme are taken into account when calculating the member's final salary pension benefits under the old scheme. Paragraph 1 of Schedule 7 requires that, if there is continuity of service between a member's service in an old scheme and their service in a new scheme, then the member's final salary for the purposes of the old scheme is based on their final salary at the point at

which their new scheme service ends. It also requires that the amount of a member's earnings from their old scheme service must not be materially less than those earnings would have been if their new scheme service had been old scheme service.

The amendment made by paragraph 26 to Schedule 3 prevents the final salary link rule from inadvertently disadvantaging Scheme members who serve in AFPS 15 at a lower rank than their rank during service in the Scheme, and whose salary when they leave AFPS 15 service is lower than their salary at the end of their pensionable service in the Scheme. New paragraph 42A is inserted into Schedule 3 to modify the calculation of a member's immediate pension under rule D.5 or D.6 (as modified by paragraphs 41 and 42 of Schedule 3). The modified calculation will use the higher of: the member's pension rank on their last day in service in AFPS 15 and their pension rank on their last day of pensionable service under the Scheme. The Scheme uses pension rank (as defined in rule A2 of the Scheme) to calculate pension benefits rather than a member's final salary (except for officers of or above OF-7 rank).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The Governing Body of Downing College, in the University of Cambridge, has made a Statute, amending the College Statutes in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order:

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with:

No petition or address has been presented against the Statute:

Therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

Richard Tilbrook

SCHEDULE

DOWNING COLLEGE IN THE UNIVERSITY OF CAMBRIDGE

Statute to alter and amend the Statutes in relation to Downing College in the University of Cambridge made under the "The Universities of Oxford and Cambridge Act, 1923" (13 and 14 George V, Chapter 33).

We, the Master, Fellows and Scholars of Downing College in the University of Cambridge in pursuance of the power given to us by the 7th Section of the Universities of Oxford and Cambridge Act 1923 do hereby alter and amend the Statutes made under the Act in relation to our said College in manner following, that is to say:

Statute VII, *Of the Council*

Delete 'Bursar' and substitute 'Senior Bursar'.

By replacing:

2. The Master and any members of the Governing Body who hold for the time being the Offices of Senior Tutor and Bursar shall be members of the Council by virtue of their offices. There shall in addition be such a number of Fellows elected as members of the Council as is in this Statute provided.

by

2. The Master and any members of the Governing Body who hold for the time being the Offices of Senior Tutor and Senior Bursar shall be members of the Council by virtue of their offices. There shall in addition be such a number of Fellows elected as members of the Council as is in this Statute provided.

Statute VIII, *Of the Master*

Delete 'fourteenth' and substitute 'ninth'.

By replacing:

8. The Master shall not continue in office after the end of the academic year in which he or she attains the age of retirement specified in Ordinances, or after the end of the fourteenth academic year following that in which he or she takes the office of Master upon himself or herself, whichever be the sooner.

by

8. The Master shall not continue in office after the end of the academic year in which he or she attains the age of retirement specified in Ordinances, or after the end of the ninth academic year following that in which he or she takes the office of Master upon himself or herself, whichever be the sooner.

STATUTE X, *Of the Fellows*

Simplify the classes of Official Fellows and their terms and conditions.

By replacing:

Section II: Official Fellows

6. The persons competent to hold Official Fellowships shall be:

(a) Professors or other University Officers placed in the same category as Professors for the purpose of assignment to the College as Professorial Fellows under the Statutes of the University;

- (b) Persons who hold University teaching or research offices or such University administrative offices as are commonly occupied by graduates;
 - (c) Persons who hold such College offices as the Governing Body may from time to time declare to be competent for the purpose;
 - (d) Persons other than those coming within any of categories (a) to (c) specified above, provided that it shall not be competent to the Governing Body to elect any person within this category otherwise than for specific academic purposes or if the result of his or her election should be to cause the number of Official Fellows elected from among persons within this category to exceed one-third of the whole number of such Fellows then existing. Persons elected within this category may be designated Teaching Fellows provided that a person who has already been elected within this category and not designated Teaching Fellow shall not be so designated unless he or she shall have signified his or her consent in writing to the Master that he or she be so designated.
7. The College shall comply with the Statutes of the University in connexion with the election as Official Fellows of persons falling within category (a) above, and the tenure of such persons so elected shall be for the duration of their holding qualifying offices.
 8. The tenure as Official Fellows of persons elected from category (b) above shall in the first instance be for three years and may be extended for further periods not exceeding seven years at any one time, provided that any such person shall vacate his or her Fellowship upon ceasing to hold a qualifying office.
 9. The tenure as Official Fellows of persons elected from category (c) above shall be the same as that of persons elected from category (b) above except that no person falling within category (c) shall vacate his or her Fellowship by lapse of time so long as he or she continues to hold any qualifying office.
 10. The tenure as Official Fellows of persons falling within category (d) above shall be for such term not exceeding seven years as the Governing Body shall determine at the time of their election, provided that any such person shall unless the Governing Body shall otherwise resolve vacate his or her Fellowship upon ceasing to have his or her ordinary residence within twenty miles of Cambridge.
 11. The tenure as Official Fellows of persons falling within category (d) above who have been designated Teaching Fellows shall be for three years upon their first designation as Teaching Fellows which may include such shorter probationary period as the Governing Body may determine and may thereafter be extended for a further period or periods not exceeding five years at a time.

by

Section II: Official Fellows

6. The persons competent to hold Official Fellowships shall be:
 - (a) Professors or other University Officers placed in the same category as Professors for the purpose of assignment to the College as Professorial Fellows under the Statutes of the University, and other persons who hold University Teaching or Research Offices or such University administrative Offices as are commonly occupied by graduates;
 - (b) Persons who hold such College Offices as the Governing Body may from time to time declare to be competent for the purpose and who do not satisfy the criteria for election in category (a) above;
 - (c) Persons other than those coming within categories (a) and (b) specified above, provided that it shall not be competent to the Governing Body to elect any person within this category otherwise than for specific academic purposes or if the result of his or her election should be to cause the number of Official Fellows elected from among persons within this category to exceed one-third of the whole number of such Fellows then existing.
7. The College shall comply with the Statutes of the University in connexion with the election as Official Fellows of persons falling within category (a) above.
8. The tenure as Official Fellows of persons elected hereafter to Fellowships in categories (a) and (c) of section 6 above shall in the first instance be for three years and may be extended for further periods not exceeding seven years at any one time, provided that any such person elected to a Fellowship in category (a) shall vacate his or her Fellowship upon ceasing to hold a qualifying University Office.
9. The tenure as Official Fellows of persons elected from category (b) shall not lapse by effluxion of time so long as they continue to hold any qualifying College Office.

