



## DOWNING COLLEGE MIDDLE COMBINATION ROOM CONSTITUTION

As adopted on 24 June 2022 and amended on 15 July 2022.

1. The MCR shall be governed in accordance with this Constitution.
2. The MCR is a “students’ union” for the purposes of section 22 of the Education Act 1994.
3. In this Constitution:
  - 3.1 “Affiliated Student” means a person who is an affiliated student of the University of Cambridge;
  - 3.2 “Business Day” means a day other than a Saturday, Sunday or public holiday in England;
  - 3.3 “Census Membership” means the number of Members (as opposed to Students) recorded in the most recent census of Students;
  - 3.4 “Chairperson” means the person acting as chairperson of an Open Meeting in accordance with clause 74 (in respect of Ordinary Open Meetings) and clause 93 (in respect of Extraordinary Open Meetings);
  - 3.5 “Committee Motion” has the meaning ascribed in clause 65;
  - 3.6 “Committee Petition” means a petition proposed by the MCR Committee for a question to be put to the Members in a Referendum;
  - 3.7 “College” means Downing College;
  - 3.8 “Co-President” means the person elected in accordance with clause 15 to 39 to that office;
  - 3.9 “DCAC” means Downing College Amalgamation Club or any successor body;
  - 3.10 “DCAC Committee” means the committee of the DCAC;
  - 3.11 “Dean” means the dean of the College;

- 3.12 "Extraordinary Committee Motion" has the meaning ascribed in clause 90;
- 3.13 "Extraordinary Member Motion" has the meaning ascribed in clause 91;
- 3.14 "Extraordinary Open Meeting" means a meeting of the Members held in accordance with clauses 87 to 105;
- 3.15 "Emergency Motion" has the meaning ascribed in clause 70;
- 3.16 "Financial Year" means the financial year of the College;
- 3.17 "Full Term" means a full term of the University of Cambridge;
- 3.18 "Junior Treasurer" means the person elected in accordance with clause 15 to 39 to that office;
- 3.19 "GPC" means the General Purposes Committee of the College or any successor body;
- 3.20 "Graduate Tutor" means person appointed to the office of Tutor by the Governing Body who is assigned to act as Tutor to one or more postgraduate students;
- 3.21 "Master" means the master of the College;
- 3.22 "Member" means a Student who has not opted out of membership of the MCR or ceased to be a member of the MCR in accordance with clause 5;
- 3.23 "Member Motion" has the meaning ascribed in clause 67;
- 3.24 "MCR" means the Middle Combination Room of the College;
- 3.25 "MCR Committee" means the committee consisting of the Officers as set out in clause 47;
- 3.26 "Officers" means the officers of the MCR as set out at clause 10;
- 3.27 "Open Meeting" means an Ordinary Open Meeting or an Extraordinary Open Meeting;
- 3.28 "Ordinance" means an ordinance of the College;
- 3.29 "Ordinary Open Meeting" means a meeting of the Members held in accordance with clauses 62 to 85;
- 3.30 "Petition" means a Referendum Petition, a Committee Petition or a Funding Petition;
- 3.31 "Point of Order" means a point of order in relation to the procedure of a meeting;
- 3.32 "President" means the person elected in accordance with clause 15 to 39 to that office;

- 3.33 "Recall Motion" has the meaning ascribed in clause 69;
  - 3.34 "Referendum" means a referendum of Members held in accordance with clauses 106 to 134;
  - 3.35 "Referendum Committee" means a committee consisting of the President, the Vice-President and the Junior Treasurer;
  - 3.36 "Referendum Petition" means the meaning ascribed in clause 107;
  - 3.37 "Returning Officer" means:
    - 3.37.1 the President;
    - 3.37.2 in the event that the President for the time being is a candidate in the election concerned or a conflict of interests otherwise arises in respect of the President acting, a Graduate Tutor appointed by the Senior Tutor of the College; or
    - 3.37.3 such other person where this is provided for by this Constitution;
  - 3.38 "Senior Treasurer" means the senior treasurer of the DCAC;
  - 3.39 "SFSC" means the Student Facilities and Societies Committee of the College;
  - 3.40 "Standing Order" means a standing order passed by an Open Meeting setting out rules and regulations for the operation of the MCR;
  - 3.41 "Statute" means a statute of the College;
  - 3.42 "Student" means
    - 3.42.1 any postgraduate student of the College undertaking any postgraduate course, and
    - 3.42.2 any student of the College who is an Affiliated Student;
  - 3.43 "University Ordinance" means an ordinance of the University of Cambridge; and
  - 3.44 "Vice-President" means the person elected in accordance with clause 15 to 39 to office;
4. In this Constitution:
- 4.1 any reference to "in writing" shall include by email;
  - 4.2 where any document is required to be signed, such signature may be by electronic signature.

## Membership

5. Every Student has at any time the right to opt out of being, or to cease to be, a Member. Such right may be exercised by notifying the Vice-President by email. The date on which such right is deemed to be exercised shall be the date on such email is delivered.
6. Any Student who is not a Member (including any Student who was previously a Member) may at any time notify the Vice-President by email that they wish to become a Member. Such Student's membership of the MCR shall commence or, as the case may, be re-commence, on the date on which such email is delivered.
7. Any entitlement of a Member to vote under this Constitution may be exercised by any person who is Member on the date on which the vote takes place.
8. No Student who has exercised any right referred to in clause 5 shall be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their exercise of such right.
9. The Vice-President shall ensure that an up-to-date register of all Members is maintained with a record of their email addresses.

