



# Constitution of **Balliol College Middle Common Room**

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## Table of Contents

<b>Preliminary</b> .....	<b>4</b>
1. Definitions .....	4
2. Interpretation.....	4
3. The giving of Notice and making Available .....	4
<b>The Middle Common Room</b> .....	<b>5</b>
4. Name and Objects .....	5
5. Powers .....	5
<b>Membership</b> .....	<b>6</b>
6. Full Membership .....	6
7. Associate Membership.....	6
8. Right not to be a Full Member under the Education Act 1994 .....	7
9. Subscription .....	8
10. Suspension of Privileges .....	8
<b>Committee</b> .....	<b>9</b>
11. Committee to manage the affairs of the MCR.....	9
12. Meetings of the Committee .....	10
13. Quorum and procedure for Committee Meetings .....	10
14. Delegation to Subcommittees and Representatives .....	11
15. Duties common to all Committee Members .....	12
16. Duties of the President.....	12
17. Duties of the Vice-President .....	13
18. Duties of the Treasurer .....	13
19. Duties of the Secretary .....	13
20. Duties of the Social Secretary/Secretaries .....	14
21. Duties of the Bar Manager(s).....	14
22. Duties of Non-executive Officers .....	14
23. Removal of a Committee Member .....	15
<b>General Meetings</b> .....	<b>17</b>
24. Authority of the General Meeting.....	17
25. Conduct of General Meetings .....	17
26. Ordinary General Meetings (OGMs) .....	17
27. The Annual General Meeting (AGM) .....	18
28. Extraordinary General Meetings (EGMs).....	18
29. The Chairperson of General Meetings .....	18
30. Standing Orders and MCR Regulations .....	18
31. Amending the Constitution.....	19
32. Referenda .....	19
<b>Finances</b> .....	<b>20</b>
33. Budget .....	20
34. Expenditure .....	20
35. Property .....	21
36. Bank accounts .....	21

<b>External Affiliation under the Education Act 1994 .....</b>	<b>22</b>
37. Determination to affiliate, remain affiliated, or end affiliation .....	22
<b>Elections .....</b>	<b>23</b>
38. Elections for the purpose of Electing Committee Members .....	23
39. Election of the Women’s Officer .....	23
40. The Chief Returning Officer (CRO) .....	23
41. Candidates for Elections .....	24
42. Schedule for Nominations, the Campaign, and Elections .....	24
43. Campaigning .....	25
44. Complaints concerning Elections.....	25
45. Conduct of Elections .....	26
46. Announcement of Results .....	26
47. Vacancies .....	26
<b>Complaints Procedure under the Education Act 1994 .....</b>	<b>28</b>
48. Complaints Procedure .....	28

## **Preliminary**

### **1. Definitions**

- (1) College means Balliol College.
- (2) Committee Member means a person holding a position on the Committee as specified in subsection 11(3).
- (3) Graduate Complex means College-owned accommodation and facilities ordinarily occupied and used by graduates.
- (4) JCR means Junior Common Room of College.
- (5) Members means Full Members and Associate Members.
- (6) Members Living-out means Members not living in the Graduate Complex.
- (7) The Praefectus means the member of the SCR so elected by the Governing Body of College.
- (8) SCR means Senior Common Room of College.
- (9) The University means the University of Oxford.
- (10) In addition to the terms defined in this Section, additional defined terms used herein shall have the meanings assigned thereto in the relevant provisions of this Constitution.

### **2. Interpretation**

- (1) The power to interpret this Constitution is vested in the General Meeting.
- (2) Unless contrary intention appears, words importing female persons include male persons and vice versa, and words in the singular include the plural and vice versa.
- (3) Where a word is defined, other parts of speech and grammatical forms of the same word have corresponding meanings unless contrary intention appears.

### **3. The giving of Notice and making Available**

- (1) Where a provision of this Constitution requires that:
  - (a) Notice of any matter be given to Full Members, that Notice shall be circulated to the official MCR email list maintained by the Committee; and/or
  - (b) information shall be made Available, that information shall be posted on the official MCR website maintained by the

Committee and Notice given of its posting.

**The Middle Common Room**

**4. Name and Objects**

- (1) An unincorporated association called the Balliol College Middle Common Room (MCR) is established.
- (2) The Objects of the MCR are:
  - (a) to promote the interests and welfare of Full Members;
  - (b) to provide facilities and activities for the recreation and social, cultural, and intellectual benefit of Full Members; and
  - (c) to represent the interests and opinions of Full Members in relation to College and University matters.
- (3) The property and income of the MCR:
  - (a) must be applied solely towards the promotion of the Objects, and no part of that property or income may be paid or otherwise distributed, directly or indirectly, except in good faith in the promotion of those Objects; and
  - (b) must not be paid or otherwise distributed, directly or indirectly, to any charitable organisation or for charitable purposes, unless the MCR specifically raised that property or income for charitable purposes.