And by replacing:

Section III: Research Fellows

12. Research Fellowships shall be held subject to conditions of advanced study or research to be approved by the Governing Body and subject to such conditions of residence as the Governing Body may prescribe.
13. A Research Fellowship shall be tenable for three years.
14. Provided, however, that the tenure of any Research Fellowship the emoluments of which are provided from the income of a special Trust Fund accepted under the provisions of Statute XLVI (Of Endowments) shall be regulated by the relevant terms, if any, of the Instrument creating the Fund.

15. A Research Fellow shall vacate his or her Fellowship by appointment to a University office qualifying for an Official Fellowship or by election to an Official Fellowship or by election to a Fellowship other than an Honorary Fellowship in any other College in Cambridge or Oxford.

by

Section III: Research Fellows

10. Research Fellowships shall be held subject to conditions of advanced study or research to be approved by the Governing Body and subject to such conditions of residence as the Governing Body may prescribe.
11. A Research Fellowship shall be tenable for three years.
12. Provided, however, that the tenure of any Research Fellowship the emoluments of which are provided from the income of a special Trust Fund accepted under the provisions of Statute XLVI (Of Endowments) shall be regulated by the relevant terms, if any, of the Instrument creating the Fund.
13. A Research Fellow shall vacate his or her Fellowship on taking up a University office qualifying for an Official Fellowship, or an Official Fellowship of the College, or a Fellowship other than an Honorary Fellowship in any other College in Cambridge or Oxford.

Statute XIV, Of the Titles of Associate and Wilkins Fellows and of Fellow Commoners

Systematise the process of conferring titular Fellowships.

By replacing:

STATUTE XIV, Of the Titles of Associate and Wilkins Fellows and of Fellow Commoners

1. The Governing Body may confer on any person who is rendering valuable service to the College the title of Associate Fellow and on any person who is a benefactor or an agreed representative of a benefactor the title of Wilkins Fellow.
2. The Governing Body may confer on any person who in the opinion of the Governing Body is making a significant and continuing contribution to the activities of the College the title and status of Fellow Commoner.
3. The Governing Body shall from time to time determine the conditions on which and period for which Associate Fellows, Wilkins Fellows and Fellow Commoners shall hold their titles.

4. An Associate Fellow, Wilkins Fellow or Fellow Commoner is not a Fellow for the purposes of these Statutes and shall not be a member of the Governing Body but shall otherwise have such duties and enjoy such privileges as the Governing Body may determine.
5. The Governing Body may for grave cause terminate a person's tenure of the title of Associate Fellow, Wilkins Fellow or Fellow Commoner.

by

STATUTE XIV, *Of Titular Fellows*

1. The Governing Body may make Ordinances authorising the conferral by resolution of the Governing Body on suitably qualified persons of titles containing the word 'Fellow', without conferring on those persons the rights, privileges, duties and responsibilities of Fellows elected under Statute X.
2. Any such Ordinance shall specify:
 - a. the title or titles to be conferred;
 - b. the criteria for conferral and terms on which they may be conferred; and
 - c. any special procedures to be followed before the title is conferred,and may make such further provision relating to titles conferred under this Statute as the Governing Body may see fit.
3. The Governing Body may grant to a person on whom it confers such a title and such privileges as it sees fit, and may review those privileges from time to time, but may not confer on such a person:
 - a. membership of the Governing Body;
 - b. fiduciary responsibility for the governance or business activities of the College; or
 - c. a right to vote in any meeting of a Committee established under the Statutes.
4. From the coming into force of this Statute, Statute XV, *Of the Title of Bye-Fellow*, and Statute XVI, *Of the Title of Visiting Fellow*, shall cease to have effect.

STATUTE XV, *Of the Title of Bye-Fellow*

Repeal on account of redundancy

STATUTE XVI, *Of the Title of Visiting Fellow*

Repeal on account of redundancy

STATUTE XXVII: *Of the Bursar*

Delete 'Bursar' and substitute 'Senior Bursar'.

By replacing:

1. There shall be at least one Bursar appointed by the Governing Body for such period and on such terms and subject to such probationary period (if any) as the Governing Body may determine.
2. The duties and responsibilities of the Bursar or Bursars, who shall be responsible to the Governing Body for their performance and discharge, shall include the financial management of the College, and such other matters as may be determined by the Governing Body from time to time. The Bursar or Bursars shall keep proper accounts, and shall account regularly to the College for the overall financial position of the College.

by

1. There shall be at least one Senior Bursar appointed by the Governing Body for such period and on such terms and subject to such probationary period (if any) as the Governing Body may determine.
2. The duties and responsibilities of the Senior Bursar or Senior Bursars, who shall be responsible to the Governing Body for their performance and discharge, shall include the financial management of the College, and such other matters as may be determined by the Governing Body from time to time. The Senior Bursar or Senior Bursars shall keep proper accounts, and shall account regularly to the College for the overall financial position of the College.

STATUTE XXXIV; *Of College Offices*

Delete 'Bursar' and substitute 'Senior Bursar'.

By replacing:

1. Without prejudice to the provisions of Statute XX (Of Academic Staff), for the purposes of the present Statutes, 'College Officer' shall include those holding the offices of Master, Vice-Master, President, Chaplain, Teaching Fellow, Director of Studies, Tutor, Bursar, Fellow Librarian, Dean, Fellows' Steward, Praelector, Fellow Archivist, and Secretary of the Governing Body, and the holders of such additional offices as the Governing Body may from time to time create and determine, provided that the Governing Body shall have power to abolish such additional offices.

by

1. Without prejudice to the provisions of Statute XX (Of Academic Staff), for the purposes of the present Statutes, 'College Officer' shall include those holding the offices of Master, Vice-Master, President, Chaplain, Teaching Fellow, Director of Studies, Tutor, Senior Bursar, Fellow Librarian, Dean, Fellows' Steward, Praelector, Fellow Archivist, and Secretary of the Governing Body, and the holders of such additional offices as the Governing Body may from time to time create and determine, provided that the Governing Body shall have power to abolish such additional offices.

STATUTE XLIII: *Of Leases and of the College Seal*

Delete 'Bursar' and substitute 'Senior Bursar'.