## Officers of the MCR

10. The Officers of the MCR are:
  - 10.1 the President
  - 10.2 the Vice-President;
  - 10.3 the Junior Treasurer;
  - 10.4 the individuals elected to such other offices as may be provided for in a Standing Order from time to time; and
  - 10.5 where the circumstances referred to in clause 12 arise, the Co-President.
11. No person shall be eligible to be an Officer unless they are a Member.
12. In respect of the office of President only, two individuals may stand as joint candidates and be elected to that office at the same time. In that event, during the relevant term of office, one person only shall serve as President at any one time and the other person shall serve as Co-President.
13. Subject to clause 12, no person may concurrently serve in more than one position of an Officer save that an Officer may be co-opted to fill a vacant role in accordance with clause 21.1.2 or clause 44.2.
14. The responsibilities of each Officer shall be set out in a Standing Order.

## Election of Officers

15. The Officers shall be elected at the end of each Michaelmas Term. Their terms of office shall commence one week after their election. Those elected shall serve for a period twelve months.
16. All Members shall be eligible to stand for election as Officers. Planned absences from Cambridge during the term of office, for periods longer than four consecutive weeks, must be disclosed before voting.
17. The Returning Officer shall decide on the date of the election save that no election shall take place outside of Full Term.
18. No later than ten days before the date of the election, the Returning Officer shall publish by way of email to all Members:
  - 18.1 the date of the election;
  - 18.2 the means by which nominations for candidates are to be submitted; and
  - 18.3 the date by which nominations are to be submitted.
19. No nomination shall be accepted by the Returning Officer unless it is signed by a proposer, seconder and the nominee, all of whom shall be Members.
20. Within two days of the close of nominations, the Returning Officer shall notify all Members of the names of those nominated for election.
21. If, at close of nominations:
  - 21.1 the Returning Officer has received no valid nominations, the MCR Committee shall either:
    - 21.1.1 publish the date of fresh elections by way of email to all Members and issue a further call for nominations in accordance with clause 18; or
    - 21.1.2 co-opt a Member or Members to fill that role until the expiry of that term of office.
  - 21.2 the Returning Officer has received no more than one valid nomination, the Returning Officer shall declare the candidate concerned duly elected without the need for an election to be held; or
  - 21.3 the Returning Officer has received more than one valid nomination, an election shall be held in accordance with clauses 22 to 39.
22. Any election shall be conducted as follows:
  - 22.1 All campaigning must take place in accordance with the rules and policies of the College.
  - 22.2 All Members shall be entitled to one vote. Voting shall be conducted through the single transferable vote system.

- 22.3 Voting shall normally be conducted by secret ballot on an on-line voting system. The use any of any other electoral system shall be permitted only in exceptional circumstances with the approval of the GPC.
- 22.4 The Returning Officer shall:
  - 22.4.1 be responsible for supervising the election;
  - 22.4.2 with two witnesses who are Members (but who are not candidates in the election concerned), verify the counting of votes;
  - 22.4.3 declare the candidate who achieved the highest number of votes as duly elected;
  - 22.4.4 publish the result of the election by way of email to all Members; and
  - 22.4.5 retain evidence of the count for at least fourteen days.
23. In the event of a tie, the Returning Officer shall draw lots between the candidates who achieved the equal highest number of votes. The Returning Officer shall declare the candidate whose name is drawn as duly elected.
24. Any complaint concerning:
  - 24.1 the conduct of an election (including, but not limited to, the election process, organisation or polling);
  - 24.2 the conduct of candidates;
  - 24.3 the conduct of campaigning; or
  - 24.4 the conduct of the countmust be submitted in writing to the Senior Treasurer within three Business Days of the completion of the count.
25. The Senior Treasurer shall notify the Returning Officer in writing within one Business Day of receipt of a complaint referred to in clause 24.
26. The Senior Treasurer:
  - 26.1 shall investigate the complaint and, for those purposes, may consult with the Senior Tutor and the Senior Bursar; and
  - 26.2 may reject or uphold the complaint.
27. The Senior Treasurer shall, within 7 days of his/her receipt of notification of the complaint shall publish his/her decision in relation to the complaint by email to all Members.
28. In the event that the Senior Treasurer rejects the complaint, the election of the person concerned shall stand.

29. In the event that the Senior Treasurer upholds the complaint and certifies that the matter complained of affected the result of the election:
  - 29.1 the person concerned shall not take office until and unless such decision is reversed by the Master on appeal; and
  - 29.2 the Senior Treasurer may:
    - 29.2.1 direct that any Student whose conduct was the subject of the complaint shall be disqualified from standing as a candidate in the re-run election and/or in any future election to the MCR Committee; and/or
    - 29.2.2 refer any Student whose conduct was the subject of the complaint to the Dean.
30. In the event that the Senior Treasurer upholds the complaint and certifies that he/she considers that the matter complained of did not affect the result of the election:
  - 30.1 the election of the person concerned shall stand;
  - 30.2 the Senior Treasurer may:
    - 30.2.1 direct that any one or more candidates whose conduct was the subject of the complaint shall be disqualified from standing as a candidate in the re-run election and/or in any future election to the MCR Committee; and/or
    - 30.2.2 refer any Student whose conduct was the subject of the complaint to the Dean.
31. An appeal may be made:
  - 31.1 by any person who submitted the complaint against any decision of the Senior Treasurer made pursuant to clause 28, 29 or 30;
  - 31.2 by any person against whom any direction has been made by the Senior Treasurer pursuant to clauses 29.2.1 or 30.2.1 against such direction; or
  - 31.3 by any person against whom any referral has been made by the Senior Treasurer pursuant to clauses 29.2.2 or 30.2.2 against such referralto the Master in writing within 72 hours of the date of the publication of such decision, direction or referral.
32. In event that an appeal is made to the Master, the Master:
  - 32.1 shall investigate and consider anew the matter under appeal; and
  - 32.2 may uphold or reverse the decision of the Senior Treasurer or any part of the such decision.