**5. Powers**

- (1) Subject to this Constitution, the MCR has all powers that:
  - (a) may be exercised by or on behalf of an unincorporated association by law; and
  - (b) are necessary or convenient for carrying out the Objects.
- (2) Without limiting the generality of subsection 5(1), the MCR has power to:
  - (a) raise moneys by such means as the Committee may from time to time determine;
  - (b) accept any gift or donation that will further the promotion of the Objects;
  - (c) require payment by Members for use of any specified facility owned by the MCR or for participation in any of the MCR's activities; and
  - (d) limit use by Members of any specified facility owned by the MCR or participation in any of the MCR's activities.

- (3) In exercising its powers, the MCR shall operate in a fair and democratic manner and be accountable for its finances.

### **Membership**

#### **6. Full Membership**

- (1) A person is a Full Member if she:
- (a) is eligible to be a Full Member under subsection 6(2); and
  - (b) has not exercised her right not to be a Member, in accordance with section 8.
- (2) A person is eligible to be a Full Member if she is a member of College, and:
- (a) is reading for a graduate degree;
  - (b) is a visiting graduate student;
  - (c) is a senior status student; or
  - (d) has a degree from another university and is currently reading for an Oxford degree.
- (3) Full Members of the MCR have the right:
- (a) to attend, speak at, and vote at all General Meetings;
  - (b) to vote in all Referenda; and
  - (c) to stand for any position on the Committee.
- (4) Full Members of the MCR have the privilege:
- (a) to use all MCR facilities in accordance with their rules of use;
  - (b) to use battels to make payments to the MCR where appropriate; and
  - (c) to attend MCR events.

#### **7. Associate Membership**

- (1) A person is an Associate Member if she:
- (a) is eligible to be an Associate Member under subsection 7(2);
  - (b) has applied to be an Associate Member;
  - (c) has provided such evidence of eligibility as the Committee deems necessary; and
  - (d) has paid any subscription in accordance with section 9.
- (2) A person is eligible to be an Associate Member if she:

## CONSTITUTION OF BALLIOL COLLEGE MIDDLE COMMON ROOM

- (a) is not eligible to be a Full Member under subsection 6(2);
  - (b) is not entitled to membership of the middle common room (or equivalent) of any other college of the University; and
  - (c) meets at least one of the following criteria:
    - (i) the person has been nominated by the Praefectus;
    - (ii) the person is the domestic partner of a Full Member;
    - (iii) the person enjoys, in the view of the Committee, a close and substantial connection with the College and with the MCR.
  - (3) Notwithstanding subsection 7(1), a member of the JCR Committee is an Associate Member during her term of office.
  - (4) A person who is an Associate Member in accordance with subsection 7(1) shall continue to be an Associate Member while she remains eligible under subsection 7(2) and continues to pay any subscription in accordance with section 9.
  - (5) Associate Members of the MCR have the right:
    - (a) to attend and speak at all General Meetings.
  - (6) Associate Members of the MCR have the privilege:
    - (a) to use all MCR facilities in accordance with their rules of use; and
    - (b) to attend MCR events.
  - (7) Nothing in this section shall restrict the MCR or the Committee from giving preference or priority to Full Members in the exercise of its powers.
- 8. Right not to be a Full Member under the Education Act 1994**
- (1) A person eligible to be a Full Member in accordance with section 6 has the right not to be a Full Member.
  - (2) Notice of the right provided in subsection 8(1) shall be given to Full Members no later than the second Sunday in Michaelmas Term each year.
  - (3) A person may exercise the right provided in subsection 8(1) at any time by indicating in writing, addressed to the Treasurer and signed by the person, that she does not wish to be a Full Member.
  - (4) A person who has exercised the right in subsection 8(1) and was a Full Member when that right was exercised may revoke the exercise of that right and become a Full Member at any time by indicating in writing, addressed to the Treasurer and signed by the person, that she now wishes to be a Full Member.

- (5) A person who has exercised the right provided in subsection 8(1) and was eligible to be a Full Member when the right was exercised shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of her having done so.
- (6) For the purposes of subsection 8(5), the charging of a reasonable fee to a person who has exercised the right provided in subsection 8(1) to attend an MCR event shall not constitute unfair disadvantage.

**9. Subscription**

- (1) All Members shall be charged such subscriptions for MCR membership as are established by the General Meeting.
- (2) The Committee may, in its discretion, waive all or part of the amount determined under subsection 9(1) where it considers that it would be just to do so in the circumstances.

**10. Suspension of Privileges**

- (1) If the Committee considers that a Member has abused a privilege granted under subsections 6(4) or 7(6), it may, by resolution, suspend that privilege.
- (2) In considering a resolution under subsection 10(1), the Committee shall afford the Member a reasonable opportunity to be heard.
- (3) Any resolution made under subsection 10(1) shall be communicated to the Member.
- (4) Nothing in this section shall be construed as supplanting or interfering with the disciplinary powers of the Praefectus.