By replacing:

1. The College Seal shall be kept in the custody of the Bursar unless the Master shall otherwise direct.

and

3. The Seal shall be affixed in the presence of two persons, one of whom shall be the Master, or the Bursar, or failing these, the Vice-Master or the most senior Fellow available in College at the time, and the other shall be one of the Fellows. A register of all Sealings shall be kept by the Bursar and shall be accessible to members of the Governing Body at all reasonable times.

by

1. The College Seal shall be kept in the custody of the Senior Bursar unless the Master shall otherwise direct.

and

3. The Seal shall be affixed in the presence of two persons, one of whom shall be the Master, or the Senior Bursar, or failing these, the Vice-Master or the most senior Fellow available in College at the time, and the other shall be one of the Fellows. A register of all Sealings shall be kept by the Senior Bursar and shall be accessible to members of the Governing Body at all reasonable times.

Given under our COMMON SEAL this
Twenty-eighth day of October Two Thousand and
Sixteen in pursuance of a resolution passed
at meetings of the Governing Body on the
Thirteenth day of May Two Thousand and
Sixteen and on the Thirtieth day of September

Two Thousand and Sixteen by a majority of not less than two-thirds of the number of persons present and voting and specifically summoned for the purpose.

Geoffrey Grimmett
GEOFFREY RICHARD GRIMMETT, *Master*

Susan Lintott
SUSAN ELIZABETH LINTOTT, *Bursar*



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The Governing Body of Trinity Hall, in the University of Cambridge, has made a Statute, revising the College Statutes in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order:

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with:

No petition or address has been presented against the Statute:

Therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

Richard Tilbrook

SCHEDULE

Statutes of Trinity Hall, in the University of Cambridge

As agreed by the Governing Body on 10 May 2016

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STATUTE 1
DEFINITIONS AND INTERPRETATION
PART 1: Definitions

- 1.1 In these Statutes, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:
- 1.1.1 'College Office' means an office designated as such under Statute 9 or Ordinances made under Statute 9 and College Officer shall be interpreted accordingly;
 - 1.1.2 'Fellow' means a person holding a Fellowship following election under Statute 6 of these Statutes or under Statute V of the Statutes previously in force;
 - 1.1.3 'Governing Body' shall mean the body composed of those Members of the Governing Body who are not restricted under Statutes 3.18, 3.19 or 3.20 from voting;
 - 1.1.4 'Junior Member' means a person in statu pupillari as defined by the University;
 - 1.1.5 'Leave of Absence' means a period during which a person may be discharged by the Governing Body, in accordance with the Ordinances, from performing the duties of his or her Fellowship, office and/or employment;
 - 1.1.6 'Member of the College' means a person who has been admitted to the Foundation of the College, or admitted as a member of the College but not on the Foundation, and who has not been deprived of such status by the Governing Body, and 'Membership' shall be interpreted accordingly;
 - 1.1.7 'Members of the Governing Body' shall mean the Master and the Fellows;
 - 1.1.8 'Ordinances' mean regulations made by the Governing Body under Statute 3.4 relating to the implementation of these Statutes;
 - 1.1.9 'Primary College Office' means a College Office designated as such in these Statutes or the Ordinances or by the Governing Body upon a particular appointment;
 - 1.1.10 'Reason' shall be as defined in the Ordinances;

- 1.1.11 'Removal' refers to removal from a Fellowship and/or from an office and/or dismissal from any employment in the College and 'Remove' or 'Removed' shall be interpreted accordingly;
- 1.1.12 'Residence' means residence as defined by the University;
- 1.1.13 'Resolution' means a determination by the Governing Body and shall take the following forms:
- 1.1.13.1 'Extraordinary Resolution' shall mean a Resolution for which not less than two-thirds of the Governing Body have voted;
- 1.1.13.2 'Special Resolution' shall mean a Resolution for which not less than one half of the Governing Body have voted;
- 1.1.13.3 'Ordinary Resolution' shall mean a Resolution for which not less than half of the Governing Body present and voting have voted and if there is an equality of votes the person presiding shall have a casting vote whether or not he or she voted originally;
- 1.1.14 'Senior Fellow' means the Fellow who is highest in the order of precedence prescribed by Statute 6.9 and Statute 6.10 and, in the absence of such Fellow, the next most senior Fellow in that order of precedence who is present;
- 1.1.15 'Term' shall be as defined by the University;
- 1.1.16 'University' means the University of Cambridge;
- 1.1.17 'University Officer' means a person who is so classified by the University;
- 1.1.18 'University Precincts' shall be as defined by the University.

PART 2: Interpretation

- 1.2 If any question arises as to the meaning or effect of any of these Statutes or the Ordinances, it shall be determined by the Master, who shall report his or her decision to the Governing Body. The Master's determination shall be binding on all members of the College unless varied by a Special Resolution of the Governing Body. The Master or any five Fellows may appeal against any such Special Resolution to the Visitor whose decision shall be final.
- 1.3 In these Statutes and the Ordinances, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

STATUTE 2
CONSTITUTION, CHARITABLE OBJECT AND CHARITY TRUSTEES OF
THE COLLEGE

- 2.1 The Foundation of the College shall consist of the Master, the Fellows and such Scholars as may be admitted to the Foundation.
- 2.2 Other Members of the College shall be Members of the College but not on the Foundation.
- 2.3 Every person admitted to the Foundation shall before admission or as soon as may be practicable thereafter make a declaration in such manner as the Governing Body may prescribe.
- 2.4 The charitable object of the College is the provision of a place for the advancement of education, religion, learning and research.
- 2.5 The charity trustees of the College are those Members of the Governing Body who are not restricted under Statutes 3.18, 3.19 from voting.

STATUTE 3
THE GOVERNMENT OF THE COLLEGE
PART 1: The Government

The Visitor

- 3.1 The Visitor shall be the Crown. The Visitor shall have power to delegate the authority and powers assigned to the Visitor under these Statutes to a person qualified in accordance with any conditions prescribed by Ordinance.

The Governing Body

- 3.2 The Governing Body shall:
- 3.2.1 have responsibility for the control of the College in the pursuance of its charitable object; and
- 3.2.2 administer its capital, income and expenditure accordingly.

PART 2: Powers of the Governing Body

- 3.3 Notwithstanding the inclusion of particular powers in these Statutes or in the Ordinances, the Governing Body may exercise any powers vested in the College by law.

Power to make and amend the Statutes and Ordinances

- 3.4 The Governing Body shall by Extraordinary Resolution exercise its powers to make, amend or repeal these Statutes and to make, amend or repeal Ordinances.

