

Statute V

Explanatory Note

The College's Joint Liaison Committee has had no business to discuss for a number of years. In part this is because Statute V constituted a part of the original Statutes of the College, introduced at a time when there were no student representatives on the Council. Since by subsequent statutory amendment both the undergraduate and graduate student members are now fully represented at the College Council, there is far less need for the Joint Liaison Committee. The College also now has well-developed informal systems in place to address student concerns rather more urgently than can be the case through meetings called once a term. Nevertheless, it is probably desirable to retain the ability to convene a meeting of a Joint Liaison Committee should it be necessary to do so, and the proposed amendment thus deletes the obligation to call a meeting every term but leaves the right of Committee Members to summon a meeting of the Committee as needed by using the statutory procedure that is left after deleting the obligation to hold termly meetings.

Statute V: proposed amendment

STATUTE V

The Joint Liaison Committee

There shall be a Joint Liaison Committee to provide for the formal exchange of views between the Fellows and resident members of the College *in statu pupillari* on matters affecting the well-being of the College. The Committee ~~shall meet at least once in each Term and~~ shall consist of the Warden and of an equal number of representatives of the Fellows and of resident members *in statu pupillari*. The Council shall by Regulations make such provision as is necessary for the election of members of the Committee and for the proper conduct of business. Any four members of the Joint Liaison Committee may by written notice addressed to the Warden summon a meeting which shall be held within seven days of the notice being served.

Statute XV

Explanatory Note

The University has now removed the quota arrangements for Professorial quotas from its Statutes. It has announced its intention in the next few years to remove entirely the provisions in University legislation concerning Professorial Fellowships. When this occurs the College would be affected by the removal of a definition of eligibility that has ceased to be of consequence for the University but which the College still needs for its own purposes. A change to Statute XV of Robinson College's Statutes is therefore proposed to preserve the class of Professorial Fellowships within the College. Currently there are a small number of University offices in addition to Professorships the holders of which qualify for Professorial Fellowships under the University's Statutes as currently drafted. These are the offices of the Vice-Chancellor, Registrar, Librarian, Director of the Fitzwilliam Museum, Director of Biotechnology, Director of the Botanic Garden, Director of the Melville Laboratory for Polymer Synthesis, Executive Director of Research in the Faculty of Economics, Director of the MBA Course, Director of the Cambridge Endowment for Research in Finance and Director of the University Computing Service. The change proposed would permit the College, should it so wish, to elect any of the holders of these other University offices of a status equivalent to that of Professor, to a Professorial Fellowship.

The proposed change is as follows:

Delete Statute XV in its entirety and substitute:

STATUTE XV

Fellowships in Class A: Professorial Fellowships

Fellowships in Class A shall be Professorial Fellowships and shall be held by persons who hold the office of Professor in the University or such other office as may be specified by the Council for the purposes of this Statute.

STATUTE XXXII

Explanatory Note

This Statute was a part of the College's original statutes, inserted at a time when the Colleges fixed their own level of tuition fee. The College, in practice, is no longer able under the accounting conventions applicable to the Cambridge colleges, to maintain a separate Tuition Fund, nor can it for the most part set its own tuition fees, as there is now a statutory limit imposed on the University in respect of "home" undergraduate fees and the University charges a tuition fee at the boundary of the statutory limit. Every "home" undergraduate fee is then split, by agreement with the Cambridge colleges collectively, equally between the University and the College to which each undergraduate is attached. Each college, including Robinson College, is then required by the University as a part of the fee agreement to produce an Education Memorandum, signed off by the College's external auditors, establishing that the College is spending at least as much on education (in actual fact it spends much more) than the fee income it receives. Accordingly, the safeguard of audit by the College's external auditors, followed by an audit by the University, provides more than adequate safeguards against the College failing to spend student fee income on the education of its students. That part of this Statute dealing with the Tuition Fund is therefore no longer required and should be repealed, leaving only those parts that relate to a review of fees over which the College retains control and to regular stipend review.

STATUTE XXXII

Fees and Stipend Review

The Tuition Fund

The Council shall from time to time review and determine the amount of the Tuition Fees to be paid by members of the College *in statu pupillari*, *where the amount of such fees lies within the discretion of the College*. ~~Such Fees shall be paid into a Fund to be called the Tuition Fund.~~—The Council shall similarly determine and from time to time review ~~and determine~~ the stipends of Tutors, Lecturers and other persons engaged in the educational work of the College. ~~The College may pay into the Tuition Fund from general revenues or other sources such sums as they shall from time to time determine.~~

~~—2. All moneys payable into the Tuition Fund shall be collected and the accounts of this Fund shall be kept by the Finance Bursar.~~

Statutes XXXIV to XXXVI

Explanatory Note

The College's existing powers to invest, acquire, manage and dispose of property are a part of the original Statutes of the College. While they provide an appropriate level of authority for the management of the College's Endowment and the regulation of the College's expenditure, for existing needs, the Fellowship envisages, as the College's Endowment continues to grow and gifts of restricted and trust funds start to accumulate within the College, that more specific powers of financial management will almost certainly be required. Accordingly, it is proposed that Statute XXXIV be repealed in its entirety and that four new Statutes be substituted. The new Statute XXXIV contains the power to acquire, manage and dispose of property – an express power not at present found in the College's Statutes at all; new Statute XXXV contains the power to invest in somewhat more specific terms than the existing College Statute XXXIV; new Statute XXXVI contains the power to expend, again an express power that is absent from the College existing Statutes. Re-numbered Statute XXXVII contains the power to accept endowments and is in the form of the College's existing Statute XXXVI. Re-numbered Statute XXXVIII contains the power to pay the contribution to the University (the University Levy) and is in the form of existing Statute XXXV. New Statute XXXIX contains a new power for the College to donate to other charities where that donation serves the interests of the College's charitable objectives and Statute XL contains new powers dealing with the application of surplus trust fund income.