## Committee

### 11. Committee to manage the affairs of the MCR

- (1) The MCR shall have a Committee composed of elected Committee Members to act as its executive body and manage its affairs.
- (2) Subject to this Constitution and in accordance with the Resolutions of the General Meeting, the Committee shall manage the affairs of the MCR, and has all the functions and powers necessary for that purpose.
- (3) The Committee shall comprise the following Committee positions:
  - (a) elected Executive Officers including:
    - (i) the President;
    - (ii) the Vice-President;
    - (iii) the Treasurer;
    - (iv) the Secretary;
    - (v) the Social Secretary/Secretaries (which may be held by one individual or jointly by two or three individuals); and
    - (vi) the Bar Manager(s) (which may be held by one individual or jointly by two individuals).
  - (b) elected Non-executive Officers including:
    - (i) an Affiliations Officer;
    - (ii) an Arts and Research Officer;
    - (iii) an Environmental Officer;
    - (iv) an Information Technology Officer;
    - (v) a Living-out Officer, who shall be a Member Living-out;
    - (vi) a Sports Officer;
    - (vii) the Welfare Officer(s) (which may be held by one individual or jointly by two individuals);
    - (viii) a Women's Officer, who shall identify as a woman; and
    - (ix) three Equalities Officers, one of whom, the Equalities Officer – LGBT+ must identify as LGBT+, which includes, but is not limited to, those who identify as lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, pansexual, polyamorous or a straight ally; the second of

whom, the Equalities Officer – Disabilities, must identify as a person living with a disability, or as an ally with a long-term commitment to the rights of people with disabilities; and the third of whom, the Equalities Officer – Ethnic Minorities, must identify as a person belonging to an ethnic minority, or as an ally with a long-term commitment to the rights of people belonging to ethnic minorities’

- (x) the General Officer(s) (which may be held by one individual or jointly by two or three individuals).
- (4) Notwithstanding 38(1), the JCR may appoint a JCR Delegate who:
  - (a) has been elected for the appointment by the JCR; and
  - (b) shall be considered an Elected Committee Member
- (5) The Committee is properly constituted notwithstanding that one or more positions on the Committee are Vacant as specified in section 47.

**12. Meetings of the Committee**

- (1) A Committee Meeting may be convened by the President, or by the Vice-President, or by any four or more other Committee Members.
- (2) At least twenty-four hours before a Committee Meeting, Notice shall be given to Full Members, setting out:
  - (a) when and where it is to be held; and
  - (b) the particulars of the business to be transacted and the order in which that business is to be transacted.

**13. Quorum and procedure for Committee Meetings**

- (1) At a Committee Meeting:
  - (a) ten elected Committee Members entitled to vote under paragraphs 13(1)(d) and 13(1)(e) constitute a quorum;
  - (b) any Member and, unless the Committee decides otherwise, any other person, may attend and address the meeting;
  - (c) the President, or, in her absence, the Vice-President or other elected Committee Member nominated by the President, shall chair the meeting;
  - (d) only elected Committee Members who are present may vote;
  - (e) if a position is held jointly by more than one individual, each

of these individuals are Committee Members in their own right and are entitled to separate and independent votes;

- (f) a resolution is decided by a majority of votes cast by Committee Members entitled to vote under paragraphs 13(1)(d) and 13(1)(e) on a show of hands; and
  - (g) in other respects, the meeting shall be conducted in the manner that the person chairing the meeting directs.
- (2) Full and accurate minutes of the proceedings of Committee Meetings shall be recorded and shall be approved as correct by resolution of the Committee as soon as is reasonably practicable.
  - (3) Draft minutes of Committee Meetings shall be distributed to Committee Members normally within one week of the meeting they describe, and at least forty-eight hours prior to their approval being sought.
  - (4) Upon approval by the Committee, minutes of Committee Meetings shall be made Available.
  - (5) Minutes approved in accordance with subsections 13(2) and 13(3) are, unless the contrary is proved, evidence that:
    - (a) the Committee Meeting to which they relate was duly convened and held; and
    - (b) all proceedings recorded as having taken place at the Committee Meeting did in fact take place.
  - (6) Minutes approved in accordance with subsections 13(2) and 13(3) shall be retained in permanent form.

**14. Delegation to Subcommittees and Representatives**

- (1) The Committee may, by resolution, delegate to a Subcommittee or Representative the exercise of any function or power.
- (2) A Subcommittee referred to in subsection 14(1):
  - (a) shall comprise a majority of Full Members; and
  - (b) shall include, *ex officio*, the President or a Committee Member nominated by the President.
- (3) A Representative referred to in subsection 14(1) shall be a Member.

- (4) The term of any appointment and delegation made under subsection 14(1) shall cease either:
  - (a) when it is revoked by the Committee, by resolution; or
  - (b) with the commencement of the subsequent Michaelmas term, at which time it may be renewed by the Committee.
- (5) The Committee may continue to exercise any function or power delegated under subsection 14(1).

