



# THE RULES, STANDING ORDERS, AND SPECIAL SCHEDULES OF THE OXFORD UNION SOCIETY

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Hertford College, Ex-CCC, Returning Officer  
23<sup>rd</sup> October 2016

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016  
Updated 23<sup>rd</sup> October 2016

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## Trinity Term/Michaelmas Term 2016 Edition

This edition updates the Hilary Term 2016 (Boissonneault/Lalanne/Smith) edition as follows:

### Rules Changes

- Amendments that I proposed at the Public Business Meeting on 26<sup>th</sup> May 2016 to Rules:  
3A(a)(i), 23(a), 23(c)(ii)(1)/(4), 23(d)(i), 23(j), 23(k), 24(e)(iii), 24(f), 25(b)(ii), 28(b)/(c),  
30(b)(i)(5)/(iii), 30(d)(ii)(1), 32(a)(iv), 32(e)(ii), 32(h), 32(k), 32(n), 33(a)(ii)(1), 34(c)(v)/(d),  
35(i)(ii), 38(e), 65(a), 67(j), 71(a)(i)(4)/(6)/(16), 71(h)(i), 71(c)(i)(1)
- An amendment to Rule 33(a)(i)(20), proposed by Harrison Edmonds (University College, Ex-Secretary's Committee) at the same Public Business Meeting
- The insertion of (e) in place of (d) in Rule 71(f)(i)(3), pursuant to direction of the 2012 DAC (§9)

### Standing Order Changes

- A large number of amendments to Standing Orders B12 and B13 as proposed by the CDSC (Elizabeth Webb), passed by the Standing Committee throughout TT16 and MT16
- The new Standing Order G1(m), passed by the Standing Committee in 4<sup>th</sup> Week of Trinity 2016
- Amendments that I proposed to Standing Orders C7(4)(iii), B13(4)(e) and E19, passed by the Standing Committee in 6<sup>th</sup> Week, with the amendment to E19 in 7<sup>th</sup> Week TSC
- Amendments that I proposed at the Public Business Meeting on 26<sup>th</sup> May 2016 to Standing Orders:  
B2, B3, B4, B5, B12(1), B13(2)(d), B13(4)(h), B16(a), D9, E1  
(A rider was passed to ensure that amendments proposed by the Standing Committee to these Standing Orders will not be deemed to be in conflict with these.)
- An amendment to Standing Order C7 as proposed by Henna Dattani and passed by the Standing Committee at 6<sup>th</sup> Week, Michaelmas Term, to replace 'BME Officer' with 'Ethnic Minorities Officer'
- Amendments to Standing Order F2 as proposed by the Treasurer (Michael Li) in MT16 Week 0 TSC

### Interpretations

- Several new Returning Officer Interpretations, and Interpretation B26
- The recategorisation of Interpretation A91 as B23, by a Ruling of the Returning Officer dated 14<sup>th</sup> May 2016 (overturning in part the Ruling of the President dated 26<sup>th</sup> June 2015), and the reissue of B21 (revoked by Ruling of the President as being ultra vires) as A110
- The inclusion of the Interpretations of the SDC of 10<sup>th</sup> April 2010 (Priest et al. v. Dixon), and the renumbering of the SDC Interpretations
- The repeal of Interpretation A58 by the Hilary 2016 SDC, and the inclusion of its interpretation C33
- The repeal of Interpretations A2, A7, A41, A62, A85, A86, A87 (replaced by A109) and A94 by the Returning Officer, as well as minor corrections to A28 (to reflect subsequent Rules changes)
- The repeal of Interpretation C27 by the 2012 DAC, and the inclusion of its interpretations D8-D11

### Other Matters

- An amendment to the Note to Returning Officers and Secretaries, to reflect the new role of the Union Library in facilitating the legal deposit of editions of the Rules
- The addition of a Schedule of Interpretations of IDCs, C\*, in light of Interpretation A101
- The inclusion of the Schedule of Recommendations on the Implementation of Standing Order G(1)(l), as recommended by the Hilary 2016 SDC
- The inclusion of the Policy for the Protection of Children and Vulnerable Adults (7<sup>th</sup> Week TSC)
- Updates to the footnotes and more comprehensive Contents at the beginning
- Numerous minor corrections by the Returning Officer

I strongly recommend that all future Returning Officers include a summary of changes like this, as began with the Hilary Term 2016 edition.

The footnotes are intended to aid readers of the Rules in cross-referencing the Standing Orders and the Schedule of Interpretations, in particular those readers who do not have experience with the Rules. They do not themselves form any part of these Rules, Standing Orders and Special Schedules, and should have no impact on the interpretation or application of any rule. Any questions over the Rules can be directed to the Returning Officer using [ro@oxford-union.org](mailto:ro@oxford-union.org).

I am grateful to Nikolay Koshikov (Exeter College, President-Elect) and Ronald Collinson (Balliol College, Ex-RO, Ex-Standing, Ex-CCC) for reviewing the more substantial of these Rules changes. I also wish to thank Michael Li (Magdalen College, Treasurer, Ex-CCC), Robert Boissonneault (Keble College, Ex-RO), Henna Dattani (Brasenose College, Ex-Secretary), Elizabeth Webb (Regent's Park, CDSC), Charles Vaughan (St John's College, Ex-President), Stuart Webber (Somerville College, Ex-President), Valérie Beautemps (Deputy Librarian-in-Charge), Alexander Trafford (Pembroke College, Ex-Secretary), Ceri Smith (St Anne's College, Ex-RO), Nebojsa Jovanovic (St Peter's College, DRO), Lucinda Chamberlain (Brasenose College, DRO) and Rajiv Dattani (St Anne's College, Ex-Librarian) for their input into the various changes associated with this new edition of the Rules. Finally, my thanks go to my Deputies and Assistants, to the Bursar (Lindsey Warne) for her patience and guidance while I compiled this edition, and to all the Staff (especially the House Manager, Bridget Gaughan) for their support throughout my time as RO.

*Will Barnes, Hertford College, 23<sup>rd</sup> October 2016*

Rules of the Oxford Union Society, Michaelmas Term 2016.

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## NOTE TO RETURNING OFFICERS AND SECRETARIES

(A) Excerpt from Licensing Act 2003

*(s. 82. Notification of change of name or alteration of rules of club)*

‘(1) Where a club—

(a) holds a club premises certificate, or

(b) has made an application for a club premises certificate which has not been determined by the relevant licensing authority,

the secretary of the club must give the relevant licensing authority notice of any change in the name, or alteration made to the rules, of the club.

(2) Subsection (1) is subject to regulations under section 92(1) (power to prescribe fee to accompany application).

(3) A notice under subsection (1) by a club which holds a club premises certificate must be accompanied by the certificate or, if that is not practicable, by a statement of the reasons for the failure to produce the certificate.

(6) If a notice required by this section is not given within the 28 days following the day on which the change of name or alteration to the rules is made, the secretary of the club commits an offence.

(7) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.’

*Clerk to the Local Authority,*

C/o City Secretary & Solicitor’s Department, the secretary of the club shall give written notice of the alteration to the chief officer of police and to the clerk of the local authority.

Oxford City Council,

St Aldate’s Chambers,

St Aldate’s,

Oxford.

Tel: 01865-249811

*Chief Police Officer,*

C/o Licensing Department,

Oxford Police Station,

St Aldate’s,

Oxford.

Tel: 01865-266000

(B) For changes of licensing hours, changes of the Club Secretary, or changes to the rules concerning licensing, the Local Magistrates must also be informed.

*Clerk to the Licensing Justices,*

Licensing Department,

Berkshire & Oxfordshire Magistrates Court,

The Court House,

PO Box 37,

Speedwell Street,

Oxford,

OX1 1RZ.

Tel: 01865-815086

Fax: 01865-243730

(C) After significant changes to the rules (generally, with each term’s official edition), one copy of the new publication of the rules should be emailed to the Union Library: [cataloguer@oxford-union.org](mailto:cataloguer@oxford-union.org). By decision of Standing Committee in Week 4 of Hilary Term 2016, the Library is responsible for the Legal Deposit of this document with the British Library (as per The Legal Deposit Libraries (Non-Print Works) Regulations 2013, in exercise of the powers conferred by sections 1(4), 2(2), 6(1), 7(3), 10(5) and 11(1) of the Legal Deposit Libraries Act 2003(1)).

## CHAPTER ONE: Name and Objects

### RULE 1: NAME

The Society shall be called “The Oxford Union Society”.

### RULE 2: OBJECTS

(a) The object of the Society shall be the advancement of education amongst the members of the University of Oxford by organising debates and addresses by distinguished persons and the provision of a library and reading and writing rooms.

(b) The Society shall also provide bar and catering facilities for its Members, facilities for the showing of films, a billiard-room, and such other recreational facilities as the Standing Committee shall from time to time decide, always provided that the provision and maintenance of these facilities do not interfere with the educational objects of the Society.

(c) The Trustees of the Oxford Literary and Debating Union shall have the power of interpretation of this Rule, notwithstanding the provisions of Rule 67(e).

## CHAPTER TWO: Membership and Subscriptions<sup>1</sup>

### RULE 3: MEMBERSHIP OF THE SOCIETY<sup>2</sup>

#### **A: Life Members**

##### *(a) Members of the University and affiliates*

(i) Any matriculated member of the University of Oxford shall be eligible for election as a Life Member. The spouse of any Life Member shall be eligible for election as a Life Member.<sup>3</sup>

(ii) Any member of any Institution, whose members are permitted to supplicate for University degrees or diplomas and has been recognised by Standing Order, or the spouse of any such person, shall be eligible for election as a Life Member.<sup>4</sup>

(iii) Any member of any other educational institution in Oxford whose members Standing Committee considers it desirable to permit to be Life Members and which has been recognised as such by Standing Order, or the spouse of any such person, shall be eligible for election as a Life Member.<sup>5</sup>

(iv) Any person qualified to be a Life Member of the Society shall be deemed to be elected if, having paid such membership fee or completed a Bankers' Order promising to pay such membership fee as shall be laid down by Standing Order<sup>6</sup>, their name shall have been entered into the Society's membership records, and three full days shall since have elapsed.

(v) Any person eligible for election as a Life Member may choose instead to apply for Long-term Membership for no less than the full duration of their course, as detailed in the appropriate Standing Orders.

(vi) Long-term Members shall be considered as Temporary Members under the Rules of the Society. Long-term Membership shall expire at the end of the term in which the Long-term Member's course terminates.

(vii) Any Long-term Member eligible for election to Life Membership may, at any stage, choose to apply for Life Membership at the appropriate rate, except that the amount previously paid for Long-term Membership will be deducted from that rate<sup>7</sup>.

##### *(b) Members of Kindred Societies*

A Member of a Kindred Society entitled to Membership of the Society by virtue of Standing Order shall become a Life Member of the Society three clear days after their name having been entered into the membership records of the Society, and having paid the fee set by Standing Order.

#### **B: Residential Members**

(a) Any person resident in or near Oxford whose admission would, in the opinion of the Standing Committee, benefit the Society shall be eligible for election as a Residential Member.

(b) Any person who wishes to be elected a Residential Member shall apply in writing to the Secretary who shall arrange for the candidate to be interviewed by a member of the Standing Committee. The names of those applicants whom after interview the Standing Committee deems to be duly qualified for election shall be posted on the notice board. Any candidate shall be considered elected three clear days thereafter, if the President has not received a notice of objection and the candidate has paid such membership fees as shall have been laid down by Standing Order<sup>8</sup>. If any Member gives notice of objection, the proposal shall be reconsidered by the Standing Committee and its decision shall then be final.

(c) No more than 100 Residential Members may be elected per year.

(d) At the first meeting of the Standing Committee of Full Term each Michaelmas the Secretary shall bring the names of all Residential Members of the Society to the Standing Committee for the review of their membership.

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<sup>1</sup>All Subscription Rates are inclusive of VAT under Standing Order F1.

<sup>2</sup>Information required of members for the Society's records is listed under Standing Order F10.

<sup>3</sup>See interpretation B23 for clarification of 'spouse'

<sup>4</sup>This is Standing Order F5.

<sup>5</sup>This is Standing Order F6.

<sup>6</sup>This is Standing Order F2.

<sup>7</sup>Further provisions for this process are outlined under Standing Order F11.

<sup>8</sup>This is Standing Order F4.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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### **C: Temporary Members**

(a) Any member of any institution in Oxford recognised by Standing Order<sup>9</sup> for this purpose shall be entitled to Temporary Membership of the Society. Temporary membership shall be in three categories: *Course-length Membership*, *Termly Membership*, and *Visiting Membership*.

(b) Any person wishing to be elected a Temporary Member shall be deemed elected if, having paid such Membership fee as shall be laid down by Standing Order, their name shall have been entered into the Society's membership records and three clear days shall have elapsed.

(c) *Expiration*

Temporary Membership shall expire at the end of the term in which the Temporary Member's course terminates, unless otherwise specified by Standing Order.

(d) *Extension to Permanent Membership*

(i) Any member of any institution in Oxford recognised for this purpose by Standing Order F7 shall at the end of their course of study be entitled to apply to extend their Temporary Membership to Permanent Membership. Such an application may be made in writing to any member of the Standing Committee. The Standing Committee will then vote on whether to grant Permanent Membership to the applicant at its next ordinary meeting.

(ii) Permanent Members shall be considered as Temporary Members under the Rules of the Society, save that their membership shall not expire.

### **D: Unacceptable Conduct**

The Standing Committee shall have the right to refuse any membership application by any person eligible to become a Member who as a non-member has engaged in unacceptable behaviour (including, but not limited to, such conduct as would be an offence under Rule 71 or Standing Order Chapter G) on the Society's premises. If the said person has become a Member of the Society in the intervening period, the Standing Committee may, within two weeks of that Member's joining, refund any monies paid by the Member and terminate their membership. In such cases, the Society shall have no other or any further liability. For the purposes of these Rules, such persons shall be deemed to be ex-Members, and may only be re-elected as per Rule 8.

### **RULE 4: FACILITY FEE**

(a) (i) The Standing Committee shall set by Standing Order<sup>10</sup> an annual Facility Fee which shall be paid by all Residential Members and Life Members who are resident in Oxford.

(ii) Failure to pay the Facility Fee unless specifically exempt under (b) below shall result in a Member's entitlement to the privileges under Rule 11 being suspended until the Facility Fee is paid.

(b) (i) Life Members no longer resident in or near Oxford shall not be required to pay an annual Facility Fee to maintain full privileges under Rule 11.

(ii) Any Life Member who is exempt by (b)(i) from paying such fees but who has chosen to do so shall be sent, each term a copy of the Society's Term Card<sup>11</sup> and from time to time any notices of meetings, motions or benefits of Membership as the Standing Committee shall decide.

(c) Any person wishing to be elected a Life or Residential Member of the Society shall be given notice of the relevant clauses of this Rule and Standing Orders.

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<sup>9</sup>This is Standing Order F7.

<sup>10</sup>This is Standing Order F9.

<sup>11</sup>Additional details on the provision of the Term Card to Members are listed under Standing Order F8.

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## RULE 5: MEMBERSHIP RECORDS AND CARDS

### (a) *Access to Membership Records*

No person other than the Society's staff, the Chair of Consultative Committee, the Returning Officer and members of an Election Tribunal or Appellate Board in the course of their official duties shall be permitted to examine or copy the Subscription and Membership records except with the Standing Committee's consent.

### (b) *Membership Cards*

- (i) All Members shall carry the Society's membership card on their person whilst on the Society's premises.<sup>12</sup>
- (ii) Members of Staff, the Returning Officer, and members of the Standing Committee shall be entitled, on request, to see the membership card of any person on the premises, and to eject any person not showing a valid membership card or unable to otherwise prove their membership of the Society or unable otherwise to prove good reason for their being on the premises.
- (iii) Membership cards shall remain the property of the Society. By either accepting the membership card or by virtue of their membership, Members agree to abide by the Rules, Standing Orders, and Special Schedules of the Society. Members' guests and visitors also agree to abide by the Rules, Standing Orders, and Special Schedules of the Society.
- (iv) Any Member who loses their membership card shall report the loss to the General Office. The fee for replacement cards shall be set by the Standing Committee.
- (v) The rules for membership cards shall also apply to Termly Admission Cards issued under Rule 53.
- (vi) If a Member is not legally old enough to purchase intoxicating liquor or tobacco, their membership card shall be so marked by the Bursar. Once the Member is legally old enough to purchase such products, the mark shall be removed by the Bursar.

### (c) *Data Protection*

- (i) The Society shall meet the requirements of the Data Protection Act<sup>13</sup>.
- (ii) Any Member may, on request and for nothing, receive a printout of any personal information that the Union computer database holds about that Member. Non-Members requesting what information the Union computer database holds about them may be charged not more than £10 at the discretion of the Bursar.
- (iii) Members shall inform the Society in writing if they do not wish to receive information about the Society's events and other matters that the Society deems may be of interest to Members.
- (iv) By virtue of their membership, Members allow their personal information to be used in accordance with the Oxford Union Society's Data Protection Policy, as passed from time to time by the Standing Committee and appended to these Rules.

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<sup>12</sup>For the confiscation of membership cards: see Interpretation A61.

<sup>13</sup>*Provisions for the use of CCTV footage are laid out in Standing Order G4.*

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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## RULE 6: FINES AND DEBTS TO THE SOCIETY

### (a) *Power to inflict fines*

Where no special penalty is prescribed, the President or the Chair may inflict a fine of not more than £50 for any violation of these Rules, Standing Orders or Special Schedules or for any breach of order at a meeting.

### (b) *Escalation*

- (i) Any debt or fine shall be paid within one week of despatch of written notice<sup>14</sup>.
- (ii) Any debt or fine not paid within this period shall be increased by 10% and the defaulting Member's name shall be posted on the notice board.
- (iii) If the debt or fine is not settled within a further week the responsible Officer as per 6(c) shall strike the defaulting Member's name from the list of the Society's Members, shall give the said person notice that they are no longer a Member, and shall post a notice to this effect on the notice board.

### (c) *Responsible Officer*

- (i) The Junior Librarian shall be responsible for the publication, notification and collection in the case of fines imposed under Library regulations.
- (ii) The Returning Officer shall be responsible for the publication, notification and collection in the case of all other fines.

### (d) *Appeals against fines*

- (i) A Member who desires to appeal against a fine shall pay it provisionally and within three days of so paying shall submit a written appeal to the Returning Officer, who will pass it to the Senior Officers. However, provisional payment shall only be required if the total sum of fines incurred by that Member be less than £100.<sup>15</sup>
- (ii) The Senior Officers shall consider the written appeal, and make a written ruling within 21 days: they shall have the power to uphold, reduce or overturn the fine.
- (iii) Fines levied under Rule 33, 35 or 71 shall not be subject to appeal under this Rule.
- (iv) If the Senior Officers do not make a ruling within 21 days, the Returning Officer shall be empowered to make a ruling on their behalf. If the Returning Officer does not make a ruling within 24 hours past the 21-day deadline, the fine shall be automatically overturned.

## RULE 7: CESSATION OF MEMBERSHIP

### (a) *Resignation*

A Member may withdraw their name from the list of the Members of the Society by notifying the Returning Officer in writing, who shall ensure that the Member's name is removed from the list of Members, in consultation with the staff. No refunds shall be made to those paying by instalments.

### (b) *Suspension and Expulsion*

- (i) *In the event of criminal charges:* If a Member should be charged with a criminal offence that is liable to bring the Society into disrepute, the Standing Committee shall have the power at a meeting at which at least one Senior Officer shall be present to suspend that Member at its discretion until the outcome of the full trial of the charges brought. There shall be no appeal against such suspension. If the Member should be found guilty of the charge or charges, the Standing Committee shall have the power at a meeting at which at least one Senior Officer is present to expel the Member summarily.
- (ii) Election Tribunals, Appellate Boards, and Disciplinary Committees may suspend or expel members as detailed in Rules 33 and 71. Election Tribunals shall be empowered to refer complaints to a Senior Disciplinary Committee, and may make such recommendations of sentence and verdict as they see fit, as per Rule 71.

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<sup>14</sup>Written notice is defined by Interpretation A27.

<sup>15</sup>Not including later escalation: see Interpretation B2.

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(iii) *Suspended Membership*: A suspended Member shall not be entitled to any of the privileges of Membership for the duration of their period of suspension, but shall remain bound by Rules concerning Electoral and Disciplinary Offences.<sup>16</sup>

(c) *Notification*

In the event of a Member being suspended or expelled by the Standing Committee, the Returning Officer shall post a notice to that effect on the Notice board at the conclusion of the proceedings, and send a letter to the Member's last known address.

(d) *Financial Liability*

Cessation of Membership for any reason shall not, unless with the consent of the Standing Committee, terminate any financial liability incurred before the date of resignation or expulsion.

(e) *Membership Card*

When a Member is expelled, the Returning Officer shall ensure the Society regains any property of the Society which the expelled Member possesses, including but not exclusively, the Member's membership card.

## RULE 8: RE-ELECTION OF EX-MEMBERS

Applications for re-election from Ex-Members shall be considered by the Standing Committee, provided that no Ex-Member shall be considered for re-election unless that Ex-Member has paid all monies due to the Society.<sup>17</sup> Any Member expelled under Rule 7(b)(ii) on the recommendation of an Election Tribunal as under Rule 33(c)(iv) shall not be considered for re-election.

## RULE 9: KINDRED SOCIETIES

The Standing Committee shall have the power to make reciprocal arrangements with any other Society and to alter them when necessary<sup>18</sup>.

## RULE 10: HONORARY MEMBERS

The Standing Committee may recommend for election as an Honorary Member any person on the ground of eminent distinction or notable service to the Society, and if any three of the Trustees shall express in writing their assent to such recommendations, the person recommended shall be deemed to be duly elected. Honorary Members shall not be required to pay any subscriptions.

## RULE 11: PRIVILEGES, STATUS, AND LIABILITY

(a) All Members shall be entitled to use the Society's rooms, to take part in all Meetings of the Society and elections of Officers and committees, and to enjoy all such facilities as the Society may provide<sup>19</sup>; but only Life Members may be candidates in the Society's elections. Long-term, Residential, and Temporary members may speak, but not vote, in Private Business and any Poll arising from Private Business.

(b) Any event organised by the Society may be subject to change or cancellation, and the Society shall accept no liability for any loss or inconvenience caused thereby. The Society shall accept no liability for property lost or stolen on the Society's premises.

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<sup>16</sup>*On the applicability of this rule to the right to complain of electoral malpractice, see Interpretation E8. On the meaning of the word 'bound', see Interpretation E9.*

<sup>17</sup>*For elucidation of these conditions, see Interpretation B19.*

<sup>18</sup>These arrangements, and the Societies eligible, are listed under Standing Order F12.

<sup>19</sup>*Including access to cashback, photocopying and faxing, under limitations set by Standing Orders A9 and E12.*

## CHAPTER THREE: Officers

### RULE 12: TRUSTEES

The duties of the Trustees shall be as laid down in the Trust Deed. When there are fewer than four Trustees, the Standing Committee shall nominate as many Members as there are vacancies by way of a Private Business Motion at a Public Business Meeting, which shall accept or reject them<sup>20</sup>. In the event of rejection the Standing Committee shall submit further names. A Trustee may be dismissed by a two-thirds majority of an Ordinary Standing Committee at which at least one Senior Officer is present.

### RULE 13: OFFICERS – GENERAL

#### (a) *Officers of the Society*

The Junior Officers of the Society shall be the President, the President-Elect, the Librarian, the Librarian-Elect, the Treasurer, the Treasurer-Elect and the Secretary. The Senior Officers shall be the Senior Librarian and the Senior Treasurer.

#### (b) *Term of Office*

(i) *General*: The Junior Officers shall hold office for one term, and the Senior Officers for nine terms. They shall enter office at the beginning of the vacation after their election, except as under Rules 33 and 38. Officers (other than the President) shall hold office until the entry of their successors, except as provided in (iii) and (iv) below.

(ii) *Presidential Term*: At the end of the term, the President shall vacate their office, and the President-Elect shall succeed, unless there be no President-Elect by reason of Rule 38(b)(vi), in which case the incoming Librarian shall succeed. Notwithstanding the above provisions, if at the end of term the time limits specified in Rule 33(d)(x) with regard to the elections of that term have not expired, until the said time limits expire, the Tribunal Panel may delegate, all Presidential powers and duties, but not the office itself, to the Returning Officer subject to Standing Order D16. This shall normally only happen when the President-Elect is directly implicated in an ongoing allegation.

(iii) *Librarian*: At the end of the term, or at the end of the time limits specified in Rule 33(d)(x) if the Librarian-Elect is implicated in an ongoing allegation, the Librarian shall vacate their office and the Librarian-Elect shall succeed. If there be no Librarian-Elect by reason of Rule 38(b)(vi), the Librarian shall vacate their office on the entry to office of the incoming Treasurer, who shall then succeed to the office of Librarian and vacate the office of Treasurer.

(iv) *Treasurer*: At the end of the term, or at the end of the time limits specified in Rule 33(d)(x) if the Treasurer-Elect is implicated in an ongoing allegation, the Treasurer shall vacate their office and the Treasurer-Elect shall succeed. If there be no Treasurer-Elect by reason of Rule 38(b)(vi), the Treasurer shall vacate their office on the entry to office of the incoming Secretary, who shall then succeed to the office of Treasurer and vacate the office of Secretary.

(c) All Junior Officers shall write letters of thanks to any sponsor, speaker, or guest of the Society from their term of office before 0<sup>th</sup> Week of the following term.

(d) All Junior Officers shall be required to work in the Society's buildings during the vacation to prepare for the forthcoming term for the amount of time specified by the President-Elect under Rule 34(b)(vi)(1), and do such other duties as required under the Rules.

(e) The President may release individual committee members from a proportion of their days in exceptional and unforeseen circumstances.

(f) Any member wishing to raise money for the Society must do so in consultation with the Treasurer. Any member wishing to invite a speaker to the Society must do so in consultation with the President and the Librarian.

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<sup>20</sup>The method by which these Members are chosen is set out in Rule 37(d).



#### RULE 14: THE PRESIDENT<sup>21</sup>

- (a) The President shall be responsible for the general administration of the Society<sup>22</sup>, subject to any direction of Standing Committee or the House.
- (b) Presiding Officer: The President shall take the Chair at all Business Meetings of the Society and of the Standing and Finance Committees. The President shall have speaking rights on every Committee of the Society.
- (c) The President shall decide the motions for debate, allocate the paper-speeches, and be responsible for inviting guest speakers for their term of office. The President shall post on the Society's notice board a notice announcing every Public Business Meeting.
- (d) The President shall ensure that all members of staff, as far as is possible under employment law of England and Wales, conform to the Rules, Standing Orders, and Special Schedules of the Society<sup>23</sup>.
- (e) When the powers and duties of any post in the Society are not held by any other individual, they shall devolve on the President. Exceptions to this Rule shall be the posts of Senior Treasurer, Senior Librarian and Deputy Returning Officer (including the Returning Officer).

#### RULE 15: THE PRESIDENT-ELECT

The President-Elect shall provisionally arrange the Meetings of the Society for the following term.

#### RULE 16: THE SENIOR LIBRARIAN

- (a) The Senior Librarian shall have general charge of the Society's Libraries.
- (b) The Senior Librarian shall cause the accounts of the Library to be entered in a ledger, which shall be open to the inspection of Members.
- (c) The Senior Librarian shall prepare termly accounts, which shall be presented for audit annually together with the Senior Treasurer's.

#### RULE 17: THE LIBRARIAN

- (a) *General Duties:* The Librarian shall assist the Senior Librarian in the administration of the Libraries and take general charge of them in the Senior Librarian's absence.
- (b) *Accounts:* At the Ordinary Private Business Meeting in each term the Librarian shall read the Senior Librarian's account for the preceding term and at the Ordinary Private Business Meeting of each Michaelmas Term submit the Senior Librarian's audited accounts for the preceding year for the approval of the Society.
- (c) *Suggestion-Books:* The Librarian shall provide Suggestion-Books to be kept in the Library, in which Members may propose books for purchase or make any suggestion for the consideration of the Library Committee.
- (d) *Speaker meetings:* It shall be the duty of the Librarian to invite distinguished guests to give individual addresses to the Society subject to the provisions of Rule 42(a)(i)(3).
- (e) *Correspondence:* The Librarian shall provide all relevant correspondence and contact details as defined by 23(h)(i) to the Librarian-Elect by Monday of 2<sup>nd</sup> week.

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<sup>21</sup>For powers and duties of the President, see Standing Orders E1, E6, E11, E17 and G1, and all of Chapter C.

<sup>22</sup>And must therefore respond to their post and emails: see Interpretation C18.

<sup>23</sup>Relevant complaints should go to the President or, where appropriate, the Bursar: see Interpretation C23.

## RULE 18: THE SENIOR TREASURER

- (a) *General*: The Senior Treasurer shall superintend the financial affairs and staffing of the Society.
- (b) *Accounts and audit*: The Senior Treasurer shall enter the receipts and expenditure of the Society in a ledger, which shall be open to the inspection of Members. The Senior Treasurer shall ensure that the accounts be audited during the Long Vacation by a firm of professional auditors. The audited accounts shall be drawn up so as to adequately distinguish outgoings mentioned in Rule 2(a) and other outgoings and revenue. The Society's financial year shall commence on 1st July and end on 30th June. The report of the audit shall be printed and any Member shall be entitled to a copy of it.
- (c) *Distribution of Audited Accounts*: At the end of every financial year, the President must publish the approved audited accounts for the year that has passed, in or enclosed with the next term card.
- (d) *OLDUT Accounts*: The Senior Treasurer shall obtain a copy of the official public OLDUT audited accounts each year, if necessary from the Charity Commission. These accounts shall be available for inspection by any member of the Society.

## RULE 19: THE TREASURER

- (a) *General Duties*: The Treasurer shall be responsible for the upkeep of the Society's rooms and amenities.
- (b) *Suggestion-Books*: The Treasurer shall provide a book in which Members may enter any suggestion or complaint they may desire to make. Every entry shall be signed by the writer in person.
- (c) The Treasurer shall be responsible for all aspects of the Society's finances.
- (d) The Treasurer shall be responsible for raising money for the Society as outlined in the annual budget, by raising sponsorship for Union activities, and such other commercial opportunities as the President may authorise.

## RULE 20: THE CHAIR OF CONSULTATIVE COMMITTEE, WEB OFFICER, AND ARCHIVIST

- (a) The Chair of the Consultative Committee shall be elected by the Standing Committee and the Consultative Committee in accordance with the provisions of Rule 36. They shall be a member of the Standing Committee, but shall not be entitled to vote at its meetings.
- (b) The Chair of the Consultative Committee shall at all times be responsible to the Standing Committee and Consultative Committee and shall organise the Consultative Committee in accordance with its purposes under Rule 26 and the requests of the Standing Committee and Consultative Committee.
- (c) The Chair of the Consultative Committee shall not be eligible to stand for election to any Office or elected position on the Standing or the Secretary's Committee during the same full term in which they hold, or have held, office.
- (d) *Duties*
  - (i) They shall arrange the distribution of the term card at the start of the Term to resident and non-resident members who are still paying their facility fee.
  - (ii) They shall produce publicity for events, to be distributed via Consultative Committee and College Secretaries. They shall maintain a list of College Secretaries.
  - (iii) They shall be the member of Standing Committee with responsibility for the Society's website, and shall appoint a Web Officer with the agreement of the President.

- (iv) They shall be the member of Standing Committee with responsibility for the Society's Archives, and shall appoint an Archivist<sup>24</sup> with the agreement of the President<sup>25</sup>.
- (v) They shall be the member of Standing Committee with responsibility for ensuring that the Society's rooms are set up by Secretary's Committee members prior to debates and speaker meetings, and shall ensure that any rooms so used are returned to their normal state after the event is concluded.
- (vi) They shall chair Consultative Committee, and bring any matters of concern amongst members of Consultative Committee to the attention of Standing Committee. They shall post the title of any Emergency Debate Motion on the Notice board by noon on the day following the meeting of Standing Committee at which it was approved.
- (vii) They shall produce the Order Paper for debates on the President's instructions, select Tellers<sup>26</sup> for Debates, and post the results of any Emergency Debate and the debate held in Public Business on the Society's notice board by noon on the day after the Debate.
- (viii) They shall ensure that Public Business Meetings, Private Business Meetings, Informal Debates and Speaker Meetings are recorded on audio or video tape and further ensure that these recording are properly preserved<sup>27</sup>.
- (ix) The duties of the Chair of the Consultative Committee outlined in (i) to (viii) of this Rule and elsewhere in the Rules (excluding the duties in Rule 5 (a), Rule 26 (d) (i), Rule 30 (d) (iii) and Rule 32) shall be performed primarily by the Chair of the Consultative Committee with the assistance of the Treasurer-Elect in weeks 1, 2, and 3 of Full Term, with the assistance of the Librarian-Elect in weeks 4, 5, and 6 of Full Term and with the assistance of the Secretary's Committee and the five elected members of Standing Committee throughout Full Term.
- (x) In 8<sup>th</sup> week, the outgoing Chair of the Consultative Committee, the President-Elect and the Bursar shall meet together with the incoming Chair of the Consultative Committee to brief the incoming Chair of the Consultative Committee on the duties of the Chair of the Consultative Committee. If the outgoing CCC has been re-elected and is thus also the incoming CCC, they shall meet with the President-Elect and the Bursar in 8<sup>th</sup> week to discuss the duties of the CCC.
- (e) The Web Officer shall ensure that the website contains the following on its open pages<sup>28</sup>:
- (1) A list of all members of all committees, to be provided by the Chairs of each committee
  - (2) An up-to-date program of the events of the term, to be provided by the President
  - (3) Results of each Public Business debate, to be provided by the Secretary
  - (4) Motions passed by any Private Business Meeting, to be provided by the Secretary
  - (5) Motions passed by the Standing Committee, to be provided by the Secretary
  - (6) The Emergency Debate motion for the current week, to be provided by the Secretary to Consultative Committee
  - (7) An up-to-date copy of the Society's rules, to be provided by the Returning Officer.

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<sup>24</sup>*The role of the archivist is defined by Standing Order E7.*

<sup>25</sup>*The manner in which these duties should be conducted is set by Standing Order E8.*

<sup>26</sup>*Subject to the restrictions laid out by Standing Order D13.*

<sup>27</sup>*The manner in which these duties should be conducted is also set by Standing Order E8.*

<sup>28</sup>*For responsibilities of other individuals relating to placing material on the website, see Interpretation A26.*

## RULE 21: THE LIBRARIAN-ELECT AND THE TREASURER-ELECT

(a) The Librarian-Elect will not be eligible to stand for any committee or Office until they have succeeded to the Office of Librarian, or the time at which they would have so succeeded, were it not for their resignation.

(b) The Librarian-Elect shall work in the Society's Buildings for the vacation for at least the same duration as required for an Elected Member of Standing Committee and shall:

- (1) Assist the Librarian with their duties under Rule 17;
- (2) In co-operation with the Librarian, invite distinguished guests to address the Society in the following term;
- (3) Liaise with distinguished guests who have expressed an interest in addressing the Society, but have so far been unable to find a mutually convenient time to do so;
- (4) Attend all speaker meetings of the Society for which the Librarian is responsible;
- (5) Assist the Chair of the Consultative Committee with the performance of their duties and in the creation of the weekly rota for weeks 4, 5 and 6 of Full Term.

(c) The Treasurer-Elect will not be eligible to stand for any committee or Office until they have succeeded to the Office of Treasurer, or the time at which they would have so succeeded, were it not for their resignation.

(d) The Treasurer-Elect shall work in the Society's Buildings for the vacation for at least the same duration as required for an Elected Member of Standing Committee and:

- (1) In Michaelmas shall organise the Membership drive;
- (2) In Hilary and Trinity shall assist the Treasurer with their duties under Rule 19(d);
- (3) Shall organise sponsorship of social events, in coordination with the Secretary and Treasurer;
- (4) Shall assist the Chair of the Consultative Committee with the performance of their duties and in the creation of the weekly rota for weeks 1, 2 and 3 of Full Term.

## RULE 22: THE SECRETARY<sup>29</sup>

(a) *Minutes*

(i) *Business Minute Book*: The Secretary shall keep and supervise a Minute Book which shall be available to Members for inspection, which shall contain:

- (1) The proceedings of Public Business in Public Business Meetings (including, but not exclusively, the debate motion, speakers in the main debate, speakers in the after debate, and the result)
- (2) The proceedings of Private Business in Public Business Meetings (including, but not exclusively, questions to officers, the motions speakers and results of any adjournment motions or private business motions)
- (3) The proceedings of Private Business in Private Business Meeting (including, but not exclusively, the motions, speakers, procedural motions and results)
- (4) The proceedings of any Emergency Debates (including, but not exclusively, the motions, speakers and results).
- (5) The proceedings of any Informal Debates (including, but not exclusively, the motions, speakers and results).

Such information must be entered within seven days of the Meeting in question or before the next Public Business Meeting, whichever shall be the less. The minutes for sub-sections (1) to (3) shall be read to and submitted for approval at the next Public Business Meeting. No correction shall be made, except by the Secretary, and only then with the assent of Standing Committee or the House.

(ii) *Standing Committee Minute Book*: The Secretary shall keep minutes of Standing Committee. The Secretary shall maintain a Standing Committee Minute Book that shall contain the full Minutes of Standing Committee, as well as an *in camera* minute book. Such minutes shall be affixed to the minute book; they shall not be kept in a loose-leaf file. At the end of every term, the Secretary shall send an electronic copy of all ratified minutes from their tenure to the Office Secretary to be bound.

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<sup>29</sup>The Secretary is also required by Standing Order E13 to produce a list of 'useful numbers'.

- (b) The Secretary shall be responsible for chairing Secretary's Committee
- (c) The Secretary shall be responsible for organising the Term's social events.
- (d) The Secretary shall within 24 hours of any meeting of Standing Committee, e-mail the motions passed to every member of the Standing Committee and publish them on the Society's notice board.

## CHAPTER FOUR: Committees

### RULE 23: COMMITTEES – GENERAL

#### (a) *Committees of the Society*

Committees of the Society shall be the Standing Committee, the Secretary's Committee, the Finance Committee, the Library Committee, the Consultative Committee, the Debate Selection Committee, the Wines and Spirits Committee, the Charitable Endowments Committee, and such other Committees as may be appointed from time to time under Rule 30.

#### (b) *Term of Office*

Always except as under Rules 33 and 35; members of the Standing Committee and the Secretary's Committee shall enter office on the first day of the vacation next following the election and shall hold office until the entry to office of their successors.

#### (c) *Ordinary Meetings*

##### (i) *Notice of Ordinary Meetings*<sup>30</sup>

(1) *In full term*: Notice of an Ordinary Meeting of any Committee, except the Consultative Committee, shall be given by e-mail to every member of that Committee and placed on the Society's notice-board at least three days in advance of the meeting.<sup>31</sup>

(2) *In the vacation*: Notice of any Ordinary Meeting of any Committee, except the Consultative Committee, shall be given by e-mail to every member of that Committee and placed on the Society's notice-board at least five days in advance of the meeting.

##### (ii) *Absence from Ordinary Meetings: Fines and Resignations*<sup>32</sup>

(1) Any member of any Committee, with the exception of the Consultative Committee (save as under (4) below), not being a Trustee, ex-Officer, Senior Officer or Senior Member of the Library Committee may be fined up to £10 by the chair of the Committee, the Returning Officer or the President for absence without good reason from an Ordinary Meeting of that Committee.

(2) Any member of any Committee excluding the Charitable Endowments Committee and the Consultative Committee (save as under (3) below), not being a Senior Officer or Senior Member of the Library Committee, having missed three ordinary meetings of that Committee without good reason in the same term, shall be deemed to have submitted their resignation from that Committee.<sup>33</sup>

(3) In the case of all members of the Standing Committee (with the exception of *ex-officio*) and members of the Secretary's Committee, any member being absent without good reason from three ordinary meetings of their respective Committees in the same term or three meetings of the Consultative Committee, in the same term, shall be deemed to have resigned from their respective Committees and if they be a Junior Officer, from their office. In the event of any Junior Officer or member of Standing Committee being absent without good reason from three meetings of any Committee of which they are a member by virtue of holding their office, they shall be deemed to have resigned from their office.

(4) In the case of the Consultative Committee, the Junior Officers, elected members of the Standing Committee, members of the Secretary's Committee and the Chair of the Consultative Committee, may be fined up to £10 by the Returning Officer for absence without good reason. No other member shall be fined for absence from the Consultative Committee.

<sup>30</sup>On the conduct of committees generally, and on the need to give notice, see Interpretation F5.

<sup>31</sup>See interpretation C32 for circumstances of when a meeting can be deemed a valid meeting

<sup>32</sup>For what constitutes attendance and absence, see Interpretation B20.

<sup>33</sup>See interpretation C31 for an explanation of when a person is deemed to have resigned

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(5) Whether good reason has been provided for an absence will be determined by the committee at its first meeting held at least 168 hours after the absence. No member of any committee shall be fined nor be deemed to have resigned from any office or committee under this section until the end of this meeting. Such determination will be in accordance with the criteria established by Rules 23(c)(iii) below and through the mechanism established by Rule 23(c)(iv) below.

(6) Deemed resignations shall be dated from the time at which the committee determined that the third absence had occurred without good reason. In the case of resignations being deemed to have taken place from the Secretary's Committee, the Standing Committee, or Office, the Chair of the committee at which the resignation took place shall be required to inform the President and the person in line to succeed simultaneously by email within an hour of the end of the meeting.

(7) This section shall not apply to any ordinary meeting of any Committee that takes place outside full term.

(iii) *Good Reason*

Incidence of any of the following circumstances, on the day on which the Committee meets, shall be the only cause to constitute 'good reason' for absence from a meeting of a Committee of the Society, if that Committee through the Chair is notified in writing within 168 hours of the beginning of the meeting at which the absence occurred:

- (1) Attendance at a Public Examination;
- (2) Disabling or infectious illness;
- (3) Attendance at a pressing and extraordinary engagement agreed to be unavoidable by two-thirds of those present at the first meeting held at least 168 hours after the absence.
- (4) Pursuit of service to the Society agreed to be of paramount importance by two-thirds of those present at the first meeting held at least 168 hours after the absence.

(iv) Absent members shall be entitled to adduce evidence and arguments at the first meeting held 168 hours after the absence occurred, either in person or by proxy. The committee shall then decide by majority vote on the motion that, 'the reason supplied by the absent member constitutes a good reason under Rule 23(c)(iii)'. This motion shall always be deemed to have been put for the purposes of Rule 45(h), but absences shall be considered to have been without good reason unless it is passed.

(d) *Emergency Meetings*

(i) An Emergency Meeting of any Committee, except the Consultative or Debate Selection, shall be called by placing a Requisition upon the noticeboard. Such a Requisition may be made by the President, the Chair of the Committee, or any three of its members, or, in the case of the Standing Committee, the Returning Officer. The Requisition must specify the matter(s) which the Emergency Meeting shall discuss. It must be sent by email to every member of that committee after being placed on the noticeboard, and shall not be deemed to have been 'delivered' until this has occurred.

(ii) The minimum limit for the time elapsing between the delivery of the Requisition and the time set for the said meeting shall be twenty-four hours and the maximum shall be forty-eight hours when part of that time falls in Full Term, and otherwise the minimum shall be four days and the maximum shall be seven days. Subject to these provisions, the meeting shall take place on a day and at a time specified on the Requisition, unless the Chair decides otherwise when it shall take place on a day and at a time determined by the Chair.

(iii) It shall be out of order to raise any matter not specified on the Requisition.

(e) *Secretary*

Except as otherwise provided in these Rules, the Committee shall itself appoint its Secretary, whose duties shall be defined under Standing Order B3. The Secretary to any Committee shall additionally monitor attendance at meetings of the Committee, recording how many meetings have been missed by each member of the committee, and whether or not good reason was provided for such absence.

(f) *Chairman*

Except as otherwise provided in these Rules, the Chair of any Committee shall be appointed by that Committee and shall have both a deliberative and a casting vote. The Chair shall conduct meetings in accordance with Standing Order B15.

(g) *Observers*

(i) All Committees shall be open to ordinary Members as observers, except as otherwise provided in this Rule<sup>34</sup>.

(ii) Speaking rights may be granted to these observers by permission of the meeting.

(iii) All Committees, excluding Consultative Committee, may only exclude observers, whilst they are directly discussing the following:

- (1) Disciplinary matters concerning Members of the Society.
- (2) The actual negotiation of sensitive financial contracts with an external organisation, but not other financial matters.
- (3) Disciplinary matters<sup>35</sup> concerning staff or the financial provisions of staff contracts.
- (4) The discussion of which Members to select to represent the Union at external debates.

This sub-section may not be changed except by a Private Business Motion at a Public Business Meeting.

(iv) All Committees, excluding Consultative Committee, may only be held *in camera*, whilst they are directly discussing the following:

- (1) Disciplinary matters concerning Members of the Society.
- (2) The actual negotiation of sensitive financial contracts with an external organisation, but not other financial matters.
- (3) Matters directly relating to Union Staff, but not other aspects of management of the facilities.
- (4) The discussion of which Members to select to represent the Union at external debates.

In this event, observers for that meeting or part of the meeting shall be bound to follow the relevant *in camera* regulations. This clause may not be changed except by a Private Business Motion at a Public Business Meeting.

(v) *Observers*

It shall be deemed an abuse of Office, a disciplinary offence as per Rule 71, for any Chair of a Committee to allow the exclusion of observers during a Committee meeting or any part of a Committee meeting where Rule 23(g)(iii) does not apply, or to hold a Committee meeting or any part of a Committee meeting *in camera* where Rule 23(g)(iv) does not apply.

(h) *Termly Files*<sup>36</sup>

(i) All files, documents and computer disks produced by any members of any committee relating to their work in the Society, and any such materials produced by appointed officials, shall be the property of the Society. All candidates in the main election who hold any Office or position of trust in the Society shall hand in the following to Returning Officer before Thursday of 7<sup>th</sup> Week:

- (1) A copy of any files, computer disks or documents relating to their work in the Society
- (2) A list of on-going issues and negotiations with which that candidate is involved
- (3) Contact details of, and any useful or ongoing correspondence with, any external person or organization that has been contacted on behalf of the society by that candidate.

(ii) All other members of any committee and appointed officials shall hand these materials to the Returning Officer by the end of term. After examining these materials, the Returning Officer will hand them to the Bursar. All outgoing Officers shall arrange to meet their successors and brief them on their responsibilities.

<sup>34</sup>And the proceedings of these committees otherwise described under Standing Order B2.

<sup>35</sup>And potential disciplinary matters: see Interpretation B23.

<sup>36</sup>This is an electoral rule, and its breach is electoral malpractice: see Interpretation A36.



(i) *Status*

No body in the Society shall call itself a Committee, or claim any executive powers of a Committee, unless duly constituted as a Committee under Rule 23 or Rule 30. No working party or group of elected or other officials may claim any authority over any issue if that executive authority is currently held by a duly constituted Committee under the Rules.<sup>37</sup>

(j) *Minutes*: The Secretary of each Committee shall ensure that a Committee Minute Book is kept detailing the full public Minutes, and shall send all in camera minutes from that Committee to the Secretary for inclusion in the in camera minute book. Such minutes shall be affixed to the relevant minute book; they shall not be kept in a loose-leaf file.

(k) *Openness of Minutes*:

(i) The proceedings of any Committee of the Society shall not be confidential except where they were held in camera under Rule 23(g). Decisions or discussions which are not in camera shall be noted in the public minutes.

(ii) All motions must be recorded in the public minutes.

(iii) Discussions which are in camera shall be noted in separate in camera minutes.

(iv) In camera minutes shall cease to have in camera status after the passing of sixty months from the date of the meeting; Members may view such minutes on request.

(iii) If a Committee goes in camera, or excludes observers, the public minutes shall state what time the meeting did so and stopped doing so and shall state the reason for going in camera or for excluding observers.

(l) *One Member, One Vote*

No one member shall under any circumstances exercise more than one vote on any one committee.

RULE 24: STANDING COMMITTEE<sup>3839</sup>

(a) *Composition*

(i) The Standing Committee shall consist of the Junior Officers, Ex-Officers as specified in (ii) below, the Chair of the Consultative Committee, the Chair of the Debate Selection Committee, and five Elected Members.

(ii) Ex-Presidents during the first six terms, ex-Presidents-Elect, ex-Librarians, ex-Librarians-Elect, ex-Treasurers, ex-Treasurers-Elect, and ex-Secretaries (and the ex-Junior Steward) during the first three terms, succeeding that in which they last held Junior Office shall be eligible for membership of the Committee.

(iii) Except in the term in which they vacate Office, no ex-officer shall serve on the Committee by virtue of (ii) above unless they signify their consent in writing ten days before the first Public Business Meeting in term<sup>40</sup>.

(iv) The Chair of the Consultative Committee and Chair of the Debate Selection Committee shall not be entitled to vote at meetings of the Standing Committee. The Returning Officer shall not be entitled to vote at meetings of the Standing Committee unless otherwise qualified.

(v) The Bursar, the Returning Officer, and the Access Officers<sup>41</sup> shall attend meetings of the Standing Committee in an advisory capacity, without vote. During in camera proceedings relating to disciplinary matters, the Access Officers and the Bursar shall not be present. The Access Officers shall only have speaking rights during their business.

(vi) The Senior Officers and Trustees shall not be members of the Committee, but shall attend in an advisory capacity, without vote.

(vii) All members of the Access Committee, while not necessarily being members of the Standing Committee, shall nevertheless have speaking rights during the business of the Access Officers.

<sup>37</sup>For elucidation on this Rule, see *Interpretation B17*.

<sup>38</sup>Food and drink privileges of members of Standing Committee are prescribed by *Standing Order E18*.

<sup>39</sup>Standing Committee have the right to request documentation from members of staff under *Standing Order E17*.

<sup>40</sup>For the privileges of those who do not signify their consent, see *Standing Order B9*.

<sup>41</sup>Whose appointments are dealt with by *Standing Order C7*.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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(b) *Meetings and quorum*

The President shall summon an ordinary meeting of the Standing Committee at least once a week in term<sup>42</sup>. There shall be a quorum of three, of whom the President, the Librarian, or the Treasurer shall be one.<sup>43</sup>

(c) *Legal position*

The Standing Committee shall be the Committee of Management mentioned in the Society's Trust Deed, and shall have the general conduct of the Society's affairs subject to the Rules. The Licensee (or Licensees) of the Bar shall be appointed by the Standing Committee, and shall be an appropriate member of Staff and/or an appropriate member of the Standing Committee.

(d) *Vacation Powers*

During the vacation the powers of the Standing Committee may be exercised by a Vacation Standing Committee<sup>44</sup> consisting of the President, Senior Treasurer and Treasurer, or any of them. Any decision taken by these Officers that would ordinarily be decisions of the Standing Committee shall require the ratification of that Committee at its first ordinary meeting held in the following term.

(e) *Duties of Elected Standing Committee*<sup>45</sup>

(i) *During the vacation*: The five elected members of the Standing Committee shall be given a portfolio of work by the President to assist the Junior Officers in their preparations for the Term. They shall be required to work in the Society's buildings for the amount of time specified by the President-Elect under Rule 34(b)(vi)(1)<sup>46</sup>. Should the President designate a member of Standing Committee to be a Junior Officer's assistant, that member of Standing Committee's portfolio shall be to help that Junior Officer carry out their duties as outlined in Chapter Three of these Rules.

(ii) *During Term*: They shall assist at social events as determined by the Secretary<sup>47</sup>.

(iii) A member of Standing Committee shall be appointed by the President as delegate to each of the Library Committee, the Finance Committee, the Debate Selection Committee, the Wines and Spirits Committee, and the Access Committee. The following shall apply to the delegate:

- (1) They shall bring proposals of financial importance excluding those already covered by existing budgetary arrangements from the Committee to be ratified at the next meeting of Standing Committee.
- (2) They shall inform Standing Committee of all new policy decisions.
- (3) They shall be members without vote of the Committee to which they are delegate, unless expressly provided otherwise within these Rules.
- (4) The Elected Members shall each select the committee to which they shall be delegate in order of seniority; save that any member qualified under B12(3) shall have priority over those less qualified if they wish to be delegate to the Debate Selection Committee, regardless of seniority. A more qualified member shall not be obliged to be delegate to the Debate Selection Committee by virtue of this exception.