33. The Master shall, within 7 days of his/her receipt of notification of the appeal publish his/her decision in relation to the appeal by way of email to all Members.

34. In the event that either:

34.1 no appeal is made to the Master within the period specified in clause 31 in respect of a decision of the Senior Treasurer pursuant to clause 29 that the matter complained of affected the result of the election; or

34.2 on an appeal, the Master upholds such decision; or

34.3 on an appeal, the Master overturns a decision of the Senior Treasurer to reject the complaint and the Master decides that the matter complained of affected the result of the election:

then

34.3.1 the election of the person concerned shall be null and void; and

34.3.2 the election shall be re-run in accordance with clauses 16 to 40 but such that the poll shall be held no later than thirty days after the publication referred to in clause 22.4.4 save that no days falling outside of Full Term shall be included in such period.; and

35. In the event that:

35.1 no appeal is made to the Master within the period specified in clause 31 in respect of a decision of the Senior Treasurer pursuant to clause 30 that the matter complained of did not affect the result of the election;

35.2 on appeal, the Master reverses a decision of the Senior Treasurer pursuant to clause 29 that the matter complained of affected the result of the election; or

35.3 on appeal, the Master overturns a decision of the Senior Treasurer to reject the complaint and the Master decides that the matter complained of did not affect the result of the election

the result of the election shall stand.

36. In the event that on appeal the Master upholds:

36.1 any direction by the Senior Treasurer pursuant to clauses 29.2.1 or 30.2.1; or

36.2 any referral by the Senior Treasurer pursuant to clauses 29.2.2 or 30.2.2  
such direction or referral shall stand.

37. In the event that on appeal the Master reverses:

37.1 any direction by the Senior Treasurer pursuant to clauses 29.2.1 or 30.2.1; or



37.2 any referral by the Senior Treasurer pursuant to clauses 29.2.2 or 30.2.2 such direction or referral shall be of no effect.

38. In the event that on appeal the Master overturns a decision of the Senior Treasurer to reject the complaint, the Master may exercise any of the powers referred to in clause 29.2.1 and/or clause 29.2.2 whether or not the Master considers that the matter complained of affected the result of the election.
39. No right of appeal lies against any decision of the Master.
40. A report on the conduct and outcome of any elections of Officers shall be submitted by the Returning Officer to the Senior Treasurer within 7 days of the date of the election. The Senior Treasurer shall report on such matters (including any complaints received and their outcome) at the next meeting of the Governing Body or any committee of the College to which the Governing Body may from time to time empower to receive such reports.

### **Resignation, recall and vacancies**

41. Any Officer may resign by giving immediate notice to the Vice-President or, in the case of the Vice-President resigning, to the President.
42. In the event that any Officer:
  - 42.1 fails to attend any three consecutive meetings of the JCR Committee in any one term, without good reason approved by the JCR Committee;
  - 42.2 intermits from their studies; or
  - 42.3 is granted permission by the College to keep term by residence outside the precincts of the University, where “keep term by residence” and “outside the precincts of the University” have the meanings ascribed to them by the University Ordinances;the Officer shall be deemed to have resigned and shall be ineligible to stand again for election as an Officer until the following academic year.
43. In the event that a Recall Motion is passed by an Open Meeting, the Officer or Officers who are the subject of such motion shall cease to hold office from the time of the passing of such motion and shall be ineligible to stand again for election as an Officer.
44. In the event that a vacancy arises during the term of office of any Officer, the MCR Committee shall either:
  - 44.1 call elections to fill the vacant positions; or
  - 44.2 co-opt a Member or Members to fill that role until the expiry of that term of office.

45. If the number of Officers is less than the number fixed as the quorum for meetings of the MCR Committee, the continuing Officer or Officers may act only for the purposes of exercising the powers set out in clause 44.
46. In the event that no Officer is in office, the Senior Treasurer shall assume the powers of all of the Officers but only as shall be necessary to:
  - 46.1 carry out elections to the MCR Committee and, in the event of such elections, the Senior Treasurer shall appoint a Graduate Tutor or his/her nominee to act as Returning Officer; or
  - 46.2 otherwise protect the interests of the MCR.

### **MCR Committee**

47. The MCR Committee shall consist of the Officers
48. The duties of the MCR Committee shall be to undertake the general management of the MCR and in particular:
  - 48.1 to provide social and recreational activities for MCR members and for such of those Students who have opted out of membership who wish to access such services;
  - 48.2 to represent the interests of the Members;
  - 48.3 to nominate representative(s) of the MCR on any committees established within the College on which such representation is provided for;
  - 48.4 to provide advice on welfare issues such as accommodation to Members and for such of those Students who have opted out of membership who wish to access such services; and
  - 48.5 to submit to the DCAC the budgets and accounts of the MCR.
49. The MCR Committee may make all decisions in relation to the affairs of the MCR subject to:
  - 49.1 any decision of an Open Meeting; and
  - 49.2 the provisions of this Constitution.