**15. Duties common to all Committee Members**

- (1) Committee Members are subject to those duties imposed on them by this Constitution, by Resolution of the General Meeting, and by resolution of the Committee.
- (2) The duties of each Committee Member include, but are not limited to:
  - (a) participating actively in Committee Meetings and decision making;
  - (b) representing the MCR on any representative or decision-making body of College, the University, or any other organisation to which the MCR is affiliated and for which the President has nominated her; and
  - (c) providing a transition report to her successor, to the outgoing Secretary and to the outgoing and incoming Presidents.
- (3) Notwithstanding 15(1), the JR delegate is not subject to the duties outlined in 15(2)(b) and 15(2)(c).

**16. Duties of the President**

- (1) The President shall manage the day-to-day affairs of the MCR.
- (2) Without limiting the generality of subsection 16(1), the President shall:
  - (a) ensure that the MCR operates in accordance with this Constitution;
  - (b) direct, co-ordinate and supervise the discharge by other Committee Members of their duties;
  - (c) represent, in person or by nominee, the MCR on any representative or decision-making body of the College, the University or any other organisation to which the MCR is

affiliated of which the President is, ex officio, a member;

- (d) give Notice of the right not to be a Full Member in accordance with subsection 8(2); and
- (e) submit to the Annual General Meeting (AGM) a report of the MCR's activities during her term.

**17. Duties of the Vice-President**

- (1) The Vice-President shall assist the President in her duties taking particular responsibility for the property and facilities of the MCR.
- (2) Without limiting the generality of subsection 17(1), the Vice-President shall:
  - (a) administer the ballot for the allocation of College accommodation to graduate students; and
  - (b) act on behalf of the President in her absence.

**18. Duties of the Treasurer**

- (1) The Treasurer shall administer and supervise all financial transactions of the MCR.
- (2) Without limiting the generality of subsection 18(1), the Treasurer shall:
  - (a) manage the budget process in accordance with section 33;
  - (b) maintain current and accurate accounts of all MCR income and expenditures;
  - (c) maintain a current and accurate list of all Members;
  - (d) maintain the property register in accordance with subsection 35(2); and
  - (e) arrange and be responsible for the:
    - (i) timely reimbursement of authorised expenses incurred by Members on behalf of the MCR; and
    - (ii) handling of petty cash.

**19. Duties of the Secretary**

- (1) The Secretary, in consultation with the Committee, the President, and the Chairperson of General Meetings, shall plan, organise, and publicise Committee Meetings and General Meetings.
- (2) Without limiting the generality of subsection 19(1), the Secretary shall:

- (a) maintain a current copy of this Constitution, the Standing Orders, all MCR regulations, and make these documents Available;
- (b) ensure that accurate minutes of all General Meetings of the MCR are kept and made Available in accordance with section 25(8);
- (c) ensure that accurate minutes of all Committee Meetings are kept and made Available in accordance with section 13(2); and
- (d) maintain the records of the MCR, other than the financial records.

**20. Duties of the Social Secretary/Secretaries**

- (1) The Social Secretary/Secretaries shall plan, organise, and promote the MCR's social activities, including the Freshers' Week programme.

**21. Duties of the Bar Manager(s)**

- (1) The Bar Manager(s) shall manage the bar responsibly.
- (2) Without limiting the generality of subsection 21(1), the Bar Manager(s) shall:
  - (a) maintain up-to-date and accurate financial records for MCR Bar;
  - (b) assist the Social Secretary/Secretaries in planning and organising any of the MCR's social activities that make use of the bar; and
  - (c) submit a report, including information concerning the financial position of the MCR Bar, to the Committee at the first Committee Meeting of each term.

**22. Duties of Non-executive Officers**

- (1) The Affiliations Officer shall represent the MCR to the JCR and any organisation to which the MCR is affiliated under section 37, and facilitate interaction between the MCR and these bodies.
- (2) The Arts and Research Officer shall promote and facilitate the enjoyment by Members of external cultural and academic events of interest, and shall promote interaction between Members and the SCR.
- (3) The Environmental Officer shall implement and co-ordinate the MCR's efforts to become more environmentally friendly and sustainable.