Repeal Statute XXXIV and substitute new Statutes XXXIV, XXXVI, XXXIX and XL. Re-number existing Statutes XXXV and XXXVI

STATUTE XXXIV

Power to Acquire Manage and Dispose of Property

1. Subject to the provisions of these Statutes the College has power to acquire charge manage and dispose of any property in such manner and upon such terms as the Council in its discretion thinks fit and is again subject to the provisions of these Statutes entitled to exercise any power and may enter into and may carry out any transaction in relation to such property which an individual of full legal capacity, holding or acquiring such property for his own benefit, could exercise, enter into or carry out.

2. The powers conferred under section 1 of this Statute and the powers to invest and expend property conferred by Statutes XXXV and XXXVI extend to all property of the College which is not held on any specific trust.

3. In this Statute and in Statutes XXXV to XL

- (i) "trust fund" means a particular endowment, benefaction or trust for purposes connected with the College of which the College is the trustee;

- (ii) “property” includes money, securities, shares, stocks, funds, goods, things in action, land and every description of property wherever situated whether involving liability or not and also obligations and every description of interest, whether present or future or vested or contingent, arising out of or incidental to, property; and
- (iii) “property of the College” means all property of the College which is not held on any specific trust.

STATUTE XXXV

The Power to Invest

Any property of the College and, subject to the express wishes of the donor, any trust fund, and the proceeds of any disposition thereof may be invested by the Council on or in such other property as the Council in its discretion things fit and the Council may exercise any power to invest and transpose the investments of such property and may enter into and may carry out any transaction in relation thereto which an individual of full legal capacity investing or transposing investments of property for his own benefit could exercise, enter into or carry out.

STATUTE XXXVI

The power to Expend

1. The College may appropriate for expenditure so much of the fair value of any trust fund or property of the College as in its discretion it considers is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term from the property of the College or, as the case may be, from the trust funds.

2. Any appropriation by the Council under section 1 must in the case of property of the College be made for the purposes of the College and in the case of a trust fund be made for the purposes of that trust fund.

3. Any reference in these Statutes or in any Regulations made by the Council to the income or revenues of the College or of any trust fund must include the total sums appropriated in accordance with section 1 of this Statute.

4. In this Statute

- (i) “fair value” means the amount at which an asset could be exchanged in an arm’s length transaction between informed and willing partners, other than in a forced or liquidation sale and;

- (ii) “total return” means return of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

STATUTE XXXVII (former Statute XXXVI – no change of wording)

Power to accept Endowments

The Council may accept endowments for any purposes in furtherance of the interests of the College as a place of education, religion, learning and research and may make regulations giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments and regarding any place or emolument to be supported thereby, even though the regulations may be inconsistent with the provisions of these Statutes; provided always that no such regulation shall derogate from any obligation imposed on the College by the Statutes of the University.

STATUTE XXXVIII (former Statute XXXV – no change of wording)

Contribution to the University

There shall be paid in each year by the College to the University such sum as is by the Statutes of the University authorised to be levied from the College; provided that so much of the sum so to be paid as shall be levied in respect of any Trust or other separate Fund shall be charged to the income of such Trust or Fund unless the Council shall in any case determine otherwise.

STATUTE XXXIX

The Power to Donate

The Council may contribute from its charitable funds to any charitable organisation which has among its objects the promotion of education, religion, learning or research or the welfare of Members of the College, provided that such contributions are not contrary to the terms of any express trusts to which such funds are subject.

STATUTE XL

Surplus Income and the Power to Apply Cy-Près

1. The Council may apply any surplus income of a trust fund of which the College is sole trustee, and in so far as a contrary intention is not expressed in any instrument made after the making of this Statute, as income in any subsequent year, or may invest it and add it to the capital of the fund, or may apply it within the general educational purposes of the College.

2. In exercising the power under this Statute to apply any surplus income of a trust fund, the College shall have regard to its duty as trustee of the fund concerned properly to consider and apply as appropriate the principles involved in the application of the cy-près doctrine and to be satisfied that application cy-près is necessary in order to secure the trust fund's effective use.

3. In this Statute, "surplus income" means income unexpended in any year after the purposes of the trust have been fully provided for in that year (whether wholly by income from the trust fund or partly by income from the trust fund and partly by other monies).

Statute XLVI

Explanatory Note

This is the existing Statute XLII, consequently renumbered, together with the deletion of Clause 4, which is now redundant.

STATUTE XLVII

Date of Commencement of these Statutes and Initial Provisions

1. These Statutes shall take effect on the day following the date of the Charter.

2. The foregoing Statutes shall apply to the first Warden and the first Fellows of the College save that the length of their tenure and their stipends, if any, as Warden, Fellows or Officers of the former Approved Foundation known as Robinson College, Cambridge, shall not without their consent be modified. The seniority of the first Fellows of the College shall be their seniority as Fellows of the former Approved Foundation.

3. The Governing Body shall, as soon as may be after the coming into effect of these Statutes, determine, as regards each of the first Fellows of the College who are appointed by the Charter, in which Class he is deemed to hold his Fellowship.

~~—4. The first Warden and the first Fellows shall make the respective declarations required by Statutes VIII and XIV as soon as may be after the coming into effect of these Statutes.~~