### **Meetings of the MCR Committee**

50. The MCR Committee may regulate its proceedings as it thinks fit, subject to the provisions of this Constitution.
51. Meetings of the MCR Committee shall be held as often as the MCR Committee shall decide but in any event not less than twice in each Full Term.
52. Any Officer who is unable to attend a meeting of the MCR Committee shall provide a written apology to the Vice-President before the meeting.

53. Each Officer shall have one vote in respects of questions arising at a meeting of the MCR Committee which shall be decided by a majority of votes.
54. In the case of an equality of votes, the person who is chairing the meeting shall have a second or casting vote.
55. No business may be transacted at a meeting of the MCR Committee unless a quorum is present.
56. The quorum for meeting of the MCR Committee shall be three.
57. Meetings shall be chaired by the President or, in his/her absence, a member elected by the MCR Committee from among the Officers.
58. Each Officer shall abide by any Ordinance with regard to the management of conflicts of interest.
59. Meetings of the MCR Committee may be held by suitable electronic means agreed by the Officers in which each participant may communicate with all the other participants.
60. The Vice-President shall ensure that minutes of each meeting of the MCR Committee are taken (including records of decisions made) and that copies are sent to all Members by email.

### **Ordinary Open Meetings**

61. The MCR Committee shall call an Ordinary Open Meeting at least once during each academic year.
62. No later than fourteen days' prior to the date of an Ordinary Open Meeting, the Vice-President shall give notice by e-mail to all Members of the date on which the Ordinary Open Meeting will be held.
63. Subject to clauses 77 to 84, the following types of motions may be submitted for debate and vote at an Ordinary Open Meeting:
  - 63.1 Committee Motion;
  - 63.2 Member Motion;
  - 63.3 Recall Motion; and
  - 63.4 Emergency Motion.
64. To be eligible for debate and vote at an Ordinary Open Meeting, the wording of a motion shall consist of no more than one hundred words.

### **Committee Motions**

65. A Committee Motion is a motion for debate and vote at an Ordinary Opening Meeting which has been proposed by the MCR Committee (which, for the avoidance of doubt, may include a proposal for the removal from office of one or more Officers).

66. The MCR Committee may submit any number of Committee Motions for debate and vote at an Ordinary Open Meeting.

#### Member Motions

67. A Member Motion is a motion for debate and vote at an Opening Meeting which:
- 67.1 is in writing and signed by a Member;
  - 67.2 is seconded and signed by one other Member; and
  - 67.3 is delivered to the Vice-President no later than five days before the date of the Ordinary Open Meeting.
68. Any Member may:
- 68.1 submit no more than one Member Motion; or
  - 68.2 second no more than one Member Motion
- for debate and vote at any one Ordinary Open Meeting.

#### Recall Motions

69. A Recall Motion is either:
- 69.1 a Committee Motion which proposes the removal from office of one or more Officers; or
  - 69.2 which:
    - 69.2.1 is in writing and signed by a Member;
    - 69.2.2 is seconded and signed by not less than fifteen per cent of the Census Membership;
    - 69.2.3 proposes the removal from office of one or more Officers; and
    - 69.2.4 is either:
      - (a) delivered to the Vice-President no later than five days before the date of an Ordinary Open Meeting; or
      - (b) delivered to the Vice-President in accordance with clause 87.2.

#### Emergency Motions

70. An Emergency Motion is a motion for debate and vote at an Opening Meeting which:
- 70.1 an Officer or Member has submitted to the Vice-President by email no later than the Chairperson declares the Ordinary Open Meeting closed;

70.2 does not constitute a proposal for the expenditure or donation of funds of the MCR; and

70.3 in the opinion of the Chairperson, having regard to:

70.3.1 the urgency of the subject-matter of the proposed motion; and

70.3.2 whether the proposed motion could reasonably have been submitted in time for debate and vote at the Ordinary Open Meeting as a Committee Motion or as a Member Motion;

is a motion which ought to be debated and voted on at the Ordinary Open Meeting.

71. Any Member may:

71.1 submit no more than one proposed motion; or

71.2 second no more than one proposed motion

which he/she wishes to be treated as an Emergency Motion.

#### Notice of motions

72. No later than three days' prior to the date of the Ordinary Open Meeting, the Vice-President shall send by email to all Members:

72.1 the agenda for the Ordinary Open Meeting;

72.2 the minutes of the last Ordinary Open Meeting;

72.3 copies of any motion submitted for debate and vote at the Ordinary Open Meeting; and

72.4 copies of any report which the MCR Committee will present to the Ordinary Open Meeting.

73. In the event that:

73.1 no motions have been submitted for debate and vote at the Ordinary Open Meeting; and

73.2 the MCR Committee does not intend to present any reports to the Ordinary Open Meeting

the Vice-President shall give notice by email to all Members that the meeting has been cancelled.

#### Conduct of Ordinary Open Meetings

74. The Chairperson shall be the President, except in the event that the President contributes to the motion under consideration, in which case another Officer shall act as Chairperson temporarily.

75. The quorum for Ordinary Open Meetings shall be at least twenty Members or one-twentieth of the Census Membership, whichever is the greater.
76. Business shall be conducted at Ordinary Open Meetings in the following order and as follows:

76.1 Minutes

- 76.1.1 Members shall be given the opportunity to raise questions and submit amendments to the minutes of the last Ordinary Open Meeting.
- 76.1.2 The minutes of the last Ordinary Open Meeting (and, if an Extraordinary Open Meeting has taken place since the last Ordinary Open Meeting, the minutes of that meeting) shall be submitted for approval by vote.