(f) *Binding Contracts*.

No member of the Standing Committee may sign any contract on behalf of the Society except in strict accordance with Rule 65.

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<sup>42</sup>At a time set by Standing Order B8.

<sup>43</sup>Standing Order B6 imposes rules on the distribution of the Standing Committee agenda, limits expenditure on items not on the agenda, and gives members of Standing Committee the right to block discussion on such items.

<sup>44</sup>Limitations on the Vacation Standing Committee are imposed by Standing Order B10.

<sup>45</sup>Standing Committee are required to make reports under Standing Orders A1 and D1.

<sup>46</sup>And subject to the provisions of Standing Order B15.

<sup>47</sup>And to chair Emergency Debates as prescribed by Standing Order B7.

## RULE 25: LIBRARY COMMITTEES

### (a) *Role*

The Library Committee shall, under the general supervision of the Senior Librarian, and in conjunction with the day-to-day management of the Library by the Librarian-in-Charge, and the advice of the Library Strategy Committee, act in accordance with Rule 55 (f).

### (b) *Membership*

- (i) The Library Committee shall be presided over by the Librarian
- (ii) It shall consist of:
  - (1) The Senior Librarian, Librarian, Librarian-Elect, and the Librarian-in-Charge.
  - (2) Not more than six Senior Members. These shall be nominated at the seventh Public Business Meeting in each term. A Senior Member of the Library Committee wishing to resign shall do so by writing to the Librarian. If such a member die or resign, the Library Committee may appoint their successor, if any, for the remainder of their term of office. A Senior Member must have completed an undergraduate degree.
  - (3) Twelve junior members who shall be appointed as and when necessary by the Librarian with the approval of Standing Committee, on the basis of their course of study, to provide a balanced representation of interests in the selection and disposal of books and the general development of the Library. Candidates for membership as a junior member should apply in writing via the Librarian-in-Charge, who shall inform the Librarian and place their names on the agenda for the next meeting of the Committee; the Librarian shall present the name of any candidate they wish to appoint to Standing Committee for approval at its next scheduled meeting.
  - (4) The Standing Committee delegate, subject to Rule 24(e)(iii)
- (iii) Any Officer may attend Library Committee at their own request and have speaking rights but not voting rights.

### (c) *Terms of Office*

- (i) Senior Members shall serve for three years and be eligible for re-appointment.
- (ii) Junior Members ratified by Standing Committee shall serve for twelve months following their appointment and may be re-appointed.

### (d) *Meetings and Quorum*

- (i) Library Committee shall meet not less than once every two weeks in Term and, normally, weekly.
- (ii) There shall be a quorum of four of whom the Senior Librarian, Librarian or Librarian-in-Charge shall be one.
- (iii) Notice of each ordinary meeting shall be given to each member of the Committee not less than three days in advance.

### (e) *Emergency Meetings*

- (i) An emergency meeting may be called by the Senior Librarian or the Librarian, so informing the President and the other members.
- (ii) At least twenty-four hours' notice must be given.
- (iii) Matters not specified when the meeting is called shall be out of order.

### (f) *Vacations*

In vacations, the Senior Librarian or Librarian-in-Charge, acting in consultation with the President, may act for the Library Committee, provided that such actions are reported to the Library Committee at the first opportunity and, where appropriate, ratified by it.

(g) *Library Strategy Committee*

- (i) Library Strategy Committee shall normally meet once a term under the chairmanship of the Senior Librarian and shall be entrusted with providing advice to the Society and to Library Committee on long-term strategic development, fundraising, and professional library matters, including liaison with appropriate donors and fundraising bodies. The Senior Librarian will be responsible for reporting to Library Committee the views of the Library Strategy Committee.
- (ii) Its membership shall consist of:
  - (1) The President, Senior Librarian, Librarian-in-Charge, Librarian, and Librarian-Elect.
  - (2) Two members, who need not be members of the Society, with professional library experience to be nominated; one by the director of the University's library services and Bodley's librarian, and the other by the Chairman of the Board of Curators of the University's Libraries, both of whom are to be confirmed by Standing Committee.
  - (3) Any ex-Librarian within two terms of their own period of office, who so signifies to the Librarian in writing by the beginning of full term and is nominated by Library Committee.
  - (4) Three additional members of Library Committee, nominated by Library Committee no later than its second meeting in Michaelmas Term.

Vacancies may be filled as they arise at any meeting of the Library Committee.

(iii) *Terms of Office:*

- (1) Officers and the Librarian-in-Charge shall serve for the duration of their terms of office.
- (2) Nominated members shall serve for three years and shall be eligible for re-nomination.
- (3) Library Committee members shall remain members as long as they remain members of Library Committee for the duration of the academic year, with the possibility of re-nomination.

RULE 26: CONSULTATIVE COMMITTEE

(a) *Membership*

The Committee shall consist of all members of the society.

(b) *Purpose*

- (i) The Committee shall consider any suggestions made with a view to promoting the interests of the Society and the better administration of the Society's affairs. Any recommendation shall be laid before the Standing Committee at the next ordinary meeting. Questions may be put to the Chair of Consultative Committee, any junior member of Standing Committee, the members of any other Committee of the Society (apart from Consultative Committee), the Returning Officer or their Deputies, or to any official appointed by the President. No question may be asked concerning the matters mentioned in Rule 39(e)(iii).

- (ii) The Committee shall suggest the topic of any Emergency Debate that week.

(c) *College Secretaries*

- (i) College Secretaries shall be members for each College, appointed for that term by the Chair of Consultative Committee and the President, both being in agreement.
- (ii) The College Secretaries shall be appointed for the purposes of representing their colleges<sup>48</sup> in Consultative Committee, and distributing publicity for the Society's events and Membership Drive.

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<sup>48</sup>*That is, the Colleges they represent; see Interpretation B12*

(d) The Secretary to Consultative Committee

- (i) They shall be appointed by the Chair of Consultative Committee and the President, both being in agreement.
- (ii) They shall be the Secretary to Consultative Committee, as defined under the Rules.
- (iii) They shall act as the assistant to the Chair of Consultative Committee, and do such duties as the Chair of Consultative Committee may require, assisting the Chair of Consultative Committee in the discharge of their duties as provided under the Rules.

(e) *Meeting*

The Committee shall meet at least once a week in full term. The Committee shall be called by the Chair of the Consultative Committee who shall give at least forty-eight hours notice of the date and time of the meeting on the Society's notice-board and by e-mail to every member of every committee of the Society.

RULE 27: FINANCE COMMITTEE

(a) *Composition*

- (i) The Chair of the Finance Committee shall be the President.
- (ii) The Committee shall consist of all the Senior and Junior Officers of the Society and any Ex-Officers Standing Committee may appoint.
- (iii) The Bursar shall attend meetings of the Finance Committee in an advisory capacity without vote.
- (iv) Three members elected by Consultative Committee:

(1) They shall be members of at least three terms' standing<sup>49</sup> and may not be members of Secretary's or Standing Committee. They shall serve for one year from their election. The members shall be elected separately in 2nd Week of Michaelmas, Hilary and Trinity Terms respectively.

(2) The Returning Officer shall inform Members of the Society of the provisions of this subsection and of the fact of the election by noon on Friday of First Week. Members must submit their applications to the Returning Officer by noon on Monday of Second Week.

(3) Any vacancies arising in the membership of the Committee from time to time shall be filled using the procedure as for their original selection, *mutatis mutandis*, at the soonest possible ordinary meeting of the relevant Committee, the Member filling the vacancy to serve until the expiration of the term of membership (if any) of the Member causing the vacancy, as the case may be.

(b) *Meeting*

There shall be an Ordinary Meeting of the Committee once a week in Full Term.

(c) *Purposes and powers*

The Finance Committee shall concern itself with all areas of the Society's finances, and shall oversee termly and annual budgets. It shall also undertake such investigations and prepare such reports for the consideration of the Standing Committee as it shall see fit and as Standing Committee shall require. It shall have no power to authorize expenditure by itself.

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<sup>49</sup>On the definition of 'terms' standing', see Interpretation E7.

## RULE 28: DEBATE SELECTION COMMITTEE

### (a) *Purposes and Powers*

The Debate Selection Committee shall meet to select Members and students of the University of Oxford to represent the Society in external debating competitions, and to organise debating competitions, workshops and debate coaching.<sup>50</sup>

### (b) *Composition*

The Committee shall consist of the President, the Standing Committee Delegate (appointed under Rule 24(e)(iii), who shall be secretary to DSC),<sup>51</sup> and not less than four and no more than eight members appointed in accordance with Standing Order B12. The Committee shall elect its own Chair.<sup>52</sup>

### (c) *Meetings*

The Committee shall meet at least three days before the closing date for entry to external competitions to discuss applications from Members. The Chair shall invite applications by email to the debating mailing list at least one week before the relevant selection meeting.

## RULE 29: UNUSED

## RULE 30: SPECIAL COMMITTEES AND OTHER COMMITTEES

### (a) *Special Committees*

#### (i) *Composition and Term of Office*

The Standing Committee may elect, and the House by way of Private Business Motion may appoint, a Special Committee to conduct or to report upon any matter affecting the interests of the Society. The lists of members elected shall be read at the next Public Business Meeting following their election. Members of Special committees shall enter office at the time of their election or appointment and shall hold office until they resign or are discharged.

#### (ii) *Report*

The report of a Special Committee shall be presented to the Standing Committee and shall be available for inspection by any member. At this meeting the committee will also discuss planning for the forthcoming term and the year as a whole. Subsequent meetings will include progress reports from the Bursar.

### (b) *Wines and Spirits Committee*

#### (i) *Purpose*

- (1) The Committee shall be the Wines and Spirits Committee of the Society for the purposes of the licensing laws.
- (2) The Committee shall manage the purchase on behalf of the Society and the supply by the Society of intoxicating liquor in accordance with the provisions of the Licensing Act 1964 and any amendments, other relevant statutes or regulations as may be enacted or laid down from time to time by competent statutory or regulatory bodies;
- (3) The Committee shall determine the general pricing strategy for the Society's Main Bar in consultation with the House Manager<sup>53</sup>;
- (4) The Committee shall determine what stock is bought and sold in the Society's Main Bar;

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<sup>50</sup>*Rules for the operation of DSC are set by Standing Order B13.*

<sup>51</sup>*If the Standing Orders suggest otherwise, this would be a drafting error. See Interpretation C33.*

<sup>52</sup>*Further details are set by Standing Order B12.*

<sup>53</sup>*Where there is no House Manager, see Interpretation B7.*

(5) The Committee shall oversee the services, furniture, fixtures and facilities in the Society's Main Bar;

(ii) *Voting Members*

Voting Members of the Committee shall be:

- (1) The licensee(s) of the Main Bar, as appointed by Standing Committee from time to time under Rule 24(c);
- (2) 5 other voting members will be selected by the Committee to serve for a year, and replaced as and when vacancies arise. Such appointments shall be advertised by the Secretary and ratified by Standing Committee
- (3) The Secretary, who shall be the Chair of the Committee

(iii) *Non-Voting Members*

The following shall be Members of the Committee without vote:

- (1) The Bursar;
- (2) The House Manager.
- (3) The Standing Committee delegate, subject to Rule 24(e)(iii)

(iv) *Meetings*

The Committee shall meet at least twice during Full Term.

(c) *Cellars Management Committee*

(i) The Cellars Management Committee shall supervise the running of the Cellars, in compliance with the lease and management agreement between the Union and Purple Turtle, with the aim of ensuring that the Cellars offer a good service for Union members as a central student venue for drinking, dancing and entertainment, and provides a safe and trouble-free environment.

(ii) *Voting Members*

Voting members of the Committee shall be:

- (1) two representatives chosen by the Purple Turtle;
- (2) the President and the President-Elect.

(iii) *Non-Voting Members*

Non-Voting members of the Committee shall be:

- (1) up to three representatives chosen by the Purple Turtle;
- (2) the Secretary, the Chair of Consultative Committee and the Bursar.

(iv) *Meetings*

The Committee shall determine the times of its meetings. It shall meet at least six times a year. Unless otherwise agreed by the Committee, it shall meet on each Monday which is three weeks before the start of each term, and again in 9th Week of each term. An emergency meeting of the Committee shall require five days notice.

(v) *Chairman and Secretary*

The Committee shall appoint a Chair and Secretary. The Secretary shall keep written minutes of each meeting. The time and date of each meeting must be published on the Society's notice board at least five days in advance. Minutes of the meeting shall be published on the Society's notice board.

(vi) *Decisions*

In the event of a motion being voted on in the Committee, and the motion is tied, then the motion will fall.

(d) *Access Committee*

(i) *Purpose and remit*

The Committee shall supervise and discuss all access related matters concerning the Society. The general aim of the Committee shall be to promote access and wider participation within the Society and its committees.

- (1) To aid the access officers in the running of access related events within the Society (this shall include visits by secondary schools to the society);
- (2) To encourage progressive change within the Union with the purpose of increasing participation in committees and membership of the Society from those who are currently underrepresented,
- (3) To aid in the development of a long-term strategic plan to increase access to the Society.
- (4) To foster links with OUSU and other student bodies with the aim of furthering access to the Society.

(ii) *Regular members*

- (1) The Committee shall be jointly chaired by the Access Officer(s) (appointed termly by the President as per the Standing Orders) who shall both report back to Standing Committee regularly on the business of the committee,
- (2) The BME Officer, the Disabilities Officer, the LGBTQIA+ Officer and the Women's Officer(s),
- (3) The Standing Committee Delegate, who shall have a vote,
- (4) 5 other voting members shall be selected by the Committee to serve for a year, and replaced as and when vacancies arise. Such appointments shall be advertised by the joint chairs and shall be ratified by Standing Committee.
- (5) The Committee shall appoint its own Secretary from within its regular members who hold a vote.
- (6) The Senior Treasurer, the Senior Librarian and the Bursar shall be entitled to attend every meeting without vote.

(iii) *Members by virtue of giving notice*

The President, Librarian, Treasurer, Secretary, President-elect, Librarian-elect and Treasurer-elect shall have the right to serve as voting members only at meetings where they have notified the Access Officer of their intention to attend the meeting at least 24 hours in advance.

(iv) *Power*

The Committee shall have no power to authorise expenditure or policy, except in that it may recommend to Standing Committee how the Society's funds and policies may be used and adapted in accordance with this committee's aims, subject to Standing Committee's agreement.

(v) *Decisions*

- (1) In the event of a motion being voted on by the Committee, and the motion being tied, then the President shall have the casting vote.
- (2) If the President is not present then the issue shall be decided when it is brought to Standing Committee for approval.



## RULE 31: SECRETARY'S COMMITTEE<sup>54</sup>

(a) The Secretary's Committee shall consist of the Secretary and eleven Members elected termly. The Committee shall meet at least once a week in Full Term.

(b) The Committee shall be responsible for helping the Secretary promote and run the Society's events under the auspices of the Standing Committee. The eleven elected members of the Committee shall also be responsible for assisting the Chair of the Consultative Committee with their duties. In the event of any elected member of the Committee refusing or failing (without good reason) to provide the Secretary or the Chair of the Consultative Committee with requested assistance in relation to their duties, then the member may be fined by either of the said officials, a sum not exceeding £20. This fine may be repealed by a motion passed by a simple majority in the next meeting of Standing Committee.

(c) No Member of the Society shall be elected to this Committee for more than two terms.

(d) The eleven elected members of the Secretary's Committee shall be required to work in the Society's buildings during the vacation for the amount of time specified by the President-Elect under Rule 34(b)(vi)(1), to assist the members of the Standing Committee in preparing for the Term.

(e) The Secretary, or a resolution of the Secretary's Committee, may call Ordinary meetings of the Secretary's Committee.

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<sup>54</sup>*Food and drink privileges of members of Secretary's Committee are prescribed by Standing Order E18.*

## CHAPTER FIVE: Elections of Officers and Committees

### RULE 32: THE RETURNING OFFICER AND THEIR DEPUTIES

#### (a) *Appointment of Deputy Returning Officers (DROs)*

(i) *Advertisement and Applications.* The President shall advertise on the Society's notice boards for Members to apply for the posts of Deputy Returning Officers for the term's Main Elections; such advertisement shall be posted one week before the deadline for application. The President shall further advertise these posts at the meeting of Consultative Committee immediately preceding the deadline for application. Applications should include details of relevant experience, and must be submitted to the President before 3p.m. on the day of the Ordinary Meeting of Standing Committee in Second Week. Applications may not be withdrawn, although those who become DROs shall have the right to resign.

(ii) *Shortlist.* Before the Ordinary Meeting of Standing Committee in Second Week, the President, the Returning Officer and the Chair of Consultative Committee shall compile a list, prioritised on the basis of their experience and capability<sup>55</sup>, of members from those who applied under (i) above. This list shall be presented to the Ordinary Meeting of Standing Committee in Second Week. Regarding this list:

- (1) Precisely eight shall be applicants who have not served as Returning Officer of the Society in any previous term. If there are fewer than eight such applicants they shall all appear on the list.
- (2) The Returning Officer shall be added to the list;
- (3) Any Ex-Returning Officer who applies shall be added to the list;
- (4) No Member shall be placed on the list if they are a voting member of the Standing Committee, nor if they have been convicted of Electoral Malpractice or any Disciplinary Offence under Rule 71, except where such conviction has been quashed on appeal or where the Returning Officer has deemed beyond reasonable doubt that the reasons for the conviction would not have produced a conviction under the rules as they currently stand. This clause may not be altered except by passage of a Private Business Motion at a Public Business Meeting.

(iii) *Initial Appointments.* At the Ordinary Meeting of Standing Committee in Second Week:

- (1) The shortlist and the full list of original applicants shall be presented. The Returning Officer shall present this shortlist to the Standing Committee and state each applicant's name, college and details of their relevant experience. The Returning Officer should also outline within this presentation the procedure for objecting to applicants. Standing Committee shall have the power to replace names on the shortlist, using names from the full list of original applicants, solely according to the criteria in (ii) above.<sup>56</sup> These criteria shall be applied with reference to circumstances at the time when the list is presented to Standing Committee, irrespective of the circumstances when the list was initially drawn up.
- (2) Should there be fewer than six names remaining on the shortlist after such amendments, Standing Committee may augment the shortlist with Members who did not apply under (i) above<sup>57</sup>, provided that all criteria under (ii) above remain satisfied<sup>58</sup> and those Members consent to serve.
- (3) The Standing Committee shall then ratify the shortlist by passage of a motion, at which point Members on the shortlist shall become DROs.
- (4) The Secretary shall post on the Society's notice boards a list of DROs appointed, within fifteen minutes of the closure of the Meeting at which they were appointed. The time of the posting of the notice shall be included, as shall details of the objections procedure under (v) below.
- (5) Any person who remains on this shortlist after the Standing Committee, despite being rendered ineligible by Rule 32(a)(ii)(4), shall have committed a disciplinary offence under Rule 71 if that person has not notified the President in writing of their ineligibility prior to the ratification of the shortlist.

<sup>55</sup> 'Experience' and 'Capability' as defined in Interpretation A5.

<sup>56</sup> That is, experience and capability: see Interpretation A3.

<sup>57</sup> For clarification on this process, see Interpretation A12. This also provides a definition of 'suitability'.

<sup>58</sup> This procedure is clarified under Interpretation A33.

(iv) *Further Appointments.* In the event of the number of DROs who have not served as Returning Officer of the Society in any previous term falling below eight, the Returning Officer shall nominate further DROs to the Standing Committee for appointment to bring the number to a maximum of eight, in line with the following procedure:

- (1) The Returning Officer shall nominate the person who is highest ranked on the original shortlist passed by the Standing Committee, of those, not currently being DROs, who are eligible, have not been removed by the scrutiny panel for that term, and consent to serve; unless there is no such individual, in which case the Returning Officer shall nominate a member who is eligible, has not been removed by the scrutiny panel for that term, and consents to serve,
- (2) The Standing Committee shall determine if the individual is capable or incapable (with capability defined under (vii)(2) below),
- (3) If the Standing Committee determines the individual to be capable, they shall appoint them. If the Standing Committee determines the individual to be incapable, they shall ask the Returning Officer to submit an alternative candidate, and steps (1) and (2) shall be repeated.
- (4) Following the appointment, the provisions of (iii)(4), (iii)(5), (v) and (vi) shall apply.

(v) *Objections to Appointments*

- (1) The Standing Committee may record in its motion of appointment under (iii)(3) above a corporate objection to any of those appointed.
- (2) Any individual Member may object to any DRO appointment.
- (3) Objections under (1)-(2) above must concern the DRO's suitability, not their experience or capability.
- (4) Individual Members wishing to object must do so in writing to the President within 48 hours of the posting of the notice of appointment under (iii)(4) above; objections shall only be considered if signed by the Member making the objection.
- (5) The President shall notify those DROs against whom objections have been made of the substance of all such objections, without revealing the identity of the objector, within 96 hours of the posting of the notice of appointment.<sup>59</sup>
- (6) Within 144 hours of the posting of the notice of their appointment, the DRO objected to shall have the right to submit to the President a written response to such objections for consideration under (vi) below. This response shall be confidential and only made available to those reviewing the appointment under (vi) below.

(vi) *Scrutiny of Appointments*

- (1) Within 168 hours of the posting of the notice of appointment, a scrutiny committee of three Members shall meet *in camera* to consider objections and rebuttals made under (v) above<sup>60</sup>.
- (2) Ordinarily this committee shall be composed of the President, the Returning Officer, and the Chair of the Consultative Committee, except that convictions of Electoral Malpractice or any Disciplinary Offence under Rule 71 not quashed on appeal shall render these individuals ineligible to sit, and they shall be replaced as under (3) below. If any member of Scrutiny Committee receives an objection to his appointment as a DRO, or has themselves lodged an objection against the appointment of another DRO, that member shall be ineligible to be present when this objection is considered, and a replacement for that member must be made to consider that objection only.
- (3) In the event of replacements to the President, the Returning Officer or the CCC being required, vacancies shall be filled by ex-Returning Officers still enrolled at institutions specified under Rule 3. Invitations to fill such vacancies shall be made, beginning with the most senior such ex-Returning Officer, by the President. If an ex-Returning Officer receives an objection to his reappointment as a DRO in the term in question, they shall not act as a replacement; nor shall they if they have a conviction for offences under Rule 33 or Rule 71 which has not been quashed on appeal.
- (4) If, after the list of eligible ex-Returning Officers has been exhausted, three eligible people cannot be found to constitute the scrutiny committee, the Senior Officers shall be empowered to appoint as many Members of good character as may be required to bring the total to three.

<sup>59</sup>Otherwise, the DROs will have 48 hours to respond from the time of notification: see Interpretation A39.

<sup>60</sup>And only objections and rebuttals: introduction of new material is a disciplinary offence: see Interpretation A40.

(5) The scrutiny committee shall decide whether to uphold any objection by majority vote. If an objection is upheld, the appointment of the Member in question shall be revoked. Any Member whose appointment has been revoked on the grounds of an objection having been upheld shall not be eligible to become a Returning Officer's Assistant in that term. The decision of the scrutiny committee shall be final, but this shall not protect the committee from disciplinary action if these rules are breached.<sup>61</sup>

(vii) *Definitions*

(1) 'Experience' in this Rule refers first to experience in the administration of the Society's Elections (and shall follow the order of seniority of Deputy Returning Officers of the Society as defined in Standing Order D12, until these criteria are exhausted), and then to experience in the administration of other Elections and to other general experience of the governance of the Society. Terms as a DRO in which an objection was upheld against the applicant will not be counted<sup>62</sup>.

(2) 'Capability' in this Rule refers to the competence of applicants to assist in the administration of the Society's Election that term, based on any known factors that may affect any applicant's general ability to perform their duties were they appointed. No Member shall be considered incapable unless they are unable to perform any of the duties of a Deputy Returning Officer.

(3) 'Suitability' is to be determined at the absolute discretion of the scrutiny committee. Each scrutiny committee shall apply the same standard to every Deputy Returning Officer.

(b) *Election of the Returning Officer*

The Returning Officer shall summon a conclave of the new DROs to meet before 11 pm on Wednesday of Third Week to elect a new Returning Officer, to serve until a successor be elected or appointed under this clause or under (d) below.<sup>63</sup> The Returning Officer shall give two days' notice of the meeting on the notice boards. The election shall take place according to a system of preferential voting.<sup>64</sup> Only the current Returning Officer or one of the new DROs may be elected. The Returning Officer may not be the CCC. The Returning Officer may not have resigned or been removed under Rule 32(d) within the previous term. No Member may become Returning Officer unless they shall have attended at least one previous Count for the Poll for the Election of Officers and Committees of the Society. Voting rights shall be held exclusively by the Returning Officer and the new DROs. No Member shall have voting rights in Conclave nor be eligible to be elected as Returning Officer until their appointment that term has passed through the objections procedure under Rule 32(a)(v) and the Scrutiny Committee has met.

(c) *Resignation or Removal of DROs*

(i) If a DRO be elected or appointed Returning Officer, or resign, they shall immediately cease to be a DRO.

(ii) *Electoral Allegations and Disciplinary Complaints*

(1) If a DRO becomes subject to an allegation under Rule 33, or they bring an allegation under Rule 33 or Rule 71, they shall immediately cease to be a DRO until the conclusion of the judicial process, at which point they shall resume being a DRO if they have not been convicted.

(2) If a DRO becomes subject to a complaint under Rule 71, the Returning Officer must immediately requisition an Emergency Meeting of Standing Committee. If a third of those present at that meeting vote that the nature of the complaint relates to the performance of the duties of the DRO, or the exercise of the powers of the DRO, that DRO shall immediately cease to be a DRO until the conclusion of the judicial process, at which point that DRO shall resume being a DRO if they have not been convicted.

(3) A DRO convicted of any other offence under Rule 71 shall immediately cease to be a DRO, but shall resume being a DRO if that conviction is quashed on appeal.

(4) For the purposes of Rule 32(a)(v) and Rule 32(a)(vi) only, anybody who ceases to become a DRO under this Rule shall still be considered to be a DRO.

<sup>61</sup>In particular, this decision may not be challenged by Special Adjournment Motion. See interpretation A110.

<sup>62</sup>Nor will terms where the DRO resigned before Scrutiny Committee: see interpretation A55.

<sup>63</sup>This must take place in curia when the buildings are normally open: see interpretations A14 and A23.

<sup>64</sup>See interpretation A96 for where proxy voting has been allowed

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(iii) The Returning Officer may convene the scrutiny committee under (a)(vi) above to meet, subsequent to its initial meeting, to consider revoking the appointment of any DRO. In this eventuality the DRO in question shall be informed of the objection to them and given a reasonable time (determined by the scrutiny committee) to respond before the committee meets. The committee shall then proceed according to (a)(vi)(2)-(5) above.

(d) *Resignation or Removal of Returning Officer.*

(i) If the Returning Officer should resign, or if, in the opinion of two-thirds of the Standing Committee present and voting, they should become unwilling or unable to perform their duties, they shall immediately cease to be Returning Officer, and become a DRO. Unwilling or unable is to be determined at the absolute discretion of the Standing Committee. In their capacity as a DRO they shall be unable to run in Conclave for the position of Returning Officer for one term after their removal or resignation under this provision (d).

(ii) *Electoral Allegations and Disciplinary Complaints*

(1) If the Returning Officer becomes subject to an allegation under Rule 33 or if they become subject to an allegation under Rule 71 and at its next meeting two-thirds of those present at Standing Committee vote that the complaint relates to the performance of the duties or the exercise of the powers of the Returning Officer, or if the Returning Officer himself brings an allegation under Rule 33 or Rule 71, they shall immediately cease to be Returning Officer, and shall not become a DRO. At the conclusion of the judicial process, if they have not been convicted, they shall resume being a DRO.

(2) If the Returning Officer becomes subject to a complaint under Rule 71, the Returning Officer must immediately requisition an Emergency Meeting of Standing Committee. If a third of those present at that meeting vote that the nature of the complaint relates to the performance of the duties of the Returning Officer, or the exercise of the powers of the Returning Officer, they shall immediately cease to be Returning Officer and shall not become a DRO. At the conclusion of the judicial process, if they have not been convicted, they shall resume being a DRO.

(3) If convicted of any other offence under Rule 71, the Returning Officer shall immediately cease to be Returning Officer and shall not become a DRO, but shall resume being a DRO if that conviction is quashed on appeal.

(4) For the purposes of Rule 32(a)(v) and Rule 32(a)(vi) only, anybody who ceases to become Returning Officer under this Rule shall still be considered to be a DRO.

(iii) In the event of (i) or (ii) above, the DROs shall elect a successor as soon as possible, subject to (b) above, and the most senior of them shall become Acting Returning Officer *ad interim*. Two days' notice of the meeting of conclave may be waived if all the DROs agree. If it be impracticable for at least four DROs to elect a new Returning Officer within four days, the Senior Librarian, or, failing that, the Senior Treasurer, shall appoint the Returning Officer.<sup>65</sup>

(e) *Duties of the Returning Officer*

(i) The Returning Officer shall conduct the Elections of Officers and Committees of the Society as provided in Rules 32-38 and Chapter D of the Standing Orders. The Deputy Returning Officers shall assist the Returning Officer in the conduct of the Elections. The Returning Officers and his Deputies shall attempt to ensure that no breach of Rule 33 occurs.

(ii) The Returning Officer shall maintain the six interleaved copies of the Rules, Standing Orders and Special Schedules referred to in Rule 67(f). The Returning Officer shall be responsible for entering therein such amendments and cancellations in Rules, Standing Orders, Special Schedules and Appendices to the Rules as may be made.<sup>66 67</sup>

(1) Within 28 days of any alteration or cancellation to these, the Returning Officer shall give written notice to the Secretary to the Trustees of the Oxford Literary and Debating Union Trust and, if the Rule change is relevant, written notice to the Chief Executive of Oxford City Council and/or the Chief Constable of the Thames Valley Police. The Returning Officer shall

<sup>65</sup>Where possible from the list of eligible DROs, see Interpretation A97

<sup>66</sup>The Returning Officer must be sent the exact wording of a proposed amendment, see Interpretation A89

<sup>67</sup>On the right to correct errors in the rules, see Interpretation D2; for a limitation, see Interpretation D7.

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also send a fully amended edition of the new rules to the Bodleian Library (Room 132) and to the other copyright Libraries. The Returning Officer shall also maintain a rules archive in the Society's Archive Room.

(2) The Returning Officer may, in the course of this duty, adjudicate upon whether any amendment to the Rules or Standing Orders, or any Interpretation, has been made in accordance with the procedural requirements of the Rules (in particular, Rules 67, 68 and 73). Their rulings and interpretations on such matter shall be made under Rule 67(e), being binding in the instant case unless appealed to a body of senior interpretative power. Where the President or the Returning Officer rules that an amendment to the Rules or Standing Orders has not been validly made, any member may, by delivering a requisition to the Returning Officer, require the Returning Officer to summon a Senior Disciplinary Committee to adjudicate upon whether that ruling is correct.

(iii) The Returning Officer shall enter the results of the Society's main elections in the Business Minute Book.

(iv) *Disciplinary Duties*

(1) The Returning Officer shall oversee the disciplinary and membership processes of the Society, as laid down in Rule 3(d), Rules 5-8, Rule 53, Rules 63-66, Rule 71 and Standing Order Chapter G.

(2) If the Returning Officer is not willing or able to conduct their disciplinary duties, or if they are subject to a complaint themselves, their powers and duties (but not the office itself) for the purpose of the disciplinary matter shall be devolved upon the next most senior Deputy Returning Officer who is willing and able to perform these duties and not themselves party to a disciplinary complaint under Rule 71. In the event of no DRO being available, the Senior Officers shall appoint a member, who shall not be a voting member of Standing Committee nor themselves party to a disciplinary complaint under Rule 71, to exercise the powers and duties (but not the office) of the Returning Officer for the purposes of the disciplinary matter.

(3) In the absence of any Senior Officer holding the position of Senior Officer, for the purposes of the rules concerning fines and disciplinary offences, the Returning Officer shall be empowered to act in their place.

(f) The Returning Officer shall be familiar with the Rules and Standing Orders of the Society, and shall advise the Standing Committee upon their content and interpretation, although such advice shall have no binding effect under Rule 67(e)(i).

(g) *Interpretation of the Rules*

The Returning Officer may on request at any time issue to any Member in writing an interpretation of any of these Rules and Standing Orders over which the Returning Officer is accorded power of interpretation by Rule 67(e)(i). A copy of such an interpretation shall be posted upon the Society's Notice-board as soon as practicable and entered into the six official copies of the Rules, and shall have binding effect as provided by Rule 67(e)(i).

(h) *Tribunal Short List*

The Returning Officer shall draw up a list of names of at least fifteen and not more than twenty-five Members to serve as the Short List for membership of any Election Tribunal called under Rule 33. The Returning Officer shall propose this list for the approval of Standing Committee at its Ordinary Meeting in Fifth Week. The Standing Committee may accept the list either as proposed or without any particular name or names. Should Standing Committee not accept any name on the original list, it shall require the Returning Officer to propose a further name in its place. Only Ex-Officers, former members of the Standing Committee and Ex-Returning Officers,<sup>68</sup> of at least eighteen terms' standing<sup>69</sup> in the Society shall be eligible to serve on the Election Tribunal Short List. The Returning Officer shall as soon as may be write to the Members whose names are on the Short List asking whether they are likely to be available for service on an Election Tribunal should one be called.

(j) The Returning Officer shall supervise the receiving of nominations for the Society's Elections. The Returning Officer shall be present on the Society's premises for the last two hours during which nominations are open.

<sup>68</sup>Including ex-CCCs and ex-CDSCs, see *Interpretation A93*

<sup>69</sup>On the definition of 'terms' standing', see *Interpretation E7*.

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(k) The Returning Officer may appoint Members as Returning Officer's Assistants to aid the Returning Officer in the performance of their duties<sup>70</sup>. The Returning Officer shall post on the Society's Notice board not later than 4:00pm on the day of the Poll the names of any Members the Returning Officer intends to appoint as such<sup>71</sup>. If two or more candidates object in writing before the start of the Count to the appointment of any Returning Officer's Assistant, that appointment shall immediately be revoked.<sup>72</sup>

(l) The Returning Officer shall inform the Oxford Licensing Authority of any change in the Licensee or Licensees of the Society's Bars.

(m) For the purposes of deadlines for notifying the Senior Officers of a matter, in relation to their duties under Rule 33 or Rule 71, receipt by the Returning Officer of a communication shall be deemed sufficient for meeting that deadline; the Returning Officer shall then ensure that the communication is passed onto the Senior Officers as soon as possible.

(n) Any person who has ever:

(i) been convicted of any offence for which they were punished by a fine exceeding £100, suspension or expulsion, or for which they were banned from nominating for the Society's election; or,

(ii) been convicted of any other offence, unless the Returning Officer has deemed, beyond reasonable doubt, that no conduct for which the person was convicted would have led to a conviction under any of the following Rules in their current form:

(1) 33(a)(i)(5), (6), (10), (11), (12), (13), (14), (15), (16), or (19); or,

(2) 71(a)(i)(1), (2), (3), (4), (9), (10) or (27);

shall not be eligible to serve as a Deputy Returning Officer or Returning Officer's Assistant, nor to serve on an Appellate Board or Junior Disciplinary Committee, nor to be added to the shortlists for Election Tribunals, Intermediate Disciplinary Committees, or Senior Disciplinary Committees/Disciplinary Appeals Committees. Additionally, Election Tribunals and Disciplinary Committees may rule that any individual who has been convicted of any offence shall be ineligible to serve in these capacities. No conviction that has been quashed on appeal shall count as a conviction for rule 32(n). Failure to inform the Returning Officer of all convictions upon request, when agreeing to hold a position listed above, shall be an offence under 33(a)(i)(16) and 71(a)(i)(14). This section may not be altered, except for the addition of new rules to 32(n)(iii)(1) or (iii)(2), except by passage of a Private Business Motion at a Public Business Meeting.

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<sup>70</sup>*The ROA's term of office expires with that of the Returning Officer: see Interpretation A35.*

<sup>71</sup>*This shall be read in accordance with Interpretation A51.*

<sup>72</sup>*See Interpretation A90 on ways in which an ROA can resign or be revoked by the Returning Officer*

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## RULE 33: ELECTORAL MALPRACTICE

### (a) *Definition of Malpractice*

(i) A person shall have committed an Electoral Malpractice if they perform any of the following actions:

- (1) communicating any illicit statement as described in Rule 33(a)(ii)(1) below;
- (2) communicating any unscrutinised factual claim which forms part of a public statement, which they could not reasonably believe to have been scrutinised, and which is for the immediate purpose<sup>73</sup> of soliciting votes for or against a candidate;
- (3) representing or attempting to represent themselves or any other Member or Members to be the candidate(s) of, or endorsed, supported or opposed by, any political party, group or faction or any University Society, or any national, racial, or religious party, group or faction, or newspaper or journal or persuading or attempting to persuade any other person to do so; or engaging in any electoral pact between Candidates in the Election and Candidates in any different election inside or outside the Society - although this shall not affect any internal agreements amongst candidates for the various posts in the main Election itself;
- (4) procuring or attempting to procure any vehicle or conveyance for the purpose of systematically conveying Members to the poll, unless authorised to do so by the Returning Officer, in the case of distant locations or unusually inclement weather, where the Returning Officer is satisfied that neither the intention nor the effect of such conveyance would be unduly to benefit or to hinder any specific candidate or candidates;
- (5) bribery or buying Memberships in order to influence the result of the Election; or paying, or promising to pay, another Member's nomination fee; or making, or undertaking to make, some payment or financial inducement, either directly or indirectly, to any person (whether a Member or not) in order to encourage, discourage, facilitate or hinder another Member's candidature in any way, either directly or indirectly;
- (6) extortion, blackmail or intimidation in connection with the Election;
- (7) organised treating by or on behalf of any candidate either between the Opening of Nominations and the Close of Poll, or so as to draw attention to the candidature of a Member;
- (8) interfering with, obscuring, defacing or removing, any photograph, manifesto, notice, poster, mailing or other material issued or distributed by the Returning Officer, unless specifically authorised to do so by the Returning Officer;
- (9) soliciting votes for or against any candidates on the Society's premises;
- (10) misusing or abusing one's official position in the Society, or promising to misuse or abuse one's prospective official position in the Society, so as unfairly to promote one's own candidature or to promote or hinder the candidature of another Member;
- (11) any deliberate breach of the Rules or Standing Orders regarding the conduct of the Election<sup>74</sup>;
- (12) making Allegations of Electoral Malpractice that are frivolous or are unfounded and brought out of malice;
- (13) deliberately giving false evidence to an Election Tribunal;<sup>75</sup>
- (14) making an unreasonable Appeal against the findings of an Election Tribunal<sup>76</sup>;
- (15) breaching Rule 5, or otherwise using the Society's records of Membership, with the intention of promoting or hindering the candidature of any Member or otherwise influencing the result of the election;
- (16) deliberately hindering or attempting to hinder the Returning Officer, or their Deputies in the discharge of their duties;
- (17) persistently loitering in or outside the Poll Room during the Poll for an Election in such a way as to influence the Poll;

<sup>73</sup> The concept of "immediate purpose" is developed in Interpretation A92.

<sup>74</sup> Including Rule 23(h): see Interpretation A36.

<sup>75</sup> On the submission of documentary evidence that has been tampered with, see Interpretation E3.

<sup>76</sup> Including those with the right to appeal; see Interpretation F1



(18) producing for distribution or distributing physical campaign materials or videos, making websites or webpages, excluding those on free social media platforms, or spending money on, advertising or publicising the Election or a candidate; this provision shall not apply to day-to-day expenses, such as the costs of Internet usage and telephone usage;

(19) impersonating another Member in order to hinder or promote a candidature; pretending to be from a college or institution not one's own when soliciting votes; or trying to impersonate another voter when voting in the Poll Room;

(20) making use of any University email system for the purposes of soliciting votes for or against a candidate, or for drawing attention to the Election;

(21) abusing or misusing the rules or forms of the House or persistently seeking to obstruct debate in the House, in order to promote or hinder the candidature of a Member (including, but not exclusively: the Chair systematically and persistently showing bias in the selection of Members being called to speak; the Chair persistently and systematically ignoring the time restrictions for speakers; forging signatures on the list for Members to speak in the after-debate; the misuse or abuse of procedural motions; but excluding the legitimate usage of Rule 46 (e));<sup>77</sup>

(22) maliciously or recklessly causing the Returning Officer to exercise their power to suspend the Count under Rule 35 (i) (iv), with the intention of breaching the secrecy of the Count. Any allegation brought or action taken as a consequence of this clause may be in addition to any normal and legitimate action against any Member who has set off an alarm or otherwise prejudiced the good order of the Society's rooms, whether with intent to breach the secrecy of the Count or not;

(23) breaching the secrecy of the Count by disclosing any result, or pretended result, either directly or indirectly, before the Count is finished<sup>78</sup>, whether or not the Count has been suspended for any reason, without the sanction of the Rules or Standing Orders;

(24) aiding or abetting any of the above.

(ii) (1) A statement shall be deemed illicit for the purposes of Rule 33(a)(i)(1) if all of the following conditions apply: the statement is untrue or misleading; the person communicating the statement intends, in whole or in part, to influence the course of the Election; and, at the time of communication, the person communicating the statement could not reasonably believe it to be true and non-misleading. A statement shall be deemed untrue if evidence cannot be adduced to satisfy a reasonable belief in its truth.

(2) For the purposes of Rule 33(a)(i)(2), a factual claim shall be deemed unscrutinised if its contents have not been verified under Rule 35 (b)(xvii).<sup>79</sup> A claim shall be deemed factual if it cannot reasonably be interpreted as a statement of opinion.<sup>80</sup> A statement shall be deemed public if, in form or substance, it is intended to be encountered by more than 25 people.

(3) No Staff member, Senior Officer, OUS Trustee, nor any member who is an OLDUT Trustee, nor the Returning Officer or any of their Deputies or Assistants, may solicit votes for against any candidate in an election. Such solicitation shall be deemed Electoral Malpractice under (a)(i)(10) above.

(iii) This Rule shall be interpreted in accordance with the following<sup>81</sup>:

(1) The intention of this Rule is to ensure that the criteria upon which the Officers and Committees of the Society are chosen are founded upon the merits of the candidates themselves as displayed in debating ability, past or potential contributions to the administration of the Society and general sociability, and that Members do not gain advantages by virtue of being richer than other candidates, or in a position to offer deals involving other elections inside or outside the Society, or by employing an election agent, that Members are not persistently harassed into voting for particular candidates, and that candidates do not behave in a manner liable to bring the Society into disrepute.

(2) It is not the intention of this Rule to stifle legitimate discussion of the merits or demerits of candidates, to prevent candidates from leading normal social lives involving as it may the sort of

<sup>77</sup>Full elucidation on this point is provided by Interpretation A30.

<sup>78</sup>The Count shall be deemed to have finished once the results are announced in the Bar; see Interpretation A52.

<sup>79</sup>See interpretation A103 for when a claim may be considered verified under Rule 35(b)(xvii).

<sup>80</sup>Statements of intent cannot reasonably be interpreted as a statement of opinion, under Interpretation A104.

<sup>81</sup>The importance of this rule is underlined in Interpretation F2

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private discussion of their interests and pursuits that is common between close personal friends, nor to prevent candidates from standing in other elections, nor to stop Members from asking or advising candidates to stand or not to stand whether in general or for any particular Office or Committee, nor is it the intention to alter traditional practices the legitimacy of which has been generally agreed, in particular with regard to speakers in the Presidential Debate.

(b) *Complaints and Allegations*<sup>82</sup>

(i) If the Returning Officer receives, not later than the Close of the Poll, a written complaint concerning the circumstances of the election, they shall investigate the complaint and advise and warn those concerned.

(ii) After the Close of Poll, but within 48 hours thereof, any Member may bring before the Returning Officer or any of their Deputies a Written Allegation<sup>83</sup>, signed by the Member concerned, that:

(1) A Member or Members, including the Returning Officer or any of their Deputies, have committed an Electoral Malpractice; or

(2) An Electoral Malpractice has been committed by a person or person unknown or by a person who is not a Member; or

(3) A fine levied by the Returning Officer or one of their Deputies under Rule 35(i)(iii) was unjustified.

The Returning Officer may not call a tribunal without a written allegation, save as under (ix) below, or as under Standing Order D5 (e).

(iii) The Returning Officer and their Deputies shall meet in the Room in which the Poll was held not later than 47 1/2 hours after the Close of Poll, and shall remain there until 48 hours after the Close of Poll, for the express purpose of receiving Allegations.

(iv) Within ten minutes after the time limit for the receipt of Allegations has expired, the Returning Officer shall post on the Notice board a list of Allegations received or a notice to the effect that no allegations have been made, as appropriate. The infringement of this provision by the Returning Officer shall be deemed to be an Electoral Malpractice under (a)(i)(11) above, and notwithstanding the time limit imposed in (ii) above, allegations brought under this sub-section may be made within 49 hours of the Close of Poll to any Deputy Returning Officer.

(v) On receipt of any allegation the Returning Officer shall call an Election Tribunal as under (c) below.

(vi) The Returning Officer shall only be deemed to have received a Written Allegation if it is signed by a Member and complies in form or substance with the following format, namely: "I, (insert name of allogger), hereby allege that (insert name of accused, if known) did commit an Electoral Malpractice (or levied an unjustified fine) by breaching (insert Rule/Standing Order Number) I herewith attach or enclose details of the evidence which I shall submit to the tribunal namely:

(1) A description of the facts and circumstances of the Alleged Malpractice;

(2) Details of any documentary or other recorded evidence which corroborates the description in (1); and/or

(3) Details of witnesses or circumstances which corroborates the description in (1) or the evidence in (2).

The details under (1), (2), (3) shall be attached or enclosed. The Returning Officer shall inform the Allogger if the Written Allegation is not valid because of a defect in the above requirements.

(vii)

(1) The Returning Officer may order a recount if a Member brings to his attention within 48 hours of the Close of Poll an error in the results published on the Notice board.

(2) If a recount is ordered under (1) above or the Count or part of it has been postponed the time limit for the receipt of Allegations shall be extended to 1 hour after the result of the recount or postponed Count has been announced, if it takes place after the normal 48 hours limit has expired. There shall also be a further hour in which allegations against the Returning Officer for failure to post on the Notice board a list of Allegations received or a notice to the effect that no

<sup>82</sup>On withdrawal of allegations, see Interpretation E4.

<sup>83</sup>Which may be an email sent to [ro@oxford-union.org](mailto:ro@oxford-union.org): see Interpretation A43.

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allegations have been made, as appropriate, at the end of the time limit for the receipt of Allegations under this subsection.

(viii)

(1) Every candidate in the election shall report to the General Office in person between 10.00am and 10.00pm on the third day after the Poll to determine whether their attendance is required by an Election Tribunal. If a Tribunal is set up, any candidate failing to so report shall be disqualified from the Election forthwith and fined a sum of £50. The Returning Officer and all Deputy Returning Officers serving at any time after two weeks prior to the close of nominations shall report likewise<sup>84</sup>. Any Returning Officer or Deputy Returning Officer failing to so report shall be fined a sum not exceeding £100 and disqualified forthwith from serving as an electoral official in the Society's elections for the remainder of the term and the following two terms.

(2) Notwithstanding the provisions of (1) above, any person under the jurisdiction of (1) above prevented by genuinely pressing reasons from being in Oxford on the third day after the Poll shall notify the Returning Officer in writing at the time of nomination or at the earliest possible moment thereafter, and shall report to the General Office in person or by telephone at a time agreed with the Returning Officer; such a report shall be deemed as fulfilling the requirements of (1) above. In the case of any person reporting by telephone under this clause, notice is given by telephone in the presence of a witness that his attendance is required by the Election Tribunal or that he is a defendant at the Tribunal shall be deemed sufficient for all purposes of these Rules. Should the Returning Officer be the individual affected by this rule, their authority for the purposes of this rule shall be automatically delegated to the most senior Deputy Returning Officer currently in office.

(3) In the case of candidates who have failed to report under (1) above, the Tribunal Panel may choose to rescind either or both of the fine and the disqualification if it is satisfied that the candidate's failure to report was the result of unforeseeable or unavoidable circumstances or would otherwise be manifestly unjust. In the case of any Returning Officer or Deputy Returning Officer who has failed to sign down under (1) above, the Tribunal Panel may choose to rescind either or both of the fine and the disqualification from serving as an electoral official if it is satisfied that the Returning Officer's or Deputy Returning Officer's failure to report was the result of unforeseeable or unavoidable circumstances or would otherwise be manifestly unjust.

(4) Every candidate shall at the time of nomination sign a declaration that they are aware of the provisions of this clause, and that they expect to be able to report as under (1) above or that they require a dispensation as under (2) above.

(ix) If the Returning Officer receives, after the close of polling but within 48 hours thereof, a written objection to the result of the election on the grounds of Innocent Interference<sup>85</sup>, that is:

(1) that the outcome of the Election has been perverted by the dissemination of untrue or misleading statements, or of unscrutinised factual claims, about a candidate or candidates, even though such dissemination was accompanied by a reasonable belief in the contrary nature of the statements or claims of respectively; or

(2) that the Returning Officer has in good faith (through negligence or otherwise) misinterpreted the Rules concerning that conduct of the Election in such a way as to affect its outcome, or otherwise affected it through negligence;

The Returning Officer shall summon a tribunal as if an Allegation of Electoral Malpractice has been made. In such circumstances the Tribunal shall investigate the circumstances of the election as if the objection were an allegation of Electoral Malpractice against the person or persons named in it, except that no penalties shall be imposed upon such persons unless in the course of investigation the Tribunal become satisfied that the actions objected to were in fact deliberate electoral malpractice. Any objection made under this clause which is frivolous or unfounded and brought out of malice shall be an electoral malpractice Allegation which is frivolous or unfounded and brought out of malice.

<sup>84</sup>For clarification on 'likewise', see Interpretation A65.

<sup>85</sup>For further elucidation on 'innocent interference', see Interpretation F8.

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(c) *The Election Tribunal*

(i)

(1) The Election Tribunal shall be set up by the Returning Officer if necessary, as soon as possible, and shall consist of any three of the Members whose names were on the Short List made under Rule 32(h), save that should fewer than three of the said Members be available, the Tribunal shall consist of any Members chosen with the Standing Committee's approval that satisfy the requirements of the said Rule. The Returning Officer and the Standing Committee shall use their best efforts to ensure that at least one Member of the Tribunal is a qualified lawyer. No person shall serve on an Election Tribunal more than once in the space of three terms.<sup>86</sup>

(2) As an exception to Rule 23(d), SO B6 and SO B10, if an election complaint has been validly submitted such that a tribunal is necessary, but the Returning Officer is unable to organise a sustained, quorate tribunal that is sufficiently able, within the required time period and deadlines, to hear all the complaints and evidence and then deliberate fully, then the Returning Officer shall be able to summon an Emergency Meeting of Standing Committee for the purpose of appointing an additional tribunal shortlist only, without any minimum notice period for the meeting or for the agenda.

(3) In the case of sub-section (2), then for the purposes of SO B10, four days written notice shall not be required. However, the Returning Officer shall be required to ensure that a valid Requisition is published on notice board and that they or their Deputies have attempted to contact verbally or by phone each member of Standing Committee as far as possible in order to inform them of the meeting in advance.

(ii) The Election Tribunal shall have the complete power<sup>87</sup> to investigate all the Allegations and circumstances dependent upon those Allegations only. No Allegations brought after the time limits laid down in (b)(ii) and (b)(iv) above shall be considered by the Tribunal<sup>88</sup>. The Tribunal shall have discretion in the determination of penalties, save that:

(1) Any Member making an allegation which is frivolous or unfounded and brought out of malice shall be suspended for at least one term, and, if such allegations be made against the Returning Officer or any of their Deputies the Member shall in addition be fined at least £50;

(2) If the Returning Officer or one of their Deputies be found guilty of an Electoral Malpractice, they shall be automatically disqualified from taking any part in the count in future, dismissed from any Office they currently hold in the Society, and suspended for at least one term;

(3) Any Member making an unreasonable appeal against the findings of an Election Tribunal under (d) below shall be suspended for one term, forbidden to serve on any Committee or nominate themselves for any Committee or Office for a further three terms, and fined £50, these penalties in all cases being added to any penalties otherwise imposed under (c)(ii) or (iv);

(4) Notwithstanding anything else in this Rule, no penalty shall be inflicted upon a Member if the allegations against them are found to be frivolous;

(5) The Election Tribunal shall always consider whether or not any allegations before it are frivolous, or, if unfounded, brought out of malice.