Power to establish a College Council

- 3.5 The Governing Body may by Extraordinary Resolution establish a College Council to execute on its behalf, subject to the exceptions in Statute 3.8 and any exceptions specified in the Resolution, the duties and powers of the Governing Body:
- 3.5.1 under Statute 3.2; or
 - 3.5.2 as may be specified in the Resolution.
- 3.6 The Governing Body may at any time, by Extraordinary Resolution, vary or revoke a Resolution made under Statute 3.5 or under this Statute.
- 3.7 The Council shall consist of such Members of the Governing Body as may be specified in the Resolution establishing the Council or as subsequently varied in accordance with Statute 3.6.
- 3.8 The Council shall not be authorised to exercise powers of the Governing Body to:
- 3.8.1 make or amend any Statute;
 - 3.8.2 enact or amend any Ordinance;
 - 3.8.3 elect the Master or Vice-Master;
 - 3.8.4 determine stipend and allowances of the Master or Vice-Master;
 - 3.8.5 elect a Fellow;
 - 3.8.6 confer or revoke the title of Honorary Fellow or of Emeritus Fellow.
- 3.9 Where the Council is authorised to exercise a power of the Governing Body for which a Special, Extraordinary or Ordinary Resolution is required, a like majority of the members of the Council shall be required.

Power to establish committees

- 3.10 The Governing Body shall have power to establish committees consisting wholly or mainly of Members of the Governing Body and to appoint to such committees.

Power to establish and appoint to offices and to engage employees and others

- 3.11 The Governing Body shall have the power to:
- 3.11.1 establish offices, including College Offices;
 - 3.11.2 appoint to offices, including College Offices;
 - 3.11.3 engage persons for employment in the service of the College;
 - 3.11.4 engage or appoint contractors and advisers.

Power to delegate

- 3.12 Save as otherwise provided in these Statutes, the Governing Body may delegate functions, other than those listed in Statute 3.8, to a committee or to a College Officer or may delegate the execution of any of its decisions to a College Officer

or to one or more Fellows, and a committee may delegate the execution of any of its decisions to a College Officer or to one or more Fellows.

PART 3: Meetings of the Governing Body and of its committees

Governing Body meetings

- 3.13 There shall be a minimum of one meeting of the Governing Body each Term. The Governing Body shall prescribe in Ordinances or otherwise the process for summoning meetings of the Governing Body.
- 3.14 At a meeting of the Governing Body, the Master shall preside, and if the Master is not present, the Vice-Master shall preside, and, if neither the Master nor the Vice-Master is present, the Senior Fellow shall preside.
- 3.15 The quorum at a meeting of the Governing Body shall be one half of the Governing Body.
- 3.16 Except where a Special Resolution or an Extraordinary Resolution is required by these Statutes, any decision of the Governing Body shall be taken by Ordinary Resolution.
- 3.17 The Governing Body shall decide what methods of voting are acceptable.

Restrictions on attendance and on voting at Governing Body meetings and committee meetings

- 3.18 A Master or Fellow shall not, whilst on Leave of Absence, vote at any meeting of the Governing Body or any of its committees, other than a meeting summoned for the making or amending of a Statute or Ordinance and, in the case of a Fellow, for the election of a Master.
- 3.19 A Fellow or a Master, who has been suspended, shall not, during that period of suspension, attend or vote at any meeting of the Governing Body or any of its committees, unless and to the extent expressly permitted by the Governing Body or by the relevant committee.
- 3.20 The Master shall not attend for any meeting or that part of any meeting concerning the recruitment or election of the next Master and may not vote on that election or any issue related to it.

STATUTE 4 THE MASTER

- 4.1 The office of Master is a Primary College Office and, save as set out in this Statute, shall be subject to the relevant provisions of Statute 9.

Election and terms of office

- 4.2 Whenever the office of Master falls vacant the Governing Body shall, as soon as may be practicable; by Special Resolution elect a person to fill the office.
- 4.3 The Governing Body may by Ordinance specify when an election into the office of Master can or must be held.
- 4.4 In default of an election within the time specified in Ordinances, the Chancellor of the University shall appoint a person into the office of Master.
- 4.5 The Master shall be elected into the office for such period and upon such terms and conditions (including conditions relating to Leave of Absence) as the Governing Body, or, in the case of an appointment under Statute 4.4, the Chancellor of the University, determines, subject to any time limitations on the period in the office specified by Ordinance.
- 4.6 The Governing Body may from time to time determine the stipend and allowances for the office of Master.

Powers and duties

- 4.7 The Master shall exercise on behalf of the Governing Body a general superintendence over the affairs of the College and shall secure the observance by all members of the College of these Statutes, of the Ordinances and of the decisions of the Governing Body.
- 4.8 Further duties may be assigned to the office by the Governing Body by Ordinance or otherwise from time to time.

Termination, Removal and suspension

- 4.9 The holding of the office of Master shall terminate and the office shall become vacant upon any of the following:
- 4.9.1 resignation by the Master;
 - 4.9.2 failure of a condition expressly specified in the Resolution electing the Master into the office as a condition upon which the election to the office and the continued holding of the office depends.
- 4.10 The Master may be Removed in accordance with procedures for Removal prescribed under Statute 4.11 for any of the following:
- 4.10.1 Reason;
 - 4.10.2 incapacity on medical grounds;
 - 4.10.3 expiry, without renewal, of a limited period of election to the office.
- 4.11 The Governing Body shall prescribe by Ordinance procedures for the suspension of the Master, for Removal and for an appeal from the final decision made under

the procedures. The procedures shall be drafted and construed to give effect to the same principles in relation to the Master as are set out in Statute 6.16 in relation to Fellows and the binding provisions in Statute 6.17 and Statute 6.18 shall apply to the Master and to the procedures made under this Statute 4.11 as they apply to Fellows and to the procedures relating to Fellows and made under Statute 6.14 and Statute 6.15.

**STATUTE 5
THE VICE-MASTER**

Election and terms of office

- 5.1 The Governing Body shall elect a Fellow to the office of Vice-Master by Special Resolution.
- 5.2 The Vice-Master shall be elected for such period and upon such terms and conditions as the Governing Body determines subject to any time limitations on the period in the office specified in Ordinances.
- 5.3 The Governing Body may from time to time determine the stipend and allowances for the office of Vice-Master.

Powers and duties

- 5.4 The Vice-Master shall act as the Master's deputy in the affairs of the College when the office of Master is vacant or the Master is on Leave of Absence or is prevented by illness or otherwise from performing the duties of the office of Master.
- 5.5 Further duties may be assigned to the office by the Governing Body by Ordinance or otherwise from time to time.

Acting Vice-Master

- 5.6 When the office of Vice-Master is vacant or the Vice-Master is on Leave of Absence or is incapacitated by illness or otherwise from performing the duties of the office, the Governing Body may by Ordinary Resolution appoint an Acting Vice-Master, who shall have all the powers and duties of the Vice-Master except to any extent that the Governing Body decides otherwise.
- 5.7 The appointment of an Acting Vice-Master shall be for such period and upon such terms and conditions as may be determined by the Governing Body in Ordinances or otherwise.