Matters arising from the last Ordinary Open Meeting

- 76.1.3 Officers shall report to the Ordinary Open Meeting on any matters arising from the last Ordinary Open Meeting (and, if an Extraordinary Open Meeting has taken place since the last Ordinary Open Meeting, on any matters arising from that meeting).

76.2 MCR Committee reports

- 76.2.1 Opportunity shall be given to MCR Committee members to inform Members of any new business undertaken or to make general announcements or suggestions. Opportunity shall also be given to Members to question the Officers.

76.3 Debate and vote on motions

- 76.3.1 Subject to clauses 77 to 84, motions shall be debated and voted in the following order:
- (a) any Committee Motions;
  - (b) any Member Motions (in the order in which they were submitted to the Vice-President); and
  - (c) any Emergency Motions (in the order in which they were submitted to the Vice-President).
- 76.3.2 Debates on a motion shall be conducted as follows:
- (a) An Officer (in the case of a Committee Motion) or the Member who proposed the Member Resolution or Emergency Resolution shall be invited by the Chairperson to make a proposing speech. The proposer of any motion has the right to nominate another

- Member to deliver the speech of proposal in his/her stead.
- (b) If the motion is a Recall Motion, the Officer or Officers who are the subject of the motion shall be invited by the Chairperson to speak.
  - (c) Any Member may propose an amendment to any motion at any time before the motion is voted on. Any proposed amendment shall be dealt with as follows:
    - (i) The Chairperson shall permit the amendment to be debated and voted unless the Chairperson considers that the proposed amendment substantially changes the content of the existing motion.
    - (ii) If the Chairperson permits the amendment to be debated and voted on, such debate and vote shall take place before the vote on the motion itself.
    - (iii) The debate on any amendment shall be conducted in the manner provided for in this Constitution and in any Standing Order.
    - (iv) The vote on the amendment shall be conducted in the manner provided in this Constitution and in any Standing Order.
    - (v) If more than one amendment is proposed and allowed by the Chairperson to be debated and voted on, each proposed amendment shall be debated and voted on in the order in which they are submitted to the Chairperson.
  - (d) Subject to any procedural motion, any vote at an Ordinary Open Meeting shall be by a show of hands. Any motion or amendment to a motion is passed by a simple majority of Members present and voting.

#### 76.4 Any other business

- 76.4.1 The Chairperson shall invite the Members present to raise any other business.

#### Points of Order and procedural motions

- 77. Any Member present at an Ordinary Open Meeting may raise a Point of Order in relation to the procedure of the meeting at any time during the meeting save for during the course of a speech or vote unless the Point of Order relates to the conduct of the speaker or of the vote.

78. In the event that a Member raises a Point of Order, the Chairperson shall rule on such Point of Order before further business is transacted.
79. In the event that more than one Point of Order is raised at the same time, the Chairperson shall rule on them in the following order:
  - 79.1 request for a quorum count;
  - 79.2 request for a ruling or interpretation;
  - 79.3 request for a re-vote;
  - 79.4 any other Point of Order.
80. Any Member present at an Ordinary Open Meeting may raise a procedural motion that:
  - 80.1 the meeting has no confidence in the Chairperson;
  - 80.2 a ruling of the Chairperson be overturned;
  - 80.3 a vote of the meeting be by secret ballot;
  - 80.4 the meeting be adjourned or closed;
  - 80.5 the question as specified now be put;
  - 80.6 the question as specified be not put;
  - 80.7 the question as specified be adjourned to later in the same meeting, or at a later meeting;
  - 80.8 that the question be remitted to another body or person;
  - 80.9 that the question as specified be voted on in parts.
81. No procedural motion shall be accepted by the Chairperson unless it is supported by ten Members present at the meeting.
82. Save for the matters referred to at clause 80.9 any procedural motion shall require a simple majority of Members present and voting to pass.
83. Any procedural motion in respect of the matters referred to at clause 80.9 shall require a majority of two-thirds of Members present and voting to pass.
84. In the event that a procedural motion in respect of the matters referred to at clause 80.9 is passed, the Chairperson shall ensure that voting on the question shall take place on the separate parts as determined by such motion.

#### Minutes

85. The Vice-President shall send copies of the minutes of each Ordinary Open Meeting within seven days by email to all Members and the Senior Treasurer.



## **Extraordinary Open Meetings**

86. An Extraordinary Open Meeting may be called by the MCR Committee at any time during Full Term.
87. In the event that either a written demand for an Extraordinary Open Meeting which:
  - 87.1 in relation to any matter other than a proposal for the removal from office of one or more Officers, is accompanied by an Extraordinary Member Motion; or
  - 87.2 in relation a proposal for the removal from office of one or more Officers, is accompanied by a motion complying with clauses 69.2.1 to 69.2.3 (in which event the motion shall constitute a Recall Motion)is submitted by email to the Vice-President, the MCR Committee shall call an Extraordinary Open Meeting to be held within ten days' of receipt of the demand save that no Extraordinary Open Meeting shall take place outside of Full Term.
88. The following types of motions may be submitted for debate and vote at an Extraordinary Open Meeting:
  - 88.1 Extraordinary Committee Motion;
  - 88.2 Extraordinary Member Motion; and
  - 88.3 Recall Motion.
89. To be eligible for debate and vote at an Extraordinary Open Meeting, the wording of a motion shall consist of no more than one hundred words.