(iii) The standard of proof required for a conviction shall be that the Tribunal is satisfied beyond all reasonable doubt of the defendant's guilt. No person shall be found guilty save by unanimous vote. The standard of proof required to settle all other questions of fact shall be a simple balance of probability, and a majority verdict shall be sufficient.

(iv) The Election Tribunal may inflict any or all of the following penalties on a Member found guilty of Electoral Malpractice, even in addition to the provisions of (c)(ii) above:

- (1) a fine;
- (2) disqualification from the current election;
- (3) disqualification from holding Office or sitting on any Committee in any following term;
- (4) disqualification from nominating himself in any subsequent election;
- (5) suspension;

<sup>86</sup>On discussion of the validity of Election Tribunals, see Interpretation E1 and F6.

<sup>87</sup>Paying due regard to Standing Order D8.

<sup>88</sup>Written allegations: see Interpretation E11.

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(6) expulsion;

(7) in the cases of the President-Elect, Librarian-Elect, and Treasurer-Elect only, immediate dismissal from Office, which shall for the purposes of Rule 38 be deemed to be a resignation.

(v) The Election Tribunal may, under the conditions laid down by Standing Order, inflict a fine on any Member who fails to appear before it.<sup>89</sup>

(vi) The Election Tribunal shall not inflict any penalty upon nor recommend any proceedings against any person other than one whom it convicts of Electoral Malpractice, save as under (v) above. The annulment of the Poll or part of the election and the ordering of a re-poll or new election shall not be considered a penalty.

(vii) The Election Tribunal may annul the whole Election or the Election for any particular Office or Committee or for any particular place on any Committee, if it is satisfied that Malpractice or Innocent Interference, as defined in (b)(ix) above, has substantially affected the result, or otherwise in accordance with the provisions of (b)(viii)(1). In the event of an annulment, it shall be the Returning Officer's duty to arrange a new Election for Monday of First Week, or, if the Election annulled was itself held on Monday of First Week, at the most convenient time during Full Term. The Election Tribunal may make such provisions as it think fair concerning the procedure and arrangements of the new Election. Notwithstanding the provisions of Rule 67(e)(i), such orders shall not generally act as Authoritative Precedents. The Tribunal may make any provisions it thinks fair with regards to the conduct of this new election, including but not limited to:

(1) Ordering a re-poll;

(2) Restricting those eligible to stand and/or nominate in the new election or re-poll;

(3) Allowing previously-nominated candidates to withdraw from the election;

(4) Re-opening nominations

Notwithstanding the provisions of this paragraph (c)(vii) in respect of any disqualification of any candidate pursuant to the provisions of (b)(viii)(1) above, if the Election Tribunal is satisfied that no such re-election is necessary, the result of the original election shall be determined by recounting the ballot papers while ignoring all preferences for the disqualified candidate(s), save that the Tribunal may order that no such recount is necessary if satisfied that it could not affect the existing results. Furthermore, if, in respect of any disqualification of any candidate pursuant to the provisions of (b)(viii)(1) above only, no candidates disqualified under (b)(viii)(1) above in respect of any Election were elected in that Election then the Tribunal, at its absolute discretion, may order that no such recount is necessary in respect of such Election.

(viii) The Election Tribunal, or failing it, the Appellate Board shall have the power and the duty to make any order necessary to remedy any failure of the Rules otherwise to determine how to fill vacancies left by its action.

(ix) The Election Tribunal shall complete its investigations and shall present a declaration to the Returning Officer within 216 hours of the Close of Poll. The declaration shall state the allegations made, the verdicts returned, and any penalties inflicted, and shall be read by the Returning Officer to the next Public Business Meeting. Within 261 hours of the Close of Poll, the Election Tribunal shall report in full to the Returning Officer and thereupon cease to exist except as regards (d) below. A copy of the report shall be posted on the Notice board as soon as practicable for at least five days; this report shall be read by the Returning Officer to the next Public Business meeting, if the Returning Officer thinks it is necessary, or if they are so directed by the Election Tribunal, unless it have been quashed by an Appellate Board.

(x) Once the Election Tribunal is set up, no question whatsoever shall be asked, no motion whatsoever moved, nor discussion whatsoever initiated, in the House or in the Standing Committee, that in any way relates to the action of the Returning Officer under Rule 33, or to the setting-up, composition, action or report or any other circumstances whatsoever of the Election Tribunal, save as may be necessary for proceedings against convicted parties under Rule 7(b), or to enable the Standing Committee to ensure that any punishments inflicted are carried out, to determine the Society's response to any judicial or quasi-judicial proceedings, or to carry out actions directed or recommended by the Appellate Board in its Report made under (d) below.

<sup>89</sup>*This is Standing Order D9. Interpretations C11 and C12, regarding subpoenas, should also be consulted.*

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(xi) Any Member who has a direct interest in the outcome of a Tribunal shall be entitled to be represented at said Tribunal. The Tribunal shall have the power to determine whether any interest be direct.

(d) *The Appellate Board*

(i) The sole grounds of appeal to the Appellate Board from the decision of the Election Tribunal shall be either

- (1) that a breach of the procedures laid down in (b) or (c) above or of Standing Orders D8 or D9 has occurred, or
- (2) that the decision of the Tribunal was founded on an error of law, or
- (3) that there has been a breach of any of the Principles of Natural Justice<sup>90</sup>.
- (4) an election tribunal failed to reach any verdict and publish a preliminary report within the set deadlines.

Except that an appeal on (2) or (3) shall not be allowed if the Tribunal were following or interpreting the Rules and Standing Orders unless it concerns the rationality of the Tribunal's interpretation.

(ii) The following shall have the right of appeal:

- (1) any Member who has brought an allegation under (b)(ii) above with regard to the Election concerned;
- (2) any Member who has had an allegation brought against them during the election concerned;
- (3) any other Member to whom a Senior Officer gives leave.

(iii) Notice of Appeal or request for Leave to Appeal, as appropriate, may be lodged with either of the Senior Officers within 48 hours of the Reports being posted on the Notice board as under (c)(ix) above.<sup>91</sup>

(iv) If application for Leave to Appeal has been made under (ii)(3) above, either Senior Officer may grant Leave, in which case the notice of application for Leave shall be treated as Notice of Appeal. If the Senior Officers refuse leave they shall publish the fact of, and the reasons for, refusal on the notice board within seven days of their receipt of the application. It shall be a legitimate ground for refusal of Leave that the interests of the Membership would, on balance, be adversely affected.

(v) The Returning Officer, acting under the instructions of the Senior Officers, shall set up the Appellate Board, which shall consist of three Members who are members of any Convocation<sup>92</sup> and which may include either or both of the Senior Officers.

(vi) The Appellate Board shall adopt whatever fair way of proceeding it think fit, save that it shall not alter nor quash a Tribunal's Report in whole or in part without informing the members of the Tribunal and giving them an opportunity to defend or explain their actions. Any party who had the right to be represented before the Election Tribunal shall have the right to be informed of the fact that the Appellate Board has been constituted and to be represented before it.

(vii) The Appellate Board shall:

- (1) ensure that explicit verdicts are returned on every defendant on every count, that it is explicitly stated in the case of every unsuccessful allegation whether or not it was frivolous or, if unfounded, brought out of malice, and that any ambiguous verdicts are clarified for this purpose. Any member of the Tribunal who did not explicitly dissent from the Tribunal's Report nor reply within a reasonable time to the Appellate Board's request for clarification shall be deemed to have voted with those who have made or do make their position clear, and if clarification be altogether impossible, ambiguous verdicts shall be treated as acquittals;
- (2) ensure that (c)(ii) above is obeyed;
- (3) have the power to order that a member or members of the Tribunal whose proceedings they are considering shall never sit on a Tribunal again;
- (4) have the power to quash the findings or purported findings of a Tribunal or purported Tribunal in whole or in part, save that if it do so it shall order a new Tribunal to be set up, unless the ground for quashing be that the act purporting to set up the original Tribunal was a nullity;
- (5) have the power to declare the appeal unreasonable in whole or in part whereupon the appellant shall be subject to the penalties laid down in (c)(ii)(3) above<sup>93</sup>

<sup>90</sup>On breaches of the principles of natural justice with respect to bias, see *Interpretation F10*.

<sup>91</sup>Even if the report is late: see *Interpretation A32*.

<sup>92</sup>For definition of 'members of any convocation', see *Interpretation A19*.

<sup>93</sup>Including those with the right to appeal; see *Interpretation F1*.

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(viii) The Appellate Board shall report to the Returning Officer as soon as it shall have completed its investigations, which shall be within 28 days of Notice of Appeal, or Leave to Appeal being granted, and shall thereupon cease to exist. The Returning Officer shall read the report to a meeting of Standing Committee as soon as possible, and at the conclusion of the said meeting shall post the report on the Notice board. If the Board have exercised its powers under (vii)(4) above, the Returning Officer shall set up a new Tribunal from a Short List, the names upon which have been approved by the Standing Committee. Every member of the Committee shall be entitled to be informed of and be present at the said meeting, even if it be held in the vacation. The *quorum* for such a meeting shall be six, including at least two Officers or elected Members.

(ix) If a new Tribunal is to be set up:

(1) The time limits laid down in (c)(ix) above shall apply from the opening of the said meeting of the Standing Committee instead of from the Close of Poll, save that if either of the Senior Officers certify in writing that gross injustice might thus be done, the time limits shall apply from the midnight of the Thursday before the Full Term next following;

(2) No person who served as a member of the quashed Tribunal shall serve on the new Tribunal;

(3) The new Tribunal shall consider those and only those charges and findings which the Appellate Board has quashed, and any other charges laid before the former Tribunal that the Appellate Board has directed the new Tribunal to hear;

(4) If the new Tribunal annul any Election not annulled by the previous Tribunal, it shall itself determine upon whom the powers and duties of any Office in question shall devolve until the result of the new Election shall have been declared; such devolution shall not comport the Office itself. Any Committee places so affected shall remain vacant ad interim.

(x) Except as under Rule 33(d)(xii) below, no Member shall enter upon Office or an elected place on Committee until:

(1) Forty-nine hours have elapsed since the close of poll in the Election concerned;

(2) Forty-eight hours have elapsed since the publication of the Report of any Tribunal directly concerned with the Election to that Office or Committee;

(3) the Senior Officers have refused Leave to Appeal, if such an appeal might have quashed that part of a Tribunal Report concerning the Election to that particular Office or place on Committee;

(4) the Report have been published of any Appellate Board that might have quashed that part of a Tribunal Report concerning the Election to that particular Office or place on Committee.

(xi) A Tribunal may additionally prevent any Member who is directly implicated in an ongoing allegation from entering any Office or elected place on Committee until the deadlines outlined in Rule 33(d)(x) above have expired.

(xii) In the event that an Appellate Board rejects in its entirety all appeals before it, and if it is satisfied that the interests of justice and the interests of the Society are best served by a speedy succession of the new Officers and Committees, it may permit Members who would otherwise be prevented from doing so by the provisions of Rule 33(d)(x)(4) to enter their posts immediately upon making its determination, prior to issuing its Report. In doing so, the Board binds itself not to make any binding interpretations or directions which affect the succession in question.

(xiii) No election tribunal or appellate board shall consider as evidence electronic messages without the written consent of at least one of the parties involved, nor should they consider as evidence information obtained from private computers or other private electronic devices or private online accounts without the written consent of the owner of the device or the account.

## RULE 34: ELECTION OF JUNIOR OFFICERS AND COMMITTEES

### (a) *Elections*

An Election shall be held every term to choose the Junior Officers (other than the President, Librarian, and Treasurer) and the Elected Members of the Standing Committee and the Secretary's Committee for the following term. A Poll, if necessary, shall be held on Friday of Seventh Week, and shall be open between 9.30a.m. and 8.30p.m. If no Poll is necessary then the Close of Poll shall be deemed to be 8.30p.m. on Friday of Seventh Week for the purpose of these Rules.

### (b) *Nominations*<sup>94</sup>

(i) Nominations shall open at 9.30a.m. on Friday of Fifth Week and close at 3.00p.m. on Friday of Sixth Week. Nominations may only be submitted in the said period, during hours when the General Office is open. For the last two hours of the nomination period, nominations envelopes may only be received in the Morris Room. The Returning Officer and their deputies shall be present in the Morris Room during that period for the purpose of receiving nominations. Only electoral officials and those members wishing to submit their nomination shall be permitted to enter the Morris Room during this period. No other member or Officer shall be permitted to enter without the express permission of the Returning Officer. Any member deemed by the Returning Officer to be loitering in the Morris Room during this period shall be liable to a fine of not more than £50, to be imposed by the Returning Officer.<sup>95</sup>

(ii) Nomination packs shall be available from the General Office from 9.30a.m. on Wednesday of Fifth Week. A nomination pack shall contain:

- (1) A nomination form;
- (2) A checklist of relevant items to be included, pertaining to the nomination;
- (3) A "Letter to Candidates" and a "Candidates Information Booklet"; and

(iii) Any eligible member may nominate themselves by submitting to the Returning Officer (either directly or through one of their deputies or any other agent appointed by the Returning Officer) a sealed envelope containing the following:

- (1) A completed nomination form;
- (2) Correct payment of the nomination fee for the office for which the member wishes to nominate (as established by Standing Order<sup>96</sup>) by cash or cheque only;
- (3) A photocopy of the member's Union membership card.
- (4) Any photograph or manifesto the member wishes to submit.

On submission of the sealed envelope, the Returning Officer (or their agent, as appropriate) shall countersign the seal of the envelope, write down the member's membership card number on the outside and issue the member with a receipt. They will also enter the member's name and the time of submission on a list, which will be available for inspection by any member, on demand. Once a nomination envelope has been received, it will be deposited in a secure location.

(iv) The Returning Officer shall ensure that all completed nomination forms received by them shall be available for inspection, on demand, by any member, after the close of nominations<sup>97</sup>.

(v) No member shall be permitted to alter or to withdraw any nomination, or materials pertaining thereto, for any Office or Committee. If a member wishes to nominate for two separate positions, permitted under Rule 34(c)(i), they must submit two separate nominations in separate envelopes. If a member submits two nominations which are incompatible under Rule 34(c)(i), the nomination for the more junior position shall be accepted.

(vi) (1) For the information of candidates, the Returning Officer shall post on the notice board and state on the nomination forms, the total amount of time<sup>98</sup> during the vacation in which the candidates for election as Junior Officers (excluding candidates for the office of President-Elect) or Committee members would be required to work in the Society's buildings if elected. This amount of time shall be decided by the President-Elect and shall be subject to a maximum as outlined below:

<sup>94</sup>On the burden of proof in ascertaining whether a nomination has been made on time, see Interpretation F9.

<sup>95</sup>See interpretation A100 for cases where the Morris room has been booked

<sup>96</sup>Specifically, Standing Order D2.

<sup>97</sup>But only for the purposes of confirming that nominations were valid: see Interpretation A25.

<sup>98</sup>As defined by Standing Order B15.

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Number of Days	Junior Officers (excluding the Officers-Elect)	Standing Committee, the Librarian-Elect, and the Treasurer-Elect	Secretary's Committee and the President-Elect
Michaelmas Term	40	30	15
Hilary Term	30	20	10
Trinity Term	30	20	10

(2) On the nomination form, candidates shall sign a declaration that they understand the Rules of the Society, that they agree to abide by the Rules of the Society during the Election and during any term of Office; and that they are prepared and able to assist during the vacation, as required under the Rules (and detailed on the nomination form), if they are elected or if they succeed under the provisions of the Rules to an elected Office or Committee.

(3) Nomination forms which are not so signed shall be declared invalid.

(4) Candidates must also include a valid email address on the nomination form. Nomination forms on which such an email address is not included shall be invalidated, unless the Returning Officer acting at his absolute discretion decides to make an exemption. These email addresses must be compiled into a candidates' mailing list by the Returning Officer: this list shall be used to assist him in the discharge of the duties of the Returning Officer, and will be sent to the President-Elect by the Returning Officer no later than midnight on Friday of Seventh Week.

(vii) After the closure of nominations, the Returning Officer, in the presence of at least two Deputy Returning Officers, shall open the nomination envelopes, and verify that they contain valid nominations. A list of validly nominated candidates will be posted on the Society's notice board not later than 9.00p.m. on Friday of 6<sup>th</sup> Week.

(viii) It shall always be the obligation of the member wishing to nominate to ensure that their nomination is correctly completed. The Returning Officer shall, at the opening of nominations, give notice on the notice board and in the "Letter to Candidates" of at least two designated times at which they or their Deputies shall be in the Society's buildings to advise members wishing to nominate on the proper completion of the nominations procedure.

#### (c) *Eligibility*

##### (i)

(A) Any Life Member<sup>99</sup> of the Society may offer themselves for election during their first eleven terms of Membership.

(B) Any Member who has been a Member of the Society for more than eleven terms may offer themselves for election, always provided that:

- (1) they are neither a Fellow nor a Junior Fellow of a College, nor employed by the University in a full-time teaching capacity;
- (2) they have not offered themselves for election on more than seven occasions during their first eleven terms of Membership;
- (3) they are, at the time of election, and have been for the previous six months, resident within twenty-five miles of Carfax; and
- (4) they have not offered themselves for election on more than eight occasions after their first eleven terms Membership of the Society;
- (5) they are neither a Senior Officer or Trustee.

(ii) No Member shall nominate themselves for the Office of President-Elect unless an Officer, Ex-Officer (excluding Ex-Chair of Consultative Committee), or an Elected Member of the Standing Committee.

(iii) No Member shall nominate themselves for any Office they hold, any Office they have held, or to any Office junior to one they hold or have held. No Member shall nominate themselves for the Secretary's Committee if they have served on the Standing Committee, nor for Elected Membership of the Standing Committee if they hold or have held Office.<sup>100</sup>

(iv) No Member shall nominate themselves at the same election for more than one Office, for more than one Committee, or for an Office and the Secretary's Committee.

<sup>99</sup>See *Interpretation A94*.

<sup>100</sup>Where a person wishes to nominate for both Office and the Standing Committee, see *Interpretation A6*.

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(v) No Member already serving or having served on the Secretary's Committee for a second term may be a candidate for that Committee.

(vi) No Member shall nominate themselves for the Standing Committee or for any Junior Office during their first term of Membership.

(vii) No Member shall nominate themselves for any Junior Office or the Standing or Secretary's Committees if they have been elected or appointed Returning Officer or a Deputy Returning Officer for the Election concerned, nor if ineligible due to service on the Charitable Endowments Committee.

(viii) No Member shall nominate themselves for the Secretary's Committee without having made at least two, nor for the Standing Committee or an Office without having made at least four speeches. In the case of the Standing Committee or an Office at least two of the said four speeches and in the case of the Secretary's Committee one speech shall have been made in the term in which the member nominates themselves<sup>101</sup>. For the purpose of this Rule only, the following shall count as speeches<sup>102</sup>:

(1) Speeches made in Public Business provided that no more than one speech is counted from any one Public Business Meeting.

(2) Speeches made in an informal debate under Rule 42(a)(2) provided that no more than one speech is counted from any such debate;

(3) Speeches made in an emergency debate under Rule 42(a)(1) provided that no more than one speech is counted from any one such debate in Hilary Term 1990 or any subsequent term and that no speech has been counted from the Public Business immediately following the said emergency debate.<sup>103 104</sup>

(ix) If a Member standing in the Society's main elections owes monies to the Society, they shall be informed in writing and in person by the RO or a DRO before 4 hours after the close of nominations. Should they not have submitted full payment for the monies before 28 hours after the close of nominations, their nomination shall be deemed invalid and they shall be struck from the list of those standing for election. The Returning Officer shall immediately inform any Member if they intend not to accept that member's nomination under this clause.

#### *(d) Notification*

The names of the candidates shall be placed on the notice board by 9.00pm on Friday of Sixth Week. In the event that no member has nominated for any Junior Officership, that Junior Officership shall be considered vacant under Rule 38 from 00.00 hours on Sunday of Ninth Week.

The President shall announce the date and times of the Poll if one is needed at the next Public Business Meeting held after the close of nominations. In the event that no member has nominated for any Junior Officership, the President shall inform the House of this fact and of the relevant rights of succession under Rule 38.

#### *(e) Election Expenditure*

Expenditure on the Society's elections shall be determined termly, before the opening of nominations, by the Returning Officer and the Senior Treasurer, in accordance with the electoral Rules and Standing Orders<sup>105</sup>, and, notwithstanding anything elsewhere in the Rules, shall neither be subject to amendment nor to ratification nor to scrutiny by the Standing Committee or the Finance Committee or by any other Officer or Committee of the Society (excepting any Election Tribunal, Appellate Board or Disciplinary proceedings) although it shall be included in any accounts and financial reports presented to these Committees in subsequent Terms. The Returning Officer shall not exceed their budget, except in exceptional circumstances and with good reason; should these circumstances occur, the Returning Officer shall inform the Senior Treasurer as soon as is practicable. Expenditure on any Election Tribunal and Appellate Board as may be convened shall not be covered by this sub-section.

#### *(f) Accountability of Elected Officials*

(i) The Officer manifestos (as per Rule 35(b)) of each elected Officer must be displayed on a notice board on the ground floor in the corridor of the Society's rooms for the duration of their actual term

<sup>101</sup>Where there is doubt regarding the verification of these speeches, see Interpretations A1 and A9.

<sup>102</sup>Speeches that do not count for qualification are listed under Interpretation A29.

<sup>103</sup>For clarification, see Interpretation A4.

<sup>104</sup>Also see Interpretation A109

<sup>105</sup>The relevant Standing Order is D14.

of office (for the position of Treasurer-Elect, Librarian-Elect, and President-Elect, their manifestos shall not be displayed until they succeed to the position of Treasurer, Librarian, and President respectively).

(ii) Photographs of elected candidates (meeting the same requirements and regulations as for photographs of candidates for the main election) shall be placed on the notice board with their name & title (but not college) for the duration of their term of office. Each elected candidate shall be obliged to provide the photograph.

## RULE 35: CONDUCT OF THE POLL

In addition to those members who have validly nominated under Rule 34(b), Re-Open Nominations (RON) shall appear on the ballot paper in any election for the post of any Junior Officer. RON shall not be considered a candidate in the elections, except for the purposes of Rule 33, Rule 35(h), and Standing Orders D5, D6 & D7.

### (a) Order of the Ballot

As soon as possible after the close of nominations, the Returning Officer, in the presence of at least two of their Deputies and any other members of the Society, shall draw lots to determine the order in which the names of the candidates for each office or committee shall appear on the ballot-paper. RON shall always appear after all candidates for office on the ballot-paper. The name of each candidate shall appear as chosen by the candidate.<sup>106</sup> Where a candidate holds any position on the Table of Seniority, equal in status or senior to Ex-Elected Members of the Secretary's Committee, the most senior position that candidate holds shall also be indicated. Should any candidate subsequently be declared ineligible, their name shall be removed from the order of the ballot.

### (b) Manifestos

(i) All candidates for Office shall be entitled to submit with their nomination form two manifestos, of the following word lengths<sup>107</sup>:

	<b>President</b>	<b>Other Office</b>	<b>Standing Committee</b>	<b>Secretary's Committee</b>
Long	500 (max 3 pages)	350 (max 3 pages)	80 (max 1 page)	40 (max 1 page)
Short	140	80	40	20

(ii) The long manifesto will be displayed in the poll room on Election Day. Short manifestos will be included in the manifesto booklet (below).

(iii) No candidate may list on his manifesto:

(1) Any specific speakers, by name or title, whom they intend to invite during their potential term of Office, nor any specific speakers, by name or title, whom they have invited or confirmed unless a written confirmation has been received which includes a confirmed date of attendance.

(2) Any sponsorship or other monies raised for the Society, unless a contract or other form of written confirmation, has been received by the candidate (acting on behalf of the Society) from the claimed sponsor(s) or benefactor(s). All monetary values contained in manifestos shall exclude VAT.

(iv) All long manifestos shall be typed in 12-point Times or Times New Roman type, save for the heading, which may be in 14-point type. Boldface, italic type, bullet points and underlining shall be permitted in both long and short manifestos, but no other visual embellishments.

### (v) *Manifesto Content*

(1) Seventy per-cent and fifty per-cent of the total number of words in each short manifesto and long manifesto respectively for Office or the Standing Committee shall refer to the candidate's demonstrated experience within the Society and their capability regarding the office or Committee for which they stand.

(2) Both long and short manifestos for candidates for the Secretary's Committee shall contain fifty per-cent demonstrated experience.

<sup>106</sup> Within the limitations described in Interpretation A16.

<sup>107</sup> For clarification on what constitutes a word, see Interpretation A66.

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(3) The remaining number of words in manifestos for Office and the Standing Committee may refer to the candidate's experience outside the Society providing that this does not refer specifically to any other society (University society or otherwise), political party, group or faction or anything else which may be contrary to Rule 33(a)(i)(3).

(4) The Returning Officer shall ensure that all manifestos contain sufficient demonstration of experience and capability.

(vi) Short manifestos will be displayed on the notice board from 9.30am on Saturday of Sixth Week until 5pm. Long Manifestos will be displayed, alongside any photograph of the candidate concerned from 9.30am, Monday of Seventh Week until midday of Tuesday of Seventh Week.

(vii) If any Member considers any manifesto not to comply with the Rules or Standing Orders, they may bring this to the attention of the Returning Officer, who may arrange for it to be altered if they be satisfied that the complaint is justified. Objections must be given to the Returning Officer in writing by 5pm of Saturday Sixth Week for short manifestos and midday of Tuesday Seventh Week for long manifestos. Objections shall be made either as objections on the grounds that a claim is false or on the grounds that a claim is misleading<sup>108</sup>, or that a claim is both. The Returning Officer when arranging alterations should pay special attention to the glossary of terms for the manifesto booklet and ensure that manifestos comply with it both in letter and as far as possible in spirit.

(viii) The Returning Officer shall keep a copy of all objections made. The Returning Officer shall rule on objections made to allegedly false claims as per the above clause, and shall try to amend claims objected to on the grounds that they mislead, appropriately. The Returning Officer shall post the final amended versions of the short manifestos for a period of four hours at some stage after they have amended them. All candidates must be notified by means of telephone or answer phone message at least two hours before the period begins. Candidates<sup>109</sup> may then re-register objections to manifesto claims they still believe to be misleading<sup>110</sup> by 5pm on Tuesday of Seventh Week, and before polls open all candidates to whom objections still stand must produce a written statement in response to each objection to explain explicitly why they believe the claim not to be misleading. The Returning Officer shall ensure all objections and attached statements are collated and shall post notice in the poll room stating that the Returning Officer has received objections for those particular manifestos and such objections are available for viewing by any member on request, as well as to a Tribunal should one be called.

(ix) The manifestos of all Junior Officers shall be displayed on the Notice board and the Society's website during their term of Office.

(x) The Returning Officer shall publish and distribute a mailing to resident Life Members containing short manifestos of the candidates, any status they might hold in the table of precedence (SO D11), and details of the elections. This manifesto booklet shall also publicise the Poll, the Presidential Debate and the Officer Hustings. The Returning Officer shall distribute the manifesto booklets at least to resident Life Members. The Returning Officer shall have no obligation to provide Members with more than one copy, nor to deliver the booklet to non-Life Members or to Life Members not on University pigeon-post; however, the Returning Officer may make copies of the booklet available in the Society's General Office to any Member who is not eligible to receive a copy by pigeon-post. No person may photocopy or physically reproduce the booklet or any part thereof without the Returning Officer's express permission. The booklet shall contain a copyright notice, forbidding any unauthorised reproduction or copying. The Returning Officer, when performing their duties under this clause, shall not be deemed to be to committing electoral malpractice under Rule 33(a)(i)(17) or (a)(i)(20) above.

(xi) The Returning Officer shall not be held liable for any failures of the pigeon-post system, nor shall any non-malicious failings of the pigeon-post system be deemed as innocent interference.

(xii) *Unused*

(xiii) No manifesto shall make, either explicitly or implicitly, any false or misleading, libellous, racist, in camera or confidential, blasphemous, or unlawful statements, nor statements that (in the rational opinion of the Returning Officer) are liable or calculated to bring the Society into

<sup>108</sup>No candidate may use the term 'Vice-President' to refer to the Office of Librarian: see Interpretation A15.

<sup>109</sup>And only candidates: see Interpretation A31.

<sup>110</sup>Or false: see Interpretation A31.

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disrepute<sup>111</sup>, nor shall they mention any other Member of the Society save the candidate by name or implication save those who have been guest speakers of the Society and are no longer studying for a degree of the University. The Returning Officer shall strike out from the manifesto text any comments which they deem to breach these guidelines.

(xiv) The Returning Officer shall not deem any comments under (xiii) above to be 'liable or calculated to bring the Society into disrepute' and strike them unless they are satisfied that the intent of the candidate is either frivolous or malicious. Candidates shall be allowed to express concerns about the activities or the running of the Society on the condition that they also outline the changes that they would implement were they to be elected.

(xv) As far as is practical, the Returning Officer shall provide a file of past manifestos, selected at their discretion, for members' consultation in the Old Library Reception. Any member may photocopy these manifestos at their own cost using the Library photocopier. No member shall take this file from the Old Library without the express permission of the Returning Officer.

(xvi) The Returning Officer shall draw the attention of Members to these requirements on the notice board by 9.30am on Friday of Fifth Week, and also on the nomination paper.

(xvii) Between midday and the time at which the Society's buildings close on Sunday of 7<sup>th</sup> Week of full term, the Returning Officer shall conduct interviews with every candidate for a Junior Officership, in order to verify claims made in their manifesto and discuss any alterations made thereto. These interviews must take place in accordance with the following:

- (1) The interviews must be held in a room in the Society's buildings; the interviews shall be public, although the Returning Officer at their discretion may remove any or all persons from the interview, save the candidate, the candidate's representative, and Deputy Returning Officers.
- (2) Candidates shall be informed on Saturday of 6<sup>th</sup> Week of any changes that the Returning Officer has made to their manifestos and of any claims contained therein for which proof may be required.
- (3) These interviews shall be recorded on minidisk and the Returning Officer shall have the responsibility of safeguarding it.

(xviii) A small number of unmarked booklets shall be made available for consultation in the Polling Room on the day of the Poll; they shall not be removed from the Polling Room except with the permission of the Returning Officer; if they are defaced in any way they shall be replaced.

(xix) Should any member not have access to a computer, they may hand write their manifesto, which shall be later typed up by the Returning Officer.<sup>112</sup>

(xx) No candidate may mark, alter, tear, highlight or deface a manifesto booklet, nor shall they conspire to do so, or encourage others to do so. (Members who are not candidates may mark the booklet that they receive howsoever they wish, but candidates shall not encourage other members to do so, nor may any person (whether a Member or not) engage in any systematic or persistent campaign to mark the manifesto booklets of other persons). No person, unless authorised by the Returning Officer, may systematically distribute physical booklets, or parts of physical booklets, to other persons (whether Members or not).

(xxi) The Returning Officer shall ensure that when laying out the manifesto booklet they include:

- (1) In the title bar for each Office and Committee, descriptions of the Office or Committee as below:

President: with overall responsibility for the Society and for arranging its debates

Librarian: with responsibility for the Library and for arranging individual speaker addresses

Treasurer: with responsibility for the raising of sponsorship and for buildings maintenance

Secretary: with responsibility for the term's social events and for minuting Standing Committee meetings

Standing Committee: members of the Society's governing body, to assist the Officers and plan social events

Secretary's Committee: to assist with running social events and distributing publicity

<sup>111</sup>*Including use of any slang or swear words of a sexual or scatological nature: see Interpretations A22 and A86.*

<sup>112</sup>*For limitations of prohibitions on computer use, see Interpretation A20.*

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(2) On the front page, a prominent direction to a glossary of terms in the manifesto booklet alerting members to the fact that the glossary may help them judge “the relative merits of manifestos” (a phrase which should be included).

(3) Somewhere in the manifesto, typeset at a minimum size of 10-point Times New Roman or Arial, a glossary of terms in the manifesto booklet as follows:

“The Returning Officer has ensured to the best of their ability that all claims made in manifestos are true; they advise, however, that Members acquaint themselves with the commonly used terms below in order that they are not misled. The list begins with five standardised terms for the most substantial claims and ends with seven for the least substantial. Members may wish to consider other similar words used as holding the same meanings and draw inferences from the fact that a candidate has been unable to make the most substantial kinds of claims:

Stronger claims:

Raised – the candidate must have produced a contract on which they have been the primary signatory, to claim to have raised a sum of money.

Brought – the candidate must have produced an acceptance email or letter addressed to them, to claim brought the Society a speaker.

Confirmed – the candidate must have produced written evidence either that a contract is being drawn up for a confirmed sum of money or that a speaker has accepted an invitation and provided a date.<sup>113</sup>

Organised/run – the candidate must have produced substantial evidence, such as contracts, correspondence and testimony, that they were in control of an event, its inception and its development.

Responsible for – the above, or the candidate must have proven primary responsibility for the content of a claim.

Weaker Claims:

Assisted/helped – to raise/bring etc. The Returning Officer deems there to be sufficient proof that a candidate has contributed substantively, but insufficient to prove that they have had primary responsibility.

Likewise such terms as: facilitated, coordinated, supervised, oversaw [and any others inserted by the Returning Officer before nominations open].

Invited/contacted – proof has been provided.<sup>114</sup>

Weaker claims will be used often in manifestos even by good candidates: usually only candidates for Office will be able regularly to make “stronger claims”. The distinction is nonetheless worth making.”

(xxii) No candidate may use the word “deputised” or any cognate thereof in any manifesto, hustings speech or other publicity connected with the election in reference to any Officer of the Society.

(xxiii) All candidates must take into account the contents and spirit of Rule 35 when writing manifestos. It shall be an offence to deliberately make either a false or misleading statement in a manifesto. In order to consider what might constitute misleading statements, candidates are expected to have acquainted themselves with the relevant paragraphs of the Hilary Term 2005 Tribunal Report and be held accountable for their claims with this in mind. The Returning Officer shall ensure that the relevant paragraphs are available to all candidates.

(c) *Hustings*

(i) All candidates for office shall be entitled to make a hustings speech which shall not exceed three minutes, save in the case of candidates for the office of President-Elect, where it shall not exceed five minutes.

(ii) Hustings shall be held immediately prior to the Presidential Debate, unless there be no Presidential Debate, in which case hustings shall take place on the evening prior to the poll. Hustings

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<sup>113</sup>See interpretation A99

<sup>114</sup>See interpretation A98

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shall be chaired by the Returning Officer, with the most senior Deputy Returning Officer acting as Secretary, ensuring that a tape-recording is made of all speeches and that this tape-recording is securely stored. The time at which Hustings shall take place shall be determined by the President, who shall give at least two days notice of it.

(iii) The President shall give the candidates for President the opportunity to make paper speeches during one of the Public Business Meetings between the close of nominations and the opening of the Poll; this debate shall be termed the 'Presidential Debate'.

(iv) Questions to Candidates

(1) Following the husting speeches of the candidates for each Office, questions may be asked of the candidates' for that Office position.

(2) The Returning Officer shall decide how much time is allocated to questions for the various Officer positions, and how long candidates' answers to questions may be, before the hustings commence. The order in which candidates answer shall be rotated with each question.

(3) Candidates may take points of information at their discretion during their answers. Questions must be addressed to all the candidates of that Office. Questions and points of information must directly relate to the candidates' experience, capability or views concerning the administration of the Society. This subsection shall be brought to the attention of members at the start of hustings.

(4) The Returning Officer shall rule questions out of order if they suspect it may break these guidelines, and may fine any member up to £25 who engages in disorderly or disruptive behaviour during hustings.

(d) The Returning Officer shall be responsible for adequate publicity for the Poll in accordance with the Standing Orders<sup>115</sup>.

(e) *Photographs*<sup>116</sup>

(i) Each candidate shall be entitled to submit one current, non-frivolous, full-facial photograph of themselves, which is in black and white, has a plain background and is between 3cm x 4cm and 4.5cm x 5.5cm in size, to the Returning Officer for display on a board set aside for that purpose in the Poll Room during the Poll and for use on the manifestos booklets.

(ii) The candidate's photograph shall be submitted at the time of the candidate's nomination. No candidate shall be obliged to submit a photograph.

(iii) If the Returning Officer believes a submitted photograph does not conform to the above provisions, they shall inform the candidate at the close of nominations, and allow the candidate to provide a suitable photograph by no later than 10.30am of Saturday Sixth Week; candidates not providing a suitable photograph by this time shall not have a photograph displayed.

(iv) Candidates may, by the Monday of Fifth Week, enquire of the Returning Officer as to whether the Society holds an electronic copy of the candidate's photograph. If the Society holds such a copy, it may count for the purposes of the manifesto booklet, though the candidate must still provide a hard copy (if necessary of a different legitimate photograph) if they wish for a photo to be displayed in the Poll Room.

(f) *Order in the Poll Room*

(i) The ballot shall be secret. Any member infringing the secrecy of the ballot shall be liable to a fine of not more than £30, to be inflicted by the Returning Officer or any of their Deputies.

(ii) The Returning Officer shall be responsible for preserving good order in the room in which the Poll is being held. Any member who continues to disrupt the poll room after they have cast their ballot shall be instructed to leave, and, if they do not, shall be fined not more than £50 by the Returning Officer or any of their Deputies.

(iii) Nothing in (i) and (ii) above shall be held to prevent any Member from informing others of the way that Member has voted after that Member has left the Poll Room.

<sup>115</sup>Specifically, *Standing Order D4*.

<sup>116</sup>*See Interpretation A82*

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(iv) The Returning Officer may inform any member who has been disruptive for at least 30 minutes to the Poll Room, and who has been warned at any point by the Returning Officer to cease being disruptive, and who has not yet cast their ballot, that they shall have 10 minutes to cast their ballot. If, after those 10 minutes have elapsed, the member has still not cast their ballot, then the Returning Officer may, with the presence and consent of two DROs, remove the ballot paper of the member and place it without any further markings in the ballot box on their behalf. After the ballot has been cast on the member's behalf, the provisions under (ii) above shall apply, as if they had cast their ballot.

If the Returning Officer casts a ballot on a Member's behalf, then the Returning Officer must:

- (1) make a private record of the name and membership number of the member whose ballot they placed in the ballot box on the member's behalf.
- (2) post a notice on the notice board within 20 minutes of placing a member's ballot in the ballot box on the member's behalf stating the time at which they placed the ballot in the ballot box, the names of the two DROs present and consenting, and the membership number of the member whose ballot they placed in the ballot box.
- (3) read out at the beginning of the Count both the private record and public notice regarding any ballots they placed in the ballot box on behalf of Members.

*(g) Procedure for voting*

(i) The Returning Officer shall appoint suitable persons to act as Poll-Clerks. Any Member of the Society may vote in the Poll by submitting, in person, their name and college, together with some form of identification bearing their signature or photograph, to one of the Poll-Clerks. The Poll-Clerk shall check that the person's name is recorded in the list of the Members of the Society provided for the purpose and that they have not already voted in the Poll, and if satisfied as to their identity, shall require them to sign a numbered list of those voting and shall then deliver a ballot paper to them. The Poll-Clerk shall write the number by the voter's signature next to their name on the list of Members. The voter shall complete the ballot paper in accordance with Standing Order D7, and deposit it in one of the ballot boxes.

(ii) A voter may only be issued with another ballot paper if they inadvertently spoil their ballot paper. In this case, the voter shall return it to the Poll-Clerk who shall issue them with another, and shall deposit the spoiled paper separately in a box provided for the purpose.

*(h) System of Voting*

The Single Transferable Vote is to be used in all Elections of Officers and Committees of the Society, according to a system to be prescribed by Standing Order. If in any Election two or more candidates, one of whom must be excluded, have received an equal number of votes, the candidate shall be excluded whose vote was lowest at the earliest distribution to show a difference. Should this criterion fail, the most junior of them under Standing Order D11 shall be excluded; should this too fail, the Returning Officer shall draw lots to determine who shall be excluded.

*(i) The Count*

(i) The Returning Officer shall be responsible for the counting of the votes, which shall be done as soon as is practicable and in accordance with Standing Orders, Chapter D<sup>117</sup>. The Returning Officer, the Deputy Returning Officers, the President and the Returning Officers' Assistants shall have the right to be present throughout the count for the Society's elections. No other person shall have this right, save any candidates' representatives appointed under (ii) below.

(ii) Any candidate in the Society's elections shall be entitled to send a member to represent that candidate at the counting of the votes. No person shall act as a representative for more than one candidate in any individual contest. A representative representing more than one candidate in different contests must seek the permission of the Returning Officer to do so before the commencement of the Count. No person currently a candidate, or member of the Short List for membership of the Election Tribunal under Rule 32(h), or the President, or the Returning Officer, or any of his Deputies or Assistants, shall be the representative of any candidate. No person ineligible to serve as a Deputy Returning Officer by virtue of Rule 32(n) shall be the representative of any candidate.

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<sup>117</sup> Specifically, *Standing Orders D5, D6 and D7*.

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(iii) For the duration of the count, the Returning Officer and all of their Deputies shall be empowered to inflict fines of up to £25 on any other person present at the count if such a person is acting in breach of Standing Order D5 or is otherwise disrupting the count.

(iv) In the case of a genuine emergency (such as the fire alarm sounding), the Returning Officer shall have the right to suspend the Count and evacuate the Counting Room. As far as is practical and safe, the ballot papers shall be stored in a secured ballot box, and guarded by at least three Deputy Returning Officers, until the Count can resume. If any person breaking the secrecy of the Count during its suspension under this subsection may be fined up to £200 by the Returning Officer for each offence, subject to a maximum of £1000 per person; this shall not prejudice any further action by the Returning Officer or any other Member under Rule 33.

(v) In the case of a suspension of the count under Rule 35(i)(iv), the Returning Officer, if they believe that it will not be possible to recommence until 9 hours after the beginning of the count, may adjourn the count to a time stated at the time of adjournment. In the case of such an adjournment the Returning Officer shall, and shall only, announce such results as have been definitely decided at the time of adjournment. If there be an adjournment under this section, the ballot papers shall, when the count is adjourned, be sealed up as prescribed in Standing Order D5(g).

(vi) The Returning Officer shall announce the results of the Poll in the Bar, immediately after the count has been completed, and shall then post the results on the Notice board.

(j) *The Second Election*

- (i) In the event that RON is elected to a Junior Officership, a Second Election shall be held for that Junior Officership.
- (ii) The deadline for nominations for the Second Election shall be 48 hours after the announcement of results as under Rule 35(i)(vi). In the event that the deadline for nominations falls outside the Society's Opening Hours, then the deadline shall be extended until one hour after the next opening of buildings following the deadline.
- (iii) All candidates wishing to nominate themselves for the Second Election, including any candidates who had nominated themselves for the first election, shall be required to nominate themselves under Rule 34(b), save that any candidate who nominated for a position in the first election shall not be required to pay a nomination fee in order to nominate for the same position in the Second Election.
- (iv) The normal rules for eligibility under Rule 34(c), except for subsection (viii), shall apply save that no Member elected to any position in the first election shall be eligible to nominate.
- (v) In the event that no nominations are received for a position in the Second Election, then the position shall be considered vacant under Rule 38 from 00.00 hours on Sunday of Ninth Week, and no Poll for that position in the Second Election shall be necessary. In the event that one valid nomination is received for a position in the Second Election, then that nominating member shall be considered elected to that position, and no Poll for that position in the Second Election shall be necessary. In the event that no Poll for the Second Election be necessary, then the Close of Poll shall be deemed to be 8.30pm on Friday of Eighth Week for the purposes of this Rule.
- (vi) The manifestos of any candidates who have nominated themselves for the Second Election shall be placed on the notice board by the Returning Officer within 2 hours of the close of nominations for the Second Election.
- (vii) Members have 24 hours from the time that manifestos are placed on the notice board under (vi) to make objections to the Returning Officer about claims on the grounds that a claim is false or misleading, or to inform the Returning Officer that they consider any manifesto to not comply with the Rules or Standing Orders.
- (viii) The Returning Officer shall conduct interviews with candidates within 24 hours of the close of objections under (vii) in order to verify any claims made in their manifestos and discuss any alterations made thereto.
- (ix) If a Poll for the Second Election be necessary, the Returning Officer, following the interviews held under (viii), shall arrange for the Society's mailing list to be emailed a notice of poll for the Second Election, and the manifestos of any candidates for the Second Election, not later than the close of buildings on the day before the Second Election. The Returning Officer, when

performing their duties under this clause, shall not be deemed to be committing electoral malpractice under Rule 33(a)(i)(20) above.

- (x) The Poll for the Second Election, if necessary, shall be conducted in the same form as under Rules 35 (f-i).
- (xi) The Poll for the Second Election, if necessary, shall open 7 days after the open of the first election, and shall last for 11 hours.
- (xii) RON shall not appear on the ballot paper in a Poll for the Second Election.
- (xiii) Any member elected to an Office in the Second Election shall succeed to that Office as under Rule 13(b)(i) above.
- (xiv) The deadline for Written Allegations of Electoral Malpractice concerning the Second Election shall be 24 hours after the Close of Poll for the Second Election, and such allegations shall be brought as under Rule 33(b), adjusting the time periods accordingly.

(k) *RON & Electoral Malpractice*

- (i) In the event that RON is elected to a position in the first election, and a Tribunal subsequently orders a re-poll of the first election, the re-poll shall be held on Monday of First Week in the following term, and any Second Election which has already been held shall be declared void.
- (ii) Any successful candidate in a Second Election which is subsequently declared void shall be deemed never to have been elected.
- (iii) In the event that a Tribunal disqualifies a candidate in the first election, and the subsequent recount demonstrates RON to have been elected in the first election, another election shall occur on Monday of First Week.
- (iv) In the event that a Tribunal orders a re-poll of the Second Election, the re-poll shall occur on Monday of First Week.
- (v) Nominations, if necessary, for any election on Monday of First Week shall open at 9.30am on Monday of 0<sup>th</sup> Week, and shall close at 3pm on Thursday of 0<sup>th</sup> Week.
- (vi) The normal rules for eligibility under Rule 34(c), except for subsection (viii), shall apply, save that no Member successfully elected to any position in the first or second election shall be eligible to nominate, and only the members who were eligible to nominate for the Office of President-Elect in the previous term shall be eligible to so nominate.
- (vii) In the event that no nominations are received for a position in an election on Monday of First Week, then the position shall be considered vacant under Rule 38, and no Poll for that position shall be necessary. In the event that one valid nomination is received for a position in an election on Monday of First Week, then that nominating member shall be considered elected to that position, and no Poll for that position shall be necessary. In the event that no Poll for the election on Monday of First Week be necessary, then the Close of Poll shall be deemed to be 8.30pm on Monday of First Week for the purposes of this Rule.
- (viii) The manifestos of any candidates who have nominated themselves shall be placed on the notice board by the Returning Officer within 2 hours of the close of nominations.
- (ix) Members have 24 hours from the time that manifestos are placed on the notice board under (viii) to make objections to the Returning Officer about claims on the grounds that a claim is false or misleading, or to inform the Returning Officer that they consider any manifesto to not comply with the Rules or Standing Orders.
- (x) The Returning Officer shall conduct interviews with candidates within 24 hours of the close of objections under (ix) in order to verify any claims made in their manifestos and discuss any alterations made thereto.
- (xi) If a Poll for any election on Monday of First Week be necessary, the Returning Officer, following the interviews held under (x), shall arrange for the Society's mailing list to be emailed a notice of poll for the election, and the manifestos of any candidates for the election, not later than the close of buildings on Sunday of First Week. The Returning Officer, when performing their duties under this clause, shall not be deemed to be committing electoral malpractice under Rule 33(a)(i)(20) above.
- (xii) The Poll for the election on Monday of First Week, if necessary, shall be conducted in the same form as under Rules 35 (f-i).

- (xiii) The Poll for the election on Monday of First Week, if necessary, shall be open between 9.30am and 8.30pm.
- (xiv) RON shall not appear on the ballot paper in any poll arising for any reason on Monday of First Week.
- (xv) Any successful candidate in an election on Monday of First Week shall assume Office at the deadline for Written Allegations of Electoral Malpractice, if none is brought, or at the appropriate time according to the provisions of Rule 33(d)(x), if an allegation is brought.
- (xvi) The duties pertaining to any Officership not filled due to an election to be held on Monday of First Week shall be reallocated by the President until such time as the Officership is filled by an election on Monday of First Week, although no one may hold the Officership in an acting capacity.
- (xvii) Any allegations of electoral malpractice in a Second Election which has been declared void under (i) may still be made within the deadline under (j)(xiv), and shall still be investigated under Rules 33 (b-d).
- (xviii) The deadline for Written Allegations of Electoral Malpractice concerning an election on Monday of First Week shall be 24 hours after the Close of Poll on Monday of First Week, and such allegations shall be brought as under Rule 33(b), adjusting the time periods accordingly.

(l) *Publishing information on the Internet*

- (i) The Returning Officer shall publish the following on the Union's web site:
  - (1) A list of validated candidates within 24 hours of the validation of the candidates after the close of nominations. This list shall remain at least until the announcement of the results for that election.
  - (2) A list of elected candidates within 12 hours of the announcement of the election results in the Society's bar. This list shall remain at least until the next election.
  - (3) The manifestos of the Officers as per Rule 35. These shall remain at least until the announcement of the results; the losing candidates' manifestos shall be removed; the elected candidates' manifestos shall remain until the end of their term of office.
  - (4) A brief summary of the instances of electoral malpractice.
  - (5) A brief summary of how members may nominate and run for election.
- (ii) The Returning Officer shall mention the Union's web site address, and briefly the electoral information available on it, both on any election poster and in the manifesto mailing.

(m) *Committee Induction*

There shall be a training and induction day during full-term for Standing Committee and Secretary's Committee after they are elected. The induction shall be supervised by the President-Elect. Attendance shall be compulsory, on pain of a £20 fine, unless an individual has an acceptable reason as per SO B4 (with Standing Committee as the adjudicating body). The Returning Officer shall inform all candidates on their nomination form of the day that the induction day would take place if they were elected.

## RULE 36: ELECTION OF THE CHAIR OF CONSULTATIVE COMMITTEE

- (a) *Principle:* The Chair of the Consultative Committee shall be elected by both the Consultative Committee and the Standing Committee in two separate secret ballots according to the mechanism given in Standing Order D10.
- (b) *Returning Officer:* The election shall be conducted by the Returning Officer, unless they have themselves nominated to run in that election. In this case, the election will be conducted by the most senior Deputy Returning Officer who has not nominated for Chair of Consultative Committee.
- (c) *Nominations:* The President shall post a notice on the Notice Board inviting nominations by the Saturday of Sixth Week and shall draw attention to this notice at the next Public Business Meeting. Nominations may be received by the Returning Officer from the posting of this notice until 48 hours after the Close of Poll for the Election of Officers and Committees held in that term. As soon as possible after the close of nominations, the Returning Officer shall post a notice declaring the nominations they have received.<sup>118</sup>
- (d) *Eligibility to stand and to vote:*
  - (i) Any member<sup>119</sup>, who has attended four of the last eight meetings of the Consultative Committee may stand for election to the post of Chair of Consultative Committee. The provisions of this clause shall not prevent the Chair of the Consultative Committee standing for re-election in a term in which they hold office.
  - (ii) Members of the Standing Committee with voting rights shall be eligible to vote in the Standing Committee ballot.
  - (iii) Members who have attended four of the last eight meetings of the Consultative Committee, other than members of the Standing Committee with voting rights, shall be eligible to vote in the Consultative Committee ballot.
  - (iv) For the purposes of this Rule, attendance at a meeting of Consultative Committee may be demonstrated by in the following ways only:
    - (1) by having signed the official list of those present at the meeting kept by the Secretary of the Committee, to which the Chair shall draw attention during the course of each meeting; or
    - (2) by being mentioned in the approved public minutes of the meeting.

The Returning Officer shall place a list of those members they consider to be eligible to vote in the Consultative Committee ballot on the notice board by Thursday of Seventh Week.