**STATUTE 6
THE FELLOWS
PART 1: Classes of Fellowship**

Classes of Fellowship

6.1 There shall be the following classes of Fellows:

- Class A Research Fellows;
- Class B Staff Fellows;
- Class C Supernumerary Fellows;

and such other class of Fellows as the Governing Body may specify from time to time by Ordinance.

Research Fellowships

6.2 The Governing Body may elect into a Research Fellowship any person undertaking, or intending to undertake, research approved by the Governing Body.

Staff Fellowships

6.3 The Governing Body may elect into a Staff Fellowship any person who holds:

- 6.3.1 a Primary College Office, other than the office of Master;
- 6.3.2 a University Office with principal duties in the University of teaching and/or research;
- 6.3.3 a College post with principal duties of teaching in College and research.

Supernumerary Fellowships

6.4 The Governing Body may elect into a Supernumerary Fellowship any person whom, in the opinion of the Governing Body, it would be in the interests of the College to elect.

PART 2: General provisions

Election and terms of Fellowship

6.5 Elections and re-elections into any Fellowship shall be by Special Resolution of the Governing Body and may be:

- 6.5.1 without limit of time or for a limited period; and
- 6.5.2 upon such conditions and such terms (including those relating to Leave of Absence) as the Governing Body determines.

6.6 The Governing Body may from time to time determine the numbers of Fellows in each class and any stipend and allowances for a class or group of Fellows or for a Fellow.

Duties of a Fellowship

6.7 The duty of any Fellowship is to assist the Master in securing the observance of

these Statutes and of the Ordinances and of the decisions of the Governing Body.

- 6.8 Further duties may be specified by the Governing Body in Ordinances or otherwise, subject always to any limitation imposed by the University.

Precedence of Fellows

- 6.9 The Vice-Master and any Acting Vice-Master shall take precedence over all other Fellows.
- 6.10 A Fellow shall take precedence from the date from which his or her election to the Fellowship took effect. Where two or more Fellowships take effect from the same date, the order of precedence shall be determined by the Governing Body.
- 6.11 On the election of a Fellow who has previously held a Fellowship or Fellowships, the Governing Body shall accord such precedence as takes account of the length of his or her previous Fellowship/Fellowships.

Termination and Removal

- 6.12 A Fellowship shall terminate upon any of the following:
- 6.12.1 resignation by the Fellow;
 - 6.12.2 admission to the office of Master; or
 - 6.12.3 failure of a condition specified in these Statutes, in the Ordinances or in the Resolution electing the Fellow as a condition upon which the election depended or the continued holding of the Fellowship depends.
- 6.13 A Fellow may be Removed for any of the following:
- 6.13.1 Reason;
 - 6.13.2 incapacity on medical grounds;
 - 6.13.3 redundancy;
 - 6.13.4 expiry, without renewal or reappointment, of a fixed period of Fellowship;
 - 6.13.5 attainment of any retirement age set by the Governing Body.

PART 3: Procedures relating to Fellows and guiding principles for suspension, discipline and Removal of a Fellow and for consideration of a grievance of a Fellow

Procedures

- 6.14 The Governing Body shall prescribe procedures concerning:
- 6.14.1 suspension of a Fellow;
 - 6.14.2 discipline of a Fellow;
 - 6.14.3 Removal of a Fellow;
 - 6.14.4 the consideration of any grievance or grievances raised by a Fellow concerning his or her Fellowship, College Office or employment by the

College; and

- 6.14.5 appeals by the Fellow in relation to the above procedures.
- 6.15 A unified procedure may be prescribed for the Removal from a Fellowship, for Removal of a Fellow from any Primary College Office and for dismissal from any employment held by a Fellow.

Guiding principles

- 6.16 Procedures made under this Statute shall be drafted and implemented in every case to give effect to the following guiding principles:
- 6.16.1 to ensure that Fellows who teach or conduct research 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 Fellowship, employment, College Office or privileges;
 - 6.16.2 to enable the College to provide education, to promote learning and to engage in research efficiently and economically;
 - 6.16.3 to apply the principles of justice and fairness;
 - 6.16.4 to ensure equitable safeguards for a Fellow at each stage of the procedures prescribed under Statutes 6.14 and 6.15, including, but not limited to:
 - 6.16.4.1 the reasonable investigation of complaints;
 - 6.16.4.2 the opportunity for the Fellow to make representations before any decision is made; and
 - 6.16.4.3 the making of decisions by persons who are independent of the issues;
 - 6.16.5 to ensure that the ground for any Removal may in all the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient ground for the Removal.

Binding provisions

- 6.17 Nothing in any appointment made, or any contract entered into, is to be construed as overriding or excluding any provision in Part 3 of this Statute or in any Ordinances or procedures made under Part 3, provided that this does not affect the validity of any agreement or waiver of rights permitted by law generally, and does not preclude a Fellow from agreeing to vacate his or her Fellowship or any College Office or employment held in the College on whatever terms may be agreed.
- 6.18 The Visitor may not disallow or annul any provision in Part 3 of this Statute 6.

**STATUTE 7
HONORARY FELLOWS AND EMERITUS FELLOWS**

Honorary Fellows

- 7.1 The Governing Body may by Special Resolution confer the title of Honorary Fellow upon any person who has rendered signal service to the College or has attained distinction of a nature fit to be recognised by the College.
- 7.2 An Honorary Fellow shall be admitted to Membership of the College if he or she is not already a member.

Emeritus Fellows

- 7.3 The Governing Body may by Special Resolution confer the title of Emeritus Fellow upon a person, who satisfies such eligibility criteria as may be specified by Ordinance or otherwise, commencing on the date he or she vacates the Mastership or ceases to be a Fellow, as the case may be, or on such other date as may be specified by the Governing Body.

Privileges

- 7.4 The Governing Body may from time to time determine the privileges of an Honorary Fellowship and of an Emeritus Fellowship.

Revocation

- 7.5 The title of Honorary Fellow or of Emeritus Fellow may be revoked by the Governing Body by Special Resolution. No Special Resolution shall be passed under this Statute unless and until the holder of the title has been afforded a reasonable prior opportunity to make written representations to the Governing Body.

Exclusion from the definition of Fellow

- 7.6 For the avoidance of doubt an Honorary Fellow or an Emeritus Fellow is not a Fellow.