- (4) The Information Technology Officer shall be responsible for the website, mailing lists, and other computing resources of the MCR.
- (5) The Living-out Officer shall represent the interests of Members Living-out to the Committee and promote the interests of Members Living-out within the MCR and College generally.
- (6) The Sports Officer shall organize, motivate, facilitate, and publicise organised sporting and physical activity opportunities, both intramural and inter-Collegiate, and co-ordinate the purchase and maintenance of the equipment required, including for the Holywell Gym.
- (7) The Welfare Officers shall act as welfare resource for Members; and plan, organize and promote the MCR's welfare activities.
- (8)
  - (a) The Women's Officer shall cater for the needs and interests of any members who positively identify as women or who feel personally affected by gender-identity issues, or who feel that their gender-related needs would be best represented and catered for by the Women's Officer, or who otherwise self-identify as falling within the remit of the Women's Officer role.
  - (b) The Women's Officer shall represent the members specified in (a) to the Committee, and promote the needs and interests of those Members within the MCR and College generally.
- (9) The Equalities Officers shall promote equality on behalf of Members within the MCR and College generally. The Equalities Officer – LGBT+ shall represent and promote the interests of LGBT+ Members of the MCR to the Committee and in the MCR and College generally, through advocacy, social and educational events and welfare provisions. The Equalities Officer – Disabilities shall represent and promote the interests of MCR Members living with disabilities to the Committee and in the MCR and College generally, through advocacy, social and educational events and welfare provisions. The Equalities Officer – Ethnic Minorities shall represent and promote the interests of MCR Members belonging to an ethnic minority to the Committee and in the MCR and College generally, through advocacy, social and educational events and welfare provisions.
- (10) The General Officers shall undertake special projects as directed by the Committee and assist other Officers with their duties.
- (11) The JCR Delegate shall represent the interests of the JCR at MCR committee meetings.

### **23. Removal of a Committee Member**

- (1) If a Committee Member has consistently or egregiously failed to adequately discharge her duties or to act in good faith, an

Extraordinary General Meeting (EGM) may be summoned for the purpose of considering a Resolution of non-confidence to remove the Committee Member from the Committee.

- (2) If an EGM is summoned in accordance with 23(1), the Secretary, or, if the Secretary is the subject of the Resolution of non-confidence, the President, shall communicate to the Committee Member, either orally or in writing:
  - (a) the particulars of the proposed Resolution; and
  - (b) when and where the EGM at which the proposed Resolution will be considered is to be held.
- (3) At the EGM referred to in subsection 23(1), the General Meeting:
  - (a) shall afford that person a reasonable opportunity to be heard;
  - (b) shall consider any representations made in writing to the EGM; and
  - (c) may, by a two-thirds majority vote in favour of a Resolution of non-confidence, remove the Committee Member from the Committee.
- (4) If the General Meeting removes the Committee Member from the Committee in accordance with subsection 23(3), this Resolution of non-confidence shall be communicated as soon as is reasonably practicable to that person in writing.



### **General Meetings**

#### **24. Authority of the General Meeting**

- (1) Subject to this Constitution, the General Meeting shall have plenary and final authority on all matters relating to the MCR.
- (2) The Resolutions of the General Meeting shall be binding on the Committee and all persons acting in the name of the MCR.

#### **25. Conduct of General Meetings**

- (1) General Meetings shall act by Resolution.
- (2) The conduct of General Meetings is specified in the Standing Orders of the MCR.
- (3) General Meetings may be Ordinary General Meetings (OGMs) or Extraordinary General Meetings.
- (4) Notice that a General Meeting is to be held shall be given at least seventy-two hours prior to the beginning of the meeting and shall include:
  - (a) the time, date, and location at which the meeting is to take place;
  - (b) an agenda for the meeting; and
  - (c) to the extent practicable, any additional documents or information relevant to the agenda for the meeting.
- (5) Quorum for General Meetings shall consist of twenty-five Full Members.
- (6) Only Full Members who are present at the meeting are entitled to vote.
- (7) Resolutions shall be carried by a simple majority of those voting, unless otherwise specified by this Constitution.
- (8) Full and accurate minutes of the proceedings of General Meetings shall be recorded and shall be approved by the General Meeting as soon as is reasonably practicable.
- (9) Draft minutes of General Meetings shall be made Available as soon as is reasonably practicable and at least seventy-two hours prior to their approval being sought.
- (10) Once approved, minutes of General Meetings shall be made Available.

#### **26. Ordinary General Meetings (OGMs)**

- (1) OGMs shall take place in the seventh weeks of Michaelmas, Hilary, and Trinity Terms.
- (2) At the OGM in Michaelmas Term, a proposed budget shall be presented to

the General Meeting for its approval in accordance with section 33.

- (3) At least seventy-two hours prior to the OGM in Michaelmas Term, the proposed budget shall be made Available.

**27. The Annual General Meeting (AGM)**

- (1) The OGM in Trinity Term shall be the Annual General Meeting (AGM).
- (2) At the AGM the Treasurer shall present a final budget report in accordance with section 33(7).
- (3) This final budget report shall be made Available at least seventy-two hours prior to the AGM.

**28. Extraordinary General Meetings (EGMs)**

- (1) The President may summon an EGM if she considers it necessary.
- (2) The President shall summon an EGM if she receives the written request of at least twenty Full Members of the MCR.
- (3) If an EGM is summoned it shall take place as soon as is practicable during Full Term, and no less than five days after the date on which it was summoned.
- (4) An EGM shall concern itself exclusively with the business for which it has been summoned.