### (e) *Conduct of the Ballots*

Both ballots shall take place at the Ordinary Meetings of the respective Committees in Eighth Week. Each Committee shall determine whether it wish the candidates to hust. If so, each candidate shall be entitled to make a hustings speech of no more than three minutes. The count shall take place after the later of the two ballots, and the Returning Officer shall post the result on the Notice-board as soon as may be after the completion of the count.

(f) In the event of the death or resignation of the Chair of Consultative Committee, the President shall post a notice inviting nominations as soon as possible and the closing date shall be decided by Standing Committee, but at least seven days of Full Term after the posting. The Librarian-Elect (and in their absence, the Treasurer-Elect) shall take over the duties of the Chair of Consultative Committee until such time as a new election can take place, which may be no longer than two weeks (in full term) of the position falling vacant. If the CCC be absent the Librarian-Elect shall take over their duties until their return, if the Librarian-Elect be absent also then the Treasurer-Elect shall take over their duties, if the Treasurer-Elect be absent also then immediate juniors of the Treasurer-Elect shall take over the duties of the CCC.

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<sup>118</sup> *Candidates may withdraw prior to the commencement of the ballot: see Interpretation A24.*

<sup>119</sup> *Any member, not just life members: see Interpretation A28.*

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(g) If the Chair of the Consultative Committee should become, in the opinion of a majority of the Consultative Committee (with the exception of members of the Standing Committee) and two-thirds of the Standing Committee, unwilling or unable to perform their duties under the Rules, they shall cease to be the Chair of the Consultative Committee. In this event the procedures under (f) above shall be followed for the election of the new CCC.

#### RULE 37: SENIOR OFFICERS AND SENIOR MEMBERS OF THE LIBRARY COMMITTEE

##### (a) *Senior Officers*

(i) If the Standing Committee does not vote, by secret ballot and by a two-thirds majority, in the meeting of Standing Committee in first week of the relevant Trinity Term (see (iv) and (v) below), to open the nominations for the relevant Senior Officer, the incumbent shall be deemed to continue to hold office for another three year term.

(ii) The Standing Committee shall determine the nomination of the relevant Senior Officer at the meeting of the Standing Committee in fourth week of the relevant Trinity Term, set out at (iv) and (v) below.

(iii) Nominations shall be advertised as described at (d) below only if the Standing Committee votes to do so, as described at (ii) above. The opening of nominations shall not preclude the incumbent from re-nominating themselves. The Standing Committee shall nominate its preferred candidate in the third week meeting of the relevant term. It shall then propose the appointment by way of a Private Business Motion at a Public Business Meeting. In the event of the rejection of the candidate the Standing Committee shall, as soon as maybe, submit a further name. These motions shall also include their appointment as Trustees, as per Rule 12.

(iv) This shall take place for the position of Senior Librarian in Trinity Term 2017 and every third year thereafter.

(v) This shall take place for the position of Senior Treasurer in Trinity Term 2016 and every third year thereafter.

(vi) If a Senior Officer die or resign, the Standing Committee shall appoint their successor for the remainder of their term of office. A Senior Officer wishing to resign shall give notice in writing to the President and it will be effective immediately.

##### (b) *Eligibility*

All Members nominated under this Rule shall be members of any Convocation. They shall not be bound by the requirements for eligibility for candidates in the Election of Junior Officers and Committees laid down in Rule 34.

(c) No Senior Officer may be the Hon. Secretary, the Hon. Treasurer or a Trustee of OLDUT during their term of office.

##### (d) *Advertising Senior Vacancies*

(i) Standing Committee shall invite applications for Senior Officer and OUS Trustee appointments. The Returning Officer shall ensure that the position is advertised on the notice board at least two weeks in advance of the consideration by Standing Committee; the post, the membership and residency requirements for holding the position, the duties and the procedure for applying shall be detailed. In addition, the post shall also be advertised on the Society's website for a period of not less than 2 weeks.

(ii) A meeting of Standing Committee shall openly consider all applications that are received; it shall only consider written applications made by the applicants to fill any position. Standing Committee may request that the candidates attend a meeting of that Committee prior to the selection. Standing Committee's nominated candidates shall be selected by secret ballot, using a system of transferable voting if there are more than two applications.

(iii) Applicants must have been members of the Union for at least two years unless Standing Committee votes by a three-quarters majority to waive this requirement.

## RULE 38: VACANCIES

### (a) *Resignation*

- (i) Any member of any Committee wishing to resign from that committee shall do so by writing to the Chair of that Committee<sup>120</sup>, except as provided for below.
- (ii) Resignations from Office or from the Standing Committee must be sent simultaneously by email to the President and to any person next in line to succeed.
- (iii) Resignations from the Secretary's Committee must be sent simultaneously by email to the Secretary, to the Chair of Consultative Committee and to any person next in line to succeed.

### (b) In case of a vacancy arising:

- (i) a Senior Officer or Senior Member of the Library Committee shall be succeeded as under Rule 37;
- (ii) the Chair of the Consultative Committee shall be succeeded as under Rule 36;
- (iii) an Ex-Officer shall not be succeeded on the Standing Committee;
- (iv) a Junior Officer or Elected Member (except the most junior) of the Standing or Secretary's Committee shall be succeeded by their immediate junior, except as under (v) and (vi) below; this provision shall apply progressively to all vacancies thereunder created, the most junior elected member being succeeded under sub-section (vii);

### (v) In the event of a vacancy arising in the office of President:

(1) The President-Elect shall become Acting President and shall exercise all the powers and fulfil all the duties of the President, and they shall continue to hold the office of President-Elect, for the remainder of the term.

(2) If the President-Elect is unwilling or unable to serve as Acting President, they shall offer the position to voting members of Standing Committee, in order of precedence but excluding ex-Presidents, until one of them consents to serve. The President-Elect shall in the interim continue to serve as Acting President.

(vi) The President-Elect shall be succeeded by the Librarian, the Librarian-Elect shall be succeeded by the Treasurer and the Treasurer-Elect shall be succeeded by the Secretary, unless the vacancy in the Office of President-Elect, Librarian-Elect or Treasurer-Elect occurs after the opening of nominations for Office or Committee for the following term, in which case the vacancy shall not be filled under this Rule, but shall instead be left vacant and filled in accordance with the provisions of Rules 13(b)(ii), (iii) and (iv) respectively.

(vii) The most junior member of the Standing or the Secretary's Committee shall be succeeded by the member that at the previous election for that Committee received most votes without being elected at the latest round of the election in which at least one such candidate participated, or, if there were no other candidates for that election, by whomsoever the Committee in question shall think fit.<sup>121</sup>

(viii) If the succession to any Office is delayed under the provisions of Rule 33(d)(x) beyond the start of the vacation following the Election and a vacancy occur in that Office by death or resignation, the provisions of (b)(iv) above shall not apply, and the Office shall remain vacant until the completion of the election proceedings and entry to office of the duly elected Officer, the duties of the Office in the mean time, though not the Office itself, devolving upon the elected members of Standing Committee in order of seniority so that no one elected member of Standing Committee carries out the duties of more than one Office.

(ix) If a vacancy occurs in any Office or on the Standing or the Secretary's Committee after the opening of nominations, the provisions of Rule 38(b)(iv) shall not apply, and the post shall remain vacant until filled by those elected in the main election. The powers and duties of the vacant post, but not the post itself, shall in the mean time devolve upon the individual who would have succeeded to the post had the vacancy arisen before the close of nominations, unless the vacancy is in the Office of Librarian, in which case the powers and duties of the post shall devolve on the Librarian-Elect, or the

<sup>120</sup> *This resignation cannot be withdrawn: see interpretation A10.*

<sup>121</sup> *See interpretation A105 for the seniority of members who succeed under this Rule.*

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vacancy is in the Office of Treasurer, in which case the powers and duties of the post shall devolve on the Treasurer-Elect.

(x) Whenever a person holds the powers and duties of a post under this Rule 38(b), but not the post itself, that person shall be able to forswear them, whereupon they shall devolve upon the individual who would be next in line to succeed were the post vacated. Such forswearing must be sent simultaneously by email to the President and to the person on whom the powers and duties will devolve.

*(c) Succession to Office of Librarian in a Special Case*

If the Office of Librarian be vacant because the incoming Librarian has succeeded to the Office of President as a result of the operation of Rule 13(b)(ii), it shall be filled as if the incoming Librarian had died. If the Office of Treasurer be vacant because the incoming Treasurer has succeeded to the Office of Librarian as a result of the operation of Rule 13(b)(iii), it shall be filled as if the incoming Treasurer had died. If the Office of Secretary be vacant because the incoming Secretary has succeeded to the Office of Treasurer through the operation of Rule 13(b)(iv), it shall be filled as though the incoming Secretary had died.

*(d) Co-option*

If there are fewer candidates for any elected Committee than places to be filled, the vacant places shall be filled as the Chair of the Committee in question, with the Standing Committee's approval, shall think fit. The Chair must call an emergency meeting of the Committee within twenty-four hours of being informed that this situation has arisen, and must have discovered at least one member willing to be co-opted before said Emergency Meeting occurs. No person may be co-opted without having given prior written consent.

*(e) Status*

All successors under this Rule shall count for all purposes as elected members under Rule 34.

*(f) Officers-designate*

Should an Officer-designate or a Member-designate of the Standing or Secretary's Committee die or resign then their death or resignation shall be deemed, for the purposes of this Rule only, to have taken place immediately after their succession to Office.<sup>122</sup> The Member who holds the Office of President-Elect is not an Officer-designate under this Rule, nor is the Librarian-Elect or the Treasurer-Elect; however, the President-Elect-designate, who has yet to succeed to the Office of President-Elect, shall be an Officer-designate under this Rule, as shall the Librarian-Elect-designate and the Treasurer-Elect-designate.

*(g) Seniority*

All Seniority in this Rule shall be according to Standing Order D11 as if there were no mention therein of Trustees, Charitable Trustees, Senior Officers, President-Elect, Librarian-Elect, Treasurer-Elect, Ex-Officers, Ex-Trustees, Ex-Charitable Trustees, Ex-Senior Officers, Chairs of Consultative Committee, Ex-Elected Members of Standing Committee, Ex-Chairs of Consultative Committee, Senior Members of Library Committee, Ex-Senior Members of Library Committee and Ex-Elected Members of Secretary's Committee.

*(h) Simultaneous or Coincidental Vacancies*

(i) In the event that two or more posts become simultaneously vacant, or that it cannot be determined which became vacant first, the vacancy in the more junior office shall be deemed to occur first; a vacancy in the office of Treasurer-Elect shall be considered to occur after all other vacancies, a vacancy in the office of Librarian-Elect after all vacancies except one in the office of Treasurer-Elect, and a vacancy in the office of President-Elect after all other vacancies except one in the office of Librarian-Elect or Treasurer-Elect.

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<sup>122</sup> *Resigned Officers-designate/Members-designate derive no seniority from that status (interpretation A106).*

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(ii) *Powers and Responsibilities*

- (1) Assumption of the powers and duties of a vacant post under Rule 38(j) below shall not prejudice a person's eligibility to succeed to any other post. No person shall hold the powers and duties of more than one vacant post under this Rule.
- (2) If a person is simultaneously eligible to succeed to multiple vacant posts, that person shall assume the powers and duties of the senior vacant post, and the powers and duties of each junior post shall devolve in order of seniority to those next in line to succeed.
- (3) Coincidence of vacancies shall not prejudice the discretion of the person in line to succeed to accept or reject any of the posts in question. However, any of those assuming the powers and duties of junior posts under (2) above shall be entitled to waive their right to succeed to any post utilising the mechanism described under Rule 38(j) below, as though they were refusing succession.

(j) *Timing and Refusal of Succession*

(i) *Right:* If an Office or place on any Committee of the Society becomes vacant, the individual who is eligible to succeed by virtue of seniority may choose to pass-over their right of succession. That individual shall remain in any current post and retain their current status, and shall have none of the rights, status, privileges or duties of the vacant post.<sup>123</sup> The right of succession shall pass the next most senior individual under the appropriate Rule, who shall have the option of succeeding to the post, as if they were originally in line for succession.

(ii) *Mechanism*

- (1) Upon discovering a vacancy in an Office, or a place on the Secretary's or Standing Committee, the President shall within twenty-four hours inform by email the individual eligible to succeed and every person who could, in the event that senior individuals refuse succession to the post, become eligible to succeed to the post without being co-opted.
- (2) Every recipient of this email shall be entitled to waive their right to succeed to any post to which, as a result of the vacancy in question arising, they could become eligible to succeed. Such waiving must be sent simultaneously by email to the President and to every person who could become eligible to succeed as under (1) above. Such waiving may not be made conditional on any circumstance other than becoming eligible to succeed to the post, is of immediate effect and cannot be withdrawn.
- (3) Such refusal must take place within 24 hours of the President's email being sent in Full Term, or within 72 hours during the Vacation. The vacancy shall then be filled by the most senior individual who has not waived their right to succeed to that post. Further vacancies resulting from such succession shall be filled successively by the most senior remaining individuals who have not waived their right to succession to the post in question, or have not already succeeded to a senior post.
- (4) Refusal of succession to any one post will not affect any individual's right to succeed either to a senior or a junior post on this occasion, nor will it affect their right to succeed to any post on a future occasion,

(iii) *Interim Powers and Duties:* upon being informed of the relevant death, resignation or refusal of succession, the individual immediately in line to succeed shall assume the powers and duties of the vacant post (except as under (h) above), but not the post itself, which shall remain vacant until filled under (ii) above. No person who has waived their right to succeed to a post shall hold the powers and duties of that post.

(iv) If a resignation takes place in the course of a meeting of a committee at the end of which the person in line to succeed was present, this person shall be deemed to have been informed at the time of resignation. Otherwise, a person in line to succeed shall be deemed to have been informed of a death, resignation or refusal of succession at such time as that person's immediate senior, or the President, has successfully sent that person an email to this effect.

(k) Any person who succeeds to a post under this Rule shall vacate any junior Office or any junior place on the Standing or Secretary's Committee.

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<sup>123</sup> See *Interpretation A88 for further details on refusing succession*

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## CHAPTER SIX: Meetings and Motions

### RULE 39: MEETINGS – GENERAL

#### (a) *The Chair*

- (i) At all Business Meetings of the Society the President shall take the Chair unless:
  - (1) their decision is being challenged as under Rule 67(e) or a Motion standing in their name is under discussion, in which case the Chair shall be taken by an ex-President of less than twenty-one term's standing, or failing that any ex-Officer, or
  - (2) they ask the Returning Officer to take the Chair for a set period of time, or
  - (3) they be absent from the Chamber, or speaking in debate, in which case the Chair shall, except as under (i)(1) or (2) above, be taken by any Junior Officer, excluding the Secretary, or, in their absence, by any elected member of the Standing Committee; in the absence of the above, the Chair shall be taken by other Members of the Society in order of Seniority<sup>124</sup>. Any occupant of the Chair other than the President shall be known as the Chair.
- (ii) The Chair shall have no power to put the questions at its own discretion.
- (iii) The Chair shall have no deliberative, but only a casting, vote.
- (iv) The Chair shall have the power to adjourn the House without debate or notice for a token period if it receives news of the death of any Ex-Officer or distinguished public figure.
- (v) In the advent of a genuine emergency, the Chair may adjourn any meeting until the emergency has passed.

#### (b) *General Rules of Order*

- (i) No expressions of a personal or offensive nature may be used at any meeting of the Society. The Chair may call on any Member to explain any expression that Member has used; such explanation shall be received without question as to the speaker's intention, but if unsatisfied the Chair may call on the Member concerned to withdraw and/or apologise, and the Member concerned shall immediately and without question submit to the authority of the Chair.
- (ii) No Member while present at any Public Business Meeting, Private Business at Public Business, or Speaker Meeting shall smoke, eat, or bring intoxicating liquor into the place where the meeting is being held. Disorderly conduct shall likewise be forbidden.
- (iii) Members shall observe the Forms of the House, except during informal 'Speaker Meetings' called under Rule 42 (a)(3). It shall be incumbent on the Chair to discourage Members from reading their speeches in Public Business, save in the case of maiden speakers.

#### (c) *Strangers*

- (i) *Floor of House*: Except as under subsections (ii) and (iii) below, Rule 52 and Rule 53(a), no-one not a Member of the Society shall sit on the floor of the House, nor take part in debate, unless specifically invited by the President. Non-Members may not speak or vote in Private Business, save that they may speak if specifically invited by the President.
- (ii) *Freshers*: Freshers may attend and sit on the floor of the House during any debate which takes place on or before the Saturday of the Second Week of the Full Term in which they matriculate.
- (iii) *Press Bench*: Any correspondent of any journal may, unless the Standing Committee shall otherwise determine, sit on the Press Bench if they hold a Press Ticket supplied by the President.
- (iv) *Removal*: The Chair may at any time order all or any strangers to withdraw, whether they are on the floor or in the gallery, if it deems this necessary for the preservation of order.

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<sup>124</sup> *As laid out in Standing Order D11.*

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(d) *Order of Business*

At all Meetings of the Society the order of Private Business shall be:

- (1) the Report of an Election Tribunal or Appellate Board, as appropriate;
- (2) appeals under Rule 67(e)(iv);
- (3) Minutes, including those of the previous Public Business Meeting;
- (4) Presidential Announcements;
- (5) the Librarian's Report;
- (6) the Treasurer's Report;
- (7) any other official announcements;
- (8) Private Business Motions;
- (9) Adjournment Motions;
- (10) Questions to Officers.

(e) *Questions to Officers*

(i) Subject to the provisions of Rule 40(d)(ii), questions may be put to any member of any Committee of the Society (excluding Consultative Committee). If a Member so questioned is not present, they shall be informed of the question by the Secretary as soon as is practicable and in any case within 24 hours of the question being put, and shall provide a written reply to be posted on the notice board within 72 hours of the question being put. Such a written reply shall remain on the notice board until the next Public Business Meeting, or, if the question has been put at the final Public Business Meeting of a Term, for fourteen days from the time of posting.

(ii) Questions placed on the notice board before noon of the day of a Meeting shall have precedence over other questions.

(iii) No question may be asked about the circumstances, action, or Report, of an Election Tribunal or an Appellate Board, nor the Returning Officer's action under Rule 33, nor the actions of a Junior or Senior Disciplinary Committee, the Intermediate Disciplinary Committee or the Disciplinary Appeals Committee under Rule 71.

RULE 40: PUBLIC BUSINESS MEETINGS

(a) *Day and Time*

Each Term, between 0th Week and 8th Week, there shall be at least seven meetings for Public Business, at least one of which must be between the close of nominations and the opening of Poll for the Society's main elections. The President must give at least three days notice on the notice board of a meeting or variation of time of a meeting. For the purposes of Rule 34, a speech made by a member in a 0th Week Public Business Meeting shall count as a speech made during term.<sup>125</sup>

(b) *Full Evening Dress*

At all Public Business Meetings due to begin at or after 7pm Junior Officers except the President-Elect, the Librarian-Elect, and the Treasurer-Elect shall wear full evening dress.

(c) *Strangers - Gallery Tickets*

A Member may introduce any guest to a Public Business Meeting as determined by Rule 52, but no individual eligible to join the Society under Rule 3(A) or Rule 3(C) shall be so introduced without the President's permission.

(d) *Private Business*

(i) *Precedence and Postponement:* Private Business shall take precedence of the public debate. But when Private Business is under discussion any Member may move "That those parts of private business that may be postponed be postponed". Unless the Chair deems that the motion for postponement is an abuse of the forms of the House, it shall put the Question forthwith, to be decided without amendment or debate. However, the Chair shall have the power to accept and pass such a motion without vote, or it may put the motion to the House for it to vote upon. If such a motion be defeated, it shall not be repeated within twenty minutes. If the motion be passed, Private Business, except for Adjournment Motions (excluding Special Adjournment Motions), motions approving

<sup>125</sup> For dinners and receptions after Public Business Meetings, see Standing Orders C1 and C2 respectively.

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expenditure in excess of £10,000, thanks to the Sponsors of the week's meeting, if any, by or on behalf of the Treasurer, exceptional announcements by or on behalf of the President, at their discretion, and questions to Officers of which notice has been given shall be postponed until after the conclusion of Public Business, when the mover of any Motion or the Member asking any question previously under discussion shall resume the floor.

(ii) *Questions to Officers - Time Limited:* At a Public Business Meeting questions to Officers of which notice has not been given shall not occupy more than fifteen minutes.

#### RULE 41: PRIVATE BUSINESS MEETINGS

##### (a) *Time When*

There shall be an Ordinary Private Business Meeting<sup>126</sup> in each term, not later than Thursday of Sixth Week. In addition the President shall call a Special Private Business Meeting at any time if they so desire or be required to by these Rules, or if they be so directed by the Standing Committee, or if they receive a request signed by 75 Members, in which case it shall be called to meet at least eight, but not more than fourteen, days from their receiving the said request.

##### (b) *Notice*

(i) Notice shall be given on the notice-board of the Ordinary Private Business Meeting ten days and a Special Private Business Meeting five days before it is held, and also at the last Public Business Meeting before it.

(ii) If the House have been adjourned to another day under section (d) below, notice of the adjourned meeting shall be placed on the notice board, and no further notice shall be necessary.

##### (c) *Order of Business*

(i) *Notice of Motions:* At the beginning of the Meeting the Chair shall give notice of all motions to be brought forward.

(ii) *Precedence of Motions:* Motions recommended by any Committee of the Society shall have precedence of other motions.

##### (d) *Time Limit*

Two and a half hours after the commencement of a Private Business Meeting, and at half-hourly intervals thereafter, the Chair shall put the Motion that the Meeting be adjourned to a specified day. Any Member may move an Amendment to change the day proposed. If the Motion be carried, the House shall adjourn; if it be lost, the meeting shall continue.

#### RULE 42: EXTRAORDINARY MEETINGS

##### (a) *Purpose*

The President may call an Extraordinary Meeting:

- (1) prior to a Public Business Meeting for the purpose of an Emergency Debate;
- (2) for the purpose of holding a debate that shall not be a Public Business Meeting;
- (3) either the President or the Librarian (with the permission of the President) may hold an informal 'Speaker Meeting', to hear an address by a distinguished visitor. No Public or Private Business, nor motion of any sort, nor any formal questions to Officers shall be allowed at such a meeting.
- (4) for the purpose of holding a Parliamentary Debate.

(b) *Notice:* Not less than two days' notice of such a Meeting under (1) or (2) shall be given.

##### (c) *Private Business:*

At any Extraordinary Meeting no Private Business shall be allowed except official notices.

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<sup>126</sup> *Whereat members of Standing Committee and appointed officials deliver reports according to Standing Order D1.*

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## RULE 43: MOTIONS – GENERAL

(a) *Moving*: Every member shall in person, or by proxy, bring forward any Motion, Amendment or Rider of which they have given notice, and shall resume any debate which has been adjourned while they were in possession of the House.

(b) *Lack of Opposition*: If no opposition be made to a Motion it shall be considered carried. Formal opposition shall not be recognized as opposition, except where it be solely to allow an Amendment to be moved.

(c) *Notice*: All notice of Motions, Amendments, and Riders shall be given on the notice board.

### (d) *Withdrawal*

(i) A Member may withdraw any motion of which they have given notice before it is due to be brought forward.

(ii) Once a motion has been brought forward it may be withdrawn only by leave of the House.

### (e) *Procedural Motions*

(i) Any member may move: "That the question be now put", or "That the question be not put". Any such Procedural Motion may be refused by the Chair if it considers it an abuse of the forms of the House, otherwise it shall be put immediately without amendment or debate.

(ii) If a Procedural Motion be passed it shall be implemented at once; save that if the motion that the question be now put be passed with regard to a Public Business Motion, the Chair shall call upon the Tellers to sum up the debate; if it be rejected, the debate shall continue.

(iii) Other Procedural Motions shall be:

- (1) 'That those parts of Private Business which may be postponed be postponed' as under Rule 40(d)(i);
- (2) 'That the Meeting be adjourned to (a specific day)' as in Rule 41(d);<sup>127</sup>
- (3) 'That the House be counted' as in Rules 46(e) and 47(e);
- (4) 'That the Motion shall be moved before the Public Business Meeting on (a specific day)' as in Rule 47(a)(i)(2);
- (5) 'That the Motion be taken in parts' as under Rule 47(c);
- (6) 'That I demand a Poll' as under Rule 47(f)(i);
- (7) 'That the Ruling be reversed' as in Rule 67(e)(v).

### (f) *Divisions*

(i) *Tellers*: When the House proceeds to a Division, the Chair<sup>128</sup> shall appoint two or more Members to tell the numbers. In taking the numbers no Member not so appointed shall interfere.

(ii) *Double voting*: The Chair, the Returning Officer, or the President shall have powers to fine any Member voting more than once on a Motion the sum of £3.

### (g) *Repetition and Rescission*

No Motion except Procedural Motions that has been voted upon shall be brought forward again in the same or any other form, nor shall any Motion that has been passed be rescinded in the same term, save that an Adjournment Motion may be repeated as a Public or Private Business Motion. A Motion that has been withdrawn shall not be deemed to have been voted upon.

(h) *Results*: Every motion shall be deemed carried if passed by simple majority.

(i) A motion of No Confidence in an Officer of the Society specified under Rule 13(a) may not be moved in form or substance; instead, a motion of impeachment may be moved under Rule 71(p).

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<sup>127</sup> To be used with exclusive reference to Rule 41(d): see Interpretation B3.

<sup>128</sup> Or the Chair of Consultative Committee. Tellers have the right to dine under Standing Order C1.

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#### RULE 44: AMENDMENTS AND RIDERS

(a) *Notice*: No Amendment or Rider shall be moved unless at least twenty-four hours' notice thereof has been given on the Society's notice board.

(b) *Alteration or withdrawal*: No Member may alter or withdraw an Amendment or Rider after notice has been given save by leave of the House.

(c) *Amendment or Rider*. The chair shall:

(i) decide what is an Amendment, what a Rider;

(ii) forbid the bringing forward of any Amendment or Rider it considers an abuse of the forms of the House.

(d) *Moving*

(i) The mover of the Substantive Motion may accept an Amendment, subject to (a) and (b) above in which case the Amendment shall be incorporated in the Motion.

(ii) Amendments not accepted under (i) above shall be moved immediately after the second speech on the Substantive Motion.

(iii) No Rider shall be moved unless the Substantive Motion has been passed.

(iv) No Amendment or Rider shall be moved if the Quorum for Public Business is not achieved at the time it is due to be moved.

(e) When an Amendment or Rider is moved, neither its proposer nor its opposer shall speak for more than five minutes, nor any other speaker to it for more than three.

(f) Before any Motion is moved the Chair shall announce to the House the terms of any Amendment or Rider proposed thereto.

#### RULE 45: ADJOURNMENT MOTIONS

(a) *Moving*: A Member may move the adjournment of the House for a token period.

(b) *Grounds*: Any Adjournment Motion must specify the grounds of its moving: these shall not include the circumstances, action or Report, of an Election Tribunal nor the Returning Officer's action under Rule 33.

(c) *Notice*: No Adjournment Motion may be moved of which notice has not been given by noon on the day of the meeting save that in very exceptional circumstances this provision may be waived at the President's discretion, provided that notice of the Motion has been given to them.

(d) *Precedence*: An Adjournment Motion shall be moved only during Private Business as under Rule 40(d).

(e) *Discussion*: When the adjournment of the House is moved, the Chair shall call on those Members who wish to see it discussed to rise in their places. The motion shall not be discussed or put unless fifty Members or half those present, whichever is the less be upstanding. If, however, fifty Members or half those present whichever is the less do rise, the Chair shall ask whether the Motion be opposed. If fewer than five Members rise to oppose the Motion the Chair shall declare it carried.

(f) *Extraneous Matters*: No matter not bearing directly on the grounds specified as under section (b) above shall be introduced into the discussion.

(g) *Length of Speeches*: Neither the proposer nor the opposer of an Adjournment Motion shall speak for more than five minutes, nor any other speaker for more than three.

#### (h) *Special Adjournment Motions*

Any decision by any Committee<sup>129</sup> except under Rules 4, 7, 32, 63 and 67(b), where alternative methods of appeal are applicable<sup>130</sup> or under Rules 32(h) or 53, may be reversed by the House by means of a Special Adjournment Motion, signed by at least 30 Members, notice of which must be given to the President in writing at least 50 hours before the time of moving. Such moving shall in no case be later than ten days after the publication of the decision in question, except in the case of Standing Orders covered by Rule 68(c), which shall be moved in the First Private Business Meeting of the following term. Any decision by any Committee which is challenged by means of an Adjournment Motion under this Rule of which notice is given within 24 hours (excluding Sundays) of such publication shall be suspended from operation until such time as the Motion has been discussed by the House. No Member may withdraw a Special Adjournment Motion moved under this section after notice has been given. This clause may not be changed except by a Private Business Motion at a Public Business Meeting.

#### RULE 46: PUBLIC BUSINESS MOTIONS

(a) *Selection*: Motions for debate in Public Business shall be chosen by the President.

(b) *Notice*: Five days' notice shall be given of every Public Business Motion.

#### (c) *Speeches*

(i) *One per member*: In Public Business no Member shall make more than one speech on the substantive motion, unless for the purpose of explanation, save for the proposer of the motion, who shall have the right of reply to the debate. In making an explanation no fresh matter shall be introduced.

(ii) *Time*: In Public business no paper-speaker shall speak for more than twelve minutes; they may, however, appeal to the Chair for extra time, which it shall grant or refuse at its discretion. This Rule shall not apply to strangers who speak on the invitation of the President, who shall speak for not more than thirty minutes, nor to the candidates at a Presidential debate, who may speak for a period not more than thirty minutes. Speakers from the floor shall not (save at the Chair's discretion) speak for more than five minutes, or such less period as the Chair may determine.

(iii) *Lack*: If, at any time, there be no Members wishing to speak on one side of the Motion, the Chair shall call for a speech on the other side of the Motion. If, at any time, there be no Members on the floor of the House wishing to speak, the Chair shall at once call upon the Tellers to sum up the Debate and the House shall proceed to a division.

#### (d) *Amendments and Riders*

The total time spent in discussing an Amendment or Rider to a Public Business Motion shall in no circumstances exceed half an hour; at the end of that time the Chair, should it not already have done so, shall immediately put it to the vote.

#### (e) *Counting Out*

If during Public Business a Member move that the House be counted, and there be fewer than ten members present, the Chair shall at once call on the Tellers to sum up the Debate, and the House shall proceed to a division<sup>131</sup>.

#### (f) *Hour of Division*

The hour of division shall never be later than 0100 hours and for each rider of which due notice has been given, the House shall divide on the substantive motion not less than ten or more than thirty minutes earlier than it would otherwise have done.

<sup>129</sup> But not decisions of the DRO 'scrutiny committee'. See interpretation A110.

<sup>130</sup> So where these rules do not provide alternative means of appeal, a SAM may be invoked: see Interpretation B4.

<sup>131</sup> Not including the Chair, Secretary and Tellers: see Interpretation B13.

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(g) *Division*

(i) During Public Business, except as provided in paragraph (ii) below, members leaving the House after the second speech shall be counted by the tellers as voting in favour of the motion if they pass to the right of the barrier, and against it if they pass to the left, unless they signify to the tellers their wish not to vote.

(ii) Where an Amendment to the Public Business Motion is to be proposed, voting on the motion shall not be allowed until the Amendment has been voted on, and, if the Amendment be passed, voting on the Amended motion shall not be allowed until two further speeches have been given.

RULE 47: PRIVATE BUSINESS MOTIONS

(a) *Notice*

(i) At a Public Business Meeting:

(1) A Private Business Motion moved by recommendation of the Standing Committee<sup>132</sup> shall be posted on the notice-board not less than three days or, if it be a motion to which Rule 67(b)(ii) apply, eight days before it is to be discussed. No Private Business Motion not recommended by the Standing Committee shall be introduced at a Public Business Meeting unless notice of it has been posted on the notice-board not less than eight days before the meeting and before the Rooms have closed on the day next after the posting of the notice at least thirty Members have signed the notice in the Society's Rooms in support.

(2) The provisions of (1) above notwithstanding, any Private Business Motion may be moved at a Public Business Meeting following a Procedural Motion to that effect, passed at the Private Business Meeting before which the motion is due to be brought before or immediately after the vote. Such a Procedural Motion may be moved only by the proposer of the Private Business Motion to which it refers, in person or by proxy, and must specify the Public Business Meeting before which the motion shall be brought; the said Public Business Meeting being not less than three days and not more than one calendar month after the Private Business Meeting, save that if the Private Business Meeting is held within three weeks of the end of Full Term, the motion may be brought before the first Public Business Meeting of the following term.

(ii) At a Private Business Meeting:

Any Member may, provided that they have given at least three or, if it be a motion to which Rule 67(b)(ii) applies, eight days notice on the notice-board, bring forward a motion at a Private Business Meeting. This provision shall extend to motions for Private Business Meetings adjourned under Rule 41(d).

(b) *Speeches*

In Private Business a Member may not speak more than once on the same substantive motion unless in the opinion of the Chair the course of the debate makes it desirable. In a debate on a Private Business Motion, the speeches of the mover and opposer shall be limited to five minutes each; those of other speakers to three minutes each; save that the Chair may allow extra time at its discretion.

(c) *Dividing the Motion*

If a Private Business Motion deals with two or more distinct Questions, the Chair, on request, shall divide it, and shall put the Questions separately to the vote.

(d) *Divisions*

No Private Business Motion shall be regarded as having been decided by acclamation if fifteen or more Members call for a division.

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<sup>132</sup> As defined by Standing Order B5, which also limits the rights of members of TSC to speak on such motions.

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(e) *Counting Out*

- (i) If during or immediately following a vote on a Private Business Motion other than an Appeal, a Member move that the House be counted, and the number of members qualified to vote present is beneath that specified under (iii) below, the House or the mover of the motion may agree to a postponement of the discussion to a specified future Public Business Meeting.
- (ii) If no such postponement is agreed, the House shall continue to debate the motion and proceed to a division, and the numbers voting on either side shall be recorded. The motion shall be put in Private Business at the next Public Business Meeting if within 144 hours a petition to that effect be posted on the notice-board and be signed by more Members than voted in favour of the motion if it passed, or more Members than voted against the motion if it fell. From the time of the said decision or petition to the division at the said meeting it shall be as if the said motion had not been put.
- (iii) In the case of a Private Business Motion to which Rule 67(b)(ii) applies, the requisite number of members qualified to vote shall be 150. In the case of a Private Business Motion which Rules 67(b)(ii) does not apply, the requisite number of members shall be 40.
- (iv) No part of Rule 47(e) shall be amended or deleted except in Private Business at a Public Business Meeting.

(f) *Polls*

- (i) *Demand For:* Any Member may demand a Poll on a Private Business Motion or an Adjournment Motion moved under Rule 45(h) immediately after a division on it has been taken. A poll shall not be taken unless within 48 hours (excluding Sundays) after such demand a Requisition to the same effect, signed by one hundred and fifty members in the Society's rooms, be deposited in the Office. The Member demanding a Poll shall not be permitted to withdraw the demand. No Poll shall be demanded on an Appeal from a decision of the President or from a fine or a suspension, nor on a matter of expulsion.
- (ii) *Time When:* If a Poll be requisitioned, it shall be held not less than five nor more than twelve days after the Requisition is presented.
- (iii) *Repetition of Motion:* No Private Business Motion that has been rejected on a Poll shall be brought forward again in form or substance within two terms of being moved.
- (iv) *Arrangements For:* In the event of a Poll being requisitioned, the Standing Committee shall lay down the arrangements for the Poll and the Count. The Extraordinary Returning Officer, who shall ordinarily be the Returning Officer, shall conduct the Poll, and shall have power to decide all questions not specifically covered by the Rules, the Standing Orders, or the motion laying down the said arrangements. The Extraordinary Returning Officer shall also have the power to inflict fines of up to £25 for disruption of the Count or interference with the secrecy of the poll. The Extraordinary Returning Officer shall not be the proposer or seconder of the motion, or named in the motion, nor shall they have spoken on either side or have taken the chair in any earlier debate on the motion. If the Returning Officer be hereby disqualified from being Extraordinary Returning Officer, the Standing Committee shall appoint a Deputy Returning Officer or an Ex-Returning Officer qualified to be a Deputy Returning Officer not so disqualified as Extraordinary Returning Officer.
- (v) Any breach of the arrangements laid down for the Poll by Standing Committee or the ERO shall be an offence. Any such offence may be complained about as below:
  - (1) In the event of a poll being held on the same day as the Election of Officers and Committee, an allegation of Poll Malpractice may be made in the same manner, and with the same time limits as would be required of an allegation of Electoral Malpractice. An Election Tribunal shall then deal with the allegation in the same way as if it were an allegation of Electoral Malpractice. For the purposes of Rule 33(b)(ii) an allegation should state that a breach of Rule 47(f)(v) has occurred.
  - (2) In the event of a Poll being held at any other time of term, a breach of Rule 47(f)(v) shall be an offence under Rule 71(a)(i).
- (vi) In addition, should notice be given of a Rule change such that a poll be required under Rule 72 for the change to have effect, Standing Committee shall lay down the motion required by Rule 47(f)(iv) at its next meeting. The same shall apply if Rule 67(b)(iv) or (v) is employed regarding a Rule change. If either of these should occur, 47(f)(v)(1) and (2) shall only apply to arrangements, as decided in Standing Committee's motion or by decision of the ERO promulgated in writing on the notice board, that are made before close of business on the sixth day prior to the date set for the Poll.



(g) *Rules*

Any Motion, Amendment, or Rider, affecting any Rule of the Society shall be subject to the provisions of Rule 67(b).

(h) *Expenditure*

No Private Business motion with financial implications shall be put<sup>133</sup> without the prior written consent<sup>134</sup> of a Senior Officer or the Standing Committee, with the exception of any motion tabled under Rule 58. Motions tabled under Rule 58 shall not entail spending more money than is available in the Library budget for that year.

(i) *Non-Members*

Non-members may not attend Private Business Meetings.

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<sup>133</sup> *On the scope of this restriction, see Interpretation A47.*

<sup>134</sup> *On the definition of prior written consent, see Interpretation A48.*

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## CHAPTER SEVEN: The Society's Rooms<sup>135</sup>

### RULE 48: OPENING AND CLOSING<sup>136</sup>

#### (a) *Full Term:*

(i) The Society's Rooms shall be open every day during Full Term, except as otherwise determined by Standing Committee, supported by three-quarters of members of the Standing Committee present and voting<sup>137</sup>.

(ii) The hours of opening shall be at least from 9.30am until 11:30pm on Monday to Saturday and midday until 11.00pm on Sundays, except when functions sanctioned by standing Committee require otherwise.

#### (b) *Vacation:*

(i) During Vacation the Society's Rooms shall be open from 10.00 to 17.00 Monday to Friday except when Standing Committee decides otherwise.

(ii) The Society's Rooms shall be closed for a minimum period of seven consecutive days in each vacation.

#### (c) *Bars:*

(i) In Full Term, when the Society's Rooms are open, the main bar shall be open and serve intoxicating liquors from at least 11.00 am to 11.00 pm on Mondays to Saturdays and at least from 12.00am to 10.30pm on Sundays.

(ii) In Vacation, when the Society's Rooms are open, the main bar shall be open and serve intoxicating liquors as the Standing Committee so orders, to a maximum of the same hours as in full term.

#### (d) *Currently unused*

#### (e) *Times of Meetings*

No Public Business Meeting, Private Business Meeting, Election, Poll, informal debate, Parliamentary debate, emergency debate, Election Tribunal hearing, Disciplinary Hearing, or meeting of any duly constituted Committee shall commence during hours when the Buildings are closed under Rule 48. If the event of a Poll being requisitioned under Rule 47(f), and the five to twelve day period mentioned in Rule 47(f)(ii) coincides with the day of the main Elections, the Poll shall take place at the same time, in the same room and open for the same hours as the main Elections.

### RULE 49: USE OF ROOMS FOR COMPETITIVE DEBATING

For the purposes of this Rule the phrase "all the Society's Rooms" shall include the Goodman Library, Macmillan Room, Gladstone Room, Snooker Room, Morris Room, Television Room, Library, Library Lobby, Poetry Room, Chamber, garden and all landings and corridors. It shall not include the Bar, the General Office, the House or any Officer's office. The phrase "external debating competition" shall mean a debating competition at which non-Members may participate, and "internal debating competition" shall mean a debating competition at which only Members may participate. "DSC" refers to the Debate Selection Committee.

(a) DSC shall have the right to use all the Society's Rooms for the purposes of debating competitions, workshops, coaching sessions, trials and any other competitive debating activity.

(b) DSC shall inform the Staff and Standing Committee of the rooms needed at which times before the end of 7th Week of the term preceding the requirements. If DSC requires the use of the Society's Rooms during the vacation they shall inform Standing Committee before the end of 4th Week of the term preceding the requirements.

(i) Standing Committee shall not refuse the following standard requests:

(1) The use of all the Society's Rooms once in each full term for a length of time not exceeding 48 hours for an external debating competition.

<sup>135</sup> *Provision of keys and codes to the Rooms is governed by Standing Order E17.*

<sup>136</sup> *Powers to assist the maintenance of order in the Rooms are listed under Standing Order G1.*

<sup>137</sup> *Restrictions on access, room hire and distribution of leaflets defined by Standing Orders E1, E4 and E6 respectively.*

- (2) The use of not more than five rooms once a week in each full term for a length of time not exceeding 4 hours for workshops and internal debating competitions.
- (3) The use of a single room once a week in each full term for a length of time not exceeding 3 hours for coaching sessions.
- (4) The use of not more than five rooms not more than twice in each full term for a length of time not exceeding 2 hours for competitive trials and internal debating competitions.
- (ii) Standing Committee shall not refuse other requests, or requests made after the deadline specified, unless to fulfil the request would significantly prevent the Union achieving its other Objects under Rule 2.
- (c) DSC shall inform the Staff and Standing Committee of the criteria for attendance at a competitive debating event.
  - (i) DSC may require that during an external debating competition the Society's rooms be closed to individuals not attending that competition, as for a ticketed event in accordance with Rule 52(g)(ii).
  - (ii) Workshops, but not trials, coaching sessions, internal or external debating competitions, shall be open to all students of the University of Oxford, as well as all Members.
- (d) DSC shall inform the Staff and Standing Committee of any logistical requirements a competitive debating event may have.
  - (i) If a competitive debating event must start at a time before the Society's Rooms would normally open, a nominated member of DSC or the Organisational Committee of the event shall be entitled to the keys and passcodes necessary to open the Society's Rooms for that event, to be returned at the earliest possible opportunity
  - (ii) A secure space shall be set aside for the storage of food, drink or other resources for competitive debating events. Nothing shall be taken from this space other than by DSC or the Organisational Committee of the event in question.
- (e) No event of any sort shall take place or be planned to take place at the same time as a debating competition without the permission of DSC.
- (f) Any member who disrupts the functioning of an external debating competition, including by the organisation of an event at the same time as the competition, shall be deemed to be bringing the Society into disrepute for the purposes of Rule 71.

#### RULE 50: UNUSED

#### RULE 51: DOGS

Any Member introducing or causing to be introduced a dog into the Society's premises shall be liable to a fine of £5 inflicted by the Treasurer. Any animal leading a blind person shall be deemed to be a cat. Any animal entering on Police business shall be deemed to be a wombat. Any animal that the President wishes to exempt from the Rule shall be deemed to be a mongoose.

#### RULE 52: GUESTS, VISITORS AND NON-MEMBERS

##### (a) *Exclusion of Disciplined Members*

Members of the Society who have been expelled or who are under suspension shall not be allowed onto the Society's premises, except for the purposes (solely) of any Appeal.

##### (b) *Room Hire*

- (i) Rooms may be hired as per Standing Orders, Chapter E.
- (ii) When a room is hired, the Society must be informed who will be using the room, and particularly told if any distinguished, high-security or controversial individual will be attending. The Society reserves the right to cancel room bookings without notice or liability, returning any monies paid.
- (iii) When a room is booked, the hirer must sign down on the booking form that they agree to abide by the Rules of the Society as part of the room-hire contract.

##### (c) *Guests of Members*

- (i) Any Member introducing a guest or guests into the Society's buildings shall write their name and college and their guest's name and address in a Guest Book on entering the buildings.

(ii) Between the hours of 5.30pm and 2am, the President or Staff shall have the right to charge members a levy for each guest admitted onto the premises. This levy shall be determined by the Standing Committee from time to time.

(iii) After signing in, guests shall be given a "Visiting Membership Card", which shall be valid for that day. By accepting such a card, guests agree to be bound by the Rules of the Society. Guests shall carry this card at all times whilst on the premises, and shall show it on demand to any member of Staff or Standing Committee. Cards issued before 5.30pm shall not necessarily exempt any guest from the evening charge set out in (c)(ii) above.

(iv) Guests may use the main Bar provided they are accompanied by the Member who signed them in. They may not themselves be served at the Bar. They may attend a Debate or Speaker Meeting if accompanied by the Member who signed them in. Such guests shall have no voting rights in any Private Business or election.

(v) No Member shall introduce more than three such guests onto the Society's premises at one time, nor introduce a particular guest more than four times a term, unless the President permits otherwise. No individual eligible to join the Society under Rule 3(A) or Rule 3(C) shall be introduced under this section without the President's written permission except that they may be allowed in the bar upon payment of fee of £3 as if they were eligible to join the society.

(vi) Any Member who fraudulently introduces an individual eligible to join the Society under Rule 3(A) or Rule 3(C) shall be fined £60 for each offence.

(vii) It shall be a disciplinary offence under Rule 71 for a Member to purchase alcohol for, or allow alcohol to be purchased by, a guest who is under-age.

(viii) The President or their agent may exclude any guest from the premises at any point for any period of time.

*(d) Tourists*

(i) The President is empowered to make arrangements to admit non-members to the Society's premises as tourists, and to charge such non-members a fee

(ii) Members may not introduce guests onto the Society's premises for profit or commercial gain, nor sell tickets to debates or speaker meetings, without the express permission of the President.

*(e) Members' Only Events*

The President may choose to mark an event "Members only". Such events may only be attended by Members of the Oxford Union Society (as defined in Rule 3), and other individuals only as the President allows.

*(f) Trespassers*

The President may, at their discretion and notwithstanding Rule 72, submit to the Proctors the name of any member of the University found upon the Society's premises who is neither a Member nor an employee of the Society, and who has not been admitted legitimately under this Rule.

*(g) Ticketed Events*<sup>138</sup>

(i) All tickets to events, whether for Members or non-Members, shall be non-transferable, except when done through the General Office.

(ii) During a ticketed event, the Society may restrict access to any or all of the Society's rooms or buildings to those who hold a ticket. A notice informing Members of the restricted access to the buildings must have been placed on the Society's notice board at least 7 days in advance. The Society may not arbitrarily restrict access to the main generality of the buildings to particular types or groups of Members during normal opening hours in Full Term, save for reasons of security or safety. At ticketed events, the Standing Committee may specify that formal dress (daytime or evening as appropriate) is required; any individual not conforming to the specified dress code may be excluded from the event without compensation.

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<sup>138</sup> For rules on the sale of tickets off the premises, see Standing Order A20.

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(iii) The Society may not discriminate between different types of Member in the distribution of such tickets, save that in the interests of decorum, and notwithstanding anything else in the Rules, Standing Committee may choose to make any *bona fide* 'women-only' event open to female members only. It may also make events during Michaelmas Term open to freshers only.

(h) *The Open Period*

(i) Between Monday 0th Week and 7pm on Thursday 2nd Week of each Michaelmas Term, the Buildings shall be open to non-members of the Society who are eligible to join under Rule 3(A) or Rule 3(C). Such non-members may attend debates and meetings (unless the meeting is a 'members only' event). They may speak and vote in Public Business, but may not speak or vote in Private Business. They may purchase intoxicating liquor if licensing laws allow. They may use the Library but may not borrow books.

(ii) *Reciprocal Members*

Reciprocal Members entitled to full Life Membership under Rule 9 shall be treated exactly as normal full Members for the purposes of this Rule. Individuals from Kindred Societies who are entitled to limited reciprocal access shall be covered by the appropriate rules on reciprocal membership and not this Rule; however, they shall not be entitled to admit guests themselves. They may buy tickets to the Society's ticketed events at the discretion of the President.

(j) *Cellars*

The guest and non-member admission policy of the Cellars shall be determined by motion of the Cellars Management Committee, and regulated by the lease and management agreement between the Oxford Union and Purple Turtle. Admission of guests and non-members into the Cellars shall not necessarily grant such individuals access to the other parts of the Society's premises, and instead shall be regulated according to the other parts of this Rule.

## RULE 53: ADMISSION TO EDUCATIONAL FACILITIES

(a) Subject to (c) below and to Rule 58(a) any member of the University of Oxford shall be entitled to be admitted to the Society's debates, addresses by distinguished persons, the reading- and writing-rooms, and to the Old and New Libraries for the purpose of using therein any of the books, upon payment to the Society of a termly sum to be determined under (d) below. Non-Members so admitted shall be subject to Rule 39(c)(i) and (iv) except that if it be necessary to close the Gallery for security or other reasons an area of seating shall be reserved on the floor of the House for the use of non-Members admitted under this Rule, the area being computed so as to bear the same proportion to the total seating space as the number of persons who have bought Termly Admission Cards in the term in question bears to the number of Subscribing Members.

(b) Any such person shall, upon payment of the said sum, be given a Term Card, the form of which shall be agreed between the Standing Committee and the Trustees of the Oxford Literary and Debating Union. When on the premises that person may be required to give sight of their card to any Officer or member of the Society's staff. Any person who permits their card to be used by any other person shall be in breach of this Rule and liable to have their right revoked as under (c) below.

(c) If any Non-Member admitted to the premises under (a) above be guilty of misbehaviour or do or attempt to do any act on the Society's premises which they are not entitled to do under (a) above they may be removed there from by the House Manager or any Officer; and if such behaviour by a Non-Member be sufficiently serious, the Standing Committee may revoke the non-member's rights under (a) above, in which case the Society shall reimburse the Non-Member with an appropriate proportion of the termly sum already paid by them.

(d) The termly sum referred to in (a) above shall be agreed from time to time between the Standing Committee and the Trustees of the Oxford Literary and Debating Union, or if they disagree, by the Trustees of the Oxford Literary and Debating Union alone. The said termly sum shall bear a reasonable relationship to the monthly subscription which is due from a Life Member paying their Membership fee by Banker's Order who joins in the terms in which the termly sum is to be paid, having regard to the cost to the Society of providing those facilities which, being non-educational, non-members admitted to the premises under (a) above are not entitled to use. For the purpose of determining what is a reasonable relationship the Trustees of the Oxford Literary and Debating Union may require the Standing Committee to procure a report on the question from the Society's auditors.

## RULE 54: THE PRESS

(a) The President may permit representatives of the Press to enter the premises at any event. The President may exclude the Press from the premises, or part of the premises, at any time, as they see fit.

(b) No photography, video recording or audio recording shall take place on the Society's premises without the President's prior permission.

### (c) *Permissions*

Members shall not communicate information to the Press about any event on the Society's premises which is closed to the Press, or is under Chatham House Rules<sup>139</sup>.

(d) The President may exclude any Member from any event which is closed to the Press, or is under Chatham House Rules, if they reasonably suspect that that Member would communicate information about the event to the Press.

(e) Any meeting of the Society may be covered by local, national or international media and Members may be filmed, taped or photographed. In consideration of their attendance, and without compensation, Members, guests or visitors consent to be filmed, taped, recorded or photographed, and they further consent that their image may be distributed, by any media, in connection with any event.

(f) Breaches of Rules 54 (b) or (c) shall be disciplinary offences as per Rule 71 or 33, as appropriate.