STATUTE 8 FELLOW-COMMONERS

Title and privileges

- 8.1 The Governing Body may by Special Resolution confer the title of Fellow-Commoner, for such period, as it may decide, on any person where it would be in the interest of the College so to do.
- 8.2 The Governing Body may from time to time determine any privileges associated with the title of Fellow-Commoner.

Revocation

- 8.3 The title of Fellow-Commoner may be revoked by the Governing Body by Ordinary Resolution. No decision to revoke shall be made under this Statute unless and until the Fellow-Commoner has been afforded a reasonable prior opportunity to make written representations to the Governing Body.

Exclusion from the definition of Fellow

- 8.4 For the avoidance of doubt a Fellow-Commoner is not a Fellow.

STATUTE 9 COLLEGE OFFICERS PART 1: College Offices

Primary and Secondary College Offices

- 9.1 There shall be the College Offices of Master and Bursar, which shall be Primary College Offices.
- 9.2 There shall be the College Offices of Vice-Master, Senior Tutor and Praelector which shall be Secondary College Offices unless, for any particular appointment, the Governing Body designates the office as a Primary College Office.
- 9.3 Other College Offices established by the Governing Body from time to time shall be designated as Primary or Secondary on establishment of the office or for any particular appointment to the office.

The Bursar

- 9.4 The Bursar shall be responsible to the Governing Body for ensuring the College's compliance, and for enabling the College to comply, with the provisions of Statute 14.
- 9.5 It shall be the duty of the Bursar to render accounts to the Governing Body at such times as the Governing Body may direct.

The Senior Tutor

- 9.6 The Senior Tutor shall be responsible to the Governing Body for the provision of education to and for the welfare of the Junior Members.

The Praelector

- 9.7 The Praelector shall have the principal responsibility of presenting Junior Members at matriculation and graduation ceremonies.

PART 2: General Provisions

- 9.8 Save as otherwise provided in these Statutes in relation to the Master or Vice-Master, the following provisions of this Statute shall apply to all College Offices.

Appointment to and terms of a College Office

- 9.9 Two or more College Offices may be held by the same person and the functions of a College Office may be divided among two or more College Officers or between College Officers and College employees or contractors as the Governing Body may determine.
- 9.10 A College Officer shall be appointed by the Governing Body for such period or periods and on such conditions and terms, including probationary periods and Leave of Absence, as the Governing Body may determine.
- 9.11 In case of urgency the Master may make an appointment to a College Office, other than the office of Master, with a probationary period and subject to confirmation by the Governing Body at its next meeting.
- 9.12 The Governing Body may appoint, on such terms as it thinks fit, a deputy to carry out the duties of a College Officer if he or she is or is likely to be absent or unable to carry out, or conflicted in carrying out or refuses to carry out, the duties of the College Office.

Duties

- 9.13 A College Officer must observe these Statutes, the Ordinances and the decisions of and policies issued by the Governing Body, and faithfully and diligently carry out the duties of the College Office.
- 9.14 In addition to duties set out in these Statutes, duties of a College Office may be specified by the Governing Body in Ordinances or otherwise.

Termination, Removal and suspension

- 9.15 The holding of a Primary or Secondary College Office shall terminate and the office become vacant upon any of the following:
- 9.15.1 resignation by the College Officer;
 - 9.15.2 the Governing Body deciding not to confirm an appointment of a College Officer initially made by the Master under Statute 9.11;
 - 9.15.3 failure of a condition expressly specified in the Governing Body Resolution appointing the College Officer to the College Office as a condition upon which the appointment and the continued holding of the office depends.

- 9.16 Unless the Governing Body decides otherwise, the holding of a Primary or Secondary College Office shall also terminate and the office become vacant, if the holder is a Fellow, upon the holder ceasing to be a Fellow.
- 9.17 A holder of a Primary College Office may be Removed from that Primary Office for any of the following:
- 9.17.1 Reason;
 - 9.17.2 incapacity on medical grounds;
 - 9.17.3 redundancy;
 - 9.17.4 expiry, without renewal or reappointment, of any limited period of appointment to the College Office;
 - 9.17.5 attainment of any retirement age set by the Governing Body for the College Office.
- 9.18 The procedures for suspension of a Primary or Secondary Officer and for Removal of a Primary Officer shall be the applicable procedure:
- 9.18.1 prescribed under Statute 6.14 and Statute 6.15, if the holder is a Fellow;
 - 9.18.2 prescribed under Statute 13.2, if the holder is not a Fellow.
- 9.19 The Governing Body may by Ordinary Resolution remove a College Officer from a Secondary College Office with or without notice. No Resolution shall be passed unless and until the College Officer has been afforded a reasonable prior opportunity to make written representations to the Governing Body.

STATUTE 10

MEMBERSHIP OF THE COLLEGE

- 10.1 The Governing Body may admit a person as a Member of the College and may prescribe by Ordinance the conditions of admission.
- 10.2 No person shall be admitted as a Junior Member unless he or she is qualified to be matriculated by the University.
- 10.3 It shall be the duty of a Member of the College to observe the Statutes, the Ordinances and the decisions of and policies issued by the Governing Body that apply to them, and to behave in a manner that does not damage the reputation or property of the College.
- 10.4 The Governing Body may suspend Membership of the College and, by Special Resolution, may deprive any person of Membership of the College, save that:
- 10.4.1 no such decision shall be taken unless and until the Member has been afforded a reasonable prior opportunity to make representations to the Governing Body;
 - 10.4.2 if the Member is a Junior Member, the matter shall be dealt with under Statute 12 and the procedures under that Statute; and
 - 10.4.3 the Master or a Fellow may not be deprived of Membership of the

College unless he or she is also Removed from the Mastership or Fellowship, as the case may be.

- 10.5 The Governing Body may prescribe by Ordinance procedures for deprivation of and for suspension of Membership of the College under this Statute.
- 10.6 Membership of the College is automatically terminated, in the case of a Junior Member, upon removal by the University of his or her membership of the University.

STATUTE 11 SCHOLARS

- 11.1 The title of Scholar may be awarded to any member of the College who has distinguished himself or herself in examinations, and such title shall be tenable for such period as the Governing Body may decide.
- 11.2 A Scholar shall have such emoluments and privileges as the Governing Body may determine.
- 11.3 The Governing Body may revoke by Ordinary Resolution the award of the title, emoluments and privileges of Scholar. No Ordinary Resolution shall be passed under this Statute unless and until the Scholar has been afforded a reasonable prior opportunity to make written representations to the Governing Body.