## Extraordinary Committee Motions

90. An Extraordinary Committee Motion is a motion for debate and vote at an Extraordinary Opening Meeting which has been proposed by the MCR Committee (which, for the avoidance of doubt, may include a proposal for the removal from office of one or more Officers).

## Extraordinary Member Motions

91. An Extraordinary Member Motion is a motion for debate and vote at an Extraordinary Opening Meeting which:
  - 91.1 is in writing and signed by a Member; and
  - 91.2 is seconded and signed by at least five per cent of the Census Membership.

## Notice of motions

92. In the event that the MCR Committee call an Extraordinary Open Meeting pursuant to clause 86 or 87, no later than three days' prior to the date of the Extraordinary Open Meeting, the Vice-President shall give notice by way of email to all Members of:

- 92.1 the date on which the Extraordinary Open Meeting will be held; and
- 92.2 copies of any motion submitted for debate and vote at the Extraordinary Open Meeting.

#### Conduct of Extraordinary Open Meetings

- 93. The Chairperson shall be the President, except in the event that the President contributes to the motion under consideration, in which case another Officer shall act as Chairperson temporarily.
- 94. The quorum for Extraordinary Open Meetings shall be at least twenty Members or one-twentieth of the Census Membership, whichever is the greater.
- 95. No other matter than the motion set out in the Extraordinary Committee Motion, the Extraordinary Member Motion or the Recall Motion (as the case may be) shall be transacted at the Extraordinary Open Meeting.
- 96. Debates on the motion shall be conducted as follows:
  - 96.1 An Officer (in the event that the meeting was called pursuant to clause 86) or a Member who signed the demand for an Extraordinary Open Meeting (in the event that the meeting was called pursuant to clause 87) shall be invited by the Chairperson to make a proposing speech. The proposer of any motion has the right to nominate another Member to deliver the speech of proposal in his/her stead.
  - 96.2 If the motion is a Recall Motion, the Officer or Officers who are the subject of the motion shall be invited by the Chairperson to speak.
  - 96.3 Any Member may propose an amendment to any motion at any time before the motion is voted on. Any proposed amendment shall be dealt with as follows:
    - 96.3.1 The Chairperson shall permit the amendment to be debated and voted unless the Chairperson considers that the proposed amendment substantially changes the content of the existing motion.
    - 96.3.2 If the Chairperson permits the amendment to be debated and voted on, such debate and vote shall take place before the vote on the motion itself.
    - 96.3.3 The debate on any amendment shall be conducted in the manner provided for in this Constitution and in any Standing Order.
    - 96.3.4 The vote on the amendment shall be conducted in the manner provided for in this Constitution and in any Standing Order.
    - 96.3.5 If more than one amendment is proposed and allowed by the Chairperson to be debated and voted on, each proposed

amendment shall be debated and voted on in the order in which they are submitted to the Chairperson.

- 96.4 Subject to any procedural motion, any vote at an Ordinary Open Meeting shall be by a show of hands. Subject to clause 146, any motion is passed by a simple majority of Members present and voting.

#### Points of Order and procedural motions

97. Any Member present at an Extraordinary Open Meeting may raise a Point of Order in relation to the procedure of the meeting at any time during the meeting save for during the course of a speech or vote unless the Point of Order relates to the conduct of the speaker or of the vote.
98. In the event that a Member raises a Point of Order, the Chairperson shall rule on such Point of Order before further business is transacted.
99. In the event that more than one Point of Order is raised at the same time, the Chairperson shall rule on them in the following order:
- 99.1 request for a quorum count;
  - 99.2 request for a ruling or interpretation;
  - 99.3 request for a re-vote;
  - 99.4 any other Point of Order.
100. Any Member present at an Extraordinary Open Meeting may raise a procedural motion that:
- 100.1 the meeting has no confidence in the Chairperson;
  - 100.2 a ruling of the Chairperson be overturned;
  - 100.3 a vote of the meeting be by secret ballot;
  - 100.4 the meeting be adjourned or closed;
  - 100.5 the question as specified now be put;
  - 100.6 the question as specified be not put;
  - 100.7 the question as specified be adjourned to later in the same meeting, or at a later meeting;
  - 100.8 that the question be remitted to another body or person;
  - 100.9 that the question as specified be voted on in parts.
101. No procedural motion shall be accepted by the Chairperson unless it is supported by ten Members present at the meeting.

102. Save for the matters referred to at clause 100.9, any procedural motion shall require a simple majority of Members present and voting to pass.
103. Any procedural motion in respect of the matters referred to at clause 100.980.9 shall require a majority of two-thirds of Members present and voting to pass.
104. In the event that a procedural motion in respect of the matters referred to at clause 100.980.9 is passed, the Chairperson shall ensure that voting on the question shall take place on the separate parts as determined by such motion.

### Minutes

105. The Vice-President shall send by email copies of the minutes of each Extraordinary Open Meeting within seven days to all Members and the Senior Treasurer.