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<sup>139</sup> *Further restrictions on members of committee are laid out by Standing Order B1.*

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## CHAPTER EIGHT: The Library

### RULE 55: GENERAL AND GOVERNANCE

- (a) The Library shall have multiple roles as an historic collection and as a working library for study and research and general reading.
- (b) The Senior Librarian and Junior Librarian shall be responsible for the general supervision of the Library. The Librarian-in-Charge shall be responsible for the day-to-day management of the library and shall work together with the Library Committee.
- (c) The Senior Librarian shall, together with the Librarian-in-Charge, Library Committee and the Library Strategy Committee, and subject to any general direction of the Standing Committee, set strategic and policy goals for the Library in accordance with paragraph (a) above.
- (d) The Librarian-in-Charge shall, through the Senior Librarian, assisted by the Junior Librarian, be ultimately responsible to Standing Committee for the performance of their duties.
- (e) The Librarian-in-Charge shall, through the Bursar, be ultimately responsible to the Standing Committee on contractual, personnel and health and safety matters.
- (f) Library Committee shall:
  - (i) In accordance with Rule 57, establish and implement its policies for the acquisition and disposal of books and other library materials
  - (ii) Take into account the views of members of the Society on Library policy and management
  - (iii) Respond to the advice of the Library Strategy Committee on the long-term, strategic issues of fundraising and Library development.
- (g) The Library Strategy Committee will normally meet once a term, with the Senior Librarian acting as Chair and with the attendance of the Librarian-in-Charge, and the Junior Librarian, and will be entrusted with providing advice on long-term strategic development, fundraising and professional library matters.
- (h) After each meeting of the Library Strategy Committee, the Librarian or Senior Librarian shall report back to Library Committee.
- (i) All Library matters (other than its fabric) shall fall within the exclusive responsibility of those persons and bodies named in (b), subject to the budget in Rule 56 and the ultimate responsibility exercised by the Standing Committee in paragraphs (d) and (e) above.

### RULE 56: LIBRARY FINANCE

- (a) Standing Committee shall, no later than the second week of Michaelmas Term establish an annual income and expenditure budget for the library; this shall be reported to the Library by the Standing Committee.
- (b) This shall be based on a report by the Senior Librarian and the Junior Librarian which, taking account of the overall financial outlook for the Society and after discussion by the Library Committee, shall:-
  - (i) set out the committee's strategy as in Rule 25(g) (Library Strategy)
  - (ii) review progress of that strategy in the last year, including library accounts for that year
  - (iii) report on available external finance and
  - (iv) set out the capital and current requirements of the library accordingly.
- (c) Management of the Library shall include generating revenue, including sponsorship, although not to the exclusion of such by members of Standing Committee or Junior Officers.
- (d) The President may, on the suggestion of the Senior Librarian, invite the Librarian-in-Charge and other appropriate members of the Library Committee to attend Standing Committee, without vote, when the library budget is to be established.

(e) *Accounts*

- (i) The Bursar, on behalf of the Senior Librarian, shall cause the accounts of the Library to be entered in a ledger, which shall, when they have been audited, be open to inspection by members.
- (ii) The Bursar shall prepare termly accounts with the assistance of the Librarian-in-Charge, on behalf of the Senior Librarian, which shall be presented for audit annual together with the Senior Treasurer's accounts.
- (iii) In each term the Junior Librarian shall present the Librarian-in-Charge's account for the preceding term to a Public Business Meeting:
- (iv) At the first Ordinary Private Business Meeting of each Michaelmas Term the Junior Librarian shall present the Librarian-in-Charge's audited accounts for the preceding year for the approval of the Society.

RULE 57: ACQUISITIONS AND DISPOSALS

- (a) The Library Committee shall establish policies for the acquisition and disposal of books and other library materials.
- (b) The Junior Librarian's weekly list of acquisitions shall be proposed to the House for approval.
- (c) A book or other library item presented to the Society shall be laid before the Library Committee. If the Committee think that the item is of permanent value, it shall place it on the list proposed under (b) above.
- (d) The Library Committee may authorise the Junior Librarian to purchase pamphlets without reference to the House.
- (e) Lists of titles suitable for disposal shall be prepared by the Librarian-in-Charge and approved by the Library Committee for submission by the Junior Librarian to the House for approval. Such lists shall be:
  - (i) notified in writing to the Senior Librarian one month in advance of approval;
  - (ii) posted on the Society's notice boards two weeks before approval and;
  - (iii) amended by the Junior Librarian, on the advice of the Senior Librarian and Librarian-in-Charge, to omit any items for whose retention a compelling case has, in the opinion of the Junior Librarian, been made.
- (f) The Senior Librarian may, over and above their stated general charge of the Society's libraries, prohibit any disposal.
- (g) After any item has been approved for disposal it shall be listed for two weeks on the Society's notice boards together with a market value set by the Librarian-in-Charge, unless Library Committee shall have ruled that a bulk sale including such item will be in the Society's best interest. Any member of the Society may purchase that item on a first come, first served basis at the market value set by the Librarian-in-Charge.
- (h) Any items not sold shall be disposed of by the Library Committee.
  - (i) Any income from such sales shall be applied only for library purposes.



## RULE 58: LIBRARY MANAGEMENT

(a) *External Relations*: The Librarian-in-Charge, subject to the Rules on financial control and to any general direction by the Standing Committee, may:

(i) negotiate with suppliers of library services, including online information resources and staff training and;

(ii) approach sponsors, provided that the President and Treasurer shall be advised in advance.

(b) *Library Regulations*: Library Committee may make regulations for the safe handling and borrowing of library materials and for other routine library matters.

(c) Library staff

(i) Staff shall be answerable on all matters of operational management (other than personnel, contractual and health and safety matters) to the Senior Librarian and to the Library Committee, who may assign appropriate powers and duties to the Librarian-in-Charge.

(ii) Paragraph (i) above shall be without prejudice to the Bursar's role in overseeing staff matters. To the extent that matters in respect of paragraph (i) do affect such responsibilities, the Senior Librarian shall normally invite the Bursar to attend, without vote, Library Committee.

## CHAPTER NINE: Staff

### RULE 59: SUPERVISION

(a) The Bursar shall have general oversight of the rooms and the Society's staff, subject to the direction of the appropriate Officers and Committees of the Society<sup>140</sup>.

(b) Notwithstanding anything else in these Rules or the Standing Orders, no member of Staff who is also a Member of the Society shall, whilst employed as a member of Staff, hold any other elected or appointed Office or position under these Rules or the Standing Orders. Nor shall a member of Staff who is also a Member of the Society be eligible for membership of any Committee of the Society, excluding Consultative Committee (unless a member by virtue of their duties and/or responsibilities as a member of Staff). This sub-section shall not apply to staff who are employed on a casual basis, or who work sixteen hours or fewer per week and are not on a fixed term contract.

### RULE 60: APPOINTMENT, DISMISSAL, AND SALARIES

#### (a) *Division of Responsibility*

(i) The power to appoint and dismiss members of the staff and to fix their salaries shall be vested in the Standing Committee<sup>141142</sup>.

(ii) All staff appointments must be approved by Standing Committee before a potential staff member is made a formal offer of permanent employment.

(iii) Any staff dispute or matter of contention which cannot be resolved informally shall be considered by Standing Committee, and not by any other Committee or working party of the Society<sup>143</sup>. As an exception to this Rule, the Standing Committee may appoint a Special Committee with the specific purpose of reviewing such a dispute or matter of contention, and bringing authoritative recommendations to the Standing Committee, whenever and in such manner as this appointment will be necessary to conform with the Employment Law of England and Wales.

(iv) The Bursar shall have day-to-day control over staff, excluding those employed within the Library. The Bursar shall be responsible directly to Standing Committee.

(b) The Society shall not employ or appoint any Bursar who is the Hon. Secretary, the Hon. Treasurer or a Trustee of OLDUT.

(c) The staff in the Cellars shall be appointed, dismissed and governed by the Purple Turtle, subject to the general oversight of the Cellars Management Committee. They shall not otherwise be deemed to be Union staff for the purpose of these Rules.

(d) Any discussion relating to changing existing responsibilities of members of staff, or otherwise changing the structure of permanent staffing shall be handled by an *ad hoc in camera* Committee consisting of the Junior Officers, Officers-Elect, ex-Presidents with a vote on Standing Committee, and the Senior Officers. They may invite the Bursar to advise them of relevant issues concerning the proposed change. This Committee shall present its recommendations to Standing Committee for ratification before any action is taken.

### RULE 61: GRATUITIES

Any Member giving a gratuity to a member of the Staff shall be liable to a fine not exceeding ten pounds, at the discretion of the Standing Committee.

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<sup>140</sup> *Complaints against staff are submitted to the Bursar or the President: see Interpretation C23.*

<sup>141</sup> *For rules regarding the payment of pensions, see Standing Order A8.*

<sup>142</sup> *On the authority of the Standing Committee and others over staff, see Interpretation C23.*

<sup>143</sup> *Which should not prevent disciplinary committees from hearing evidence: see Interpretation C14.*

Rules of the Oxford Union Society, Michaelmas Term 2016.

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## CHAPTER TEN: Finance<sup>144</sup>

### RULE 62: FINANCE - GENERAL<sup>145</sup>

*The Members entrust their assets to the Standing Committee and, through Standing Committee, to the Society's Staff. This rule is designed to ensure that members can have confidence that their money is being spent wisely and all expenditure is adequately scrutinised by their elected representatives. However, it is also sometimes necessary for decisions to be made quickly: in such cases, it is important that there is adequate flexibility combined with proper reporting afterwards.*

(a) All budgets and expenditure must be scrutinised by the Finance Committee before being presented to Standing Committee. In exceptional and unforeseen circumstances, this may be waived by the Senior Treasurer.

(b) In these finance rules, "permission" must be given in writing or by email and stored for a period of two years.

(c) The Society's financial year shall run from July 1<sup>st</sup> to June 30<sup>th</sup>.

(d) An annual budget, or business plan, must be scrutinised and proposed by Finance Committee and passed by Standing Committee. It will detail the following:

(i) **Expected Income**, divided into:

- (1) Subscriptions (less Membership Drive expenses);
- (2) Sponsorship;
- (3) Net Members' Bar Contribution (including Bar Staff)
- (4) Net Private Events/Private Hire Contribution (including Events Staff);
- (5) Net Standing Committee Events Contribution;
- (6) Rental Income;
- (7) Other Income.

(ii) **Expected Expenditure**, divided into:

- (1) Debates and associated hospitality;
- (2) Speaker meetings;
- (3) Library (including Library Staff);
- (4) Elections, Polls and Discipline;
- (5) Termcard Costs;
- (6) Maintenance and Repairs;
- (7) Taxation and Utilities;
- (8) Wages;
- (9) Office Costs;
- (10) Any other costs the Standing Committee deems necessary.

iii. **Overall Contribution/Expense:** There must also be a projection for the overall contribution or expense of the year's social events, competitive debating activities of the Union, and other similar major events.

iv. **Bequests:** Any bequests made for specific purposes must be accounted separately.

(e) The Annual Budget will differentiate in each heading between Recurring Costs, Establishment Costs and Discretionary costs, as defined in these Rules.

(f) Recurring costs may be paid without any other form of authorisation. All other costs incurred under 62(d)(ii)(10) above may only be spent by the Member or Member of Staff to whom that Expected Expenditure budget was allocated in the Annual Budget.

(g) Establishment and Discretionary items must require further committee authorisation, except when they count as "emergency unforeseen expenditure", according to Rule 64.

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<sup>144</sup> For rules regarding claims for reimbursement, see Standing Orders A11 – A16.

<sup>145</sup> For the collection of debts, see Standing Order A4. For interest on accounts, see Standing Order A7.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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(h) **Termly Budgets:** Each term, the 0<sup>th</sup> Week Standing Committee must be informed by the President of a termly budget for the ensuing term, covering the same areas as the Annual Budget. This shall comply with the Annual Budget, unless authorised by a two-thirds majority of Standing Committee. It will detail further costs under each heading. The Standing Committee will also be informed of any Vacation Expenditure.

(i) The Bursar shall be responsible for the payment of all Recurring Costs.

(j) The President shall be authorised to spend the Expected Expenditure budgets under 62(d)(ii)(1), (2) and (5) above, delegating as appropriate to the Librarian, in the pursuit of the duties of the Librarian, as the President sees fit.

(k) The Librarian-in-Charge, subject to the Library Committee, shall be authorised to spend the Expected Expenditure budget under 62(d)(ii)(3) above.

(l) The Returning Officer shall be authorised to spend the Expected Expenditure Budget under 62(d)(ii)(4) above, in the pursuit of their duties, as they see fit. This budget must be approved by the Senior Treasurer.

(m) The Maintenance and Repairs budget shall be controlled by the Bursar (subject to Rule 64) and monitored by Treasury Committee.

(n) In the event of any unforeseen emergency, the Bursar may authorise expenditure under the relevant budget to deal with the situation. Any such expenditure must be reported immediately to Standing Committee and the President by email.

(o) No element of the Society's assets may be disposed of, temporarily or permanently, without the permission of the Standing Committee, except for Library items. No asset valued at more than £5,000, nor total assets of more than £5,000 within 2 terms, may be disposed of without a Private Business motion being passed to that effect. This clause shall not apply to transfers of property to the Oxford Literary and Debating Union Trust, where OLDUT has agreed in writing to hold the property in trust on behalf of the Society and make the assets or property available for the Society's continued use.

(p) All Social Events shall have individual budgets, which must be passed by Standing Committee before any expense is incurred. All such budgets must include at least a 20% contingency fund and also take account of any costs which may be incurred by other areas of the Union (for example, damage to any items of Union property or buildings, or the estimated loss to the bar). The Standing Committee may choose to alter this contingency.

(q) No Society funds shall be donated to any other institution or charity.

(r) The Bursar shall present to Finance Committee a report on the performance of the Members' Bar and Private Events and Hire every fortnight in Full Term.

(s) Maintenance of bar equipment shall require no authorisation, but the costs shall be reported to Finance Committee on a termly basis.

(t) Costs associated with day-to-day running of the bar shall be authorised by the House Manager.

(u) Costs associated with private events shall be authorised by the Events Manager.

#### RULE 63: REPORTING

(a) All termly and annual budgets and accounts, and all previous years' Audited Accounts shall be kept in a file in the General Office for the inspection of Members during office hours with no prior appointment. Members may not remove the file or its contents from the General Office.

(b) All income and expenditure records will be available for inspection by any member by appointment with the President within ten working days. With the permission of the Returning Officer, in the case of a potential complaint under Rule 33 or 71, a copy may be made by the Member at the Society's expense. This does not apply to items that would be subject to *in camera* regulations, which may only be consulted by members of Standing Committee or the Returning Officer.

(c) By First Week of each term, the Bursar must present an account to Finance and Standing Committee detailing the Society's performance in the previous term compared to its annual and termly

budgets. This will also include recommendations for future actions, as well as indicating any necessary modifications to the annual budget, which must be passed by a two-thirds majority.

(d) The Bursar will maintain a file of all budgets passed by Standing Committee, with their corresponding accounts. This file shall be available for the inspection of all members in the General Office without prior appointment. All financial reports presented to any committee, including budgets and accounts, must be appended to the minutes of that committee, placed on the notice board, and entered into the minute book.

(e) The Audited Accounts, together with any recommendations of the Auditors, shall be presented to the Finance and Standing Committees as soon as they are available. Standing Committee must vote to accept the Audited Accounts as a true record, by a two-thirds majority, at which point the President shall sign them. A summary of the Audited Accounts will be published in the next termcard, with an indication of any discrepancies between them and that year's annual budget. All written instructions or letters to the Society's Auditors must be signed by the President.

(f) Every budget passed by Standing Committee must be accompanied by an account. The deadline for the account shall be included in the budget, and no budget will be validly passed without such a deadline. In any case all accounts must be presented to Finance Committee by the end of the following term or the financial year end, whichever is sooner. Provisional social event accounts shall be presented one week after the event.

(g) If applicable, the account shall detail all expenditure and income associated with the event(s) concerned. It will also detail any future commitments which have arisen because of any related item, whether future predicted income, recurring costs, or other liabilities.

(h) If the deadline passes with no account presented, then the member shall be liable to disciplinary proceedings. In any event, any member who fails to present an account within one week of the deadline shall be fined £50. There shall be no appeal to this fine, except in the case of debilitating illness.

(i) If no account is presented by the responsible member of committee, the Bursar shall compile one to the best of their ability and present it to Finance and Standing Committee.

#### RULE 64: RECURRING AND DISCRETIONARY EXPENDITURE

(a) Establishment Expenditure is spending that must be made for the long-term interests of the Union, but may be postponed from the current period(s). This includes (but is not limited to) equipment replacement, equipment upkeep, repairs and maintenance, building work, structural installations, and staff training. All such expenditure over £700 must be specifically and individually authorised in the budget passed by Standing Committee. In the case of items falling under the Repairs and Maintenance Budget, any item of £700 must be specifically and individually authorised by Treasury Committee and be in accordance with their termly budget. Establishment expenditure on items of less than £700 may be authorised by the Bursar from the relevant budget. Repairs and Maintenance Budget expenditure by the Bursar must be reported to the next meeting of Treasury Committee.

(b) Outside of term time, if the President is reasonably satisfied of the emergency need for Repairs and Maintenance expenditure which could not have been foreseen during term time, then they may grant authorisation for discretionary spending of the Repairs and Maintenance Budget. Such spending must be reported to Treasury Committee at its next meeting. If the President is not so satisfied, permission will not be granted.

(c) Recurring expenditure includes regular and unavoidable bills incurred by the Society, such as wages (where the employment of a member of staff has been sanctioned by Standing Committee), rates, insurance, audit costs, taxation, utilities and office supplies. It will also include any spending which has been specifically and individually sanctioned by the Standing and Treasury Committee on a long-term basis and is specifically and individually listed in the relevant annual or termly budget. The payment of Recurring expenditure may be authorised by the Bursar.

(d) The Returning Officer shall be authorised to spend any additional sums required to fulfil the requirements of Rule 33 and Rule 71 as they deem necessary, so long as they inform the Senior Treasurer immediately and the Standing Committee at the end of the Returning Officer's term of office.

## RULE 65: LIABILITY

(a) Only permanent members of staff, members of the Standing Committee, the Senior Officers and the Returning Officer may sign contracts on behalf of the Society or otherwise incur any financial liability or commitment on its behalf.

(i) No member of the Standing Committee may sign a contract on behalf of the Society without the permission of the Junior Officer under whose remit that contract falls, or by permission of a motion of the Standing Committee.

(ii) Any member of the Standing Committee who signs a contract on behalf of the Society must give a copy to the Bursar.

(b) Any member who commits the Society to any cost which is not properly authorised as detailed in these Rules shall be personally liable for that amount. The Senior Officers, acting unanimously, may waive up to 90% of this liability. If the final amount is less than £300 then it shall be considered a fine under Rule 6. If the final amount is more than £300, then on non-payment within one month, the Standing Committee shall pursue the matter through the Courts.

## RULE 66: AUDIT COMMITTEE

(a) *Composition:* The Audit Committee shall be composed of the Members of Finance Committee, and shall be chaired by the President. The Returning Officer shall have speaking rights.

(b) *Not currently used.*

(c) *Not currently used.*

(d) *Remit:* The Committee shall have a general duty to scrutinise all matters relating to:

(i) the financial affairs of the Society including, but not limited to, the Business Plan, budgets, financial control and controls, financial management and reporting, and the Society's treasury policy.

(ii) the Society's corporate governance.

(iii) statements of the professional Auditors appointed under Rule 63.

(e) *Meetings and Powers*

(i) The Committee shall meet not less than once each Term in Oxford. The Committee shall have the explicit power to regulate its own proceedings.

(ii) The Committee shall have the power to require the timely production to it of all minutes, ledgers, books, papers, vouchers, reports, statements and accounts it may require for the purpose of conducting its business.

(iii) The Committee shall have the power to summon:

(1) any Member to appear before it to answer any questions which it may put to them on matters within its remit. The procedure for notifying a Member of a requirement for them to attend shall be the same as that for the summoning of a Member to appear before an Election Tribunal under Rule 33 and Standing Order D9.

(2) any member of Staff to appear before it to answer any questions which it may put to them which may fairly relate to their employment by the Society and which are within its remit, in which case the Committee shall determine a fair means by which that summons should be sent.

(iv) Any person summoned to appear before the Committee under Rule 66(e)(iii) shall have the right to be represented, and shall not be required to answer any questions which might implicate them in a breach of their contract of employment with the Society, nor which might implicate them in a criminal offence.

(v) Any Member who fails to comply with a requirement imposed under this paragraph shall be guilty of Disciplinary Misconduct under Rule 71.

(vi) In cases where a member of Staff is required to comply with a direction of the Committee made under Rule 66(b)(ii) or Rule 66(b)(iii)(2) above, and fails to do so without good cause, the President shall be guilty of Disciplinary Misconduct under Rule 71 if it can be shown that the President failed to exercise all reasonable endeavours within their power to secure the member of Staff's compliance with that requirement. No action under this paragraph shall be taken until any proceedings to be taken under the Society's employee disciplinary procedure have been completed or, the right to take them waived, or they be out-of-time.

(vii) The Committee may delegate to any member any and all powers granted to it by paragraph (ii) of this section for such purposes within its remit as it may in its absolute discretion determine.

(f) *Reports*: The Committee, at minimum, shall produce a report (the 'statutory report') to the Members which shall be tabled in Private Business at the Ordinary Public Business Meeting in Fourth Week each term and posted on the Society's notice board.

(i) The statutory report shall, at minimum, advise the Members of the extent to which, since its last statutory report, the Committee is satisfied with the:

- (1) overall adherence to the budgets and accounts agreed;
- (2) financial control exercised;
- (3) financial control enacted;
- (4) financial controls in place and the extent to which they have been adhered to.

(ii) Nothing in this paragraph shall prevent the Committee from producing and tabling additional reports to the Members on subjects within its remit.

(iii) All reports shall be agreed by a majority of the members of the Committee present and voting at a meeting of the Committee of which at least seven days notice shall have been given, the report having been circulated to the Committee in full with that notice. In the event that the Committee is unable to agree its report, the Chair shall transmit notice of that fact to the President who shall cause it to be read out in Private Business at the next Public Business Meeting.

(iv) The Committee shall have the power, on its own motion, to make such directions as it sees fit regarding the extent to and means by which its reports shall be published or disseminated. Any breach of a direction given under this section shall be Disciplinary Misconduct under Rule 71.

(g) *Whistleblowing*: A copy of a list of the members of the Committee, shall be maintained by the Returning Officer, which shall be available for inspection by any Member or member of Staff.

(i) No Member shall be guilty of an offence under Rule 33 or Rule 71 by communicating information to a member of the Committee relating to a matter which that member may reasonably believe is within the Committee's remit.

(ii) The President shall cause every member of Staff to be made aware of the existence of the Committee and its remit, and the procedure by which members of the Committee may be contacted:

- (1) within seven days of the enactment of this Rule for existing employees;
- (2) upon their entering into employment with the Society (for new employees); and
- (3) annually thereafter.

(iii) A Member of the Society who attempts to prevent another Member or a member of Staff from contacting or communicating with the Audit Committee, or who interferes with that communication, or who attempts to induce or coerce that person not to communicate, shall be guilty of Disciplinary Misconduct under Rule 71.

(iv) For the avoidance of doubt, a Disciplinary Committee called to rule on an allegation made under Rule 66(g)(iii) may conclude that such an allegation was made frivolously or that it was unfounded and malicious.

(h) *Interaction with the Disciplinary Procedure:*

(i) No member of the Audit Committee may be a member of a Disciplinary Committee called to hear an allegation under this Rule.

(ii) Where an allegation of Disciplinary Misconduct is brought arising from an offence specifically defined in this Rule (as opposed to a generic offence defined in Rule 71), the Committee shall nominate one of its members to prosecute the complaint before the Disciplinary Committee. If the Committee nominates the Chair then the provisions of Rule 66(c)(iii) shall be suspended until the Disciplinary Procedure is complete.

(i) *Limitations of Power and Responsibility:*

(i) Except as expressly provided for in paragraphs (c)(i)(B) and (e)(v) the powers of the Committee shall belong to it as a body, and no member of the Committee shall derive any status, standing or power by virtue of his membership.

(ii) The opinions and reports shall be given by the Committee as a body, and shall be given to the Members alone.

(iii) The Committee shall not have the power to commit or bind the Society in any way.



## CHAPTER ELEVEN: Rules, Standing Orders, and Regulations

### RULE 67: RULES

(a) *Binding Effect*: The Rules shall be binding on all Members of the Society and non-members entering the Buildings. Such non-members, by virtue of their entry to the buildings, shall be subject to all Rules concerning disciplinary matters and electoral offences, as if they were a Member. In the case of any conflict or ambiguity, the Rules shall take precedence over any Standing Order or Schedule; and in the case of any conflict, Rules shall take precedence over any Interpretation made under Rule 67(e)(i)(7) through (11).

#### (b) *Amendment*

(i) No Rules may be amended or repealed, nor may a new Rule be enacted, except by way of Private Business Motion in respect of which the provisions of Rule 47(a) shall apply.

(ii) A Motion, Amendment or Rider which affects any Rule of the Society shall specify the Rule affected. The President shall decide whether a Motion, Amendment, or Rider does affect any Rule of the Society. If the President decides that a Motion, Amendment or Rider affects a Rule to which it does not refer, then they shall suppress the Motion, Amendment, or Rider, and place on the notice-board a statement of the action taken.

#### (iii)

(1) A Member proposing to alter the Rules shall state in the Motion the words they propose to delete or insert, and the place or places where those words are to be deleted or inserted. They shall also post as a Schedule to the Motion the section or sections of the Rule or Rules affected as it stands or they stand at the time of posting. All such Alterations shall come into effect immediately after the end of the Meeting whereat they are proposed and passed, unless otherwise provided for in the Motion or unless the provision of Rules 47(e) or (f) be applied in which case the Alteration shall come into effect either after the allotted time for the collection of signatures has elapsed, if the requisite number of Members' signatures be not forthcoming, or not unless the subsequent Vote or Poll approves the motion, whereupon it shall take effect immediately after the Public Business Meeting at which the Motion is represented, or the result of the Poll announced.

(2) Alternatively, a Member may propose a Motion, that in principle be accepted, in which case, where such introduction would affect the Rules, they shall post as the First Schedule to the Motion a statement of all Rules affected, together with any words to be deleted or inserted, which changes are consistent with and directly consequent on the principle of the Motion.

(iv) The Standing Committee may decide that a particular proposed Rule-change is of such importance that it should be brought to the special attention of Members. In such a case, consideration of the Rule-change in question shall be postponed to such a Public Business Meeting, at least six and not more than fourteen days after the day specified in the original notice<sup>146</sup>; notice of that Meeting, with an indication of the nature of the business, shall be sent to every College or Hall at least 5 days before the Meeting; and a notice of the Meeting shall be inserted in two newspapers, whereof one shall be a paper circulating in the Oxford area<sup>147</sup> and one a national newspaper<sup>148</sup>, to appear at least two days before the said meeting.

(v) The provisions of (iv) above shall apply automatically if a Requisition to that effect, signed by 50 Members, be posted on the notice-board four days before the day specified in the original notice of motion.

(vi) Neither the Rules relating to the conduct of Elections, Election Tribunals, and Appeals against Election Tribunals, nor this subsection shall be altered after the opening of nominations in the Society's main elections in any Full Term unless the motion in question provide that the alteration shall not come into effect until the first day of the following term.

<sup>146</sup> On the ramifications of 'not more than fourteen days', see Interpretation A49.

<sup>147</sup> On the definition of 'newspaper circulating in the Oxford area', see Interpretation D4.

<sup>148</sup> On the definition of 'national newspaper', see Interpretation D3.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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(vii) No motion affecting any of Rules 1, 2, 18(b), 25(d)(v), 29, 53, 62(c), or 67(b)(vii) nor any motion to introduce any new Rule which contradicts any of these, may be introduced except with the consent of the Trustees of the Oxford Literary and Debating Union.

(viii) Notice of any change made upon the Rules, Standing Orders or Special Schedules, or waiving of Standing Orders by the Standing Committee shall be posted on the Society's notice-board within 24 hours of the end of the meeting at which it was made.

(d) *Effect of Vacation*

Where any period of days or weeks is specified in these Rules, days outside Full Term shall not be counted towards the total specified, except in Rules 23(c) and (d), 33, 36(f), 38(j), 42(b), 46(b), 48(a)(ii) and 57.

(e) *Interpretations and Rulings*

(i) The following shall have the power to issue Rulings<sup>149</sup> and Interpretations of the Rules in the following order of seniority:<sup>150</sup>

- (1) The Trustees of the Oxford Literary and Debating Union Trust with regard to Rule 2;
- (2) The Appellate Board, for the purposes of its duty only;
- (3) The Disciplinary Appeals Committee<sup>151</sup>;
- (4) The Election Tribunal, for the purposes of its duty only;
- (5) The Disciplinary Committee,<sup>152</sup> for the purposes of its duty only;
- (6) The Returning Officer, for the purposes of their duty as defined in Rule 32(e) only;<sup>153</sup>
- (7) Business Meetings under (vi) below;
- (8) Business Meetings under (v) below;
- (9) The Chair at a Business Meeting, if the President be present;
- (10) The President;
- (11) The Chair at a Business Meeting<sup>154</sup>

(ii) *Rulings*

(1) A Ruling shall relate to a specific factual scenario. The subject matter of Rulings shall include, but shall not be limited to: determinations as to whether and how a Rule, Standing Order or Special Schedule (including the Schedule of Interpretations) applies to a given factual scenario, and the determination of questions of fact.

(2) Rulings shall be binding in the instant case and shall not be challenged save by appeal to a Member, or body, senior in respect of the powers of issuing Rulings. They shall apply only to the case at hand, and shall not create binding precedent for the future.

(iii) *Interpretations*

(1) An interpretation shall clarify, define or elucidate a Rule, Standing Order or Special Schedule (excluding the Schedule of Interpretations). It shall be issued without reference to a specific factual scenario.

(2) Interpretations shall be binding in the instant case and shall not be challenged save by appeal to a Member, or body, of equal or senior interpretive power; they shall act as authoritative precedents for Members, or bodies, with powers of interpretation of junior or of equal status, subject to (3) and (4) below.<sup>155</sup>

(3) Interpretations of any President may be repealed by the current President. Notice of such a decision shall be posted on the Notice Board no later than twenty-four (24) hours after the fact.

(4) An interpretation of the Returning Officer may be repealed by the current Returning Officer, but not before the beginning of the next term after that in which it was issued. Notice of such a decision shall be posted on the Notice Board no later than twenty-four (24) hours after the fact.

<sup>149</sup> On the purposes of interpretation generally, see Interpretation F7.

<sup>150</sup> See interpretation C25 for the ability to overturn interpretations

<sup>151</sup> On the extent of the DAC's power of interpretation, see Interpretation D5.

<sup>152</sup> See interpretation A101 for explanation of the interpretive power of SDCs and IDCs.

<sup>153</sup> On the interpretation of the electoral rules, see Interpretation F2.

<sup>154</sup> See interpretation B24 for a clarification of 'Business meeting'

<sup>155</sup> See interpretation A102 for when the bodies are of equal interpretive power.

(iv) The decision of the Chair may be reversed by the President on their return to the Chair, unless the President was present when the decision was made.

(v) Any Ruling or Interpretation of the Chair or of the President made in Private Business and concerning the course of Private Business may be immediately challenged by the motion "That the ruling be reversed". On any Member so moving, the Chair shall call for members who wish to see that motion debated to be upstanding; if 50 Members or half those present, whichever is the less, rise, the Member who made the Ruling or Interpretation in question shall vacate the Chair and the incoming Chair shall call on the mover of the Procedural Motion and the President or outgoing Chair, as appropriate, to speak for not more than three minutes each on the motion, and shall then put the question without further debate. The Chair shall then be resumed by the President or outgoing Chair, as appropriate. As soon as the Member rise to speak to the appeal, the Chair shall cause the doors to be closed; no Member shall then be permitted to enter until the vote shall have been taken.

(vi) Any Member may appeal against any decision of the Chair, the President, or the House acting under (v) above by posting a Notice of Appeal on the notice-board within three days of the promulgation of the decision in question, provided that before the Rooms have closed on the day next after the posting of the notice at least ten Members have signed the notice in the Society's Rooms in support. No Member who has given such notice shall be permitted to withdraw it. Unless the Standing Committee decide, with the consent of the Appellant or of the House, that it shall be postponed, the motion shall be brought forward at the next Public Business Meeting, provided that such meeting, except in the Eighth Week of any term, be held not less than three days after such notice has been given. No Amendment or Rider to any such motion shall be moved. No Member shall take the Chair while any Ruling reversing such a decision of theirs is the subject of an Appeal. While an Appeal against the decision of the President or a ruling reversing such a decision is under discussion, the Chair shall be occupied by an ex-President of less than twenty-one terms' standing<sup>156</sup> or failing that an ex-Officer. As soon as the Member rises to move their Appeal, the Chair shall cause the doors to be closed; no Member shall then be permitted to enter until the vote shall have been taken.

(vii) The following definitions shall be observed in interpreting the Rules, Standing Orders and Special Schedules of the Society, unless the context otherwise require:

"Day": Continuous period of 24 hours;

"Month": Calendar Month;

"Term": As defined by the University of Oxford;

"Full Term": Sunday of First Week to Saturday of Eighth Week inclusive;

"Term's Standing": Period of Membership calculated in Terms including that in which the Member was admitted to Membership<sup>157</sup>;

"Year": Academic Year;

"Vacation": Outside Full Term;

"Member": Member of the Society;

["He": This shall be interpreted as meaning he/she throughout the Rules;]

"Office": As defined by Rule 13, unless preceded by 'General' etc.;

"Trustees": Trustees of the Oxford Union Society, as defined by the Oxford Union Society Trust Deed and Rule 12; unless followed by "of the Oxford Literary & Debating Union Trust" - who shall have no executive control over the Society except as expressly specified in the Oxford Union Society Rules;

"Election": The whole Election on one day, plus any period before or after as specified or implied by the Rules;

"House": The collective name for Members present and voting at a Public or Private Business Meeting;

"Floor of the House": Debating Chamber ignoring the Gallery;

"Guest speakers": Speakers in Public Business, Extraordinary Meetings or a Speaker Meeting invited by the Society who are not reading for a degree at the University of Oxford;

"Notice-board": Any Board on which Notices may be placed outside the entrance to the Bar;

"Staff": Employees of the Society;

<sup>156</sup> On the definition of 'terms' standing', see Interpretation E7.

<sup>157</sup> And the present term, even if incomplete: see Interpretation E7.

“House Manager”: The member of staff appointed as House Manager;  
 “Events Manager”: The member of staff appointed as Events Manager;  
 “Bursar”: The member of staff appointed as Bursar;  
 [“Chairman”: Any Chairman may use the title ‘Chair’ should they so wish;]  
 “Subscribing Member”: Any individual who is a Member of the Society under Rule 3.  
 “Elected members of Standing Committee”: the five members of the Standing Committee elected by direct ballot, as per Rule 34.  
 “The Cellars” or “Cellar Bar”: The Purple Turtle Union Bar in the Cellars of the Society, run by Purple Turtle and the Cellars Management Committee.  
 “Spouse”: Husband, Wife or Civil Partner as defined under the Civil Partnership Act 2004.  
 “By Email”: to perform an action by sending by an email to the person in question – where applicable, this shall be to the email address provided by candidates under Rule 34(b)(vi)(4), or any email address provided to the President for this purpose  
 “Second Election”: This shall refer to the Election held on Friday of Eighth Week after RON is elected first to any Junior Officership in the Election held on Friday of Seventh Week.

(f) *Official copies*

Six official interleaved copies of the Rules, Standing Orders and Special Schedules shall be kept. Any new Rule, Amendment or Repeal of a Rule, Standing Order or Special Schedule shall be entered in the six copies by the Returning Officer. The Returning Officer shall enter any official interpretation issued by them under Rule 32(g). Three of the said copies shall be kept in the Office for the use of Members<sup>158</sup> and those seeking election as Members, and the others shall be for the use of the President, provided that at least four copies be always on the premises of the Society. The Returning Officer shall ensure that there is an up-to-date copy of the Rules in the Library, for reference use. Old copies of the Rules shall also be deposited with the Library for storage.

(g) *Members' Copies*

Any member may request that the Returning Officer email them a copy of the Rules.

(h) *Statutory Provisions*

Nothing in these Rules or Standing Orders or Schedules, shall conflict with the laws of England and Wales, including local bylaws applying to Oxford: in the case of any conflict, any relevant statutory obligations on the Society shall take precedence.

(i) *Confidentiality*

No Rule shall allow the meeting of any Committee to be in camera or to exclude observers unless Rule 23 permits otherwise. This clause may not be changed except by a Private Business Motion at a Public Business Meeting.

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<sup>158</sup> *A fine set by Standing Order E16 shall be inflicted on those who remove any these copies from the Office*

(j) *Notification*<sup>159</sup>

For the purpose of these Rules (including, but not exclusively, for the purposes of fines and meeting notification), written notification for a Member that is not delivered in person and is not required to be delivered in person, shall be done by:

- (i) (during term time only) letter sent to the member's last known term-time address, unless that member has given a different forwarding address, or,
- (ii) (during vacation only) letter sent to both the member's last known term-time address, and last known home address if different, unless the Member gives their consent otherwise, or,
- (iii) (at any time) email to:
  - (1) the member's registered email address, if that is their university email address and they are currently affiliated with the university; or,
  - (2) an email address used by the member to correspond with any official of the Society since the beginning of that term; or,
  - (3) an email address provided by the member to the Returning Officer under 34(b)(vi) (4), between the close of nominations and Friday of 9th Week of the term in which the member provided the email address; or,
  - (4) the member's official Society email address, if they have one.

If the member can demonstrate that they did not have access to the email address used at the time that the email was sent, they shall be deemed not to have been notified unless notified through another channel to which they do have access. The Standing Committee shall set out by Standing Order separate requirements for disciplinary proceeding notification.

Complaints and applications for positions shall also be valid in writing sent to the Union. A Member shall be entitled to a delivery receipt upon request if delivering in person to the General Office.

RULE 68: STANDING ORDERS

(a) *Binding Effect*: The Standing Orders shall be binding on all Members of the Society and non-members entering the Buildings under Rule 9, Rule 52 or Rule 53. Such non-members, by virtue of their entry to the buildings, shall be subject to any fines levied for unacceptable conduct, as if they were a Member.

(b) *Enactment, Repeal and Amendment*: No Standing Order may be enacted, repealed, or amended save by way of Private Business Motion or by Resolution of the Standing Committee to which two-thirds of those present and voting<sup>160</sup> signify their consent.

(c) *Entrenched Standing Orders*: The Standing Orders relating to the conduct of elections, Election Tribunals and appeals against Election Tribunals shall not be altered by the Standing Committee or waived save in Full Term before Tuesday of Sixth Week, nor altered by the House save in Full Term either on or before Thursday of Sixth Week or by way of Special Adjournment Motion.

(d) *Waiving*: The Standing Committee<sup>161</sup> shall have the power to waive any Standing Order for named persons during stated times or any other condition it think fit, provided that two-thirds of those present and voting on the Standing Committee signify their consent. Such waiving must apply to a specified future or immediate event: Standing Orders cannot be waived retrospectively.

(e) *Confidentiality*: No Standing Order shall allow the meeting of any Committee to be in camera or to exclude observers unless Rule 23 permits otherwise. This clause may not be changed except by a Private Business Motion at a Public Business Meeting.

<sup>159</sup> See interpretation C27 for further clarification

<sup>160</sup> Not including abstentions: see Interpretation B16.

<sup>161</sup> And only the Standing Committee: see Interpretation C20.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

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## RULE 69: SPECIAL SCHEDULES

(a) *Special Schedules*: The Special Schedules shall be the Library Regulations, the Forms of Debate, the Schedule of Staff Responsibilities and the Schedule of Kindred Societies.<sup>162</sup>

(b) *Status*: The Special Schedules shall for all purposes have the status of the Rules, except as defined by this Rule.

(c) *Purpose*

(i) The sole purpose of the Library Regulations shall be to regulate the affairs of the Library.

(ii) The Schedule of Staff Responsibilities shall list the duties and obligations of the House Manager<sup>163</sup>, the Events Manager, the Bursar and the Librarian-in-Charge, and those of any other member of Staff that the Standing Committee deems pertinent. Sensitive financial details shall not be listed. This Schedule shall not release the Standing Committee nor any Officer from any responsibility laid down upon them by the Rules even in respect of decisions delegated to the Staff by this Schedule.

(iii) The Schedule of Kindred Societies shall detail the reciprocal arrangements between the Oxford Union Society and other institutions.

(d) *Enactment, Repeal and Amendment*

(i) Special Schedules may be enacted, repealed or amended by Private Business, and as below.

(ii) The Library regulations may also be amended by resolution of the Library Committee to which two-thirds of those present and voting signify their consent.

(iii) The Schedule of Staff Responsibilities shall not be amended, save by resolution of the Standing Committee to which three quarters of those present and voting signify their consent, provided also that not fewer than six favourable votes are cast.

(iv) The Schedule of Kindred Societies may be amended by a simple majority resolution of the Standing Committee.

## RULE 70: STRUCTURAL CHANGES

(a) No structural change of a permanent nature shall be made to the Society's Chamber without the express approval of the membership by way of a Private Business Motion at a Public Business Meeting. Eight days notice shall be given of such a motion.

(b) Given that the Oxford Literary and Debating Union Trust must inform the Society of any changes to the structure or fabric of the Buildings, any such information shall be displayed by the Secretary on the Society's notice board as soon as the work is recommended, and shall remain there until such work is completed.

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<sup>162</sup> *Standing Order A19 also creates a 'Schedule of Recognised Policy Documents'*

<sup>163</sup> *The extent of the House Manager's ability to delegate power is set by Standing Order E10.*

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## RULE 71: DISCIPLINARY PROCEDURE

### (a) *Complaints*<sup>164</sup>

- (i) If any person wants to make a complaint of criminal conduct, or if any member wants to make a complaint of misconduct under the Society's rules, they shall be able to collect a complaint information pack from the General Office, or download the pack from the Society's website.

This pack shall contain, for persons wanting to make a complaint of criminal conduct, information detailing methods of contact with the local police authority; for members wanting to make a complaint of misconduct under the Society's rules, this pack shall contain a form on which the member can detail such a complaint. This pack shall also contain a document detailing general points of contact for other welfare services offered in Oxford.

A hard copy of a form detailing a complaint of misconduct under the Society's rules can be returned to the General Office. This form will then be referred to the Complaints Consultant, who shall decide whether or not the complaint detailed on the form could be criminal.

If the Complaints Consultant decides that the complaint detailed on the form could be criminal, they shall communicate that decision to the Returning Officer, who shall then pass on that decision to the complainant. The complainant may then communicate to the Returning Officer their desire to continue to pursue their complaint of misconduct under the Society's rules.

If the Complaints Consultant decides that the complaint detailed on the form could not be criminal, the Complaints Consultant shall refer that complaint to the Returning Officer.

In the event that a complaint concerns the Returning Officer, the Complaints Consultant shall instead refer that complaint to a Senior Officer, who shall refer it to the most senior Deputy Returning Officer. The complainant shall be the member who completed the form detailing a complaint of misconduct under the Society's rules.

In order to appoint the Complaints Consultant, the President will move a motion to the Standing Committee recommending a suitable individual to the position.

Any member may make a complaint of misconduct under the Society's rules against any other member, or a non-member who has been admitted onto the premises for whatever reason.

The following shall constitute misconduct:

- (1) Violent conduct, harassment, discrimination or other behaviour on the Society's premises<sup>165</sup> liable to distress, offend or intimidate other members<sup>166</sup>, the possession or sale of illegal substances.

- (a) Harassment and discrimination shall be deemed to include, but are not limited to, harassment or discrimination on the grounds of race, national origin, religion, gender, gender identity, age, sexual orientation, or disability;
- (b) No such behaviour in a meeting of the Society shall be misconduct if it remains within the Rules of order as judged by the Chair in accordance with Rule 39;
- (c) No actions within the context of campaigning in an election or poll shall be misconduct if it is deemed fair and acceptable campaigning by the Returning Officer or Extraordinary Returning Officer;

- (2) Abuse of office or any position of trust conferred by the provisions of these rules or by anybody constituted under these rules with the intention of financially or materially benefiting the offender or any other person, or of interfering with or preventing proceedings under this Rule. For any individual holding a position of trust within the Society, wilful default from following obligations listed in the Rules and Standing Orders<sup>167</sup>, providing penalties for

<sup>164</sup> *In addition to these procedures, various disciplinary powers are laid out in Standing Order G1.*

<sup>165</sup> *For offences by email, see Interpretation C1.*

<sup>166</sup> *Or indeed non-members, or members of staff: see Interpretation C15.*

<sup>167</sup> *For examples, see Interpretation A39 and Interpretation C18.*

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infringement of such rules are not explicitly listed by other rules within the main body of the Rules and Standing Orders<sup>168</sup>;

- (3) Exercising any powers of office in a manner known or believed by the offender to be detrimental to the interests or reputation of the Society;
- (4) Theft of or deliberate damage to the Society's property, or attempted theft of or attempted deliberate damage to the Society's property, except offences for which remedies are provided in the Library regulations;
- (5) Other action liable or calculated to bring the Society into disrepute<sup>169</sup>;
- (6) Wilful breach by the Chair of Rule 71(i)(iv), or of Rule 33 (c)(x) once the time limits for bringing such a breach before an Election Tribunal have expired;
- (7) Knowingly co-operating with any attempt to publish any account of, or comment upon, the Society's affairs liable or calculated to damage the interests of the Society as a whole;
- (8) In the case of a member of any Committee of the Society, writing for publication any account of any meeting of the Society or any Committee of the Society, or otherwise causing any comment on the Society's affairs to be published, without the prior written permission of the President<sup>170</sup>;
- (9) Making a complaint under this Rule that is frivolous or is unfounded and malicious;<sup>171</sup>
- (10) Deliberately giving false evidence to any Committee during proceedings under this Rule;
- (11) Abusing or misusing the rules or forms of the House or persistently seeking to obstruct genuine debate in the House (excluding the legitimate usage of Rule 46 (e));
- (12) Dereliction of duty: serious failure by an Officer or member of any Committee to carry out the duties required of them under the Rules, by virtue of holding their post<sup>172</sup>;
- (13) Misuse or abuse of the Society's membership card (including, but not limited to, permitting a membership card to be used by any person other than that to whom it was issued), or failing to show a membership card to an authorised Union official on request.
- (14) Committing any type of misconduct designated as a disciplinary offence under Rule 71 elsewhere in the Rules or Standing Orders;
- (15) For the Chair of any Committee to allow the removal of observers or to enter *in camera* during a Committee meeting where Rule 23(g)(iii) or Rule 23(g)(iv) respectively applies.
- (16) Purchasing alcohol for, attempting to purchase alcohol for or allowing alcohol to be purchased by a guest or member who is under age.
- (17) Breaking Chatham House Rules, speaking to the press concerning the Society's elections illegally, or illegal photography or recording, as detailed in Rule 54.
- (18) Communicating *in camera* committee proceedings that the member was personally subject to that are not in the public domain to individuals who are not authorised to receive such information (although this shall not prevent the discussion of such information if that information exists separately in the public domain).
- (19) Any breach of the Regulations laid down in Rule 47(f)(v).
- (20) Misuse or abuse of fire exits, fire alarm or safety equipment.
- (21) Conspiracy to commit any of the above.
- (22) Seriously damaging the interests of the society.
- (23) Breach of the I.T Regulations.

<sup>168</sup> This second sentence defines misconduct independently of the first sentence: see Interpretation C4.

<sup>169</sup> Including the dissemination of certain confidential information: see Interpretation C24.

<sup>170</sup> See also Standing Order B1.

<sup>171</sup> For further elucidation, see Interpretation C16, and Interpretation D6.

<sup>172</sup> Including failure by the President to respond to mail; see Interpretation C18.



(24) Any Officer, Committee member or appointed official failing to fully and comprehensively update the database with the details of those they have contacted in relation to their duties, by the Ordinary Private Business Meeting.

(25) Any member submitting a report under Standing Order D1 who deliberately omits from their report, information about persons they have contacted.

(26) Using the Union's premises, name, intellectual property, logo, or similar for commercial purposes without prior permission.

(27) Knowingly to tell a falsehood to any committee of the Society, or in Private Business at a Business Meeting.

(28) Violation of the Debate Selection Committee Equity Policy as laid out in Standing Order B14 at any Oxford Union debating competition or at which a member represents the Union at any external competition.

(29) Accessing or attempting to access another member's computer, mobile phone, personal electronic files, emails, social network accounts or other personal electronic device without permission on the society's premises.

(30) Conduct intended to disrupt debates or other meetings of the society.

(ii) No complaint which amounts to an allegation of a criminal offence punishable by imprisonment committed on the Society's premises or against the Society's property shall be dealt with under this Rule, except in the case of misconduct alleged under (a) (i) (1) above. This shall not apply if Standing Committee decides that it would be inappropriate to pursue a prosecution.<sup>173</sup>

(iii) No complaint that amounts to an Allegation of Electoral Malpractice as defined in Rule 33(a) shall be dealt with under this Rule. However, if in the unanimous opinion of the Senior Officers, a complaint alleges misconduct some of which would amount to electoral malpractice and some of which would not, proceedings under this Rule shall be permitted insofar as they relate to matters which an Election Tribunal would not be able to consider. Complaints forwarded by an Election Tribunal under this rule are subject to the Senior Disciplinary Procedure.

(iv) No complaint of a breach of the Society's Rules or Standing Orders for which penalties are otherwise provided in these Rules shall be dealt with under this Rule.

(v) No complaint shall be considered under this Rule if the effect would be that proceedings would be taken more than once against the same Member in respect of the same act of misconduct or alleged misconduct,

(vi) The following shall not under any circumstances be subject to disciplinary proceedings under this Rule<sup>174</sup>:

(1) The Returning Officer, Deputy Returning Officers or Returning Officer's Assistants in respect of allegations concerning the performance of the duties attached to those offices, except where such allegations could not be submitted to an Election Tribunal;

(2) The Society's staff, in respect of allegations related to their employment by the Society;

(3) Any member of the Charitable Endowments Committee in respect of allegations concerning the performance of the duties attached to membership of that committee;

(4) The Senior Officers, Trustees or the Trustees of the Oxford Literary and Debating Union Trust relating to the course of their duties.

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<sup>173</sup> For details on the procedure to be followed in case of such an allegation, see Interpretation C19.

<sup>174</sup> This imposes a burden on the complainant to justify the complaint: see Interpretation A53

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(vii) *Non-Members*: Standing Committee shall consider Complaints against non-members who have been admitted onto the premises or selected to represent the Society at an external debating competition. The Standing Committee shall have the power, by simple majority vote, to ban that non-member from the premises or from representing the Society for a temporary or permanent period, and to decline any membership application from that individual. Such decisions may not be referred to the Disciplinary Committee. Non-members shall have a right of appeal to the Senior Officers, who shall overturn or uphold the decision of Standing Committee.

(b) *Junior Disciplinary Procedure*

(i) In the event of a complaint being made under Rule 71,<sup>175</sup>

(1) The defendant may ask the Senior Officers and Returning Officer to dismiss the complaint on the grounds that it is frivolous or unfounded. A complaint shall only be dismissed by unanimous vote. If the Senior Officers and Returning Officer dismiss a complaint, they shall attempt to reach an informal resolution between the involved parties.<sup>176</sup>

(2) Junior Disciplinary Committee: A preliminary Hearing shall be held at a meeting of the Standing Committee not less than 72 hours nor more than two weeks after the complaint was received by the Returning Officer, at which at least one Senior Officer and the Returning Officer shall be present.

(3) The Returning Officer may delegate their role for the purpose of the hearing to an uninvolved DRO. A Senior Officer may delegate their role for the purpose of the hearing to an uninvolved OUS Trustee.

(4) The Returning Officer shall as soon as possible deposit a copy of any complaint they have received with the Bursar, and shall date when they received it. This copy shall be stored in a safe and secure place by the Bursar until the end of the disciplinary process.

(5) Once a Junior Disciplinary Committee has been called, but before the evidence is heard, a defendant or complainant may apply that the case be referred automatically to an Intermediate Disciplinary Committee on the grounds of natural justice<sup>177</sup>. In this instance, the Junior Disciplinary Committee shall deliberate and then vote; if two-thirds of those present and voting support the request, the complaint shall be subject to the Intermediate Disciplinary procedure

(6) Where the Junior Disciplinary Committee is required to consider a complaint brought by a member who would ordinarily be eligible to sit as a member of the Junior Disciplinary Committee, that Member shall not be permitted to sit as a member of the JDC or be present for any of its proceedings except as to exercise the ordinary rights of a complainant under the Rules.