**29. The Chairperson of General Meetings**

- (1) General Meetings shall be chaired by the Chairperson of General Meetings who shall:
  - (a) be a Full Member;
  - (b) not be a Committee Member;
  - (c) not be the Chief Returning Officer; and
  - (d) be elected at the AGM by a vote of the Full Members in attendance.
- (2) The term of Chairperson of General Meetings shall commence at the adjournment of the AGM at which she is elected and shall conclude with the adjournment of the next subsequent AGM.
- (3) In the absence of the Chairperson of the General Meeting the chair shall be taken by a member of the MCR elected by a simple majority of Full Members present.

**30. Standing Orders and MCR Regulations**

- (1) Subject to this Constitution, the General Meeting may, by a two-thirds

## CONSTITUTION OF BALLIOL COLLEGE MIDDLE COMMON ROOM

majority vote, adopt Standing Orders to govern the conduct of General Meetings.

- (2) Subject to this Constitution, the General Meeting may adopt MCR Regulations, which will bind the Committee and Members.
- (3) Standing Orders and MCR Regulations shall continue in force until they are amended or repealed by the General Meeting.

### **31. Amending the Constitution**

- (1) The General Meeting may, by a two-thirds majority vote, amend this Constitution.
- (2) The text of any proposal to amend this Constitution shall be made Available at least seven days in advance of the General Meeting at which this proposal is to be considered.
- (3) A copy of the current Constitution shall always be Available.

### **32. Referenda**

- (1) The General Meeting may refer any question to Referendum.
- (2) In the absence of any provision to the contrary in the enabling Resolution, the Referendum shall be binding if more than twenty-five Full Members vote.
- (3) The Referendum shall be conducted in accordance with the pertinent Standing Orders and MCR Regulations.

## **Finances**

### **33. Budget**

- (1) The MCR shall operate a financial year from 1 October until 30 September.
- (2) The Treasurer shall prepare a budget for the coming financial year.
- (3) Each budgeted expenditure shall be associated with a Committee position which shall have spending authority for that item.
- (4) The budget shall be approved:
  - (a) provisionally, by resolution of the Committee by the end of the week preceding noughth week of Michaelmas Term; and
  - (b) finally, by the OGM in Michaelmas Term.
- (5) The budget may be amended:
  - (a) by resolution of the Committee, if it has been approved only provisionally; and
  - (b) only by General Meeting, if it has been approved finally.
- (6) The Treasurer shall submit a report of the financial position of the MCR to the Committee at the first Committee Meeting in each Full Term.
- (7) The Treasurer shall prepare a final budget report for presentation to the AGM and to College.

### **34. Expenditure**

- (1) A Committee Member shall have authority to incur expenses against an item in an approved budget, for which she is responsible under subsection 33(3), taking into account the duties of her position and the purpose of the item.
- (2) The following authorities to spend outside the approved budget shall exist, with limits for a single expenditure as specified:
  - (a) the President or Treasurer: one percent of the MCR's budgeted net income; and
  - (b) the Committee: three percent of the MCR's budgeted net income.
- (3) Nothing in this section shall limit the spending authority of the General Meeting.
- (4) Where the General Meeting has authorised an expenditure, the Committee may vary the amount of the expenditure by up to the limit specified in subsection 34(2)(b), unless this is specifically prohibited by Resolution of the General Meeting.

**35. Property**

- (1) The MCR may from time to time acquire property for the use and enjoyment of Members.
- (2) The Treasurer shall maintain a register of MCR property with a purchase value exceeding the limit specified in subsection 34(2)(b).
- (3) The MCR shall maintain a Capital Renewal Fund for the purposes of maintenance, repair, and replacement of MCR property.
- (4) The MCR shall contribute annually to the Capital Renewal Fund an amount reflecting the estimated depreciation of property listed in the register specified in subsection 35(2).

**36. Bank accounts**

- (1) The MCR may operate bank accounts, including but not limited to an account for the MCR's day-to-day operation and an account for the MCR Bar's day-to-day operation.
- (2) Cheques for payment of funds of the MCR shall be signed by two Executive Officers, at least one of whom shall be the Treasurer or President, except as specified in subsection 36(5).
- (3) Other forms of authority for payment of the funds of the MCR shall be authorized by two Executive Officers, at least one of whom shall be the Treasurer or President, except as specified in subsection 36(6).
- (4) No Committee Member shall provide authorization for payment of funds to herself.
- (5) Notwithstanding subsections 36(2) and 36(4), cheques for payment of funds of the MCR Bar may be signed by a single Bar Manager who may reimburse herself.
- (6) Notwithstanding subsections 36(3) and 36(4), other forms of authority for payment of the funds of the MCR Bar may be authorized by a single Bar Manager who may reimburse herself.