### **Referenda**

106. In the event that:
  - 106.1 a Member presents by email a Referendum Petition to the Vice-President;  
or
  - 106.2 the MCR Committee adopts a Committee Petition;the Referendum Committee shall hold a Referendum on the proposal set out in the Petition in accordance with clauses 108 – 116.
107. A Referendum Petition is a demand in writing for the holding of a Referendum which
  - 107.1 sets out on the question or questions which it is demanded is or are to be put to a Referendum;
  - 107.2 is signed by not less than five per cent of the Census Membership (rounded down to the nearest whole number); and
  - 107.3 delivered to the Vice-President by email.
108. Subject to clauses 109 and 110, the Referendum shall be held within ten days of the receipt of the Petition.
109. In the event that a Referendum Petition is presented or adopted (as provided for by clause 106):
  - 109.1 within the last ten days of Full Term; or
  - 109.2 after the division of Easter Termthe Referendum on such Petition shall be held within the first fourteen days of the following Full Term.
110. No Referendum shall be held outside Full Term.

111. No later than five days before the date of the Referendum, the Referendum Committee shall by email to all Members:
  - 111.1 give notice of the date on which the Referendum will be held;
  - 111.2 send a copy of the proposal set out in the Petition; and
  - 111.3 provide an explanation of how the Referendum will be conducted and how Members will be able to vote in the Referendum.
112. The Referendum shall be conducted online. Voting shall be open to Members between 08.00 and 20.00 on the day on which the Referendum is held.
113. The proposal set out in the Petition shall be passed if a majority of Members voting voted in favour of the Petition.
114. The Referendum Committee shall publish on the MCR's website the result of the Referendum within 24 hours of the close of voting.
115. The result of the Referendum shall be binding on the MCR Committee and the MCR Committee shall take such steps may be required to implement the result of the referendum
116. The Vice-President shall notify by email the result of any Referendum within seven days to all Members and the Senior Treasurer. The Senior Treasurer shall report on the result of any Referendum at the next meeting of the Governing Body.
117. Any complaint concerning:
  - 117.1 the conduct of a Referendum (including, but not limited to, the Referendum process, organisation or polling);
  - 117.2 the conduct of any person in relation to the Referendum;
  - 117.3 the conduct of campaigning; or
  - 117.4 the conduct of the countmust be submitted in writing to the Senior Treasurer within 72 hours of the completion of the count.
118. The Senior Treasurer shall notify the Referendum Committee in writing within 24 hours of receipt of a complaint referred to in clause 117.
119. The Senior Treasurer:
  - 119.1 shall investigate the complaint and, for those purposes, may consult with the Senior Tutor and the Senior Bursar; and
  - 119.2 may reject or uphold the complaint.
120. The Senior Treasurer shall, within 7 days of his/her receipt of notification of the complaint shall publish his/her decision in relation to the complaint by email to all Members.

121. In the event that the Senior Treasurer rejects the complaint, the result of the Referendum shall stand.
122. In the event that the Senior Treasurer upholds the complaint and certifies that the matter complained of affected the result of the Referendum:
  - 122.1 the result of the Referendum shall be of no effect until and unless such decision is reversed by the Master on appeal; and
  - 122.2 the Senior Treasurer may refer any Student whose conduct was the subject of the complaint to the Dean.
123. In the event that the Senior Treasurer upholds the complaint and certifies that he/she considers that the matter complained of did not affect the result of the Referendum:
  - 123.1 the result of the Referendum shall stand;
  - 123.2 the Senior Treasurer may refer any Student whose conduct was the subject of the complaint to the Dean.
124. An appeal may be made:
  - 124.1 by any person who submitted the complaint against any decision of the Senior Treasurer made pursuant to clause 121, 122 or 123;
  - 124.2 by any person against whom any referral has been made by the Senior Treasurer pursuant to clauses 122.2 or 123.2 against such referralto the Master in writing within 72 hours of the date of the publication of such decision, direction or referral.
125. In event that an appeal is made to the Master, the Master:
  - 125.1 shall investigate and consider anew the matter under appeal; and
  - 125.2 may uphold or reverse the decision of the Senior Treasurer or any part of the such decision.
126. The Master shall, within 7 days of his/her receipt of notification of the appeal publish his/her decision in relation to the appeal by way of email to all Students.
127. In the event that either:
  - 127.1 no appeal is made to the Master within the period specified in clause 124 in respect of a decision of the Senior Treasurer pursuant to clause 122 that the matter complained of affected the result of the Referendum; or
  - 127.2 on an appeal, the Master upholds such decision; or

127.3 on an appeal, the Master overturns a decision of the Senior Treasurer to reject the complaint and the Master decides that the matter complained of affected the result of the Referendum:

then

127.3.1 the result of the Referendum shall be null and void; and

127.3.2 the Referendum shall be re-run in accordance with clauses 108 to 116 but such that the poll shall be held no later than thirty days after the publication referred to in clause 114 save that no days falling outside of Full Term shall be included in calculating such period.

128. In the event that:

128.1 no appeal is made to the Master within the period specified in clause 124 in respect of a decision of the Senior Treasurer pursuant to clause 123 that the matter complained of did not affect the result of the Referendum;

128.2 on appeal, the Master reverses a decision of the Senior Treasurer pursuant to clause 122 that the matter complained of affected the result of the Referendum; or

128.3 on appeal, the Master overturns a decision of the Senior Treasurer to reject the complaint and the Master decides that the matter complained of did not affect the result of the Referendum

the result of the Referendum shall stand.

129. In the event that on appeal the Master upholds any referral by the Senior Treasurer pursuant to clauses 122.2 or 123.2 such referral shall stand.

130. In the event that on appeal the Master reverses any referral by the Senior Treasurer pursuant to clauses 122.2 or 123.2 such referral shall be of no effect.