(ii) Standing Committee may decide at the conclusion of the Junior Hearing to do any one of the following:

(1) To fine the Member against whom the complaint was made a sum not exceeding £100.

(2) To suspend the Member against whom the complaint was made for a period not exceeding one term<sup>178</sup>;

(3) To refer the case to a Senior Disciplinary Committee. The Committee may recommend (with an additional two-thirds vote) but is not obliged to, that the Senior Disciplinary Committee considers expulsion of the Member concerned.

(4) To exclude the Member on a permanent basis, or for a set period of time, from using the Cellars, provided that the misconduct was one of violent or disruptive behaviour, possession of illegal substances, theft or deliberate damage to the Society's property.

(5) To fine a Member the cost of loss or damage to the Society's property in the case of theft or damage

<sup>175</sup> *Though invalid complaints (such as those against non-members) may be thrown out by the Returning Officer; see Interpretation A108*

<sup>176</sup> *Even if the complaint is subject to the Intermediate or Senior Disciplinary Procedure; see Interpretation A107*

<sup>177</sup> *On breaches of the principles of natural justice with respect to bias, see Interpretation F10.*

<sup>178</sup> *That is, eight weeks of full term; see Interpretation C13.*

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(iii) Such a decision shall be taken only if two-thirds of those present and voting consider it justified. Such voting shall be by secret ballot. The debate preceding such a vote shall be *in camera*, and no person except members of Standing Committee and the Returning Officer shall be present. The Senior Officers and Returning Officer shall not vote, nor shall they intervene in debate except to prevent any illegal, improper or unjust remarks being made or decisions being reached. If the Standing Committee reaches no positive decision under this clause, the complaint shall be deemed to have been dismissed, in which case no further action shall be taken, except in the case of an appeal being lodged under (b)(vi)(2) below.

(iv) The Returning Officer shall notify in writing both the complainant and the defendant of the result of such a meeting within 24 hours of the close of the meeting, and shall include in such notification details of the procedure laid down in (vi) below.

(v) The Member against whom the complaint is made and the Member making the complaint shall be sent at least 72 hours notice of any meeting held under (i) above, and the accused member shall be furnished with a copy of the written complaint together with any other information the Returning Officer considers appropriate. Both the complainant and the accused member shall be entitled to attend the meeting, and to address the Committee or to appoint a representative to do so on their behalf.

(vi) *Referral to a Senior Disciplinary Committee*

(1) In the event of the Standing Committee having voted to refer a complaint to a Senior Disciplinary Committee, the accused Member shall within five days be notified of this result

(2) Within five days of being notified of the result of the Junior Disciplinary Committee, either the defendant or complainant shall give notice in writing to the Returning Officer that either one of them wishes to appeal. The Returning Officer shall summon a Senior Disciplinary Committee to hear the appeal. In such circumstances the Disciplinary Committee shall proceed as if the Standing Committee had referred the case to them.

(c) *Intermediate Disciplinary Committee*

(i) The Returning Officer shall produce a list (the “IDC List”) to be passed by Standing Committee in 0th Week.

(1) The list shall be divided into categories, each of which shall be constituted according to the following criteria:

Category A: All ex-Officers enrolled at institutions specified under Rule 3(A) except the previous term’s Officers

Category B: All ex-Returning Officers enrolled at institutions specified under Rule 3(A)<sup>179</sup>

Category C: All ex-Officers, no longer enrolled at institutions specified under Rule 3(A), but that do not fulfil the eligibility criteria to serve on an SDC panel

Category D: All ex-Returning Officers, no longer enrolled at institutions specified under Rule 3(A), but that do not fulfil the eligibility criteria to serve on an SDC panel

If any individual qualifies to be included in more than one category, that individual may, prior to the passing of the IDC list, inform the Returning Officer which of these categories they wish to be considered a member of. If no preference is expressed, that individual shall be considered only to be a member of the category listed first under this rule. No individual shall ever be considered to be a member of more than one category. The Returning Officer shall make clear, on presenting the list to Standing Committee, the names of any Members excluded under Rule 32(n).

(2) These lists are to be written in order of seniority. For the purposes of Rule 71(c) only, seniority is determined by the number of terms that have elapsed since an individual has become a member of the Union. Standing Orders D11 and D12 will only be used to break ties.<sup>180</sup>

(3) Standing Committee shall only amend the list to ensure the accuracy of the list

<sup>179</sup> Except for ex-Returning Officers who are also the Returning Officer: see *Interpretation A45*.

<sup>180</sup> See *Interpretation A95*

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(4) Once the list has been passed by Standing Committee, it shall be binding: no subsequent resignation from Standing Committee shall affect the IDC List for that term, nor shall the IDC List be altered to reflect an erroneous inclusion or omission noticed after the passing of the IDC List. Any name appearing on the passed List shall be eligible to serve on the IDC. Any name not appearing on the passed List shall not be eligible to serve.

(ii) The intermediate Committee shall be composed of between three and five Members of the Society, according to the following criterion: the panel shall be as large as possible, according to the permitted permutations.

(1) If the Panel has three members:

- (i) One shall be the most senior member of Category “A” on the IDC list willing to serve
- (ii) One shall be the most senior member of Category “B” on the IDC list willing to serve.
- (iii) One shall be any other member of Category “A” or “B” on the IDC list willing to serve
- (iv) If it not possible to fulfil these criteria, a member of Category “C” and “D” shall substitute for Category “A” and “B” respectively. If it is still not possible to form a quorate panel, the complaint shall immediately be subject to the SDC procedure.

(2) If the Panel has four members:

- (i) Two shall be the most senior members of Category “A” on the IDC list willing to serve.
- (ii) Two shall be the most senior members of Category “B” on the IDC list willing to serve.

(3) If the Panel has five members:

- (i) Two shall be the most senior members of Category “A” on the IDC list (below) willing to serve.
- (ii) Two shall be the most senior members of Category “B” on the IDC list (below) willing to serve.
- (iii) One shall be either the next most senior Ex-Officer if only two ex-Returning Officers have replied, or the next most senior Ex-Returning Officer if only two ex-Officers have applied. If more than two ex-Officers and more than two ex-Returning Officers are willing to serve, the category (either ex-Officer or ex-Returning Officer) of the fifth member of the panel shall be decided by the toss of a coin, and the most senior member willing to serve from that category shall serve.

(iii) Where the Intermediate Disciplinary Committee is required to consider a complaint brought by or against a member who would ordinarily be eligible to sit as a member of the Intermediate Disciplinary Committee, that Member shall not be permitted to sit as a member of the IDC or be present for any of its proceedings except as to exercise the ordinary rights of a complainant or Defendant under the Rules.

(iv) Senior Officers may observe all proceedings but shall not vote, nor shall they intervene in debate except to prevent any illegal, improper or unjust remarks being made

(d) *Intermediate Disciplinary Procedure*

(i) Complaints against any of the following shall be subject either to the Intermediate Disciplinary Procedure or to the Senior Disciplinary Procedure. No Junior Disciplinary Hearing shall be held.

(1) Any member of the Standing Committee;

(2) Any member of the Secretary's Committee;

(3) Any Committee member (excluding Consultative Committee) or any appointed official, or any individual whose appointment had to be ratified or was subject to veto by Standing Committee under the provisions of the Rules or Standing Orders;

(4) Any Member selected for an External Debating Competition under Rule 28, or otherwise selected to be the Society's representative in any public context, provided that the misconduct alleged relates to their conduct while representing the Society or the exercise of any powers relating to their selection.

- (5) Complaints made under rule 71 (a)(i)(1), with additional caveats:
- a) All proceedings will enter *in camera* at the immediate point the complaint is made;
  - b) The complainant may not be identified without their consent before, during or after the DC, except as needed to those present for the DC;
  - c) The defendant may not be identified without their consent unless a ruling is made against them by the DC, in which case the decision to identify the defendant lies with the DC panel.

(ii) The Senior Officers and the Returning Officer shall decide in respect of all complaints of misconduct whether or not the complaint falls into a category listed above. In the event of their disagreeing, the complaint shall be considered to fall into such a category. Ordinarily, the Returning Officer shall then summon an Intermediate Disciplinary Committee to hear the complaint. However, if the complainant and defendant agree that it would be inappropriate for the Intermediate Disciplinary Procedure to be pursued, the Senior Disciplinary Procedure will instead be activated.

(iii) In the event of the Returning Officer being required to summon an Intermediate Disciplinary Committee, they shall within 24 hours, send an email to all members of Category “A” and “B” on the IDC list, to their University email address detailing the time, date and place of the IDC, and a copy of the initial complaint. The members of that list shall have two days to indicate their willingness to serve. If necessary, the Returning Officer shall then contact all members of Category “C” or “D” as appropriate, who shall have two days to indicate their willingness to serve. It shall be for the Returning Officer to decide at what time it shall meet, which shall be no fewer than 3 and no more than 15 days after the initial receipt of the Complaint.

(iv) The IDC shall adopt whatever fair way of proceeding as it shall decide, save as provided for below:

(1) Once an Intermediate Disciplinary Committee has been called, but before the evidence is heard, a defendant or complainant may apply that the case be referred automatically to a Senior Disciplinary Committee on the grounds of natural justice for reasons of bias in their absolute discretion. In this instance, the Intermediate Disciplinary Committee shall deliberate and then vote; if a majority of those present and voting support the request, the complaint shall be subject to the Senior Disciplinary procedure<sup>181</sup>

(2) The complainant and accused Member, and any representative that either of them may appoint, shall be given the opportunity to address the Disciplinary Committee, and to put forward any relevant evidence.

(3) The deliberations and votes of the IDC and any other business that it deem necessary shall be *in camera*.

(4) All votes shall be by secret ballot.

(5) No person shall be found guilty unless a majority of those present and voting are in favour.

(v) The Intermediate Disciplinary Committee may inflict any or all of the following penalties on a member found guilty of misconduct:

(1) To fine the Member against whom the complaint was made a sum not exceeding £175.

(2) To suspend the Member against whom the complaint was made for a period not exceeding one year; except where such a suspension would result in a deemed resignation from Office or Standing Committee under Rule 23(c)(ii)(3).

(3) To exclude the Member on a permanent basis, or for a set period of time, from using the Cellars or the bar, provided that the misconduct was one of violent or disruptive behaviour, possession of illegal substances, theft or deliberate damage to the Society’s property.

(4) To ban the Member for a period not exceeding one year from representing the Society at external debating competitions or tours.

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<sup>181</sup> For clarification, see *Interpretation A56*.

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(5) To fine a Member the cost of loss or damage to the Society's property in the case of theft or damage.

(6) To immediately dismiss the Member from any committee of the Society, except Standing Committee. This punishment shall not entitle the IDC to remove a sitting Officer from Office.

(7) To refer the matter to a Senior Disciplinary Committee. The IDC can, with an additional majority vote, recommend that the SDC:

(i) Expel the Member from the Society<sup>182</sup>

(ii) Remove from Office or Standing Committee any Officer or Member of Standing Committee

(vi) Any person convicted of a charge under Rule 71(a)(i)(9) against the Returning Officer or any of their Deputies shall be suspended for at least one term and in addition be fined at least £50.

(vii) Any Member dismissed from a Committee under this Rule shall lose all seniority conferred by having served on that committee, and shall be deemed not to have held it except for the purposes of Rule 34(c)(iii).

(viii) The Disciplinary Committee may, subject to any restrictions laid down by Standing Order, inflict a fine on any Member who fails to appear before it.

(ix) At the conclusion of their proceedings, the Chair of the Intermediate Disciplinary Committee shall within 72 hours notify the complainant and defendant in writing of their decisions and of the reasons for them. They shall subsequently post on the notice-board notification of all penalties inflicted or that no penalty was inflicted or that the complaint has not been upheld, as appropriate. Their report shall also include any recommendations for the running of the Society and interpretations made under 67(e)(i) as they decide.

(x) *Appeals procedure*

There shall be an appeal from the Intermediate Disciplinary Committee to a Senior Disciplinary Committee. Within three days of being notified of the result of the Intermediate Disciplinary Committee, either the defendant or complainant shall give notice in writing to the Returning Officer that either one of them wishes to appeal. The Returning Officer shall summon a Senior Disciplinary Committee to hear the appeal.

#### (e) *The Senior Disciplinary Committee*

(i) In the event of the Returning Officer being required to summon a Senior Disciplinary Committee, they shall within seven days summon three Members from the shortlist drawn up under (h) below to form the Senior Disciplinary Committee. They shall as soon as practicable notify the complainant and the defendant. It shall be for the Committee to determine at what time it shall meet, which shall be within twenty-eight days of the summons being issued. The Returning Officer shall try to ensure that at least one of these three members is a qualified lawyer, and shall ensure that none of them were present at any Junior Hearing of the complaint held under (b) above.<sup>183</sup>

(ii) The Disciplinary Committee shall adopt whatever fair way of proceeding as it shall decide, save as provided for below:

(1) The complainant and accused Member, and any representative that either of them may appoint, shall be given the opportunity to address the Disciplinary Committee, and to put forward any relevant evidence.

(2) Any member of the Standing Committee shall be given the opportunity to address the Disciplinary Committee, and to put forward any relevant evidence.

(3) The standard of proof required for a conviction shall be that the Committee is satisfied beyond all reasonable doubt of the defendant's guilt. No person shall be found guilty save by unanimous vote. The standard of proof required to settle all other questions of fact shall be a simple balance of probability, and a majority verdict shall be sufficient.

<sup>182</sup> On the date that any expulsion shall take effect, see Interpretation D1.

<sup>183</sup> Other requirements on the RO are listed under Standing Order G3.

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- (4) No person shall be required to give any evidence that might incriminate themselves.
- (iii) If in the course of their investigations the Committee discovers evidence of misconduct by any member against whom no complaint has been made, they shall be entitled to take proceedings against that member. In this event, it shall be as if a complaint had been made and referred to them. Any member shall be informed immediately in writing if proceedings are to be taken against them under this clause.
- (iv) The Senior Disciplinary Committee may inflict any or all of the following penalties on a member found guilty of misconduct:
- (1) a fine, the size of which may reflect any cost involved in the disciplinary proceedings if the Committee see fit, but which shall not exceed £500.
  - (2) suspension;
  - (3) expulsion;
  - (4) immediate dismissal from any office or committee of the Society;
  - (5) disqualification from nominating themselves in any subsequent Election or Elections;
  - (6) in the case of an officer or ex-officer, disqualification from serving on Standing Committee.
  - (7) exclusion on a permanent basis, or for a set period of time, from using the Cellars, provided that the misconduct was one of violent or disruptive behaviour, possession of illegal substances, theft or deliberate damage to the Society's property.
  - (8) a fine, reflecting the cost of loss or damage to the Society's property in the case of theft or damage, or reflecting the misuse of the Society's funds in the case of abuse of office.
  - (9) a ban, temporary or permanent, from representing the Society at external debating competitions or tours.
- (v) Any person convicted of a charge under Rule 71(a)(i)(9) against the Returning Officer or any of their Deputies shall be suspended for at least one term and in addition be fined at least £50.
- (vi) Any Member dismissed from an Office or Committee under this Rule shall lose all seniority conferred by having held that office or served on that committee, and shall be deemed not to have held it except for the purposes of Rule 34(c)(iii). If the Disciplinary Committee dismisses a member from office, they shall also be empowered to order that that member should lose any seniority held by virtue of any Office or Offices that member may previously have held or Committees on which that member may previously have served. The Committee shall explicitly state whether or not they impose such a penalty.
- (vii) The Disciplinary Committee may, subject to any restrictions laid down by Standing Order, inflict a fine on any Member who fails to appear before it.<sup>184</sup>
- (viii) At the conclusion of their proceedings, the Disciplinary Committee shall within 72 hours notify the complainant and defendant in writing of their decisions and of the reasons for them. They shall subsequently post on the notice-board notification of all penalties inflicted or that no penalty was inflicted or that the complaint has not been upheld, as appropriate. Their report shall also include any recommendations for the running of the Society and interpretations made under 67(e)(i) as they decide.<sup>185</sup>

(f) *Disciplinary Appeals Committee*

- (i) The following shall be the sole grounds of appeal to the Disciplinary Appeals Committee:
- (1) That there has been a breach of any of the principles of natural justice<sup>186</sup>;
  - (2) That the decision of the Disciplinary Committee was founded on an error of law; or
  - (3) That a breach of sections (a) to (e) above has occurred.<sup>187</sup>

An appeal shall not be allowed if the Disciplinary Committee or Standing Committee were following or interpreting the Rules and Standing Orders unless it concerns the rationality of the Committee's interpretation.

<sup>184</sup> This is Standing Order D9; regarding subpoenas, Interpretations C11 and C12 should also be consulted.

<sup>185</sup> For clarification on deadlines, see Interpretation C9.

<sup>186</sup> On breaches of the principles of natural justice with respect to bias, see Interpretation F10.

<sup>187</sup> Where this is a failure to meet reporting deadlines, see Interpretation F11.

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(ii) The following shall have the right of appeal:

- (1) Any Member on whom the Disciplinary Committee has inflicted any penalty;
- (2) Any Member who brought a complaint which was the subject of a decision by the Disciplinary Committee; or
- (3) Any other member to whom a Senior Officer gives leave.

(iii) Notice of Appeal or request for Leave to Appeal, as appropriate, shall be lodged with the Returning Officer within 48 hours of the report of the Disciplinary Committee being posted on the notice board.

(iv) The Returning Officer shall pass the request for leave to appeal to the Senior Officers, who shall consider the application. If the Senior Officers refuse leave to appeal, they shall within seven days of their receipt of the application notify in writing to the Member concerned their reasons for refusing that Member leave. In the absence of the Senior Officers coming to a decision within 7 days and notifying the relevant Members, the Returning Officer shall be empowered to reach a decision themselves, and ensure that the relevant Members are notified within 24 hours.

(v) The Returning Officer shall, as soon as a Disciplinary Appeals Committee is requisitioned, set up the committee, which shall consist of three members whose names appear on the Disciplinary Committee shortlist. The Returning Officer shall attempt to ensure that one of the three is a qualified lawyer, and shall ensure that none of the three served on the Senior Disciplinary Committee against whose decision appeal is being made or was present at any meeting of Standing Committee at which the complaint was discussed. If the Returning Officer is unable to summon three members from the shortlist, they shall add names to the list as per (h) below.

(vi) The Disciplinary Appeals Committee shall adopt whatever fair means of proceeding it sees fit, and shall reach decisions by a simple majority.

(vii) The Disciplinary Appeals Committee shall in its report record for each ground of appeal one of the following verdicts:

- (1) That the appeal is justified, in which case they shall consider whether they should exercise any of the powers enumerated in (viii) below, and shall record their reasons for the way in which they exercise them or for deciding not to exercise them;
- (2) That the appeal is unjustified, in which case they shall confirm the decision of the Senior Disciplinary Committee;
- (3) That the appeal is unreasonable, in which case they shall confirm the decision of the Senior Disciplinary Committee and in which case the appellant shall be subject to the penalties laid down in (ix) below.

(viii) The Disciplinary Appeals Committee shall have the power to confirm or overturn any decision of the Senior Disciplinary Committee, to remit or vary any penalty inflicted or recommendation made by the Senior Disciplinary Committee, or to impose any penalty upon the member against whom complaint was made which could have been imposed by the Disciplinary Committee.

(ix) Any Member making an unreasonable appeal to the Disciplinary Appeals Committee shall be suspended for one term, forbidden to serve on any committee or nominate themselves for any office or committee for a further three terms, and fined a sum to be determined by the Committee. These penalties are in addition to any penalties otherwise imposed under this Rule.

(x) The Disciplinary Appeals Committee shall report in writing to the Returning Officer as soon as possible as it has completed its investigations. The Returning Officer shall publish its report on the notice board and distribute it to the involved Members. The report shall also contain any recommendations or interpretations, which the committee see fit to make.

(xi) In the event of an unsuccessful appeal under the above procedure, the costs of the appeal shall be borne by the Member making the appeal, unless the Disciplinary Appeals Committee directs otherwise. In no circumstances shall the Society be required to pay for the costs of a Member's representative or his other legal expenses.



(g) *Exclusion from the Premises*

By a unanimous decision, the Senior Officers and the President may exclude any Member against whom proceedings are being taken under this Rule from the Society's premises until the completion of such proceedings. This shall only apply to cases concerning violent or disruptive behaviour, possession of illegal substances or theft or deliberate damage to the Society's property. Nothing in this paragraph shall be allowed to prevent the attendance of the Member (or their representative) at any proceedings, or to prevent access to the buildings to obtain copies of the Rules or other material evidence for the hearing.

(h) *Shortlists*

(i) The shortlist for the Senior Disciplinary Committee shall consist of at least eleven and up to twenty-five members of at least 18 term's standing. The Standing Committee shall nominate the members of this shortlist by way of a Private Business Motion at a Public Business Meeting; any objections to the shortlist shall be dealt with separately. No Member shall serve on the shortlist for more than three years without being successfully re-nominated.

(ii) In the event of the Returning Officer being unable to find sufficient members of the shortlist who are willing and able to serve, they shall present a new Shortlist to Standing Committee, which may approve Members on that Shortlist to serve on the Disciplinary Committee for that occasion only. The criteria for eligibility shall be the same as for the original list.<sup>188</sup>

(i) *Confidentiality and Records*

(i) All proceedings, but not the private deliberations, of Standing Committee or the Disciplinary Committee under this Rule shall be recorded and shall be retained for one year after the conclusion of proceedings.

(ii) It shall be up to each Disciplinary Committee to decide whether to hold its proceedings in private or to allow observers.

(iii) No Union Rule shall prevent:

(1) The complainant and defendant discussing the case with friends or advisors

(1) Any Member rebutting any potentially defamatory claim made before the end of the disciplinary process

(2) The submission of evidence in a court of law or in proceedings under this Rule or Rule 33.

(3) The publication of any notice or other official notification required by the disciplinary Rules.

(iv) After the commencement of proceedings under this Rule, no question whatsoever shall be asked, no motion whatsoever moved, nor any discussion whatsoever initiated in the House or in any Committee, that in any way relates to those proceedings, except as otherwise provided by these Rules or in response to a recommendation of the Senior Disciplinary Committee or Disciplinary Appeals Committee.

(j) *Disorderly Behaviour*

In the event of a staff member or agent of the President (or in the cellars, an agent of the Purple Turtle) catching an individual on the premises engaging in disorderly behaviour, fraudulent behaviour, attempted or actual theft, vomiting, possession or sale of illegal substances, or being in an unacceptable level of intoxication, then that staff member or agent may confiscate the membership card of that individual. The Society shall then have five days to initiate disciplinary proceedings or levy the appropriate fine, otherwise the Society must return the membership card to the Member, if necessary by Royal Mail to the Member's last known address<sup>189</sup>. If disciplinary proceedings are initiated, the card shall also be returned to the Member (unless the member is excluded from the premises under the provisions of Rule 71(g)).

<sup>188</sup> *Where members of a validly-constituted SDC are no longer able to serve, see Interpretation A37.*

<sup>189</sup> *Failure to return the card is a disciplinary offence: see Interpretation C17.*

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(k) *Time Limits*

A complaint shall not be considered<sup>190</sup> if the disciplinary process would commence<sup>191</sup> more than one year after the offending incident or behaviour occurred (or in the case of abuse of office, or theft, was discovered<sup>192</sup>). A disciplinary committee shall consider if significant delay in bringing a complaint after the incident occurred constitutes evidence of malicious behaviour.

(l) *Withdrawal of Complaints*

(i) Once a complaint has been submitted to the Returning Officer, it may be withdrawn at any time by the complainant in writing. The Returning Officer shall acknowledge the withdrawal in writing to the involved parties. A complaint that has been withdrawn may not be considered or brought again in any substance. The Returning Officer may rule that a complaint can be considered again if they believe that this procedure has been abused purely to prevent the fair consideration of a complaint.

(ii) A Member can still be charged with making frivolous or unfounded and malicious complaint even after it has been withdrawn.

(iii) The withdrawal of a complaint shall not prevent a Disciplinary Committee that has formally commenced from considering or ruling on the complaint or related offences under (d)(iii) above.

(m) *Vacation Disciplinaries*

Any Member, who is subject to a complaint, may ask in writing that any relevant Disciplinary Hearing which is scheduled for a point during the vacation be delayed until term-time. If either the Senior Officers or the Returning Officer take the view that this would not damage the interests of the Society, either of them may so consent. The disciplinary process shall be frozen until term-time, and any days in the vacation shall count as *dies non* for the purpose of time deadlines.”<sup>193</sup>

(n) *Pausing of Disciplinary Proceedings*

(i) In the event that any disciplinary proceedings are underway against any member of the Society, and the police arrest or charge that member before a disciplinary committee pronounces a verdict, the disciplinary proceedings shall pause indefinitely insofar as they relate to the conduct for which the member has been arrested or charged.

(ii) The disciplinary proceedings shall resume when action on the part of the police or courts comes to an end.

(iii) The rulings of a court shall be treated as infallible when disciplinary proceedings resume.

(o) *Automatic Leave of Absence*

(i) When it comes to the attention of the Standing Committee that either of the Senior Officers or a member of any committee of the Society, not including the Consultative Committee, has been arrested on suspicion of committing a crime, then that member will be subject to an automatic leave of absence.

(ii) The Standing Committee can vote at a meeting at which at least one Senior Officer is present to overturn an automatic leave of absence in response to an arrest. The Standing Committee may not overturn an automatic leave of absence during the same meeting at which the arrest in question comes to the Committee’s attention. An automatic leave of absence will be overturned by a simple majority.

(iii) If the Standing Committee has voted to overturn an automatic leave of absence, and the member who was subject to the automatic leave of absence is subsequently charged with a crime, then this member is again subject to an automatic leave of absence when this charge comes to the attention of the Standing Committee.

<sup>190</sup> *Whether the complaint was brought in time is therefore the first matter of business: see Interpretation C5.*

<sup>191</sup> *The disciplinary process commences once a complaint has been submitted: see Interpretation C7.*

<sup>192</sup> *For definition of ‘discovered’, see Interpretation C6.*

<sup>193</sup> *This should read ‘shall count as dies non’: see Interpretation C8.*

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(iv) The Standing Committee can again vote at a meeting at which at least one Senior Officer is present to overturn an automatic leave of absence in response to a criminal charge. The Standing Committee may not overturn an automatic leave of absence during the same meeting at which the arrest in question comes to the Committee's attention. An automatic leave of absence will be overturned by a simple majority.

(v) An automatic leave of absence shall come to an end when action on the part of the police or courts comes to an end.

(vi) The President will redistribute the outstanding duties of those members subject to an automatic leave of absence as the President thinks appropriate. If the President is themselves subject to an automatic leave of absence, then the President-Elect will redistribute the outstanding duties of those members subject to an automatic leave of absence as the President-Elect thinks appropriate.

(vii) For the purposes of this rule, an automatic leave of absence will be defined as a leave of absence from the duties and privileges associated with the member's position on any committee, not including the Consultative Committee. For the purposes of this rule, an automatic leave of absence shall not preclude a member from nominating themselves in an election for any position for which they are qualified to nominate by virtue of their post.

(viii) In the event that a candidate in an election of the Society who is subject to an automatic leave of absence is elected, then the automatic leave of absence will be deemed to have been overturned. However, if the candidate was elected unopposed, then the automatic leave of absence will not be deemed to have been overturned. The Standing Committee can then vote at a meeting at which at least one Senior Officer is present to overturn the automatic leave of absence.

(ix) For the purposes of this rule, the Standing Committee will only have regard to whether an arrest or charge is liable to bring the Society into disrepute when deciding whether to overturn an automatic leave of absence.

(x) If the Standing Committee has not voted on whether to overturn an automatic leave of absence, a Private Business Motion to that effect can be moved under Rule 47. The vote on this Private Business Motion shall have a binding effect. The Standing Committee may not vote on whether to overturn an automatic leave of absence once a Private Business Motion to that effect has been moved.

(xi) A vote to overturn an automatic leave of absence shall never be taken by secret ballot nor *in camera*. The discussions pertaining to such a vote may not be held in camera under Rule 23 (g)(iv) (1).

(xii) The R.O. shall be required to bring to the attention of the members an automatic leave of absence to which a candidate in the elections is subject on any electoral materials. In the event that a candidate's automatic leave of absence is overturned after any electoral materials are prepared but before the election, it shall be the duty of the R.O. to bring such an overturning to the members' attention in written form in the poll room.

(xiii) If the arrest or the charge of either of the Senior Officers or a member of any committee of the Society, not including the Consultative Committee, comes to the attention of the Standing Committee in breach of a court order, then that arrest or charge will not be considered to have come to the attention of the Standing Committee.

(p) *Impeachment*

(i) *General*

- (1) A motion of impeachment can be brought against any Officer of the Society specified under Rule 13 (a).
- (2) A motion of impeachment shall require 150 valid signatures to be submitted within 48 hours of the motion's posting on the noticeboard. For the purposes of this rule, a signature shall not be valid unless accompanied by the name and membership number of the signatory.
- (3) A motion of impeachment must specify the reason(s) for impeachment. Reasons shall not include any criminal conduct, or allegations thereof, on the part of the Officer being impeached that has not been proven in a court of law. The Complaints Consultant shall decide whether reasons include any criminal conduct, or allegations thereof, on the part of the Officer subject to the motion of impeachment.

(ii) *Affixation and moving*

- (1) A motion of impeachment, in form or substance, may only be moved under this rule.
- (2) A motion of impeachment can be affixed to the noticeboard at any point during full term before the Friday of Sixth Week in full term.
- (3) Any one motion of impeachment may only be brought against a single Officer. An officer may only be the subject of a single motion of impeachment at any one time.
- (4) A motion of impeachment must be brought in form or substance in the following manner, namely: "We the undersigned hereby wish to impeach the Officer, [insert name], on the following grounds [insert reasons]". For the purposes of Rule 43 (g), the reason(s) specified on the motion of impeachment shall be considered part of the motion.
- (5) A motion of impeachment must be submitted to the R.O., who must ensure that it does not already contain any signatures, and affix it to the noticeboard stating in writing the time and date at which it was affixed.
- (6) For the purposes of this rule, the member who submits the motion of impeachment to the R.O. shall be considered the mover of the motion. No mover may withdraw a motion of impeachment after it has been affixed to the noticeboard. For the purposes of this rule, a motion of impeachment shall be considered moved under Rule 43 (a) at the time of the close of buildings on the day on which the 150<sup>th</sup> valid signature has been submitted.

(iii) *Debate on impeachment*

- (1) After the requisite number of signatures has been submitted to the motion of impeachment in the manner specified within the 48-hour period, there shall be a poll of members 4 days later.
- (2) For the purposes of this rule, the first day of the 4 day period shall be the day following the day on which the 150<sup>th</sup> valid signature is submitted to the motion of impeachment.
- (3) This 4 day period is intended to allow free and open debate to occur about the motion of impeachment.
- (4) Any member who is barred from speaking to the press on account of the Rules shall not be so barred for the purposes of contributing freely to debate about a motion of impeachment.

(iv) *Poll on impeachment*

- (1) The conduct of the poll shall follow the usual format under Rules 47 (f)(iv) & (v).
- (2) The poll of members shall ask the question: “Should the Officer, [insert name], be impeached on the following grounds [insert reasons]?”.
- (3) An Officer shall only be impeached if at least two-thirds of all those who cast a valid vote voted in the affirmative to the question set out in (2), and if the number of those who voted in the affirmative is at least 150.

(v) *Consequences of impeachment*

- (1) Any Officer who is impeached shall be considered to have resigned from their office. Such a resignation shall be dated from the time the motion of impeachment was moved under (ii)(6).
- (2) The title of an impeached Officer shall be “Ex-Officer (impeached)”. An Officer shall enjoy the same seniority if they are impeached as if they had resigned.

(vi) *Special cases*

- (1) Impeachment proceedings shall cease if the Officer in question dies or resigns.
- (2) Impeachment proceedings cannot be brought against an Officer who is subject to an automatic leave of absence.
- (3) If an Officer’s automatic leave of absence begins after a motion is affixed to the noticeboard but before the close of buildings on the day on which the requisite number of valid signatures is obtained, then the impeachment proceedings shall end. For the purposes of Rule 43 (g), the motion of impeachment shall not be regarded as having been brought.
- (4) If a motion of impeachment is moved against an Officer who later becomes the subject of an automatic leave of absence, the proceedings are suspended for the duration of the Officer’s automatic leave of absence.
- (5) If impeachment proceedings are suspended between the close of buildings on the day on which the requisite number of valid signatures is obtained and the scheduled day of the poll, and the automatic leave of absence later comes to an end, then the 4 day period under (iii) shall begin again, starting with the day following the end of the automatic leave of absence.
- (6) If impeachment proceedings are suspended on the day of the poll but before the commencement of the poll, then the poll shall be delayed until the day following any end to the automatic leave of absence.
- (7) If impeachment proceedings are suspended during the poll, then the poll shall be stopped and deemed void, and there shall be a new poll the day following any end to the automatic leave of absence.
- (8) No suspended poll shall be taken after the Thursday of Seventh Week of full term.
- (9) Suspended impeachment proceedings may only resume if at the prospective time of resumption the Officer against whom the motion of impeachment had been brought is still an Officer under Rule 13 (a).
- (10) In the event that an Officer already subject to a motion of impeachment succeeds to an absent officership, that Officer shall be considered to hold the officership in an acting capacity until the resolution of the impeachment proceedings. In the event that the officer holding the absent officership in an acting capacity is not impeached, then the officer shall be considered to have fully succeeded to the office. In the event that the officer holding the absent officership in an acting capacity

is impeached, then that officer shall be considered to have resigned from the officership they held at the time of the close of buildings on the day the motion of impeachment became effective through its 150<sup>th</sup> valid signature, and shall cease to hold any Officership to which they may have succeeded in an acting capacity. The success of a motion of impeachment against an officer shall not affect the previous successions nor rights of succession of any other member.

(vii) *Impeachment and elections*

(1) An impeachment shall not prevent any Officer from running in an election of the Society, nor shall an impeachment affect an Officer's eligibility under Rule 34 (c). The R.O. shall be required to bring an impeachment of a candidate to the attention of the members on any electoral materials by stating the title of the Officer post impeachment as "Ex-Officer (impeached)".

(2) In the event that a motion of impeachment against an Officer has been launched but not resolved by the time any electoral materials are prepared, no mention shall be made by the R.O. in any electoral materials to the on-going impeachment proceedings against any candidate.

(3) In the event that an Officer who is a candidate in the elections is impeached after any electoral materials are prepared but before the elections, it shall be the duty of the R.O. to bring such an impeachment to the members' attention in written form in the poll room, and also any subsequent successions of any other candidates as a result of an impeachment.

RULE 72: INDEPENDENCE

(a) *The Proctors*

(i) The Society shall not be registered with the Proctors as a University Club.

(ii) The permission of the Proctors shall not be sought for any Union activity, except after consultation with the Senior Officers and after Standing Committee has given its consent.

(iii) No negotiations on behalf of the Society shall be entered into with the Proctors or with any other University Body without the knowledge and consent of the Standing Committee; save that the Officers and Senior Officers are authorised to consult with the Proctors and to give them any information about the Union's affairs which is of legitimate interest to the University; and that this provision shall not apply to action under Rule 52(f).

(iv) No Member shall complain to the Proctors about any action of the Society or of the Standing Committee or of any Officer acting in their official capacity, or about any interpretation of the Rules made by the President or by the House on appeal, or any disciplinary proceedings of the Society.

(v) It shall be a disciplinary offence to break this rule, under Rule 71.

## RULE 73: TABLE OF EXECUTIVE SENIORITY

(a) In the event of a conflict over a decision concerning a particular policy or the implementation of a particular policy, or concerning amendments to the Rules or Standing Orders, and the Rules and Standing Orders are otherwise silent, the following shall take precedence in the following order of seniority:

- (1) A Poll of Members as under Rule 47(f);
- (2) A Private Business Motion at a Public Business Meeting to which Rule 67(b)(iv) or Rule 67(b)(v) applies;
- (3) Other Private Business Motions at a Public Business Meeting or any Special Adjournment Motion, as under Rule 45;
- (4) A Private Business Motion at a Private Business Meeting;
- (5) The Returning Officer, for the purposes of their duty only, as defined in Rule 32(e) only;
- (6) A motion of an Ordinary or Emergency Standing Committee;
- (7) A motion of a Vacation Standing Committee.

All conflicts between any other bodies, Officers, committees, committee members, officials or staff members shall be resolved by Standing Committee.

(b) This Rule shall not prevent a particular body from changing its own stance over a particular policy, provided such a change is within the other Rules and Standing Orders of the Society, and always provided that such a change does not conflict with a body senior under the Table above.

(c) Should the circumstances concerning a policy change, and that policy was set by a Poll, then the policy may be over-ridden by a Private Business Motion at a Public Business Meeting to which Rule 67(b)(iv) or Rule 67(b)(v) applies, as well as by another Poll.

(d) UNUSED

(e) This Rule in no way implies that any body listed on this table may overturn the verdict of any Election Tribunal, Appellate Board, Disciplinary Committee, Disciplinary Appeals Committee or other disciplinary hearing.

(f) The Returning Officer shall keep a record of policy decisions, which they deem relevant, that are passed by a Poll or in a Public Business Meeting. These policy decisions shall be published in an appendix to the Rules, until they are otherwise overridden or become void or irrelevant.<sup>194</sup>

(g) Interpretation concerning what constitutes a conflict or a change of circumstances under this Rule shall fall to the bodies specified in Rule 67(e)(i), and such interpretations may be challenged only in accordance with the mechanisms given in Rules 67(e)(ii) - (iv). All such interpretations shall be rational.

(h) Notwithstanding anything else in this Rule, Rule 73, Rule 47(f), Rule 67(b)(iv), Rule 67(b)(v) may not be amended except by a Poll or by a Private Business Motion at a Public Business Meeting to which Rule 67(b)(v) has been applied.

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<sup>194</sup> *This appendix is the 'Schedule of Formal Policy Decisions' attached.*

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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## RULE 74: THE REGISTER OF REPRESENTATIVES

- (a) The Returning Officer shall maintain a register of members who are willing to act as representatives of members during disciplinary committees convened under rule 71 and election tribunals and appellate boards convened under rule 33.
- (b) Only the following members are eligible to appear on the Register of Representatives:
- (1) Members of the Standing Committee
  - (2) Ex-Members of the Standing Committee
  - (3) Deputy Returning Officers, excluding the sitting Returning Officer
  - (4) Ex- Returning Officers and ex-Deputy Returning Officers
- (c) Any member who is eligible, and willing, to act as a Registered Representative who writes to the Returning Officer by the start of the regular Standing Committee Meeting in the first week of each term shall be added to the list by the Returning Officer. In their request to be added to the list they should include at least one means through which they can be contacted by anyone requesting their services.
- (d) The Returning Officer shall then publish on the noticeboard, within 24 hours, the list of those who applied, although not their nominated contact details. This shall form the authoritative list of Registered Representatives until the same time in the next term.
- (e) Registered Representatives owe a professional duty to their clients to represent them to the best of their ability.
- (f) The Returning Officer shall email the entire list of Registered Representatives and their nominated email contact addresses to both the plaintiff and the defendant in each disciplinary committee convened under rule 71 and each election tribunal and appellate board convened under rule 33 at the same time. The Returning Officer shall also make the list and email addresses available to those people who are deemed by election tribunals to have a direct interest.
- (g) Registered Representatives may also refuse to represent a party who requests their services.
- (h) If more than one party requests the same Registered Representative then the decision of who to represent shall rest with the Registered Representative in question. Registered Representatives may also refuse to represent a party who requests their services.
- (i) The existence of the Register of Representatives shall not prevent any person who does not appear on the list from acting as a representative in any of the society's disciplinary committees, election tribunals or appellate boards.



## STANDING ORDERS

### CHAPTER A: Finance

#### A1: OFFICER REPORTS

The President, the President-Elect, the Librarian, the Librarian-Elect, the Treasurer, the Treasurer-Elect, the Secretary and the elected members of Standing Committee shall submit interim reports to the Standing Committee, to be followed by full reports to the Ordinary Private Business Meeting. The reports shall contain full and explicit details of the events which they have organised, the sponsorship they have raised, and any financial expenditure (or financial liability) they have undertaken. The reports shall be submitted in writing to the President by Wednesday of 0<sup>th</sup> week, to be ratified, and amended if necessary, by resolution of the Standing Committee in the ordinary meeting in 1<sup>st</sup> week.

#### A2: TERMLY BUDGETS

In a meeting of Standing Committee in 1st Week of each term, the President, Librarian, Treasurer, and Secretary shall submit budgets for estimated expenditure for the ensuing term. The budgets shall have been previously considered by the Finance Committee, and amended and ratified by the Standing Committee, as specified in Rule 62(e).

(a) The President's budget shall include their expenditure on debates and their speaker meetings, the term card and publicity for the Term's events.

(b) The Librarian's budget shall include their expenditure on their speaker meetings or addresses, as well as expenditure on the Libraries and Library Staff.

(c) The Secretary's budget shall include their expenditure on any social events; expenditure related to the Bar and Cellar Bar, and Bar staff wages.

(d) The Treasurer shall include expenditure on other staff, repairs and renewals, other maintenance of buildings and gardens, office expenditure, membership drive expenditure and other miscellaneous expenditure in accordance with their duties.

These budgets may not be exceeded except as specified in Rule 62(e).

#### A3: FINANCIAL MONITORING

(a) The Bursar shall present to the Standing Committee a termly account and rough breakdown of the Society's expenditure on the following items:

- Telephones, postage and stationery;
  - Social events;
  - Debates (including accommodation, travel, dinners and receptions);
  - The Society's elections;
  - Speaker meetings and addresses (including equipment hire);
  - The membership drive;
  - Printing, advertising and photocopying (where such costs are not already covered in a previous section).

(b) In Michaelmas Full Term, the Bursar shall present to the Standing Committee accounts for income and expenditure for the previous financial year.

(c) During Full Term, the income and expenditure of the Society shall be monitored by Finance Committee.

#### **A4: MONIES OWED**

(a) The Bursar at the start of each Full Term shall present to the Standing Committee a list of any sponsors and advertisers from the previous Term who have not yet paid their promised sponsorship. If necessary, the Treasurer shall pursue any monies owed to the Society, and report back every week to Standing Committee until the matter has been settled. The relevant Ex-Treasurers must provide all necessary assistance to the Bursar and the Treasurer for the purposes of their duties under this subsection.

(b) The Librarian-in-Charge at the start of each Full Term shall present to Library Committee a list of those persons who have defaulted on Library fines or not returned books within the specified time. If necessary, the Librarian and Librarian-in-Charge shall pursue any books and monies owed to the Society.

#### **A5: UNUSED**

#### **A6: COLLECTION OF DEBTS**

##### *(a) Approved Organisations*

(i) There shall be a schedule to the Standing Orders containing the names of organisations which the Standing Committee by a simple majority considers not to be credit worthy<sup>195</sup>.

(ii) No organisation shall be removed from the schedule without the approval of two-thirds of the Standing Committee present and voting.

(iii) No organisation which appears in the schedule shall be permitted to obtain goods or services from the Society.

##### *(b) Schedule of Unacceptable Contractors*

(i) There shall be appended to the Standing Orders a Schedule<sup>196</sup> which shall list the firms, individuals and contractors who have in the past been found to be unsuitable for the Society's requirements. The Society (including the Society's Staff and members of any Committee of the Society) shall in no circumstances purchase from, or undertake business with, those listed in any manner, directly or indirectly.

(ii) This Schedule may be added to by a simple majority resolution of Standing Committee or in Private Business; no contractor shall be removed except by a two-thirds majority of those present and voting in either Standing Committee or Private Business.

#### **A7: INTEREST ON ACCOUNTS**

Interest shall be charged at the rate of two percent compounded monthly on all accounts held with the Society on which interest is charged.

#### **A8: PENSIONS**

(a) When a member of staff of the Society retires, the Standing Committee will decide whether or not to augment the superannuation benefit. Such augmentation will be the normal rule.

(b) If, in recognition of good service, the Standing Committee decides to grant a pension after retirement, this pension shall amount to two-thirds of the retired member of staff's average yearly income from the Society during their last three years with the Society as a guaranteed income to include state pension and the calculated annuity from any lump sum.

(c) When a member of staff dies before or after retirement the Standing Committee decides to grant a pension after retirement the Standing Committee will not feel bound in principle to grant a pension to the widow, but may do so if special circumstances warrant a pension.

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<sup>195</sup> This is the 'Schedule of Non-Creditworthy Organisations' attached to these rules.

<sup>196</sup> This is the 'Schedule of Unacceptable Contractors' attached to these rules.

Rules of the Oxford Union Society, Michaelmas Term 2016.

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## **A9: CHEQUES**

(a) Members may cash cheques at the bar for a fee of £3. In the event of any loss arising the staff shall not be held responsible, and the matter shall be referred to the Standing Committee. No member of the Society shall be permitted to cash a cheque in excess of £25 and only then on presentation of a valid guarantee card.

### **(b) *Unpaid cheques***

(i) Individuals whose cheques are subsequently returned unpaid may be fined not more than £10. In addition, they shall refund any bank charges incurred by the Society as well as the amount of the unpaid cheque. The Returning Officer shall liaise with the Bursar to oversee the levying of these fines.

(ii) There shall be appended to the Standing Orders a Schedule entitled “Schedule of those not allowed Cheque Facilities”. Members, non-members and organisations whose cheques are returned unpaid more than once shall have their names inserted in this Schedule by the Bursar or Returning Officer and shall not be allowed to remit the Society by cheque. No name shall be removed from this Schedule except with the approval of two-thirds of those present and voting at an Ordinary Meeting of the Standing Committee.

(c) The Society shall permit debit card cash back in the Bar. The limit shall be by set the Wines & Spirits Committee.

## **A10: CHEQUE SIGNING POWERS**

(a) The Bursar shall have cheque-signing powers.

(b) Any cheque for more than £1000 sterling shall be counter-signed by a Senior Officer. This shall not apply in the case of recurring expenditure.

## **A11: PAYMENT OF COSTS**

The Society will pay for essential travel and accommodation costs for any member, authorised by the Standing Committee, attending an activity away from Oxford on behalf of the Society.

## **A12: TRAVEL COSTS<sup>197</sup>**

(a) Travel will be by the cheapest reasonable form of Public Transport. Rail travel will be at the cost applicable to those holding a Young Person’s Rail Card, unless the member is ineligible to hold such a card.

(b) Air travel shall only be authorised for trips out of mainland Britain, or when it can be clearly demonstrated that it is cheaper, or when essential additional accommodation costs would make the total cost greater. Whatever possible flights should be booked through the cheapest agency taking advantage of all early booking discounts and should be paid in advance by the Society. Three quotations should be obtained for all non-UK air travel.

(c) The cost of any changes in travel arrangements will fall on the member causing the change to be required. Members will therefore be required to pay a deposit to the Society of an appropriate amount, at the discretion of the President, of not more than £30 (£50 for travel by air). This deposit will be used to cover additional expenditure should the member selected subsequently withdraw from the event, unless such a withdrawal is due to circumstances beyond their control.

(d) The cost of Taxis will not be reclaimable if there is any alternative public transport available.

(e) Car hire will only be paid for if it can be demonstrated that it is the cheapest alternative for a group of members travelling together.

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<sup>197</sup> *For guidance on reasonable travel expenses outside of term time, see Interpretation B8.*

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### **A13: INSURANCE**

For travel out of the European Union, the Society will pay for medical insurance cover, which should normally be arranged by the person authorised to purchase the tickets. Members travelling within the European Union will be expected to have completed the necessary forms to obtain reciprocal cover under the National Health Service. Those not eligible for reciprocal cover should arrange medical insurance to be paid for by the Society.

### **A14: ACCOMMODATION AND FOOD**

(a) For official tours and competitions, accommodation and the cost of some meals may be included in the pre-paid cost. The cost of any additional accommodation will be paid by the Society only if it can be shown to be essential as a result of the flight timing or other nights away from Oxford which have been agreed prior to departure and which do not form part of the pre-paid trip. In the event of accommodation costs being claimed from the Society the onus is on the member to obtain the cheapest reasonable accommodation available.

(b) The maximum charge that the Society will pay per room must be agreed by the Standing Committee prior to departure. Room costs must be the minimum possible to allow for one bed per person. Males and females are not expected to have to share a room unless both parties agree.

(c) Every effort should be made to obtain free accommodation. In the event that free accommodation is provided and it is considered necessary to reciprocate by entertaining one's host then the reasonable cost of one meal will be reimbursed by the Society up to a maximum of two thirds of the agreed room cost which is being saved. The cost of the meal of the Society's representative shall not be claimed, except in the instance of reciprocation for hospitality extended during the American Tour (the validity and reasonable costs of which shall be determined by the Standing Committee). Where accommodation is provided by the host institution on contractual basis as part of the rearranged programme, no cost of entertaining shall be reclaimed from the Society.

(d) No food costs will be paid by the Society, save that the Standing Committee may authorise for trips over one week, abroad and during the vacation, a contribution towards the cost of food.

### **A15: CLAIMS PROCEDURE**

(a) No claim for reimbursement will be considered unless supported by an official receipt.

(b) All claims for reimbursement by the Society must be submitted on the correct Oxford Union Expense Claim Form within seven days of full term after returning from the event. Prior to payment the claims must be authorised by the Treasurer as having been passed by Standing Committee.

(c) Claims for foreign currency expenditure should be converted to sterling at the prevailing tourist rate on the day of return.

(d) In the event that an advance against expenses is made by the Society the full amount must be repaid within 14 days of returning from the event except for that amount which has been submitted and authorised in accordance with the procedure set out above.

### **A16: EXPENSES ON SOCIETY BUSINESS**

The procedures detailed in this standing order shall govern all reimbursement of expenditure incurred on behalf of the Society or whilst acting as the Society's representative, except as provided for by other Standing Orders in this chapter.

#### *(a) Normal Procedure*

Except as provided for elsewhere in this Standing Order, the Society shall not advance money to members in anticipation of their spending it on the Society's business.

#### *(i) Reimbursement of Expenditure*

Members shall submit claims for reimbursement of money spent on the Society's business in writing to the Treasurer, together with a written account of how such money was spent and all relevant receipts, within a period of seven days of Full Term of the expenditure being made. Reimbursement shall be authorised by a motion of the Standing Committee, such a motion shall only be considered valid if Standing Committee is presented with a full break down of the expense claim submitted, distinguishing travel, registration, food and other costs. The Standing Committee shall be empowered

to refuse reimbursement in part or in whole if in their opinion the expenditure was unreasonable, or if the claim was late.

(ii) *Reasonable Expenditure*

(1) The Standing Committee shall, from time to time, draw up guidelines as to what forms of expenditure, what sums and for what purpose it would normally consider reasonable in various circumstances; the guidelines shall form a schedule to this Standing Order<sup>198</sup> and a copy shall be provided upon request to any member who anticipates incurring expenditure on the Society's behalf. The Standing Committee may, in addition, by motion, set out expenditure guidelines and restrictions governing expenditure for a particular purpose or by a particular member. In considering whether expenditure is reasonable, the Standing Committee shall have regard for any guidelines in force, although they need not be bound by them. No guidelines under this section shall have any retrospective effect.

(2) In the event of claims to reimburse expenditure being other than the least expensive option for a particular purpose, the member shall submit in writing his reasons for believing the extra expenditure to be necessary or in the interests of the Society. The President shall judge all submissions and shall, unless in their opinion the reason submitted is valid, be empowered to direct that only a motion for reimbursement for a lesser sum than that claimed be put before Standing Committee. This clause shall cover claims for travel expenses, accommodation and all other similar expenditure necessary for but incidental to the purpose for which a member incurred expenditure.

(iii) *Emergency Expenditure*

No member shall incur expenditure of more than one hundred pounds on the Society's behalf for any one purpose unless previously authorised by a motion in Standing Committee or unless such expenditure could not have been reasonably foreseen in time to put such a motion before the Standing Committee.

(b) *Payment in advance*

(i) The Society shall not advance monies to members in anticipation of expenditure on the Society's behalf except under (1) and (2) below.