### **External Affiliation under the Education Act 1994**

#### **37. Determination to affiliate, remain affiliated, or end affiliation**

- (1) If, by Resolution of the General Meeting, the MCR decides to affiliate to an external organisation:
  - (a) Notice shall be given setting out:
    - (i) the resolution;
    - (ii) the name of the external organisation; and
    - (iii) 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; and
  - (b) The information set out in the Notice given to Full Members shall be provided to College and made Available.
- (2) The budget report presented to the AGM shall contain:
  - (a) a list of the external organisations to which the MCR is currently affiliated; and
  - (b) details of subscriptions or other similar fees paid, or donations made, to any external organisation since the last report.
- (3) The information referred to in subsection 37(2) shall be provided to College and made Available.
- (4) At the OGM in Michaelmas:
  - (a) a resolution to the effect that the MCR continue to be affiliated to each external organisation referred to in subsection 37(2)(a) shall be proposed; and
  - (b) the Full Members shall vote on the resolution referred to in subsection 37(2)(a).
- (5) If a request, signed by at least five percent of Full Members, or such other proportion of the Full Members as College may determine, is made to the President to the effect that the question of continued affiliation to a particular external organisation should be put to a vote, that question shall be put to a secret ballot in which all Full Members are entitled to participate.

## **Elections**

### **38. Elections for the purpose of Electing Committee Members**

- (1) Committee Members shall be selected by Elections which shall consist of a vote in which all Full Members have the right to participate.
- (2) Voting shall be by secret ballot.
- (3) Elections shall be conducted in accordance with any rule pertaining to Elections in this Constitution or by Resolution of the General Meeting, collectively the Rules of Elections.
- (4) Any decisions concerning the interpretation and application of the Rules of Elections, or otherwise relating to the conduct of Elections, shall be made by the Chief Returning Officer (CRO), in accordance with section 44.
- (5) Regular Elections for Committee positions shall end by 4.00pm on the Saturday of seventh week in Trinity Term. This Saturday shall be designated Counting Day.
- (6) Supplementary Elections for Committee positions shall end by 4.00pm on the Saturday of seventh week in Michaelmas Term. This Saturday shall be designated Counting Day.
- (7) Except as specified in subsection 38(8), Committee Members:
  - (a) shall be elected in Regular Elections held in Trinity Term; and
  - (b) shall hold office from the beginning of the next subsequent Long Vacation until the end of the following Trinity Term.
- (8) Two General Officers:
  - (a) shall be elected in Supplementary Elections held in Michaelmas Term; and
  - (b) shall hold office from the day immediately following the Counting Day on which they were elected until the end of the Counting Day of the following Supplementary Elections.

### **39. Election of the Women's Officer**

- (1) Notwithstanding subsection 38(1), only Full Members who are represented by the Women's Officer, as specified in 22(8)(a) shall participate in the vote by which the position of Women's Officer is elected.

### **40. The Chief Returning Officer (CRO)**

- (1) By at least the Tuesday eighteen days prior to Counting Day the Committee shall, by resolution, appoint a CRO who shall:
  - (a) be a Full Member;

- (b) not stand in the Elections she is administering;
  - (c) not be the Chairperson of General Meetings; and
  - (d) not be the President.
- (2) The CRO shall have responsibility for organising and administering the Elections for which she was appointed.
  - (3) In exercising the powers specified in subsection 40(2) the CRO shall act in accordance with the Rules of Elections.
  - (4) The CRO shall not cast a vote in the Elections she is administering except in the case of a tie vote, at which point she shall exercise the casting vote.

**41. Candidates for Elections**

- (1) In order to be eligible as a Candidate for an election an individual must:
  - (a) be a Full Member;
  - (b) be nominated by a Proposer who shall be a Full Member; and
  - (c) be supported by a Secunder who shall be a Full Member.
- (2) A Candidate may nominate for up to two Committee positions in any one election or any three Committee positions if one of those positions is a General Officer position.

**42. Schedule for Nominations, the Campaign, and Elections**

- (1) The CRO shall, by the Wednesday seventeen days prior to Counting Day, or as soon as is feasible thereafter, give Notice of the forthcoming Elections to Full Members.
- (2) The CRO shall open, and give Notice of opening, the Regular Nomination Period for Elections by 6.00pm on the Tuesday eleven days prior to Counting Day.
- (3) A list of nominations shall be maintained in a publicly accessible place in the Graduate Complex until the closing of the Regular Nomination Period and made Available at the end of each day during the Nominations Period.
- (4) The CRO shall close, and give Notice of closing, the Regular Nomination Period for Elections by 6.00pm on the Monday five days prior to Counting Day.
- (5) If, at the closing of the Regular Nominations Period, the number of Candidates for a Committee position is less than the number of vacancies for that position, an Extended Nominations period of twenty-four hours shall be opened for this position, and Notice given of its opening.
- (6) The CRO may, at the closing of the Regular Nominations Period, open an Extended Nominations Period of twenty-four hours if in her discretion it is in



the best interests of Full Members and, in the event of her doing so, she shall give Notice of opening this Extended Nominations Period.