131. In the event that on appeal the Master overturns a decision of the Senior Treasurer to reject the complaint, the Master may refer any Student whose conduct was the subject of the complaint to the Dean whether or not the Master considers that the matter complained of affected the result of the Referendum.

132. No right of appeal lies against any decision of the Master.

133. A report on the conduct and outcome of any Referendum shall be submitted by the Returning Officer to the Senior Treasurer within 7 days of the date of the Referendum. The Senior Treasurer shall report on such matters (including any complaints received and their outcome) at the next meeting of the Governing Body or any committee of the College to which the Governing Body may from time to time empower to receive such reports.

## Accounts

134. The Junior Treasurer shall by such date as the GPC shall specify send by email to:

134.1 each Member; and

134.2 the Senior Treasurer

the accounts and financial report for the MCR in relation to the preceding Financial Year. The Senior Treasurer shall present the accounts and the financial report to the next meeting of the Governing Body or of such committee of the College that the Governing Body has empowered to receive such accounts and reports.

135. The financial report shall include:

135.1 a list of the external organisations to which the MCR has made donations in the period to which the report relates; and

135.2 details of those donations.

### **Affiliation to external organisations**

136. If the MCR decides to affiliate to an external organisation, the Vice-President shall within 7 days of the making of such decision shall send email to:

136.1 each Student; and

136.2 the Senior Treasurer;

notice of the decision stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation, The Senior Treasurer shall present such matters to the next meeting of the Governing Body or of such committee of the College that the Governing Body has empowered to receive such matters.

137. Where the MCR is affiliated to any external organisations, the MCR Committee shall not less than every twelve months send by email to

137.1 each Student;

137.2 the Senior Treasurer;

containing a list of the external organisations to which the union is currently affiliated and details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report).

138. The MCR Committee shall ensure that once each academic year the current list of affiliations is submitted for approval by Members by way of a Referendum.

139. Provided that no ballot pursuant to this clause has taken place within the preceding twelve months, in the event that a written requestion signed by 5% of the Census Membership (rounded down to the nearest whole number) is submitted by email to the Vice-President, the question of the MCR's continued affiliation to any particular organisation shall be decided upon by a secret ballot of all Members. The MCR Committee shall ensure that the ballot takes place



within ten days of the Vice-President's receipt of such requisition and the President shall act as Returning Officer in respect of the ballot.

### **Complaint procedure**

140. Other than in respect of complaints for which specific resolution procedures are provided for by this Constitution, any Student who:

140.1 is dissatisfied with their dealings with the MCR, or

140.2 who claims to be unfairly disadvantaged by reason of having exercised the rights referred to at clause 5

may either:

(a) make a complaint in writing to the President or, if the complaint concerns or relates to the President, to the Vice-President.

(i) the President (or, as the case may be, the Vice-President) shall investigate the complaint and within 14 days of receiving the complaint shall notify his/her decision in relation to the complaint by email to the person who raised the complaint. In the event that the President (or, as the case may be, the Vice-President) upholds the complaint he/she shall procure that such appropriate remedy as are within the powers of MCR Committee is afforded to the person who raised the complaint;

(ii) if the person who raised the complaint is not satisfied with the outcome, he/she may pursue the complaint in accordance with the College's complaints procedure; or

(b) make a complaint in accordance with the College's complaints procedure.

141. The MCR Committee shall implement any remedy afforded to the person making the complaint in accordance with clause 140.

### **Publication of the Constitution**

142. The Vice-President shall ensure that an up-to-date copy of the Constitution shall be available for consultation on the MCR website.

### **Compatibility with Statutes, Ordinances and decisions of the Governing Body**

143. The provisions of this Constitution shall take effect subject to the Statutes, Ordinances and any decision of the Governing Body.

### **Amendments to the Constitution**

144. This Constitution shall be reviewed by the Governing Body:

144.1 no later than the fifth anniversary of the date on which it is adopted; and

144.2 every five years after such anniversary.

145. The Governing Body may amend the provisions of this Constitution at any time. The Senior Treasurer shall provide a copy of the Constitution as amended by the Governing Body to the Vice-President within three Business Days of the adoption of such amendment by the Governing Body.
146. An Open Meeting may amend the provisions of this Constitution. Any motion proposing an amendment to this Constitution is passed by a majority of two-thirds of Members present and voting. No such resolution shall have effect unless it is approved by the Governing Body.

### **Standing Orders**

147. An Open Meeting may adopt, amend or terminate one or more Standing Orders providing for:
  - 147.1 positions on the MCR Committee in addition to those provided for in this Constitution and the responsibilities of any Officer;
  - 147.2 the establishment, organisation, delegation of powers and membership and procedures of sub-committees of the MCR Committee; and
  - 147.3 terms of entitlement (including with regard to the payment of fees) on which individuals who are not Students may make use of facilities or services provided by the MCR; and
  - 147.4 procedures at Open Meetings.
148. Any motion proposing the adoption, amendment or termination of a Standing Order is passed by a simple majority of Members present and voting. No such resolution shall have effect unless it is approved by the Governing Body.
149. Any provision of a Standing Order which is incompatible with the provisions of this Constitution shall be of no effect.
150. The Governing Body may amend the provisions of the Standing Orders at any time. The Senior Treasurer shall provide a copy of any Standing Order as amended by the Governing Body to the Vice-President within three Business Days of the adoption of such amendment by the Governing Body.