(1) *Exceptional circumstances*: In exceptional circumstances, the Standing Committee may authorise payment in advance to a member for the purposes covered by this Standing Order. Applications for circumstances to be considered exceptional should be made in writing to the President who shall judge each case on its merits and shall be empowered to decline to submit a case to the Standing Committee.

(2) *Expenditure in excess of £100*: If the sum of money that any one member may need to spend on behalf of the Society for any one purpose or in total for several purposes before it be practicable for them to claim reimbursement, will exceed £100, the Standing Committee may pass a motion authorising the advance of a sum equal to the anticipated expenditure to the member concerned. Such a motion shall specify in detail precisely how the money is to be spent and, as far as possible, the sum to be spent for each specific purpose.

(ii) Any member being advanced money shall as soon as practicable after the event for which the expenditure was authorised submit detailed accounts of how all the money was spent, together with all relevant receipts, and shall return any excess money. In the event of their failing to do so within fourteen days of Full Term or of the accounts submitted being in the opinion of the President and the FAA inadequate or of the expenditure being in the opinion of the Standing Committee not in conformity with the provisions of the motion by which the money was advanced, the member concerned shall be liable for the return to the Society within seven days of the whole sum advanced such lesser sum as the Standing Committee deems appropriate. Failure to do so shall be considered a disciplinary offence within the ambit of Rule 71.

(iii) *Liability forms*

Any member being advanced money by the Society under this Standing Order shall sign a form to indicate that they are aware of the provisions of this Standing Order and that they accept personal liability for the proper use or return of the sum advanced.

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<sup>198</sup> This is the 'Schedule of Reasonable Costs'.

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(iv) *Additional expenditure*

Any member who, having been advanced money under these provisions, incurs further expenditure over and above the sum advanced, may be reimbursed in the normal manner as laid out in (a) above, for any expenditure adjudged reasonable, always provided that the provisions of (i) above have first been fully met.

**A17: UNUSED**

**A18: MEMBERSHIP DRIVE**

The Standing Committee member(s) responsible for the Membership Drive shall prepare a report for Standing Committee every fortnight during Michaelmas Full Term, listing the current join-up rates by college or institution. By Monday 7th Week, they shall also present a comprehensive report to Standing Committee detailing all expenditures on the Membership Drive and recommendations for the future.

**A19: SCHEDULE OF RECOGNISED POLICY DOCUMENTS**

(a) *Purpose*: The Schedule of Recognised Policy Documents shall list only documents describing policy relating to management and development of the society and its interests. Standing Committee shall not be bound by any Recognised Policy Documents.

(b) *Enactment and Repeal*: No document may be added to or removed from the Schedule of Recognised Policy Documents without a resolution of Standing Committee to which two-thirds of those present and voting signify their consent.

(c) *Maintenance*: Up to date copies of the Schedule of Recognised Policy Documents shall be maintained by the Returning Officer. At least one copy shall be held in the Library, and made available to all members.

**A20: TICKET SALES**

Up to ten tickets may be removed from the General Office by the events organiser to be sold off the premises. If the events organiser does not return with the proceeds or the unsold tickets, they shall be liable for the full cost.

## CHAPTER B: Committees

### B1: REPORTING

(a) No member of any Committee of the Society shall write for publication in any journal an account of a meeting of the Society or any comment on the Society's affairs, save for the Society's Elections, except with the prior permission of the President.

(b) *Confidential business of the Standing Committee*

(i) No member of the Standing Committee shall, save with the specific permission of the Standing Committee, under any circumstances communicate to any person not a member of the committee information regarding any proceedings of the committee which have been declared confidential under the provisions of Standing Order B2 (a).

(ii) No member of the Society shall communicate to any other person any material that that member knows, or reasonably believes to be an account of confidential proceedings as defined in (i) above, regardless of how that material came into their possession, save with the specific permission of Standing Committee.

(iii) Nothing in this Standing Order shall be held to restrict the Officers, Senior Officers or Returning Officer acting in the discharge of their official duties, nor shall it place any restriction on the evidence which may be given to a Board of Appeal, Appellate Board, Electoral Tribunal or in a court of law nor shall it be interpreted in any circumstances as overriding any of the Society's Rules.

(iv) The Standing Committee shall be empowered to inflict fines of up to £50 on any member found guilty of a breach of this Standing Order.

(v) Notwithstanding (iv) above, it shall be in order for proceedings for suspension or expulsion under Rule 70 to be instituted for a breach of this Standing Order if the circumstances so warrant.

### B2: UNUSED

### B3: MINUTES

(a) *Motions*: The Secretary to any Committee of the Society shall within 24 hours of any meeting of that Committee publish on the Society's Notice Board all decisions made at that meeting, and any other details or announcements that the committee shall think fit.

(b) *Draft Minutes*: The Secretary to any Committee of the Society shall within 72 hours of any meeting of that Committee enter into the appropriate minute-book the meeting's draft minutes in such form and detail as the Committee shall decide. The public minutes must at least include an accurate list of those persons present during any part of Meeting and an accurate list of those Members of the Committee who were absent throughout.

(c) *Ratified Minutes*: The Secretary to any Committee of the Society shall, within 24 hours of any meeting of that Committee in which Minutes are ratified, attach them as amended to the appropriate minute-book, and publish the ratified public minutes upon the Notice Board.

(d) *Past Minutes*: Applications to examine minutes of Committee meetings held more than 50 years before the date of application shall normally be granted, on payment of a fee of at least £1 to be determined by the Librarian-in-Charge taking into account the amount of work this imposes on the staff.

### B4: IN CAMERA REGULATIONS

(a) The in camera minute book may only be inspected by the following:

- (i) The President
- (ii) The Secretary
- (iii) The Returning Officer
- (iv) The Senior Treasurer
- (v) The Senior Disciplinary Committee
- (vi) The Disciplinary Appeals Committee
- (vii) The Election Tribunal
- (viii) The Appellate Board

In addition, the Standing Committee may pass a motion permitting individuals not listed above to inspect the in camera minute book or read specific in camera minutes. The chair of any committee may request that the Secretary present them with a copy of in camera minutes from that committee after a motion is passed by that committee giving permission; such minutes may then be circulated to the other members of that committee.

(b) The draft in camera minutes of any meeting of a committee shall be circulated by the secretary of that committee to the President, the Secretary, and the Returning Officer, within 72 hours. They shall additionally be circulated to all members of that committee at the same time, but may not be shown to any person who is neither a member of that committee nor eligible to see those in camera minutes under B4(a) above.

(c) If a committee has in camera business, at a subsequent meeting of that committee, a motion shall be moved (separately from the motion to pass the public minutes) to ratify the in camera minutes. If any member of the committee objects, the committee shall move in camera to discuss the in camera minutes. The ratified in camera minutes of any meeting of a committee shall be circulated by the secretary of that committee to the President, the Secretary, and the Returning Officer, within 24 hours. The ratified in camera minutes shall additionally be circulated to all members of that committee at the same time, but may not be shown to any person who is neither a member of that committee nor eligible to see those in camera minutes under B4(a) above.

(d) The public minute book for each committee shall be available to all members to inspect in the General Office. The public minute book may only be removed from the General Office by the Returning Officer, by the President or by the Secretary, unless a committee of the Union, the Intermediate Disciplinary Committee or a body listed under B4(a)(v)-(viii) has directed that the public minute book should be brought before them.

(e) The in camera minute book shall be stored securely. The Member(s) or member(s) of staff who have keys to the place in which the in camera minute book is stored shall ensure that said minute book is made accessible to those listed under (a) above no more than 24 hours after receiving notice of their need to access it. Those who have access to any in camera minutes, whether legitimately under (a) above or in violation of this Standing Order, are bound by the provisions of Rule 71(a)(i)(18) with regard to the contents of those in camera minutes.

(f) The Secretary shall affix the draft and ratified in camera minutes of each committee to the in camera minute book, which they are responsible for under Rule 22(a)(ii), within 72 hours of receipt.

## **B5: STANDING COMMITTEE AND PRIVATE BUSINESS MOTIONS**

(a) No motion shall go before the House as a motion moved by recommendation of the Standing Committee, unless supported by two thirds of those members of the Standing Committee present and voting. The Standing Committee shall not be deemed to oppose a motion in Private Business unless a motion expressing such opposition is supported by two thirds of those members of the Standing Committee present and voting.

(b) When Standing Committee has decided that a motion shall go before the House as a motion moved by recommendation of the Standing Committee, members of the Standing Committee may not speak against that motion, but they may vote either for or against it.

(c) When Standing Committee opposes a motion in Private Business, members of Standing Committee may not speak in favour of that motion, but they may vote either for or against it.

(d) 'Motion' in this Standing Order shall include any motion, amendment or rider.



## **B6: STANDING COMMITTEE AGENDA**

(a) *For Ordinary Meetings:* At least 48 hours before any ordinary meeting of the Standing Committee, the Secretary shall cause to be sent by e-mail to each member notice of all items notified for that purpose to the Secretary together with any unratified minutes of that committee not less than 48 hours before the commencement of that meeting, provided that they are explicitly marked as unratified.

(b) *For Emergency Meetings:* One of such persons as have requisitioned an Emergency Meeting of the Standing Committee shall, as soon as possible after the delivery of the requisition and in any case not less than 24 hours before the time specified thereon, post on the notice board the date, time and place of the meeting specified on the requisition, and place in the Office details of the business to be transacted thereat. In the event of the President changing the date, time or place of the meeting, they shall post a notice to that effect as soon as possible. If the above provision be not obeyed, the meeting shall be deemed inquorate unless two-thirds of the Committee be present.

(c) *For All Meetings*

(i) No motion involving the expenditure of any sum in excess of £100 shall be passed by the Standing Committee unless the amount and purpose have been specified on the agenda and either the Senior Treasurer be present or have been notified of the business in question at least seven days in advance. This subsection may be waived by the agreement of a Senior Officer.

(ii) No matter not specified on the agenda other than one legitimately arising under the item 'Business arising from the Minutes' shall be discussed if two members of the Committee, being present at the time, object.<sup>199</sup>

## **B7: EMERGENCY DEBATES**

(a) The Emergency Debates that occur before Public Business Meetings shall ordinarily be chaired by a member of Standing Committee, and minutes taken by a member of Secretary's Committee.

(b) The elected member of Standing Committee elected first shall chair the first Emergency Debate of term, and the member of Secretary's Committee elected first shall minute that debate. At each successive emergency debate, the next most senior elected member of Standing and Secretary's Committee shall chair / minute respectively. If there are more debates than members of the particular Committee, the rota shall start again.

(c) In the absence of the appropriate Committee member, the President shall choose a replacement, yet this shall in no way infringe or prejudice the right of the appropriate Committee member under this Standing Order to chair or minute subsequent Emergency Debates.

## **B8: TIME OF ORDINARY MEETINGS**

(1) An ordinary meeting of the Consultative Committee shall take place every Monday afternoon in Full Term, with a recommended time of 1.15pm.

(2) An ordinary meeting of the Secretary's Committee shall take place every Monday afternoon in Full Term, with a recommended time of 1.45pm.

(3) An ordinary meeting of the Library Committee shall take place every Monday afternoon in Full Term, with a recommended time of 2.15pm.

(4) An ordinary meeting of the Finance Committee shall take place every Monday afternoon in Full Term, with a recommended time of 3pm.

(5) An ordinary meeting of the Standing Committee shall take place every Monday afternoon in Full Term, with a recommended time of 4pm. An ordinary meeting of the Standing Committee shall take place on Monday of 0th Week and Monday of 9th Week in the President's Office, unless that be a Bank Holiday.

(6) An ordinary meeting of the Wine and Spirits Committee shall take place at least twice a term. A recommended ordering of Committee meetings on Monday afternoons would be: Consultative Committee, Secretary's Committee, Library Committee, Finance Committee, and then the Standing Committee.

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<sup>199</sup> *But only if they object before discussion commences: see Interpretation B5.*

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None of the above meetings may be scheduled for the same time, with scheduling conflicts between Chairs to be resolved by the President.

Failure by the Chair of any of these committees to call meetings shall be a disciplinary offence under Rule 71(a)(i)(12).

#### **B9: EX-OFFICERS NOT SERVING ON THE STANDING COMMITTEE**

Any ex-Officer qualified to serve on the Standing Committee under Rule 24(a)(ii) who is not a member of the Standing Committee by virtue of resignation (whether voluntary or enforced under Rule 23(c)) or of failure to give notice of intention to serve, shall nevertheless have speaking rights at meetings of Standing Committee.

#### **B10: LIMITATIONS OF VACATION STANDING COMMITTEE**

(a) The Vacation Standing Committee shall neither alter nor waive any of the Standing Orders<sup>200</sup>; nor set up a Selection Committee nor an Election Tribunal; nor exercise Standing Committee's powers under Rule 7(b)&(c); nor appoint an acting Senior Officer to act as Senior Treasurer except the Senior Librarian or a person approved in writing by either Senior Officer.

(b) None of the things the Vacation Standing Committee is forbidden to do by (a) shall be done in the vacation save by an Ordinary or Emergency Meeting of the full Standing Committee of which at least 4 days notice shall have been given to every member posted first class to such address as they may have left for this purpose, or (in the absence of such instructions) to their college.

(c) Vacation Standing Committee shall give full details of its proceedings and the decisions to any member of the Standing Committee who requests them.

#### **B11: ELECTIONS TAKING PLACE ON THE STANDING COMMITTEE**

(a) *System of Voting:* All elections held by the Standing or Selection Committee shall be by Single Transferable Vote. An election for more than two places shall be divided into a number of consecutive elections, each for two places, unless and until one place remains to be filled.

(b) *Counting of Vote:* The count shall be performed by at least two people. If at any stage of the count two or more candidates, one of whom has to be eliminated, have an equal number of votes, the candidate shall be eliminated who under SO E3 is the junior.

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<sup>200</sup> *Nor create new Standing Orders: see Interpretation B15.*

Rules of the Oxford Union Society, Michaelmas Term 2016.

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## **B12: COMPOSITION OF THE DEBATE SELECTION COMMITTEE**

The following rules shall be used to determine the composition of the Debate Selection Committee as defined in Rule 28(b):

1. The Standing Committee Delegate, appointed under Rule 24(e)(iii)
2. The President.
3. Up to eight other members, selected on the following criteria:
  - (a) No member may sit on DSC unless they have accrued, during their time as a member, four positive points on the helper score tariff set out in Standing Order B13 (6)(b)(iv).
  - (b) The applicant selected shall be the one who ranks highest after adding their three highest achievements on either scale, with a maximum of two from each scale, unless there is a tie.
    - (i) The speaking achievement scale shall be considered as follows:
      - (1) Winning WUDC 40 points
      - (2) Reaching the Grand Final of WUDC 37 points
      - (3) Reaching the semi-finals of WUDC or winning EUDC 35 points
      - (4) Reaching the finals of EUDC or winning the Cambridge IV 33 points
      - (5) Reaching the quarter-finals of WUDC or the semi-finals of EUDC 30 points
      - (6) Reaching the Cambridge IV final or winning a Class A IV 27 points
      - (7) Breaking at WUDC or reaching the quarter-final of EUDC 25 points
      - (8) Breaking at EUDC or reaching the final of a Class A IV 22 points
      - (9) Breaking at the Cambridge IV 20 points
      - (10) Winning a Class B IV or reaching the semi-finals of a Class A IV, or breaking as a judge at WUDC or EUDC 17 points
      - (11) Reaching the final of a Class B IV or reaching the quarter-finals of a Class A IV 13 points
      - (12) Reaching the semi-finals of a Class B IV 10 points
      - (13) Winning a Class C IV 8 points
      - (14) Reaching the final of a Class C IV 5 points
      - (15) Reaching the semi-final of a Class C IV 2 points
    - (ii) The competency scale shall be considered as follows:
      - (1) Convening the Oxford Inter-Varsity, or the Oxford Schools Debating Competition 30 points
      - (2) Convening ICYD 26 points
      - (3) Convening the Oxford Women's Open 22 points
      - (4) Deputy Convening the Oxford Inter-Varsity or the Oxford Schools Debating Competition 18 points
      - (5) Being the Crash Officer for the Oxford Inter-Varsity 15 points
      - (6) Convening an ICYD regional round 14 points
      - (7) Being an Outrooms Convenor for the Oxford Inter-Varsity or the Tab Director for the Oxford Inter-Varsity or Oxford Schools Debating Competition 12 points
      - (8) Being on the OrgComm for the Oxford Inter-Varsity or Oxford Schools Debating Competition 10 points
      - (9) Being on the OrgComm for the Oxford Women's Open or ICYD 8 points
      - (10) Convening, or judging 5 or more in one year, regional rounds of the Oxford Schools competition 5 points
    - (iii) For the purposes of selecting applicants to DSC, points shall only be awarded on the competency scale if DSC deems the responsibility to have been carried out in a satisfactory manner. This will be decided by a simple majority vote.
  - (c) For the purposes of selecting applicants to DSC:
    - (i) achievements made while attending a competition for the Oxford Union shall count at their position on the list above,
    - (ii) the same achievements made while attending a competition for another institution or as an open team shall count five places below,

- (iii) achievements at EUDC or WUDC shall be counted as the same regardless of language category,
  - (iv) achievements in an ESL break shall be placed according to the class of IV calculated using the formulae in B12 1(d), but only counting the number of ESL teams and break speakers at the tournament,
  - (v) achievements made by an 'am' in a 'pro-am' team shall be counted three places below (including advanced-intermediate, intermediate-novice, and advanced-novice pairings), apart from achievements made at WUDC and EUDC,
  - (vi) two achievements listed within the same points bracket shall count as two scores of the allocated points value,
  - (vii) only one achievement may be gained per competition entered,
  - (viii) convening achievements shall first be counted the day after the competition is completed
- (d) Class A, Class B and Class C IVs are defined as follows:
- (i) An IV is any university-level tournament, whether open only to students or to anybody.
  - (ii) Speakers who have broken at WUDC or EUDC in the past four years are designated as 'break speakers'.
  - (iii) Each IV shall receive a numeral value according to the formula: number of break speakers on the tab + (0.5 x number of non-dummy teams on the tab) = formula value.
  - (iv) Only break speakers attaining this qualification before the tournament in question shall count towards its value.
  - (v) A Class A IV is an IV with formula value of 41 or more. A Class B IV is an IV with a formula value of more than 20 but less than 41. A Class C IV is an IV with formula value 20 or less.
  - (vi) DSC will maintain a database able to calculate the formula value of any competition, but any member may challenge the status of an IV; if they can provide evidence that the calculation was performed incorrectly then the IV's status will be recalculated accordingly.
  - (vii) If insufficient data is available for DSC to rank an IV using the procedure outlined above, DSC shall use the last available ranking. Should there be no previous ranking available, DSC shall follow the formula above using as much information as is available.
- (e) If applicants are tied, their 4th highest achievement on either scale shall be compared, and the candidate with the highest score selected; if the 4th highest achievement is equivalent, the 5th shall be compared and the highest ranking candidate selected, and so on if ties continue,
- (f) Regardless of whether an applicant meets the above criteria, DSC may decide not to appoint a member to the committee if it deems that member to be unsuitable to take a place on the committee. DSC may register such a corporate objection if three-quarters of the committee vote to do so. Such a decision may only be upheld once Standing Committee passes a motion in support of the corporate objection. Such a vote shall take place using a secret ballot, and if such a corporate objection is registered, a written justification of the decision shall be delivered to the President and posted on the notice-board at the rejected candidate's discretion. This clause shall not apply to the President's appointment.

## **B13: OPERATION OF THE DEBATE SELECTION COMMITTEE**

1. Membership
  - (a) DSC shall consist of eight members, a non-voting delegate from the Standing Committee, and the President. Vacancies should be filled within two full weeks of academic term unless no suitably qualified candidates emerge.
  - (b) If DSC decides to fill a vacancy the Chair shall advertise the vacancy to members of the Oxford Union Society using the Debate Announce mailing list and invite applications at least five days before the meeting to determine how the vacancy is filled. Applicants should be selected based on the criteria detailed in Standing Order B12.
  - (c) On accepting an invitation to join the committee, members must agree to contribute whatever time the committee deems to be reasonably sufficient to support debating with the Oxford Union.
  - (d) Members may resign from the committee at any time either by writing to the Chair (email correspondence shall be considered sufficient) or in person at a meeting of DSC.
2. Roles of DSC members
  - (a) DSC shall consist of a Chair, Treasurer and Secretary as well as five ordinary members. The ordinary members may be allocated portfolios by the Chair as deemed necessary.
  - (b) It is the role of the Chair to:
    - (i) ensure that at least six meetings of DSC are called in a term, that the meeting is advertised on the main Union noticeboard and that all DSC members, including the Standing Committee Delegate and President, are emailed at least 48 hours before the meeting to notify them of the time and place where it is to be held.
    - (ii) chair all such meetings of DSC and ensure that orderly conduct is maintained.
    - (iii) liaise with the Oxford Union staff, Standing Committee and President on behalf of DSC.
    - (iv) oversee all the DSC portfolios to ensure that the duties assigned to other DSC members are being discharged appropriately.
    - (v) fully brief their successor as to the current state of debating at the Oxford Union and to provide information on all ongoing projects or activities in order to allow their successor to assume the role successfully.
    - (vi) represent the Union's interests to any relevant regional, national or international debating organisations.
    - (vii) Inform the Union Staff and Standing Committee of the room requirements for competitive debating activity in accordance with Rule 49.
    - (viii) Attend or appoint a member of DSC to attend the Committee induction mandated in Rule 35(k) and brief the incoming Committee members about competitive debating.
  - (c) It is the role of the Treasurer to:
    - (i) ensure that a budget is presented to Standing Committee each year in Trinity term for the coming academic year and that adequate accounts are kept to ensure that spending remains reasonable.
    - (ii) monitor spending and advise DSC as to whether planned expenditure, including for entry to competitions, is affordable.
    - (iii) ensure that cheques are raised to pay registration fees to all competitions entered by the Oxford Union.
    - (iv) oversee the accounts maintained by individual departments, such as the Oxford Schools Competition, ICYD and the Oxford IV, highlighting any concerns to DSC.
  - (d) It is the role of the Secretary to ensure that:
    - (i) all members with an interest in competitive debating are added to the Debate Announce mailing list.
    - (ii) an archive of all material DSC deems to be useful is maintained and made available to other DSC members upon request.
    - (iii) the DSC Record is kept up-to-date and accurate.
    - (iv) a record is kept of the successes of Oxford Union teams and judges at external competitions.
  - (e) Portfolios to be allocated to ordinary members of DSC shall include Access, Community & Equity Officer, Internal Competitions Officer, External Competitions Officer and Director of Coaching.

3. Appointment of the Chair
  - (a) The Standing Committee Delegate shall organise the electoral process.
  - (b) The outgoing Chair will not be considered to have formally resigned from their position until the moment of the election of their successor. The outgoing Chair should indicate their intention to resign from the position of Chair in writing (email correspondence shall be considered sufficient) to all committee members as well as to the President
  - (c) At the next available opportunity in a meeting of DSC, the Standing Committee Delegate shall call for nominations for the position of Chair. If there is only one candidate they shall be elected automatically. If there are two or more candidates, the Standing Committee Delegate shall call for a brief hustings.
  - (d) Hustings shall comprise of each candidate giving a brief speech of no more than two minutes outlining why they feel they would be suited to the position. The order of speaking shall be decided by lots. All committee members (including the outgoing Chair) may ask questions of the candidates. Each question must be posed to all the candidates. The order in which the candidates answer shall be rotated for each question with the starting order being one clockwise rotation from the order decided for the opening speeches. Once there are no more questions or after 20 minutes, whichever is the sooner, the Standing Committee Delegate shall call a vote. Each committee member (including the candidates) shall write their preferred candidate on a piece of paper and hand it to the Standing Committee Delegate who shall count the ballots in a corner of the room. The Standing Committee Delegate shall announce the elected candidate and the number of votes they received.
  - (e) The outgoing Chair shall only have a vote if they are continuing to sit as an ordinary member of DSC.
  - (f) In the case of a tied result, the following procedure shall be employed, with each progression only occurring if the previous stage was incapable of determining a winner:
    - (i) Hustings should be opened for an additional ten minutes and a second closed vote taken.
    - (ii) The candidate with the least votes (if there are more than two) should be eliminated and all members should recast their votes.
    - (iii) The candidate who is at that point ranked highest on the DSC appointment criteria detailed in Standing Order B12 should be selected.
  - (g) The candidates are entitled to a recount of the ballots. Only one recount shall be allowed and all the candidates are to observe the Standing Committee Delegate recounting if one is called.
  - (h) The Chair must resign from their position within one year of being elected. However they may then offer themselves as a candidate for election to the position of Chair at that point.
4. Meetings of DSC
  - (a) DSC shall meet at least six times every term.
  - (b) A minimum of five committee members must be present for quorum.
  - (c) If the Chair is not present, the most senior member by time served on the committee shall take the chair for that meeting.
  - (d) An extraordinary meeting of DSC may be called with 24 hours notice by the Chair, or by three other DSC members.
  - (e) Decisions of DSC shall be made by a majority vote of the committee members present and voting, excluding the Standing Committee representative. In the case of a tied result, the Chair shall have the casting vote.
  - (f) Full agendas must be distributed by email to all DSC members at least twelve hours in advance of every meeting. No matters may be discussed or raised unless they are on the published agenda or are raised under 'Any other business'.
  - (g) Any proposed change to the Standing Orders must be made in writing and circulated to all members of DSC at least 24 hours in advance of the meeting where it is raised.
  - (h) During vacations, and only when it is not feasible to conduct selections at a physical meeting, DSC may conduct selections for competitions or other events, or appoint convenors for competitions, via email. The Chair shall email every member of DSC with their proposed decision, and at least two thirds of DSC must support decision in writing in the next 72 hours for it to be ratified at the end of that time. The email transcript including any discussion shall be appended to the minutes of the next meeting as an in camera discussion.

5. Censuring
  - (a) DSC may pass a motion of censure against a committee member with a two-thirds majority of the entire committee. If a motion of censure is passed, the Chair should write to the President to inform them of the reasons for the censure.
  - (b) All meetings should be conducted in an orderly manner. No member may speak unless invited to do so by the Chair, and any member found to be out of order may be asked to leave the meeting by the Chair. Members may be found out of order if they:
    - (i) are verbally abusive or insulting to any other member.
    - (ii) repeatedly interrupt other members.
    - (iii) repeatedly speak when not invited to do so by the Chair.
6. The DSC Record
  - (a) DSC shall maintain a record of applications and selections of members to attend events, including every event to which DSC has the authority to select members.
  - (b) This record shall include every member who has applied to an event in the preceding three full terms, and shall list:
    - (i) The member's classification as a novice, intermediate or experienced speaker defined as:
      - (1) A novice is a member whose highest achievement as specified in Standing Order B12 3(b), considering achievements without regard for the institution represented and equivalent regional tournaments equally with the European Universities Debating Championship, ranks at point 16 or lower, and who has competed at fewer than five IVs for the Oxford Union.
      - (2) An intermediate speaker is a member whose highest achievement as specified in Standing Order B12 3(b), considering achievements without regard for the institution represented and equivalent regional tournaments equally with the European Universities Debating Championship ranks at point 10 or below, and who is not a novice.
      - (3) An experienced speaker is any member who is not a novice or intermediate speaker.
    - (ii) Whether the member has judged two regional rounds of the most recent Oxford Schools.
    - (iii) Whether the member took crash at the most recent Oxford IV.
    - (iv) The member's helper score, calculated as the sum of the points applied with the following tariff:
      - (1) Speaking (other than as the pro in a pro-am) at a British or Irish IV: -2 points
      - (2) Judging at a British or Irish IV: 2 points
      - (3) Speaking at an IV outside Britain or Ireland: -3 points
      - (4) Judging at an IV outside Britain or Ireland: 1 point
      - (5) Speaking as the pro in a pro-am (speaking as an intermediate speaker with a novice, or as an experienced speaker with an intermediate or novice) at a British or Irish IV: 2 points
      - (6) Speaking as the pro in a pro-am (speaking as an intermediate speaker with a novice, or as an experienced speaker with an intermediate or novice) at an IV outside Britain or Ireland: 1 point
      - (7) Cancellation of attendance at a British or Irish IV with less than 48 hours notice: -4 points
      - (8) Cancellation of attendance at an IV outside Britain or Ireland with less than 48 hours notice: -6 points
      - (9) Failure to attend an IV with no notice given: -6 points
      - (10) Judging a regional round of Oxford Schools or ICYD, beyond two Oxford Schools rounds: 1 point
      - (11) Convening a regional round of Oxford Schools or ICYD: 2 points
      - (12) Leading a workshop for non-members at the Union: 1 point
      - (13) Working on the Organisational Committee of any debating competition hosted by the Oxford Union: 2 points (for the Crash and Outrooms Officers of the Oxford IV: 3 points)
      - (14) Helping at a competition hosted by the Oxford Union (including judging and convening outrooms): 1 point
      - (15) Convening Oxford Schools: 12 points
      - (16) Convening the Oxford IV or ICYD: 10 points
      - (17) Leading a debating workshop for members at the Union (judging an internal competition or leading a session of the Development Squad shall count as a

- workshop): ½ point. This may be raised to 1 point if the workshop is led at short notice, with this decision to be at the discretion of DSC by a two-thirds majority vote.
- (18) Selection for a non-competition event (including participation in a show debate or training at a training camp) shall have a value between -5 and 5, decided by DSC and publicised at the opening of applications.
  - (19) Convening any other competition shall have a value between 1 and 8, decided by DSC and publicised at the opening of applications.
  - (20) Leading Development Squads for one term: 2 points
  - (21) Convening the Oxford Women's Open: 5 points
  - (22) Cancelling an offer of crash on the day of the competition, unless cancelled under B13(6)(c): -1 point
- (v) All events the member has applied to.
- (c) DSC may waive the deductions for non-attendance above if it deems, with a two-thirds majority vote, that the reasons for non-attendance were both serious and entirely unforeseeable, such as medically certified personal illness, bereavement, and involvement with disciplinary committees in the Oxford Union. Ordinary academic and social commitments shall not constitute serious and unforeseeable reasons.
  - (d) If a member fails to discharge a responsibility to DSC which they have taken on, DSC may by two-thirds majority vote impose a deduction to that member's helper score, with a value between -8 and -1 point. The Chair of DSC must inform the member in writing of the deduction and the reasons for it.
  - (e) Attendance at the World or European Universities Debating Championships shall not affect a member's helper score, but cancellation of attendance or failure to attend shall have the same effect as for a regular IV.
  - (f) The DSC Record shall be distributed on the Debate Announce mailing list at the start of each term, and an up-to-date version made available to any member on request to the Chair of DSC.
  - (g) Members shall be able to challenge the DSC Record by writing to the Chair of DSC, who should decide by majority vote whether to uphold the challenge and amend the record accordingly.
7. Selections for competitions other than the World or European Universities Debating Championships
- (a) The following rules apply to selections for competitions in which the participants are wholly or partially funded by the Oxford Union. A competition does not count towards a member's number of tournaments attended if they were not receiving any funding or contribution from the Union for the competition, and were not using the words 'Oxford Union' as part of their team name.
  - (b) All competitions DSC intends to select for in a term are to be advertised, as far as possible, at the start of the term.
  - (c) If multiple competitions may take place on one trip, DSC may decide by majority vote to consider them as a single competition for the purposes of selections. If this is the case it must be publicised with the call for applications.
  - (d) DSC shall call for applications, stating the number of speaking and judges spaces available, at least ten days before the competition. The closing date for applications should be clearly stated. If there are restrictions on who can be selected (e.g. a women's competition) these should be clearly indicated.
  - (e) Applications are to be in writing (email is sufficient) accompanied by a record of the member's debating experience. In their application members may note:
    - (i) If they would prefer to speak with someone specific.
    - (ii) If they wish only to be considered to judge or to speak.
    - (iii) If they wish to pro-am, in which case they may not specify a specific partner.
  - (f) DSC shall conduct selections at least 5 days before an IV, unless this is impracticable. After the close of nominations DSC shall use the process detailed below to select speakers:
    - (i) No member is to be selected to speak or judge at a competition if:
      - (1) They were a member of the Union resident in Oxford at the time of the most recent Oxford IV and did not offer to take crash.
      - (2) They were a member of the Union at the time of the most recent Oxford Schools competition and did not judge at least two regional rounds.
      - (3) They cancelled their attendance at competition they were selected for by DSC with less than 48 hours notice within the last 8 weeks.



- (4) This requirement may be waived only with a written explanation from the member of their reasons for not taking crash, judging schools rounds or failing to attend, upheld by a two-thirds majority vote of DSC.
      - (5) DSC is required to inform anyone who is not selected on the basis of the above by email.
    - (ii) No member may be selected to speak at a competition if their attendance would cause them to have a helper score of -4 or less.
      - (1) This requirement may be waived by DSC only in the case that the member has been selected to speak at the World or European Universities Debating Championships, and must speak at that competition as one of two preparatory tournaments.
    - (iii) At competitions to which four or more members are sent, at least one quarter of speakers and one quarter of the total number of members sent must be novices.
      - (1) In the event that not enough novices apply to fill the quota, DSC may fill the vacant places with intermediate speakers.
      - (2) In the event that not enough novices or intermediates apply to fill the quota, DSC may fill the vacant places with advanced speakers.
    - (iv) Experienced and intermediate speakers are to be selected on the following criteria with all three taken into consideration, but in the following order priority:
      - (1) merit (as evidenced by debating achievements)
      - (2) involvement in union debating activities
      - (3) spreading opportunities to as many people as possible
    - (v) Novice speakers shall be selected on the following criteria with all three taken into consideration, but in the following order priority:
      - (1) involvement in union debating activities
      - (2) spreading opportunities to as many people as possible
      - (3) merit (as evidenced by debating achievements)
    - (vi) Judges shall be selected on the following criteria, which should be considered with equal weighting:
      - (1) spreading opportunities to as many people as possible
      - (2) involvement in union debating activities
      - (3) merit (as evidenced by debating achievements)
    - (vii) DSC should inform all applicants of selections within twenty-four hours of the selections being made.
    - (viii) Any applicant may request a written explanation of a selection decision by writing to the Chair of DSC. The entire committee should be notified of any such request by the next meeting. The Chair of DSC, or whomever they nominate, shall reply to any such request before the competition concerned occurs, or within two weeks of the receipt of the request by the Chair, whichever is the sooner.
  - (g) If a member selected is unable to attend a competition they must inform the Chair in writing as soon as they are aware that they will be unable to attend. DSC, or if DSC cannot meet before 48 hours before the competition then the Chair, shall then conduct selections from the remaining applicants to fill the space in accordance with the procedure above.
8. Selections for the World or European Universities Debating Championships
- (a) Selection to speak or judge at the World or European Universities Debating Championships shall be the sole decision of an independent panel of selectors after a competitive trials process.
  - (b) Trials shall take place at least two months before the competition. They shall consist of at least two rounds of British Parliamentary format debating in which every trialist participates. DSC shall appoint selectors ensuring that:
    - (i) Every selector is a highly experienced judge in the BP format.
    - (ii) No selector is competing at the competition they are selecting for.
    - (iii) No selector has reason to be biased toward or against any trialist, with reasons including being a previous speaking partner, coach, or romantic or sexual partner.
  - (c) The application and selection process to trial shall be as for an IV, with the following modifications:
    - (i) No member who spoke at the previous World Universities Debating Championship may trial if they have not spoken as the pro in a pro-am since that competition.
    - (ii) If there are more valid applicants than spaces at trials, selection shall be by merit alone.

- (iii) 7(f)(i)(3) (cancellation of attendance at competition with less than 48 hours notice within the last 8 weeks) shall not apply.
  - (d) The selectors should select teams, judges, and two reserves in order based on debating experience and performance at trials, with the following considerations:
    - (i) An Oxford Union team progressing to the highest possible position in the tournament
    - (ii) Maximising the number of Oxford Union teams breaking, in both the open break and the ESL break
    - (iii) Following a women's quota, such that one-third of the speakers (rounded down to the nearest whole number) and one-third of the total delegation (rounded down to the nearest whole number) must be women. This quota takes precedence above all other selection guidelines. The choice of reserve judges/a 4th team should be such that the quota is still met if the reserves are required to speak/judge.
    - (iv) Following an ESL quota, such that 16% of the delegation (including the total number of speakers and judges) (rounded down to the nearest whole number) must be ESL speakers, provided we have enough ESL speakers trialling to fill the spaces. This quota takes precedence above all other selection guidelines. The choice of reserve judges/a 4th team should be such that the quota is still met if the reserves are required to speak/judge.
  - (e) In the case that a speaker or judge originally selected can no longer attend, or more spaces become available, the places will be offered to the reserves in the order designated by the selectors. If the reserves are exhausted or unwilling to attend, DSC shall first contact the selectors and ask for their recommendation out of the original trialists. In the event that the selectors are unable to select a further individual, DSC shall select from the original applicants based on merit.
  - (f) Trial by CV will be permitted under the following circumstances:
    - (i) bereavement of a close family member, or extraordinary medical illness of the debater
    - (ii) unforeseeable, pressing and unavoidable circumstances which prevent the debater from attending trials, and which are passed by a two thirds majority of DSC as sufficient to warrant trial by CV.
9. Selections for other events
- (a) The following rules apply to all events that DSC may have to select members to send to that are not university-level debating competitions, including but not limited to show debates and training camps.
  - (b) DSC shall publicise events in the same way and to the same schedule as it publicises IVs. The call for applications shall specify:
    - (i) The number of spaces available.
    - (ii) Any requirements in debating or other ability or experience.
    - (iii) The deadline for applications.
    - (iv) Any additional information, such as a formal letter explaining the applicant's interest, that may be required in an application.
    - (v) The points value DSC has assigned the event for calculation of helper score.
  - (c) After the close of applications DSC shall conduct selections using the process below:
    - (i) No member is to be selected if:
      - (1) They were a member of the Union resident in Oxford at the time of the most recent Oxford IV and did not offer to take crash.
      - (2) They were a member of the Union at the time of the most recent Oxford Schools competition and did not judge at least two regional rounds.
      - (3) They cancelled their attendance at competition they were selected for by DSC with less than 48 hours notice within the last 8 weeks.
      - (4) This requirement may be waived only with a written explanation from the member of their reasons for not taking crash, judging schools rounds or failing to attend, upheld by a two-thirds majority vote of DSC.
      - (5) DSC is required to inform anyone who is not selected on the basis of the above by email.
    - (ii) No member may be selected to speak at a competition if their selection would cause them to have a helper score of -4 or less.
    - (iii) No member may be selected if DSC deems them not to be capable of performing the necessary role.
    - (iv) Members should then be selected based on the following criteria, which should be considered with equal weighting:
      - (1) spreading opportunities to as many people as possible
      - (2) involvement in union debating activities

- (3) merit
- (v) DSC should inform all applicants of selections within twenty-four hours of the selections being made.
- (vi) Any applicant may request a written explanation of a selection decision by writing to the Chair of DSC. The entire committee should be notified of any such request by the next meeting. The Chair of DSC, or whomever they nominate, shall reply to any such request before the event concerned occurs, or within two weeks of the receipt of the request by the Chair, whichever is the sooner.

#### 10. Competitions organised by DSC

- (a) The Internals Officer of DSC shall organise at least two internal debating competitions each academic year, at least one of which will be open only to members in their first year of university debating, and at least one of which will be open to all members.
- (b) In the preceding term to the competition, DSC shall appoint:
  - (i) one or more convenors to organise the Oxford Intervarsity Debating Competition, or Oxford IV, taking place in Michaelmas term.
  - (ii) one or more convenors to organise the Oxford Schools Debating Competition, or Oxford Schools, taking place during Michaelmas and Hilary terms.
  - (iii) in alternate years, one or more convenors to organise the International Competition for Young Debaters, or ICYD, taking place during Hilary and Trinity terms.
  - (iv) convenors for any other competition DSC may decide to hold.
- (c) Appointment shall be by the following process:
  - (i) DSC shall publicise the position on the Debate Announce mailing list at least five days before close of applications, specifying the requirements for the role and application process.
  - (ii) After close of applications, DSC may choose to interview candidates, calling together an interview panel of DSC members and any others they feel would be a useful contribution. This panel shall have speaking rights, but no vote, at DSC's discussion of the appointment.
  - (iii) DSC may select any number or no applicants. If DSC wishes to appoint further convenors applications may be reopened following the same process. DSC may appoint any applicant to convenor as a deputy convenor.
  - (iv) Upon appointment DSC is to specify clearly the convenor's remit and its bounds. DSC may reserve the right to veto decisions made by the convenor, particularly surrounding the structure of the competition or its adjudication.
  - (v) DSC must inform all applicants of their decision within 24 hours of an appointment being made.
  - (vi) Any applicant may request a written explanation of an appointment by writing to the Chair of DSC. The entire committee should be notified of any such request by the next meeting. The Chair of DSC, or whomever they nominate, shall reply to any such request within two weeks of the receipt of the request by the Chair.
- (d) In exceptional circumstances DSC, by two-thirds majority vote, shall have the right to revoke the appointment of a convenor. In this case DSC must present the reasons for their decision in writing to the convenor and the President.

#### 11. Coaching and workshops

- (a) The Director of Coaching of DSC shall organise debating workshops open to every member to take place on Sunday evenings of full term unless announced otherwise. The number and ability level of these workshops shall be as appropriate for those who wish to attend.
- (b) At the start of Michaelmas term, or when a vacancy arises, DSC shall appoint one or more coaches for the Development Squad.
  - (i) A session of the Development Squad shall occur once a week in full term once selections have been made, held not to coincide with the open workshops.
  - (ii) The composition of the Development Squad shall be determined by a competitive trials process organised by the coach or coaches and advertised by DSC as for an IV.
  - (iii) Selection shall be on the basis of debating skill and potential, with the coach or coaches selecting those members they feel would be most likely to reach a high standard as a result of attending sessions.
- (c) In exceptional circumstances DSC, by two-thirds majority vote, shall have the right to revoke the appointment of a coach of the Development Squad. In this case DSC must present the reasons for their decision in writing to the coach.

## 12. Selection of non-members for competitions

- (a) DSC may select non-members who are students at the University of Oxford for competitions other than the World or European Universities Debating Championships as if they were members, providing that:
  - (i) The non-member signs a declaration that they agree to abide by the Rules and Standing Orders, particularly including the Equity Policy (Standing Order B14) for as long as they are representing the Union if selected.
  - (ii) The non-member qualifies as a novice as set out in B13(b)(i) above.
- (b) No non-member may be selected to attend more than two competitions while a non-member.

### **B14: DEBATE SELECTION COMMITTEE EQUITY POLICY**

All members have a responsibility to behave in a responsible and equitable way both when within the Union and when at external competitions or events. This applies to members regardless of whether they are speaking, judging, running the competition or watching, and it applies not only during speeches and socials but at any time. The following will not be tolerated (points adapted from WUDC Berlin's Code of Conduct):

- (a) Engaging in offensive language or behaviour;
- (b) Making denigrating comments based on any grounds, especially of age, national or ethnic origin, race, sex, gender, disability, religion or sexuality;
- (c) Harassing, threatening or intimidating others in any way;
- (d) Damaging or destroying any property that does not belong to you;
- (e) Harassing, threatening or intimidating others to vote in a particular way;
- (f) Any other conduct violating the legal rights of others.

Individual competitions should have a designated Equity Officer or Team, who should be empowered to investigate and respond to complaints made against anyone attending the competition (including but not limited to debaters, judges, chief adjudicators and organisers). Competitions should publicise their individual Equity Policy (including guidance on how to make a complaint and the range of responses that may be taken) before the tournament.

Complaints made against Oxford Union members, whether representing Oxford at the time or not, may be followed up in accordance with Rule 71, with particular reference to 71 (a) (i) (28). DSC's Access, Community & Equity Officer should be willing to handle such complaints if necessary.

### **B15: VACATION DAYS**

- (a) A vacation day shall count as a period of at least eight hours work within a 24 hour period, or two periods of four hours.
- (b) During the vacation the President shall keep a sign down sheet to record committee member's vacation days in the general office.
- (c) It shall be the responsibility of individual committee members to make sure that they sign down on the sheet upon entering and leaving the building.
- (d) The number of vacation days signed down by each committee member shall be passed in 0<sup>th</sup> week standing committee.
- (e) Should any officer or committee member fail to complete their vacation day requirement, they shall automatically be fined £10 for every day they have failed to complete without good reason as considered by the President.
- (f) The President shall present a list of committee vacation days in the Presidential Debate and on the notice board for the first two weeks of term, as well as include them in his OPBM Report, in the following format –

"Following the passing of vacation reports, I am required to inform you of vacation day totals of committee members. You may wish to use this as a guide to the work carried out by committee members on your behalf, but should also consider the term card and specific events committee members are responsible for in making this judgement.

Committee member A carried out X Vacation days, out of a required Y; etc"

## **B16: COMMITTEE PROCEDURE**

(a) This Standing Order shall govern the proceedings of the the Standing Committee, the Consultative Committee, the Finance Committee, the Debate Selection Committee, the Wines and Spirits Committee and the Access Committee.

(b) The Chair of the Committee may govern the meeting as they see fit, save that:

- (1) In the absence of the Chair or Secretary, another member of the Committee must be appointed to take on their responsibilities for the purposes of that meeting
- (2) The time at which the meeting starts and ends shall be announced
- (3) The first item of business shall be discussion, amendment and approval of the minutes of the previous meeting
- (4) The second item of business shall be the determination of whether good reason had been provided for absences the previous week, beginning in each case with any votes required under Rule 23(c)(iii) and being followed by the vote required under Rule 23(c)(iv).
- (5) The third item of business shall be a report on changes and prospective changes in the membership of the committee by the Secretary.
- (6) The fourth item of business will be matters arising from the previous week
- (7) In the case of the Consultative Committee, the Finance Committee and the Standing Committee, every person who is required to attend the meeting will be individually called upon by name to state their business. Any absences will be noted.

**C1: PRESIDENTIAL DINNERS**

- (a)
- (i) Speakers on the paper, tellers, Senior Officers, and, at the discretion of the President, any guest of the Society, or guest of a speaker shall be entitled to dine free of charge. The President may also invite members of the Society to dine free of charge in recognition of their work for the Society, specifically including benefactors and trustees of OLDUT. Five members who are selected via the ballot procedure specified under Standing Order C5 shall dine for free. No more than five members who are not members of a Union committee or an appointed official, and have not been selected via the ballot procedure specified under Standing Order C5, shall dine for nothing at any one dinner.
  - (ii) Sitting Junior Officers shall not be required to pay for dinner.
  - (iii) A member of the Society who is officially entertaining a guest or a sponsor of the Society shall be entitled to dine free of charge.
  - (iv) A minimum of five spaces at each dinner shall be reserved for members of the Society who are not members of the Standing Committee or the Secretary's Committee. These spaces shall be allocated via the ballot procedure specified under Standing Order C5. The President may increase the amount of spaces so reserved at his own discretion. No member shall successfully ballot for more than two Presidential Dinners in any one term.
- (b) Sitting Junior Officers should attend dinner before each Public Business Meeting unless prevented from doing so for a reason which would constitute a 'good reason' under Rule 23(c)(iii).
- (c) Any member absent from dinner, who is either mandated within this Standing Order to attend dinner or has balloted to attend dinner under (a)(iv) above, and who does not have their absence voted as with good reason by a two-thirds majority of those present and voting at the next meeting of Standing Committee, shall be fined £30 by the Returning Officer.

**C2: INFORMAL RECEPTIONS AFTER DEBATES**

- (a) The President may at their discretion hold an informal reception after the conclusion of speeches on the paper, provided that any expenses thereby incurred that have not been covered by payment from those attending shall fall on the allowance made to the President.
- (b) A minimum of ten spaces for a reception shall be reserved for members of the Society who are not members of the Standing Committee or the Secretary's Committee, or an appointed official. The President may increase the amount of spaces so reserved at their own discretion.
- (c) All spaces so reserved shall be allocated via the ballot procedure specified under Standing Order C5.
- (d) All spaces not so reserved shall be allocated by the President.

**C3: SPEAKER MEALS**

- (a) The President may at their discretion organise a meal before or after a speaker address.
- (b) In the event that the President organises a meal, the speaker and the host of the event shall dine free of charge, as shall any other committee member or appointed official at the discretion of the President.
- (c) Whenever possible, having regard to the capacity of the venue, a minimum of four spaces for a meal shall be reserved for members of the Society who are not members of the Standing Committee or the Secretary's Committee to dine at their own expense. The President may increase the amount of spaces so reserved at their own discretion.
- (d) All spaces so reserved shall be allocated via the ballot procedure specified under Standing Order C5.

**C4: SPEAKER DRINKS**

- (a) The President may at their discretion organise an informal drinks reception before or after any speaker address.
- (b) Whenever possible, having regard to the capacity of the venue, a minimum of ten spaces for a reception shall be reserved for members of the Society who are not members of the Standing Committee or the Secretary's Committee. The President may increase the amount of spaces so reserved at their own discretion.
- (c) All spaces so reserved shall be allocated via the ballot procedure specified under Standing Order C5.
- (d) All spaces not so reserved shall be allocated by the President.

## **C5: BALLOT PROCEDURE**

- (a) Any member wishing to enter a ballot under this Standing Order shall do so via the method specified by the President no later than 36 hours before the advertised time of the event.
- (b) The ballot shall be administered by the Society's staff, with names chosen at random.
- (c) All members entered shall be notified of success or failure no less than 24 hours before the event.

## **C6: BINDING OF REPORTS**

The President shall, before the end of their term of office, present copies of any reports or submissions made to the Standing Committee during their term to the Librarian-in-Charge for binding. The matter to be bound shall include, but shall not be confined to, reports submitted under Standing Order A1, Standing Order A2, Standing Order A3 and the Officers' reports to the Ordinary Private Business Meeting. The bound copies of these reports shall be stored in the Archives and shall be available to future Standing Committees on request.

## **C7: PRESIDENTIAL APPOINTMENTS**

- (1) The President shall be empowered to create appointed positions, and to select members to fill these positions during their term of office. The President shall be required to appoint two Access Officers (one male and one female), one Ethnic Minority Officer, one Disabilities Officer, one Lesbian Gay Bisexual Transgender Queer Intersex Asexual + Officer (to be known as the LGBTQIA+ Officer), one Press Officer, and one or more Women's Officers.
- (2) *Ratification*
  - (i) Notwithstanding anything else in these rules, Standing Committee shall vote on whether to ratify each appointment at the first meeting following the appointment.
  - (ii) If any individual's appointment is not ratified, that individual shall be deemed not to have been appointed. The President may, if they wish, appoint another member to fill the position. This replacement appointment shall also be contingent on ratification under this Standing Order.
- (3) *Terminology*
  - (i) Any individual who has been selected by the President to fill any appointed position, including the Access Officers, the Ethnic Minority Officer, the Disabilities Officer, the LGBTQIA+ Officer, the Press Officer and the Women's Officer(s), and whose appointment has been ratified by Standing Committee, shall be considered to be an 'appointed official' for the purposes of these rules for the duration of that term.
  - (ii) No individual may claim to hold any position in the Society if that position is not described in these Rules and Standing Orders, unless their appointment to that position has been approved by Standing Committee under Section (b) above.
- (4) *The Access Officers, the Ethnic Minority Officer, the Disabilities Officer, the LGBTQIA+ Officer, the Press Officer and the Women's Officer(s)*
  - (i) The President-Elect shall be required, if at all possible, to select the individuals to fill the positions of the Access Officers, the Ethnic Minority Officer, the Disabilities Officer, the LGBTQIA+ Officer, the Press Officer, and the Women's Officer(s) before the end of full term.
  - (ii) All applicants for the positions of the Access Officers, the Ethnic Minority Officer, the Disabilities Officer, the LGBTQIA+ Officer, the Press Officer, and the Women's Officer(s) shall be interviewed by panels of at least three members, which may include the President-Elect if the President-Elect so wishes, before the end of full term. For the interviews for the Ethnic Minority Officer, the Disabilities Officer, the LGBTQIA+ Officer, and the Women's Officer(s), at least one member of the panel interviewing them shall be someone who would otherwise be eligible to apply for the respective position. All interviews must take place during Eighth Week. The President-Elect shall ensure that all applicants for these positions have received a description of the duties of the relevant position, having been agreed between the relevant outgoing appointed official and the President-Elect, by the time of their interview.