- (7) If the number of Candidates for a position is greater than the number of vacancies for that position, hustings shall take place on the Wednesday and/or Thursday immediately preceding Counting Day.

**43. Campaigning**

- (1) All Candidates and other Members shall conduct themselves in good faith at all times while campaigning and adhere to the Rules of Elections.
- (2) Without limiting the generality of subsection 43(1), Candidates and other Members:
  - (a) may not independently post, circulate or otherwise distribute Campaign Materials to Members;
  - (b) shall not engage in door-to-door canvassing; and
  - (c) shall not engage in coercion, inducement, or intimidation of other Candidates or Members in the course of campaigning.
- (3) The CRO shall provide Candidates with the opportunity to submit manifestos that the CRO may post and distribute to Members on Candidates' behalf.

**44. Complaints concerning Elections**

- (1) Any contravention of the Rules of Elections shall be reported to the CRO in the form of a Complaint.
- (2) Subject to the Rules of Elections the CRO has the power:
  - (a) to investigate any contravention of the Rules of Elections both on her own initiative and in response to complaints made by Members;
  - (b) to issue Findings concerning the validity of any Complaints; and
  - (c) to take remedial action based on her Findings including disqualification of Candidates from Elections.
- (3) Any Findings made by the CRO shall be in writing, shall be made Available, and shall be communicated in writing to those individuals responsible for requesting the investigation and those individuals alleged to have contravened the Rules of Elections.
- (4) Following the communication and making Available of Findings, a period of 24 hours shall be allowed in which the Findings may be appealed in accordance with section 48.
- (5) Notwithstanding section 24, a decision reached on an appeal made according to this section and section 48 is final and may not be further appealed.

**45. Conduct of Elections**

- (1) Notwithstanding subsection 38(1), if at the closing of the Extended Nominations Period a Non-executive Committee position is contested by only one Candidate then the CRO shall not hold a vote and shall declare this Candidate elected.
- (2) Notwithstanding subsection 38(1), if, at the closing of the Extended Nominations Period, the number of Candidates for a Non-executive Committee position is insufficient to fill the position, then the CRO shall not hold a vote and shall declare this position Vacant.
- (3) Notwithstanding the number of Candidates for an Executive position, Full Members shall always be given the opportunity to vote to re-open nominations for that position.
- (4) Voting shall last for two days, from 9.00am on the Friday immediately preceding Counting Day until 4.00pm on Counting Day.

**46. Announcement of Results**

- (1) As soon as is practicable after the conclusion of the counting of the ballots, the CRO shall make Available the results of the Elections.
- (2) Immediately following the making Available of the results of the Elections, there shall be a forty-eight hour period in which the CRO may receive Complaints concerning the Elections after which Complaints will no longer be received.
- (3) Appeals of the results of Elections may be brought as Complaints in accordance with section 43.

**47. Vacancies**

- (1) If a Committee Member resigns voluntarily, is removed in accordance with section 23, or becomes otherwise unable to carry out her duties, that position shall become Vacant.
- (2) A Vacancy shall also arise if a Committee position remains unfilled after an election for this position has been held.
- (3) Vacancies for Non-executive positions that arise following Regular Elections may be filled during the Summer Vacation period (i.e. between the end of Trinity Term and the start of Michaelmas Term) at the joint discretion of the President and the Vice-President.
- (4) If a Vacancy arises and remains unfilled as specified in subsection 47(3), an election for the position shall be held as part of the next Regular or Supplementary Elections regardless of whether that position would normally have been elected at that time.

## CONSTITUTION OF BALLIOL COLLEGE MIDDLE COMMON ROOM

- (5) If the election referred to in subsection 47(4) is the one in which the vacant position would normally be elected, then the election and term of the individual elected to fill this Vacancy shall proceed as usual; if not this election shall be a By-election.
- (6) An individual elected by By-election shall hold office only until the time at which the position she holds would normally be elected.
- (7) In addition to the Regular and Supplementary Elections, the Committee may at any time during full term call, by resolution, an Extraordinary By-election for the purposes of filling a Vacancy.
- (8) Extraordinary By-elections shall be conducted in accordance with the Rules of Elections, except in their timing and schedule, which may be modified as reasonably necessary by the CRO.

### **Complaints Procedure under the Education Act 1994**

#### **48. Complaints Procedure**

- (1) In accordance with the Education Act 1994, any person may complain to the Chairperson of General Meetings because the person:
  - (a) is dissatisfied in the person's dealings with the MCR; or
  - (b) claims to be unfairly disadvantaged by the person's exercise of the right not to be a Member, in accordance with section 8.
- (2) Any complaint under subsection 48(1) shall be dealt with promptly and fairly and, where a complaint is upheld, the MCR shall provide an effective remedy.
- (3) Nothing in this section should be construed as supplanting or interfering with any rights, powers, or privileges conferred by College that a person would otherwise be entitled to exercise.