STATUTE 12 JUNIOR MEMBERS

Duties of Junior Members

- 12.1 Junior Members must comply with:
 - 12.1.1 the requirements of the University, including any codes of behaviour for Junior Members issued by the University;
 - 12.1.2 these Statutes, the Ordinances and the decisions of or codes of behaviour issued by the Governing Body which apply to them; and
 - 12.1.3 any reasonable instruction from a College Officer or a person acting under the authority of a College Officer.

Exclusion of a Junior Member and other penalties

- 12.2 The Governing Body, or any committee or person to whom it has delegated its power, may, on any of the grounds set out in Statute 12.3:
 - 12.2.1 expel a Junior Member;
 - 12.2.2 exclude a Junior Member from College premises or premises controlled by the College and/or from the University Precincts for a period of limited or of indefinite duration;
 - 12.2.3 make such other determination as the Governing Body or the delegate

considers appropriate.

- 12.3 The powers under Statute 12.2 may be exercised on the ground that the Junior Member:
- 12.3.1 is in breach of a duty or duties under Statute 12.1;
 - 12.3.2 has failed a University examination or on other academic or on medical or other grounds; or
 - 12.3.3 cannot continue in Residence on legal or other grounds.
- 12.4 The Governing Body shall prescribe by Ordinance or otherwise procedures relating to Statute 12.2. The procedures shall provide for the Junior Member to be afforded a reasonable opportunity to make representations to the body making the decision under Statute 12.2 before any decision is taken under that Statute.

STATUTE 13 COLLEGE ASSISTANTS

- 13.1 The numbers and conditions of engagement of College assistants and procedures relating to them shall be determined by the Governing Body.
- 13.2 In relation to employees, who are not Fellows but whose principal duties are teaching for the College and/or research, the prescribed procedures for discipline, Removal, grievances and appeals shall be drafted and construed to give effect to the same guiding principles as are set out in Statute 6.16 in relation to Fellows.

STATUTE 14 PROPERTY AND FINANCE

- 14.1 In this Statute, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:
- 14.1.1 'Fair Value' means the amount at which an asset could be exchanged in an arm's length transaction between informed and willing parties, other than in a forced or liquidation sale;
 - 14.1.2 'Fund' means Property which the College holds as sole trustee on trust for purposes connected with the College;
 - 14.1.3 'Property' means every description of property, real or personal, including securities of any description, wherever situated whether involving liability or not and obligations and every description of interest, whether present or future or vested or contingent, arising out of, or incidental to, property;
 - 14.1.4 'Property of the College' means all Property held by the College which is not held on any specific trust;
 - 14.1.5 'Surplus' income or Total Return means the income or the Total Return unexpended or unallocated in any year and, in relation to any Fund or Trust, unexpended or unallocated after the purposes of the Fund or Trust have been provided for in that year (whether wholly or

partly by income or capital from the Fund or Trust) so far as, in the opinion of the Governing Body, it is appropriate to so provide;

- 14.1.6 'Total Return' means investment return in terms of both income whether received or accrued and capital appreciation whether realised or unrealised;
- 14.1.7 'Trust' means Property held by trustees other than the College, with or without the College as a joint trustee, for purposes connected with the College.

14.2 This Statute, and Ordinances made under it shall apply to:

- 14.2.1 Property of the College;
- 14.2.2 a Fund, save to the extent that the terms of the relevant trust prevent such application;
- 14.2.3 a Trust, save to the extent that:
 - 14.2.3.1 the terms of the Trust prevent such application; or
 - 14.2.3.2 the trustees of the Trust are unwilling to consent to such application.

Power to acquire, manage, invest, charge, develop, transfer and dispose

- 14.3 The College shall have all the powers of a natural person of full legal capacity acting for their own benefit, in such manner and upon such terms as it in its discretion thinks fit, to acquire, manage, invest, charge, dispose of or otherwise deal with any Property to which this Statute applies.
- 14.4 Where the College considers it prudent to do so, it may manage and invest some or all of the Property to which this Statute applies as an amalgamated fund or as amalgamated funds.
- 14.5 The Governing Body may make Ordinances relating to the investment of Property to which this Statute applies and for the establishment and maintenance of reserves and other matters relating to Statute 14.

Power to borrow

- 14.6 The College may, subject to and in accordance with applicable law, borrow money and issue debt obligation for purposes authorised by law and the Governing Body may make Ordinances regulating such activities.

Power to levy fees and other charges

- 14.7 The College shall have power to levy fees or other charges for any purpose or purposes connected with the College.

Power to expend

- 14.8 The College may from time to time appropriate for expenditure so much of the

Fair Value of Property to which this Statute applies as, in its discretion, it considers is prudent in all the circumstances having regard to the Total Return achieved and reasonably expected.

- 14.9 The Governing Body may from time to time make Ordinances regulating the assessment of Fair Value and of Total Return and regulating appropriation for expenditure.

Power to accept and regulate endowments

- 14.10 The College may accept and regulate endowments for any purpose in furtherance of the interests of the College as a place of education, religion, learning and research.

- 14.11 The Governing Body may from time to time make Ordinances or decisions giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments, even though the Ordinances or decisions may be inconsistent with the other provisions of these Statutes, provided always that no such Ordinances or decisions shall derogate from any obligation imposed on the College by the University Statutes.

Surplus income or Surplus Total Return

- 14.12 Subject to Statutes 14.13 and 14.14, the Governing Body may, from time to time, to the extent permitted by law, appropriate any Surplus income or Surplus Total Return of Funds and, with the consent of the trustees, Trusts, for the purposes of the College.

- 14.13 The Governing Body may make Ordinances from time to time to regulate the appropriation and use of Surplus income or Surplus Total Return.

University contribution

- 14.14 The College shall pay annually to the University any sum required by the University Statutes to be levied from the College and Funds and Trusts may be charged, in accordance with the law, with such share of the total sum levied from the College as the Governing Body determines.

Prizes

- 14.15 The Governing Body may award a grant of money or other prize to any Junior Member who has shown distinction in his or her studies.

Charitable donations

- 14.16 The Governing Body may contribute from the Property of the College to any project or activity consistent with the charitable object of the College.

Audit

- 14.17 The College accounts shall be audited by such qualified accountant, not being a Member of the Governing Body, as may be approved by the Governing Body, and the accountant shall be requested to sign any necessary certificate.

Superannuation

- 14.18 The College will participate in such superannuation schemes as the Governing Body may determine from time to time.

STATUTE 15 THE COLLEGE SEAL

- 15.1 The College Seal shall only be attached to a document with the authority of the Governing Body previously obtained for that document or for a class of documents to which the particular document belongs.
- 15.2 The Governing Body shall prescribe by Ordinance conditions relating to the College Seal and its application.

STATUTE 16 COMMENCEMENT, REPEAL AND SAVINGS

- 16.1 These Statutes shall come into force on 1 October 2017 or on the date of their approval by Her Majesty in Council, whichever shall be the later, and on that day all Statutes of the College in force immediately before that day shall cease to have effect save as provided in this Statute and its related Ordinance.
- 16.2 The Statutes previously in force shall remain applicable to decisions of the Governing Body made under those Statutes.



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 24th February 2012, the States of Deliberation at a meeting on 25th February 2015 approved a Projet de Loi entitled the Parochial Church Property (Guernsey) Law, 2015 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the Projet de Loi is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Parochial Church Property (Guernsey) Law, 2015, and to order that it shall have force of law in the Islands of Guernsey.

“The Committee have considered the Projet de Loi and have agreed to report that it may be advisable for Your Majesty to approve and ratify it”.

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the Projet de Loi (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Island of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

Richard Tilbrook



At the Court at Buckingham Palace

THE 8th DAY OF MARCH 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The Secretary of State for Justice, after giving ten days' notice of her intention to do so, has, under the Burial Act 1853 as amended, made representation to Her Majesty in Council that, subject to the exceptions below, burials should be discontinued in St Mary the Virgin Churchyard, Orton Waterville, Peterborough (as shown hatched on the plan annexed hereto).

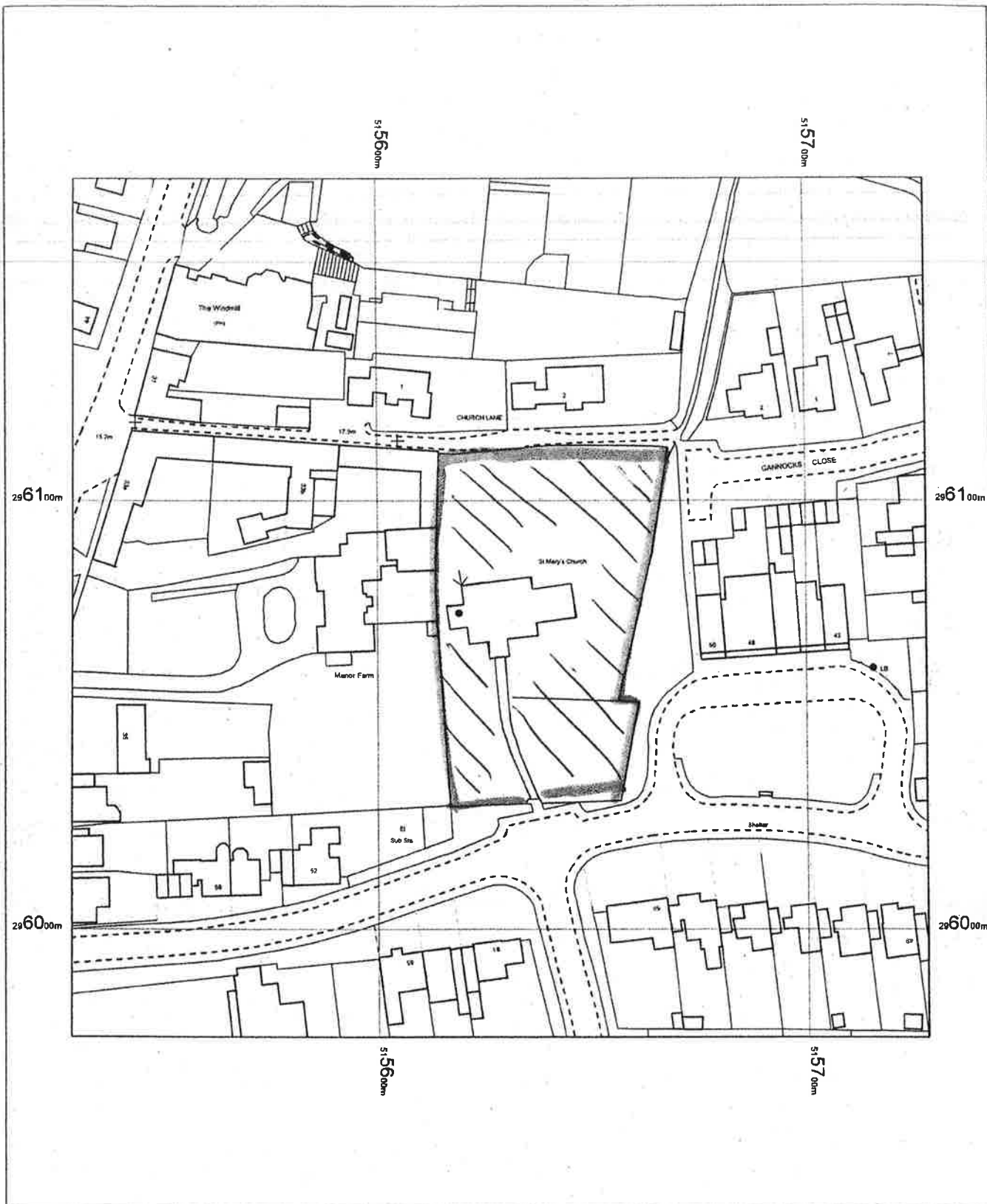
The exceptions are that:-

- a) in any vault or walled grave in the churchyard, burial may be allowed but every coffin in such vault or grave must be separately enclosed by stonework or brick work properly cemented;
- b) in any existing earthen grave in the churchyard, the burial may be allowed of the body of any member of the family of the person or persons previously buried in that grave, but no part of the coffin containing the body shall be less than one metre below the surface of the ground adjoining the grave; and
- c) in any grave space which no interment has previously taken place, the burial may be allowed of any person for whom, or any member of the family for which that grave space has been reserved and appropriated, with the exclusive right of burial there, but no part of the coffin containing the body shall be less than one metre below the level of the surface of the ground adjoining the grave.

Her Majesty in Council is pleased to give Notice of this representation and to order that they be taken into consideration by a Committee of the Privy Council on 19th April 2017.

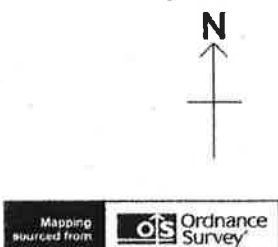
And Her Majesty is further pleased to direct that this Order should be published in the London Gazette, and that copies of it should be fixed on the door of the Church or Chapel of the above mentioned place, or displayed conspicuously inside them, for one month before 19th April 2017.

Richard Tilbrook



St Mary's Church
 Church Drive
 Orton Waterville
 Peterbrough
 PE2 5HE

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