- (iii) The President-Elect shall ensure that these positions, and the application process, are advertised on the Union website, to the Union email mailing list, and on the Union Facebook page before the close of applications.
- (iv) If Standing Committee refuses to ratify the appointment of either of the Access Officers, the Ethnic Minority officer, the Disabilities Officer, the LGBTQIA+ officer, the Press Officer, or the Women's Officer(s), then the President may select another individual from the original pool of applicants.
- (v) If Standing Committee refuses to ratify any of the applicants for any of these positions, that position must lie vacant until further interviews, to be held before Monday of 2nd Week, may be advertised.
- (vi) The President shall announce the successful candidates for all positions in the President's business at the next Public Business Meeting, making a note of each candidate's preferred gender pronouns.
- (vii) Applicants for Ethnic Minority Officer, Disabilities Officer, LGBTQIA+ Officer and Women's Officer(s) must identify as Ethnic Minority, as having a disability, as LGBTQIA+, and as women, respectively.
- (viii) The Women's Officer(s), the LGBTQIA+ Officer, and the Ethnic Minority Officer, shall be mandated to organise, in coordination with the relevant Junior Officer, at least one social event per term which is intended for the respective communities they represent.

#### **C8: MAILING LIST AND WEBSITE**

The President, if they so wish, will be enabled to edit the online termcard. They shall also be enabled to send emails on the Society's mailing list. When sending out such emails, they shall not use emotive language, nor shall they express preference towards any candidate in any of the Society's elections, nor shall they show any bias if advertising a vote in Public or in Private Business.



## CHAPTER D: Elections

### D1: REPORTS

(a) All Junior Officers (except the President-Elect), elected Members of Standing Committee, appointed officials and the Chair of Consultative Committee must deliver a concise report upon all activities they have undertaken and intend to undertake concerning their official duties, to the Returning Officer, at least five days before the Ordinary Private Business Meeting during their term of office<sup>201</sup>. Any of these who do not deliver their report on time shall be fined £10 by the Returning Officer. The report of the President must include details of the activities of all their appointed officials. A full list of any external person or organisation that has been contacted on behalf of the Society by a member submitting a report, irrelevant of outcome, must be detailed in their report, unless they are subject to *in-camera* regulations.

(b) All reports must be typed out in accordance with the guidelines laid out in Rule 35 (b) (iv) for manifestos. The reports shall not contain photographs or visual graphics. They shall not be printed on official Union stationery. The Returning Officer may amend the reports if they break these guidelines.

(c) The Returning Officer shall place these reports on the notice board four days before the Ordinary Private Business Meeting. Such reports shall remain on one of the Society's notice boards until after the close of Poll for the Society's main elections.<sup>202</sup> A copy of each report shall also be kept by the Returning Officer to assist in the verification of any claim made by candidates in the Society's elections, during their hustings speeches or in their manifesto. The fact that any statement made in any of the reports has not been questioned at the time of its delivery shall not in itself mean that it may not subsequently become the subject of later investigation.

(d) Junior Officers shall read out their report at the Ordinary Private Business Meeting. Questions may be put to any individual who has or could have submitted a report.

(e) The Returning Officer shall inform all those who must produce a report of this Standing Order, at least 10 days before the Ordinary Private Business Meeting.

(f) The Returning Officer shall present a short report on the conduct of their duties to Standing Committee at some point after the end of the electoral process but before the end of their term of office. The report shall include a full breakdown of all items of expenditure incurred during the electoral process. The report shall also be published on the Society's notice board. Members shall be able to obtain past reports from Returning Officers on request.

(g) Any member of the Standing Committee undergoing negotiations of an *in-camera* nature at the time of the Ordinary Private Business Meeting, must give a full report of such negotiations to an *in-camera* Standing Committee at the next full meeting of the Standing Committee.

### D2: NOMINATION

(a) *Nomination fee*: The following sums shall be paid to the Society by any candidate in the Society's Elections when handing in their nomination form:

For the Secretary's Committee: £20;  
For the Standing Committee: £30;  
For any Office save that of President-Elect: £40;  
For the Office of President-Elect: £50.

However:

Any candidate in receipt of a full Maintenance Grant as proved on submission of a document from their Local Education Authority, the NHS, or the Church of England, or a Hardship Fund shall have the nomination fee subsidized so that they shall instead pay the following sums to the Society when handing in his nomination form:

For the Secretary's Committee: £5;  
For the Standing Committee: £10;  
For any Office save that of President-Elect: £15;  
For the Office of President-Elect: £20.

<sup>201</sup> *The President must submit these reports to the Librarian-in-charge under Standing Order C3.*

<sup>202</sup> *Removing or defacing these reports is therefore Electoral Malpractice: see Interpretation A13.*

*(b) Nomination deadlines:*

(i) Candidates must present themselves to nominate before 3.00p.m. and zero seconds exactly on Friday of 6<sup>th</sup> Week, with a sealed envelope containing the materials set out in Rule 34(b)(iii)(1)-(4). At 2.30p.m. the Returning Officer shall order at least two Deputy Returning Officers to seal the entrance to the Morris Room in order to ensure that no person may enter without a sealed nomination envelope and that no member is admitted after the close of nominations.

(ii) Candidates who have presented themselves to nominate by this point, but have not had their nomination envelope countersigned and their membership card number recorded, as per Rule 34(b)

(iii) by the Returning Officer or their Deputies shall be allowed to nominate.

(iii) If the deadline has passed, and the candidate does not have sufficient or authorised means of payment on their person, their nomination shall not be accepted. Candidates shall not be allowed to go elsewhere to find other means of payment, or receive assistance from any other individual, if they do not have sufficient means of payment on their person once the deadline has passed.

(iv) Candidates who pay their nomination fee by a cheque which subsequently bounces shall not be invalidated, but shall be treated in accordance with SO A9(b).

(v) Candidates may provide their manifestos on disk in a format that the Returning Officer can read, without hard copy - however, the Returning Officer shall take no responsibility if the Returning Officer cannot read the disk. Any such disk shall be included in the nomination envelope.

*(c) Candidates' Meeting*

(i) All members who have nominated themselves in the Society's Elections shall attend one of two meetings with the RO where the RO will explain election procedure and rules to them. These meetings shall take place after the close of nominations on the Friday of Sixth week, and on Saturday of 6<sup>th</sup> week, at a time and place to be advertised by the RO on the Society's notice board by the open of nominations. It shall also be included in the "Information for Candidates" booklet.

(ii) If the RO is unable to take either meeting, then they may appoint one of the Deputy Returning Officers to take the meeting.

(iii) If a candidate cannot attend either meeting because of debilitating illness or compulsory university academic commitments, they shall inform the RO and obtain their leave to miss the meeting.

(iv) Failure to attend one of these meetings without having satisfied the RO of a reasonable excuse shall incur a fine of £10. This shall not constitute any form of electoral malpractice.

**D3: UNUSED**

**D4: PUBLICITY FOR THE POLL**

The Returning Officer shall secure adequate publicity for the Poll by distributing posters containing similar details and the names of the candidates on the Society's premises and in all the colleges of the University and institutions admitted to the benefits of Rule 3(A) and ensuring that these be prominently displayed and neither defaced nor altered in any way. Rule 33 shall be brought to the notice of members in all publicity concerning the Society's Elections, and by the President at the Public Business Meeting immediately prior to the Elections.

**D5: THE COUNT**

(a) The Count shall be performed by the Returning Officer, the Deputy Returning Officers and, if necessary, any Returning Officer's Assistants appointed by the Returning Officer. It shall take place in the presence of such candidates' representatives as appear before the commencement of the Count. The Returning Officer shall publish on the Notice board by 4.00p.m. on the day of the Poll, the place and time at which the Count will commence. Candidates' representatives may be appointed, at the discretion of the Returning Officer, to assist in the counting of votes under this section, but not so as to count for any office or committee for which the candidate they are representing is standing.

(b) At the commencement of the Count, the ballot boxes shall be opened in the room in which the count is to be held. The ballot papers shall then be counted and the total number received shall be ascertained. Meanwhile, the number of signatures of those Members who have voted shall be counted. The ballot papers shall then be severed and sorted into piles according to the Office or Committee concerned.

(c) One counter shall be placed in charge of the Count for each Office, and at least one other counter shall assist in each officer count. One counter shall be placed in charge of the count for each Committee, and any counters remaining shall assist in one of the committee counts. The counters shall then sort the ballot papers into groups according to the first preferences indicated, segregating blank, spoilt and void ballot paper into separate groups and ascertaining the total number of blank, spoilt and void papers, which shall be recorded. The papers in each group of valid votes shall then be counted and the total numbers of first preferences for each candidate shall be recorded. The count shall then proceed by the mechanism prescribed by the Counting Regulations and the total number of ballot papers received for each candidate at each stage shall be recorded.

(d) *Recounts*

Any candidate's representative present may demand a recount of the votes for the office or committee in which the person they represent is standing, but not for any other office or committee. Such recounts shall be granted subject to the following provisions:

(i) The first recount demanded for any office or committee shall always be granted.

(ii) Further recounts for any office shall be granted subject to the following provisions:

(A) If two candidates for any office or committee differ, as to their total votes at any stage in the count at which one of them must be elected or eliminated, by ten votes or less on the last count held, then one further recount shall be conceded, provided that not more than three counts in all (original together with recounts) shall be obligatory on the Returning Officer or Deputy Returning Officers in respect of any office by virtue of the provisions of (i) above and this sub-clause.

(B) If on two successive counts the votes obtained by a candidate shall, at any stage in the respective counts, differ by five or more votes, or shall differ in such a way as to alter the order of the candidates at that stage, whether by causing candidates to exchange places, at that stage, as between counts, or to tie and fail to tie as between the counts, then the Returning Officer shall, upon demand by a representative of one of the candidates concerned (but not otherwise), be bound to grant a recount or recounts of the election, until such time as either:

(1) two successive counts shall agree as to the person elected, the order of elimination of other persons, the presence or absence of a tie and (within five or a lesser number of votes) as to the total of each candidate in the election; or

(2) such agreement not having been obtained, six successive counts for the same office have taken place, in which case the Returning Officer shall automatically adjourn the count for that office, which shall be restarted in the presence of a Senior Officer as soon as may be. Nothing in this section shall impair the right of the Returning Officer (or Deputy Returning Officer in charge of a particular count) to grant recounts at his discretion, above the obligatory number.

(e) If it shall appear to the Returning Officer at any stage that further proceedings under this Standing Order would be unlikely to produce a true election result, whether by reason of a disagreement in successive counts or for any other reason, the Returning Officer shall so declare and post a notice to that effect on the Notice-board. An Election Tribunal shall then be constituted under the Rules and Standing Orders of the Society, to which the proceedings of the election shall stand referred. This power shall only be exercised before the official publication of the results of the election and its exercise shall suspend such publication. All further dealings with the ballot papers and other records of the count shall be sealed up as if the count had been completed until the Tribunal is able to inspect them.

(f) Any time after nine hours from the commencement of the count, the Returning Officer may adjourn the count to a time stated at the time of the adjournment. In the case of such an adjournment the Returning Officer shall, and shall only, announce such results as have been definitely decided at the time of the adjournment. If there is an adjournment under this section, the ballot papers shall, when the count is adjourned, be sealed up as prescribed in the next section.

(g) At the conclusion of all the counts the Returning Officer and their Deputies shall ascertain that the original total of ballot papers, as determined under (b) above, tallies with the totals for the various officers and committees, account being taken of spoilt, void and blank papers, and shall make suitable enquiries if a discrepancy appears. They shall then seal up the ballot papers (including spoilt, void and blank papers) in the presence of at least four representatives of candidates if they are available.

(h) The ballot papers so sealed up shall be preserved until the end of the second week of the next Full Term following that in which the election took place, at which time the Returning Officer shall see that they are destroyed. They shall not be unsealed during that period save by order of the courts, or on the order of an Election Tribunal or an Appellate Board. They shall only be unsealed in the presence of the Tribunal or a person appointed by it, or of the Appellate Board or a person appointed by it, or by the Returning Officer in the presence of a Senior Officer and at least three Deputy Returning Officers.

(j) Throughout any count the doors of the room in which it takes place shall be locked, and entrance and exit, after the start, shall only be with the knowledge of the Returning Officer or their senior Deputy present in the room. Persons other than the Returning Officer, their Deputies, Assistants, and representatives of candidates shall not, save in special circumstances with the permission of the Returning Officer or their Deputy, be present in the room. No representative of a candidate may leave, unless accompanied, between the beginning of the count and the conclusion or adjournment of the count.

(k) The Returning Officer shall make the announcement of the result at the conclusion of the count. In the event of a postponement of the count, the Returning Officer shall announce the results of the postponed count to the Society as soon as may be.

(l) The Returning Officer and their Deputies shall have complete control over the count in accordance with the Rules and Standing Orders.

## D6: COUNTING REGULATIONS

In accordance with Rule 35, the Count will be performed according to a system of Single Transferable Vote. The system used shall be as follows:<sup>203</sup>

(a) Count valid papers. Calculate the Quota, as being  $\{(v/[s+1])+0.01\}$ , where  $v$  = the number of valid papers received, and  $s$  = the number of places to be filled. The Quota shall be rounded down to 2 decimal places. Set initial value of all papers to 1. Go to (b).

(b) Allocate and count first preferences. Go to (c).

(c) If all places to be filled have been filled, stop. If not:

(i) If one or more candidates are over quota, a candidate must be elected and his surplus distributed. Go to (d).

(ii) If no candidates are over quota, and the number of continuing candidates plus the number of candidates already elected is equal to  $(s+1)$ , eliminate the candidate with least votes as Runner-Up and declare all the other continuing candidates elected, in order of votes held.

(iii) If no candidates are over quota, and the number of continuing candidates plus the number of candidates already elected is more than  $(s+1)$ , a candidate must be eliminated. Go to (e).

(d) *Distributing a Surplus*

(i) Declare the candidate with most votes elected. Only one candidate may be elected at each stage. Calculate the surplus of (votes received - quota). Calculate current total value of papers transferable to another candidate, and sort by the next valid preference.

(ii) Calculate the transfer value of each paper.

(1) If the total current value of transferable papers is less than the surplus, the transfer value = current value.

(2) Otherwise, transfer value =  $\left[ \frac{\text{surplus} \times \text{current value}}{\text{total value of transferable papers}} \right]$  (rounded down to 3 decimal places)

(3) Transfer all transferable papers at their transfer value. Go to (c).

(e) *Eliminating a Candidate*: Declare the candidate with least votes to be excluded. Sort all papers by next valid preference and transfer at their current value. Go to (c).

(f) When all positions on a committee have been filled by the above process, the order of seniority shall be determined by first preferences. In the event of a tie, the result of the next redistribution of votes shall be taken into account.

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<sup>203</sup> *The value of ballot papers should always be expressed to three decimal places: see Interpretation A17.*

Rules of the Oxford Union Society, Trinity Term 2016.

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## D7: INTERPRETATION OF BALLOT PAPERS

(a) Voters shall enter their order of preference for each Office or Committee by placing the numerals 1, 2 and so on opposite candidates' names. A paper shall be void, so far as a particular Office or Committee is concerned, on which a first preference for that office is not indicated; it shall also be void if any single numeral be entered more than once, except insofar as it indicates the voter's order of preference up to and including the immediate predecessor of the numeral so entered more than once. If a voter enters their preferences in a broken sequence, the paper shall be void insofar as it expresses preferences after the break. A sequence including a preference for a candidate deemed excluded for any reason or disqualified from the election shall not by virtue of that constitute a broken sequence. Voters need not indicate any preference beyond their first. A single tick or cross shall be deemed to indicate a first preference, but such symbols against two or more names for the same office shall render the ballot paper void as regards that Office or Committee. The appearance of such symbols in addition to the numeral 1 shall render the ballot paper void as regards that Office or Committee.

(b) If at any stage of the count for either an Office or a Committee any paper is proposed to be set aside as spoilt or void, it shall be examined by the Returning Officer who shall initial those papers which they decide are spoilt or void. The decisions of the Returning Officer on the interpretation of ballot papers shall be final, unless the matter be submitted to an Election Tribunal. The Election Tribunal shall adopt the interpretation of any ballot paper given by the Returning Officer in accordance with this section, unless it is satisfied that the interpretation cannot reasonably be sustained.

## D8: ELECTION TRIBUNAL

In carrying out its functions, the Election Tribunal shall observe the following regulations at all times:

(a) During the hearing of evidence that concerns them directly, all complainants and defendants shall have the right to be present, in addition to any person they appoint to represent them.<sup>204</sup>

(b) Defendants, complainants and members of the Election Tribunal shall have the opportunity to call, examine and, where possible, cross-examine witnesses. Witnesses may only be asked questions of fact except where they are expert witnesses. If a witness deliberately says something that is untrue as under Rule 33(a)(i)(13), on a matter of substance related to the charges which the Tribunal is considering when they are being examined, they shall be liable to the same penalties as if they had committed the offence of making a frivolous or malicious allegation, and the Tribunal shall have the power to inflict the penalties on them under the same conditions as if an allegation of that offence were laid against them during the Tribunal.

(c) All formal allegations shall be read out at the start of the investigation. If, during the investigation, the Tribunal should have reason to suppose that a Member who is not a defendant has committed an electoral offence, they shall inform them immediately, and they shall have the rights of a defendant thereafter<sup>205</sup>. If the ground the Tribunal has for supposing a Member has committed an offence is evidence that they have not been present to hear, it shall ensure that the evidence is repeated in their presence or, failing that, that the tape-recording made of it under (g) below is played over to them. Any person given the rights of a defendant under this section shall be deemed to have had an allegation brought against them.

(d) Adjournments may be requested by any party to the investigation and shall be granted at the discretion of the Tribunal.

(e) After all the witnesses have been called, defendants and complainants shall have the right to sum up.

(f) After the summing up, the Tribunal shall retire to make its decisions and consider its report. The report shall contain a record of the decisions of the Tribunal and a statement of the reasoning that led to the decisions; if different routes were followed (whether or not to the same conclusion) by different members of the Tribunal, the reasoning of each of them shall be stated.

(g) The proceedings of an Election Tribunal shall be recorded on magnetic tape, save only those parts of the proceedings at which only members of the Tribunal are present. The tapes shall be available, except as under (c) above, only to an Appellate Board set up under Rule 33(d). They shall be stored *in camera* in the archives for one year and then be destroyed.

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<sup>204</sup> *On the presence of observers, see Interpretation E5.*

<sup>205</sup> *For clarification, see Interpretation E11.*

(h) This Standing Order shall be brought to the attention of defendants, complainants and every other person appearing before the Tribunal in any capacity whatsoever.<sup>206</sup>

(i) The Tribunal shall make an explicit finding of 'guilty' or 'not guilty' on every charge.

(j) The Returning Officer shall attach a Schedule to the Standing Orders detailing further suggested guidelines on the procedures for election tribunal hearings. Such guidelines shall in no way be binding on tribunals.<sup>207</sup>

#### **D9: FINES FOR NON-ATTENDANCE AT AN ELECTION TRIBUNAL OR DISCIPLINARY COMMITTEE**<sup>208</sup>

(a) No Member shall be fined under Rule 33(c)(v) or Rule 71(e)(vii) unless either:

- (i) a letter has been handed to them in person, at least 20 hours before the scheduled time, by the Returning Officer, a Deputy Returning Officer, or by a Returning Officer's Assistant; or,
- (ii) an email has been sent in accordance with the provisions of 67(j)(iii), at least 20 hours before the scheduled time.

(b) The letter or email sent under (a) above shall specify a date, place and time (which shall be between the hours of 10.00 am and midnight inclusive) at which they are required to attend by the Election Tribunal or the Disciplinary Committee, and state the conditions under which they may be fined if they fail to attend.

(c) No member shall be fined under Rule 33(c)(v) or Rule 71(e)(vii) if:

- (i) They have given the Tribunal or the Disciplinary Committee good reason for non-attendance as under Standing Order B4, where "two-thirds of those present and voting" be deemed to mean "two-thirds of the Election Tribunal" or "two-thirds of the Disciplinary Committee" as appropriate, and
- (ii) Either
  - (1) They are unable to give evidence in writing, or they have made a written statement, which shall be subject to Rule 33(a)(i)(13) or Rule 71(a)(i)(8) as appropriate, which they have signed in the presence of the Returning Officer or one of their Deputies or Assistants who has signed the statement as a witness; or,
  - (2) They have attended at the time specified in the letter under (a) above and have placed themselves at the disposal of the Tribunal or the Disciplinary Committee for the ensuing two hours; or,
- (iii) The allegation or complaint in connection with which their presence was required was one brought against themselves.

(d) For the avoidance of doubt, any notification which complies with sections (a) and (b) of this Standing Order shall constitute a valid subpoena, and shall be deemed to have been 'served' at the moment at which the letter is handed over or the email sent. Nothing else shall constitute a valid subpoena.

#### **D10: MECHANISM FOR THE ELECTION OF THE CHAIR OF CONSULTATIVE COMMITTEE**

(a) The first preferences for each candidate in each ballot shall be calculated as the percentage of the total number of valid votes cast in that ballot. The two percentages for each candidate shall be combined as under (f) below to make the 'score'.

(b) If, at any point, any candidate has a higher score than the sum of the scores of all the other candidates, then that candidate shall be elected.

(c) If there are more than two candidates, then the candidate with the lowest score shall be eliminated and their votes shall be redistributed according to the next preference indicated. The percentages for each candidate in each ballot shall be recalculated. The new 'score' shall then be calculated from the new percentages.

<sup>206</sup> *On whether failure to observe this rule is grounds for a tribunal to be quashed, see Interpretation F3.*

<sup>207</sup> *This 'Schedule of Suggested Tribunal Procedure' is attached. On non-binding effect, see Interpretation F4.*

<sup>208</sup> *For more details, see Interpretations C11 and C12.*

(d) The process of redistribution in (c) above shall be continued, until one candidate is elected under (b) above.

(e) If, at any stage, two or more candidates, one of whom is to be eliminated, tie, then the tie shall be resolved by Rule 35(h).

(f) The 'score' for a candidate shall be the sum of the percentages of the two ballots, unless less than 20 votes are cast in the Consultative Committee ballot, in which case the 'score' shall be calculated according to the following formula:

*'score' = [Standing Committee percentage + (Consultative Committee percentage x N x 0.05)] where N is the number of votes cast in the Consultative Committee ballot.*

#### **D11: TABLE OF SENIORITY**

President  
Charitable Trustees, in order of election  
President-Elect  
Librarian  
Librarian-Elect  
Treasurer  
Treasurer-Elect  
Secretary  
Ex-Presidents, in order of election  
Ex-Charitable Trustees, in order of election  
Ex-Presidents-Elect, in order of election  
Ex-Librarians, in order of election  
Ex-Librarians-Elect, in order of election  
Ex-Treasurers, in order of election  
Ex-Treasurers-Elect, in order of election  
Ex-Secretaries, in order of election  
The ex-Junior Steward  
Elected Members of Standing Committee, in order of election  
Chair of Consultative Committee  
Ex-Elected Members of Standing Committee, in order of election  
Ex-Chairs of Consultative Committee, in order of election  
Senior Members of Library Committee, in order of election  
Ex-Senior Members of Library Committee, in order of election  
Elected Members of Secretary's Committee  
Ex-Elected Members of Secretary's Committee, in order of election  
Other Members of the Society in order of election

The order of election to the Society shall be determined by the order of the vacations-and-terms in which the relevant members were elected, a vacation-and-term beginning with the first day of the vacation and ending with the last day of the subsequent term.

For the purpose of this Table, any Junior Elected Committees as were constituted from time to time shall be deemed to be the Secretary's Committee. For the purpose of this Table, Ex-Bursars shall be deemed to be Ex-Chairs of Consultative Committee. For the purpose of this Table, ex-Senior Officers and ex-Trustees who were appointed to their position before March 1999, shall be deemed to be ex-Charitable Trustees, ranked equally by order of election.

#### **D12: SENIORITY AMONG THE DEPUTY RETURNING OFFICERS**

The following criteria shall determine seniority among the Deputy Returning Officers in descending order:

- (1) earliest date of election or appointment as Returning Officer;
- (2) most terms service as a Deputy Returning Officer;
- (3) most terms service as a Returning Officer's Assistant;
- (4) earliest date of appointment as a Deputy Returning Officer;
- (5) longest period of uninterrupted service as a Deputy Returning Officer including the current time.

### **D13: TELLING**

No candidate in the Society's main elections shall be a Teller at a debate between the opening of nominations and the close of Poll.

### **D14: ELECTION EXPENDITURE**

Expenditure on the Society's Elections as per Rule 34 (e) shall include, but shall not be limited to, the costs of the following:

- (i) Any publicity for the Election (including, but not confined to, such posters, manifestos and any manifesto booklets, and adverts, as may be produced by the Returning Officer);
- (ii) Severable ballot papers;
- (iii) Extraordinary communication costs during the electoral period (including, but not confined to, the costs of such communication equipment as may be provided for the use of the Returning Officer from time to time);
- (iv) Transport costs (including, but not confined to, the costs of such public and private transport as may legitimately be required by the Returning Officer, and any other person authorised by the Returning Officer, in order to ensure the smooth running and good conduct of the Election during the hours of Polling. However, the costs incurred by persons authorised by the Returning Officer under Rule 33 (a)(i)(4) shall not be covered under any circumstances);
- (v) Refreshments to be provided free of charge to persons attending the Count (including, but not confined to, sandwiches, biscuits, crisps, fruit, other snack foods, non-alcoholic drinks and coffee).

### **D15: UNUSED**

### **D16: RESPONSIBILITIES DURING THE PERIOD WHEN THE RETURNING OFFICER IS DEVOLVED POWERS UNDER RULE 13(b)(ii)**

In the event of the Returning Officer assuming the powers and duties of the President under Rule 13(b)(ii) the following arrangements shall apply:

- (a) The President-Elect shall speak for the Society and Chair all meetings of the Standing Committee (with the exception of those items on the Standing Committee agenda which concern the election any election tribunal or appellate board).
- (b) Those members of the new Standing Committee who would normally have assumed their positions shall be authorised to begin the preparations for their term of office unless they are implicated in any Election Tribunal or Appeal, save that this clause shall not be interpreted as allowing them to assume their positions on the Standing Committee.
- (c) The President-Elect shall inform those designated Elected Members of the Standing Committee who are not implicated in any Election Tribunal or Appeal of their portfolios for the coming term unless the President-Elect is implicated in any Election Tribunal or Appeal.
- (d) Any expenditure authorised by the Returning Officer, save that which is directly connected with the Election Tribunal and/or Appeal (or outstanding monies directly connected with the Election) shall be budgeted, accounted for and authorised by the Standing Committee as if it were Presidential Expenditure.
- (e) The Returning Officer shall never be referred to, nor refer to themselves as the "Acting President".
- (f) The Election Tribunal and/or Appellate Board may alter this Standing Order for the term in question (if it deems it necessary) via a formal Ruling in its Declaration and Report.



## **CHAPTER E: Miscellaneous**

### **E1: OFFICE SECURITY**

Any non-member of Standing Committee, not being the Returning Officer, who without the permission of the President or the staff crosses the barrier in the General Office or the Officers' Offices may be fined a sum not exceeding £20 by the President, any Officer, or the Office staff.

### **E2: THE PUBLIC ADDRESS SYSTEM**

(a) The Public Address System (which includes all apparatus, microphones, leads, and speakers) will, at all times when not in use, be stored in a public area of the building under lock and key.

(b) Any Officer, or any Member whom the President appoints in writing, may take responsibility for the use of the equipment, by signing the key out from a Member of Staff.

(c) The Member, who has taken responsibility in such a way, shall have an obligation to take reasonable care of the equipment and shall be liable for the cost of replacement or repair should the Public Address System become damaged or stolen due to their negligence between the time that the key was signed out and when it is signed back in by a Member of Staff, the System having been once again secured in its storage.

(d) This liability shall be considered a debt to the Society under Rule 6. Damage shall be presumed to be through the negligence of the Member who has signed out the key except that an Intermediate Disciplinary Committee, which shall be convened in order to determine the issue on request of the relevant Member, finds as a matter of law and fact that the damage was not caused by the negligence of that Member.

(e) It is also the duty of the Member, who has taken responsibility in this way, to ensure that the system is complete and in full working order before they secure it in its storage, and for them to report any missing or malfunctioning apparatus to the Bursar and the Standing Committee immediately.

(f) When left unattended, but not properly secured in its storage, the Public Address System must be all times closed in its cases, which should be locked together to a secure point by use of a bicycle lock or similar.

### **E3: UNUSED**

### **E4: HIRING OF ROOMS**

Conditions of Hire for Debating Chamber, Macmillan Room, Morris Room, Cellar Bar, Gladstone Room and Television Room, in Term time.

(a) No room shall be available for any meeting or function of any kind on the day of the Society's Elections or at such other time as the Standing Committee shall determine.

(b) The Standing Committee shall draw up a list of Clubs, Societies and persons to which rooms may not be let, and shall instruct the House Manager and Events Manager not to let rooms to these bodies or persons. This list may be revised at any time by a majority of those present and voting on the Standing Committee.<sup>209</sup>

(c) The Returning Officer, any Member of Standing Committee or Member of the Staff of the Society shall have the right of entry to any function in a hired room.

(d) No public rooms may be occupied after 23:20 hours, except by prior arrangement with the House Manager, the Events Manager or the Standing Committee.

(e) No photographs may be taken in any room without the prior permission of the President; no alterations may be made or decorations introduced into any room.

(g) A form of application must be signed by a person responsible for making the booking, and must include a promise to pay for any damage caused during the letting. The Debating Hall shall be covered by extra, special provisions, outlined below. Any breach of these conditions of hire shall render the applicants liable to a penalty fine of up to £50 for each offence. The letting of the room shall not be deemed to have come to an end until the room in question has been cleared of all persons.

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<sup>209</sup> This is the 'Schedule of Unacceptable Room Hirers' attached to these rules

(h) Charges for private and non-commercial room hire shall be set by the House Manager, subject to the approval of the Standing Committee. The rates shall be listed in an Appendix to the Rules. The House Manager, Events Manager or Bursar may alter the rates for commercial organisations as they see fit.<sup>210</sup>

(j) Special conditions for the hire of the Debating Chamber are as follows:

(1) If an application is successful the applicants must arrange admission to the Chamber, arrange the seating plan (but not re-arrange the seating without prior permission from the House Manager or Events Manager).

(2) The chairs usually occupied by the President, Librarian and Treasurer shall not be used.

(k) Any room hiring shall be subject to the above conditions, a copy of which shall be sent to the applicant, and any breach of these conditions shall cancel existing bookings by the same applicant. The applicant shall be considered added to the list of unacceptable applicants, and if they wish to be removed from said list they must apply in writing to the Standing Committee.

(m) Standing Committee shall reserve the right to cancel any booking at any time before the meeting or function takes place. When permission is withdrawn the hiring fee and deposit shall be returned.

(n) Any club or society using any of the Society's rooms for the purposes of an election, or any meeting which pertains to elections, shall not allow any campaigning to be permitted.

## **E5: UNUSED**

## **E6: DISTRIBUTION OF LEAFLETS**

(a) No leaflet, handbill, newspaper or other publication may be sold and/or distributed on the Society's premises unless the President grants prior permission.

(b) Any such sale or distribution shall be conducted by a member of the Society who shall be responsible for any litter or disturbance caused.

(c) No leaflet, handbill or other publication shall be distributed on the day of the Society's Elections or any of the five days preceding, except issues of the newspapers which are on regular sale.

(d) The Society shall take no responsibility for the conduct of such sale and/or distribution, the safety of the publications or posters or of any money therefore paid, nor for any other risk whatsoever in any way arising from such sale and distribution.

(f) No poster or notice which is not an official Union publication shall be affixed to any wall, window, door or similar structure on the Society's premises, without with express permission of the President. Otherwise, posters or notices not relating to official Union event shall only be posted on the clip notice board in the ground floor corridor. The Standing Order shall not affect the legitimate publishing of notices on notice boards allowed or required by the Rules.

## **E7: THE ARCHIVIST**

(a) The Archivist shall assist the Chair of Consultative Committee in their duties in relation to the Society's Archives.

(b) The Archivist shall ensure that the Society maintains recording equipment suitable for the recording of the Societies meetings, and that this equipment is kept in good order.

## **E8: THE ARCHIVES**

(a) *Responsibility for the Archives*

Neither the Chair of Consultative Committee nor the Archivist shall be subject to the provisions of Rule 71(a)(i)(12) as a result of the failure of another officer or official of the Society to fulfil duties delegated to the said officer or official under this Standing Order.

(b) *Recordings*

(i) The Chair of Consultative Committee shall ensure that a recording of each of the Society's meetings held under Rules 40 and 42 is made by the Secretary or the organiser of the meeting.

(ii) No recording may be borrowed by any member, save on a payment of a deposit of £20 and surrender of their membership card. It may not be kept for more than six hours nor under any circumstances removed from the society's Rooms.

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<sup>210</sup> For the distinction between commercial and non-commercial room hire, see Interpretation C21

(iii) The Society's recording apparatus may not be borrowed by any member, save on a payment of a deposit of £20 and surrender of their membership card.

(iv) In addition to those persons entitled under Rule 63(a), the Chair of Consultative Committee shall have power to inflict a fine of up to £50 for the breach of this Standing Order.

(c) *Literature*

(i) The Chair of Consultative Committee shall ensure that the Society sends a copy of the term card to the Bodleian Library (Room 132) every term; that copies of all Union Literature (publicity, posters, Committee minutes, photographs, ballot papers, et al) produced over the course of each Term are placed in the Society's Archive Room;

(ii) The Press Officer(s)<sup>211</sup> shall ensure that press cuttings are placed in the Press Cuttings Book or File, and that this is placed in the Archives Room at the end of each term. If the Society receives a particularly large number of cuttings from one event, the unused cuttings may be disposed of by the Press Officer. The Press Officer shall exercise appropriate discretion whilst doing.

(iii) The Library Committee shall have no jurisdiction over the Archives for the purposes of Rule 25(d).

(d) *Rules:*

The Returning Officer shall ensure that a current copy of the Rules is deposited in the Society's Archive Room. In the event of the rules being amended the Returning Officer shall ensure that all versions of the Rules from that term are stored in the Archive.

**E10: STAFF**

Whilst on duty, the Bar Manager and Doormen (who must be members of Staff) may act with the powers of the House Manager under the Rules and Standing Orders in relation to keeping order on the premises and admitting Members, guests and visitors. Notwithstanding this, they may under no circumstances inflict any fines which the House Manager would be empowered to inflict were the House Manager on the premises.

**E11: INSPECTION OF BAGGAGE**

Any member or other person present in the Society's rooms shall be obliged to open any baggage that they bear for inspection by the President or their agents if they so request.

**E12: FAXING AND PHOTOCOPYING**

The Society shall provide to Members a service for the sending and receiving of faxes and for photocopying. Tariffs for such use shall be set by the Bursar, subject to the approval of Standing Committee. Use of such machines for the Society's business shall take priority.

**E13: USEFUL NUMBERS**

The Secretary shall by the end of the first week after the succession produce a list of useful phone numbers containing the numbers of all members of Secretary's Committee, Standing Committee, the RO, appointed Officers and any other numbers that may prove useful. This shall be submitted to the Bursar for distribution. The Secretary should consult with the Bursar to decide what other numbers are deemed useful.

**E16: COPIES OF THE RULES**

Any member taking a copy of the Rules, Standing Orders, and Special Schedules of the Society from the General Office which are designated not to be removed from the General Office shall be fined a sum not exceeding £10.

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<sup>211</sup> *Whose appointment is described by Standing Order C4.*

## **E17: ACCESS TO KEYS, PASSWORDS, AND DOCUMENTATION**

(a) The President will be provided with keys to:

- |                              |                           |
|------------------------------|---------------------------|
| (i) The Front Door           | (x) The Macmillan Room    |
| (ii) The Back Door           | (xi) The Snooker Room     |
| (iii) The Gates              | (xii) The Bar             |
| (iv) The President's Office  | (xiii) The General Office |
| (v) The President's Cupboard | (xiv) The Goodman Library |
| (vi) The TV Room             | (xv) The Library Lobby    |
| (vii) The Morris Room        | (xvi) The Main Library    |
| (viii) The Poetry Room       | (xvii) The House          |
| (ix) The Gladstone Room      | (xviii) The Chamber       |

(b) The President will be provided with all codes and passwords to:

- (i) The Officers' Offices
- (ii) The Society's website
- (iii) The committee database

(c) Requests for documentation

The President or the Standing Committee may request any documentation which any staff member has access to unless this contravenes the Data Protection Act or other relevant legislation. Any staff member, from which this documentation has been requested, will provide a copy to the President by the end of the next working day, or provide an explanation of why they are unable to do so.

## **E18: COMMITTEE FOOD AND DRINK IN THE BAR**

During bar opening hours, the Junior Officers, the Returning Officer, the Chair of the Debate Selection Committee and the Chair of Consultative Committee shall be granted free of charge: snacks (not including meals and soup) and soft drinks (not including bottled drinks with the exception of water). This benefit shall be extended to the elected members of Standing Committee and *ex-officio* on Mondays and Thursdays only, and to Secretary's Committee during the vacation only.

## **E19: ADDITIONAL SPECIAL SCHEDULES**

(a) In addition to the Special Schedules established under Rule 69, the Additional Special Schedules shall be the Schedule of Use of the Television in the Members' Bar and the Policy for the Protection of Children and Vulnerable Adults.

(b) The Additional Special Schedules shall for all purposes have the status of the Standing Orders, except as defined by this Standing Order.

(c) Purpose:

- (i) The Schedule of Use of the Television in the Members' Bar shall regulate the use of the Television in the Members' Bar only.
- (ii) The Policy for the Protection of Children and Vulnerable Adults shall ensure that the Society provides a safe environment for children and vulnerable adults within its premises, complying with all relevant legislation. Any individual may collect a copy of this policy from the General Office at any time at which the General Office is open; reference copies shall also be kept in the Library and behind the Bar.

(d) Enactment, Repeal and Amendment:

- (i) The Schedule of Use of the Television in the Members' Bar may only be enacted, repealed or amended with the assent of a simple majority of Standing Committee members present and voting.
- (ii) The Policy for the Protection of Children and Vulnerable Adults may only be enacted, repealed or amended with the assent of two thirds of Standing Committee members present and voting, at a meeting of the Standing Committee at which a Senior Officer is present.

## CHAPTER F: Subscription and Memberships

### F1: SUBSCRIPTION RATES – GENERAL

The rates laid down in this chapter of the Standing Orders are inclusive of VAT. Any subsequent alteration of the VAT rate shall be applied directly to these subscription rates.

### F2: SUBSCRIPTION RATES – LIFE MEMBERS

Life Members shall pay subscriptions either by lump sum or in instalments by banker's standing order, as follows:

#### (a) *Payment by lump sum*

- (i) Those joining before 7pm on the Thursday of Second Week of Michaelmas term in their first year of eligibility shall pay £229 except as in (c) and (d).
- (ii) All others shall pay £255 except as in (c) and (d).

#### (b) *Payment in instalments*

All shall pay 15 monthly instalments of £18, the first instalment to be paid in advance, except as in (c) and (d).

*(c) Payment by lump sum by those eligible for a full Maintenance Loan as proved on submission of a document from their Local Education Authority, the NHS, or the Church of England, or those who matriculated before October 2016 in receipt of a full Maintenance Grant*

- (i) Those joining before 7pm on the Thursday of Second Week of Michaelmas Term in their first year of eligibility shall pay £137.
- (ii) All others shall pay £152.

*(d) Payment by instalments by those eligible for a full Maintenance Loan as proved on submission of a document from their Local Education Authority, the NHS, or the Church of England, or those who matriculated before October 2016 in receipt of a full Maintenance Grant*

10 monthly instalments of £15 shall be paid, and an initial payment of £16.50 on joining.

### F3: SUBSCRIPTION RATES – LONG TERM AND COURSE-LENGTH MEMBERS

(a) Long-term and Course-Length Members shall pay subscriptions either by lump sum or in instalments by standing order, as follows:

#### (i) *Payment by lump sum*

- (1) Those taking courses lasting three years or more shall pay £198.
- (2) Those taking courses lasting two years, or with two years remaining, shall pay £148.
- (3) Those taking courses lasting one year or less, or with one year or less remaining, shall pay £99.

### F4: SUBSCRIPTION RATES – RESIDENTIAL MEMBERS

Residential Members shall pay an entrance fee of £198 on joining, and an annual subscription of £99. The annual subscription shall be payable on 1st October of each calendar year. If any member fails to pay this fee within 14 days, they shall cease to be a member of the Society. If such a member wishes to join, they shall have to submit to the same application procedure as any new Residential Member.

### F5: INSTITUTIONS ADMITTED TO THE BENEFITS OF RULE 3(A)(a)(ii)

The following shall be entitled to Life Membership under the provisions of Rule 3 (A)(a)(ii):

- (a) Members of the Oxford Institute of Legal Practice (OILP), undertaking a full-time course of one year or more
- (b) Members of the Department of Educational Studies, University of Oxford, undertaking a full-time course of one year or more
- (c) Members of the Department of Continuing Education, University of Oxford, who are studying for a full-time course of one year or more.
- (d) Those with MA Status within the University of Oxford or members of the congregation of University of Oxford in full-time academic positions.

## **F6: INSTITUTIONS ADMITTED TO THE BENEFITS OF RULE 3(A)(a)(iii)**

The following shall be entitled to Life Membership under the provisions of Rule 3 (A)(a)(iii):

## **F7: INSTITUTIONS ADMITTED TO THE BENEFITS OF RULE 3(C)**

Members of the following institutions shall be eligible shall be eligible for Temporary Membership under the provisions of Rule 3(C).

(a) *Course-length Membership*: Members of the institutions listed below shall be eligible for Course-length Membership at the rates detailed in Standing Order F3.

- (i) Magna Carta College  
Oxford Brookes University  
Oxford Centre for Islamic Studies  
Oxford Centre for Postgraduate Hebrew Studies  
Oxford University Department for Continuing Education  
Ripon College, Cuddesdon  
Ruskin College  
Sarah Lawrence Programme  
Westminster College

(ii) *University Staff Members*

- (1) Full-time staff members of the University of Oxford or of any of its colleges or Permanent Private Halls shall be eligible for long-term membership.
- (2) The membership rate shall be equal to the one-year long-term membership rate, and shall give the member of staff membership for three academic terms.
- (3) Such membership must be renewed every three terms; staff members who are no longer so employed shall not be eligible to rejoin.

(b) *Termly Membership*: Members of the institutions listed below shall be entitled to Membership on a termly basis. They shall pay a subscription fee of £99 per term. If ten members or more join as a group from any of these institutions, they shall each be entitled to pay a discounted fee of £89. If the duration of their course is at least two terms long, they shall have the option of joining for two terms at the discounted rate of £143 for the two terms (or £133 if joining in a group of ten or more from that institution). If the duration of their course is at least one year long, they shall have the option of joining for that whole year, and shall receive a discounted membership rate of £190 per year (or £180 per year, if joining in a group of ten or more from that institution). The Standing Committee shall have the right to offer further bulk discounts to institutions, as it sees fit.

Abacus College  
Associate members of St Catherine's College, Mansfield College and Lady Margaret Hall (previously part of the WISC programme)  
Boston University Graduate's Association at St Catherine's, Oxford  
Boston University Programme in Oxford  
Buckland University  
Butler Programme at St Catherine's, Oxford  
Centre for Medieval and Renaissance Studies (CMRS)  
Cherwell College  
Collingham College  
d'Overbroeck's College  
Greene's Tutorial Establishment  
Ephraim Williams  
European School of Management (EAP)  
Georgia University Programme in Oxford  
Oxford Academy  
Oxford Associate Student Programme (OASP)  
Oxford Business College  
Oxford Centre for Yiddish Studies  
Oxford International Study Centre  
Oxford Media & Business School  
Oxford Tutorial College  
Oxford Programme for Undergraduate Studies (OPUS)  
Reuters Foundation Programme at Green College  
St Bede's Hall  
St Clare's, Oxford  
Stanford University  
Washington International Studies Centre (WISC).

(c) *Permanent Membership*: Members of the institutions listed below shall be eligible to extend their Temporary Membership to Permanent Membership:

Oxford Brookes University

(d) *Visiting Members*: Guests at the Oxford Union Society/Landmark Trust flat in the Old Steward's House shall be 'visiting members' of the Society for the duration of their stay in the flat, at a rate determined by the Standing Committee. They may attend debates and speaker meetings, use the Libraries (but not borrow books), use the main Bar, but may not speak or vote in Private Business.

#### **F8: THE TERMCARD**

(a) Any Member who has already received a term card shall be charged £3.00 for each additional term card they take from the General Office.

(b) Non-resident Life Members who do not pay the facility fee shall be charged £3.00 if they wish to collect a term card from the General Office.

(c) Resident Life Members who do not pay the facilities levy or have debts to the Society outstanding shall not be issued with a term card until they pay their facilities levy and any debts.

#### **F9: FACILITY FEE**

(a) The Facility Fee mentioned in Rule 4(a)(i) shall be £9 p.a.,

(b) Resident Life Members who have not paid their facilities levy as they should have, shall be barred from the premises and have their membership card confiscated, until they settle all their unpaid facilities levies and any other debts outstanding to the Society.

#### **F10: MEMBERS RECORDS**

Members shall supply the Society with their home address, home telephone number, college, email, date of birth and joining date on the Society's request. Such information shall be used in accordance with Rule 5.

#### **F11: UPGRADE FROM LONG-TERM TO LIFE MEMBERSHIP**

(a) For the purposes of Rule 3(A)(a)(vii), members of the Society who once joined as termly subscribing members and who were eligible for election to Life Membership but did not make sufficient payments to obtain Life Membership shall be deemed long-term members whose membership has expired ('expired Members'). Their actual termly payments shall be deducted from any subscription payment if they later choose to upgrade to Life Membership.

(b) Long-term members who are eligible for election to Life Membership may upgrade to Life Membership in accordance with Rule 3(A)(a)(vii) after the expiry of their long-term membership. Such 'expired Members' shall not necessarily be deemed 'ex-Members' as per Rule 8.

(c) For the purposes of Rule 3(D), a Member upgrading from long-term to life shall be deemed to making a new membership application, and Standing Committee may correspondingly decline the application in accordance with Rule 3(D) for unacceptable behaviour committed prior or during their long-term membership. In accordance with Rule 3(D), 'expired Members' who have been refused an upgrade shall be deemed 'ex-Members'.

## **F12: RECIPROCAL MEMBERS**

- (a) Members of the societies listed in (c) below shall be allowed 14 days per term reciprocal membership of the society. During these 14 days they shall have the same rights as a guest of the Society.
- (b) At any time members of any society in (c) below may purchase life membership at the set rate.
- (c) Eligible reciprocal societies:
  - Cambridge Union
  - Durham Union
  - Conference Oliviant
  - TCD PHIL
  - Yale Political Union
  - Harvard Political Union



## CHAPTER G: Disciplinary Offences and Fines

### G1: ORDER IN THE SOCIETY'S ROOMS

(a) The President or any agent thereof shall have the power to refuse entry into the Society's rooms or to enforce the removal therefrom any person, if they or their agent be reasonably satisfied that such measures are necessary, or if the person cannot satisfactorily establish that they are a Member.

(b) Without prejudice to the generality of the foregoing the President or their agent shall have the power to expel any person from the Society's rooms whose conduct is contrary to good order, who heckles or otherwise seeks to disrupt the debates or other meetings of the Society, or who throws or who attempts to throw any item or substance on the Society's premises with the intent of generating a disturbance or of disrupting the Society's business or of exhibiting discourtesy to Members of the Society or its guests. In addition any person found so to have behaved by the Standing Committee may be fined a sum not exceeding £100 (one hundred), and further the Standing Committee or any Disciplinary Committee shall legitimately be able to consider such conduct as grounds for suspension or expulsion from the Society under Rule 71.

(c) Any member who vomits on the Society's premises as a result of intoxication may be fined a sum of not more than £25 by the President or any agent thereof.

(e) The imposition of any penalty or sanction under this Standing Order shall in no way prejudice the Society's freedom to seek to proceed against any person or group through the disciplinary powers of the University, or the civil or criminal law if the Standing Committee deems that the Society's interests so demand.

(f) Any individual maliciously or recklessly setting off the fire alarm when there is no emergency shall be fined not more than £500, and further the Standing Committee or any Disciplinary Committee shall legitimately be able to consider such conduct as grounds for suspension or expulsion from the Society as a disciplinary offence under the remit of Rule 71.

(g) Misusing or abusing the Society's membership card (including, but not limited to, permitting a membership card to be used by any person other than that to whom it was issued) shall be punishable by a fine of up to £100. This sub-section shall not restrict the Standing Committee or any Disciplinary Committee from considering such conduct as grounds for suspension or expulsion under Rule 71.

(h) The Staff or President may refuse to serve any individual who is intoxicated; the House Manager or President may exclude any individual from the premises who is intoxicated.

(i) Any Member who refuses to show their membership card on request, as per Rule 5, shall be fined a sum of up to £100, and further the Standing Committee or any Disciplinary Committee shall legitimately be able to consider such conduct as grounds for suspension or expulsion from the Society under Rule 71.

(j) Any member who misuses or abuses the fire exits or fire safety equipment on the premises (including but not exclusively, letting another unauthorised individual into a room via a fire exit, or entering an area which is no entry except in case of emergency, or leaving without paying through a fire exit), may be fined a sum of up to £100, and further Standing Committee or any Disciplinary Committee shall legitimately be able to consider such conduct as grounds for suspension or expulsion from the Society under Rule 71.

(k) The agents of the Purple Turtle, subject to the review of the Cellar Management Committee, shall have the power, in the Cellars, to refuse entry or to eject any person, on a temporary or permanent basis for: disruptive behaviour, vomiting, excessive levels of intoxication, for not possessing a membership card or for possessing any illegal substance. This shall not affect the rights of a Member to use other parts of the Society's premises (subject to any disciplinary proceedings under normal disciplinary channels).

(l) The House Manager shall have the power in the bar to refuse entry or eject any person from the bar on a temporary or permanent basis for: disruptive behaviour, vomiting, excessive levels of intoxication, or for possessing any illegal substance. This shall not affect the rights of a member to use other parts of the Society's premises (subject to any disciplinary proceedings under normal disciplinary channels). Such a member shall have the right to appeal to a Senior Disciplinary Committee.

(m) Any member who litters on the Society's premises may be fined a sum of not more than £10 by any Junior Officer, any agent of the President (including the members of Staff) or the Returning Officer.

## **G2: UNUSED**

## **G3: DISCIPLINARY PREPARATIONS**

The Returning Officer shall, as far as possible, attempt to send copies of the rules, complaint, and written evidence to the selected members of a Disciplinary Committee in advance of the day of proceedings, as well as to the complainant and defendant as soon as possible after the complaint has been submitted<sup>212</sup>.

## **G4: CLOSED CIRCUIT TELEVISION**

### *Closed Circuit Television (CCTV)*

(a) No member or member of staff shall view the recorded CCTV footage without the written permission of both the President and the Bursar. Such permission shall only be given for the investigation of criminal activity under the laws of England and Wales. Permission shall normally be given to members of the Police, as well as any member or guest who has reported an incident to the police and has a Crime Incident Number for the alleged offence.

(b) The system may not be used for real-time surveillance, except if a member of staff has reasonable suspicion that a criminal offence is being committed, in which case they will record the circumstances and report them to the Bursar and the President.

(c) Unless requested by the Police or for the active detection of a crime, CCTV footage shall only be kept for 30 days from the time of recording.

(d) CCTV shall not be used as evidence in any internal investigation under Rules 33 or 71, unless a criminal act under the Laws of England and Wales is alleged to have occurred.

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<sup>212</sup> *On the presentation of complaints, see Interpretation C26.*

Rules of the Oxford Union Society, Trinity Term 2016.

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## APPENDICES

### Library Regulations

#### 1) *Opening and Closing*

##### a) General

(i) In full term the old and new libraries shall be open every day except Sunday at such hours as the Library Committee with Standing Committee's consent shall determine, save that Standing Committee may order the temporary closing of the libraries to the extent necessary for special events on the Society's premises or for staffing reasons.

(ii) In vacation the old and new libraries shall be open on such days and at such hours as the Library Committee shall determine, subject to the provisions of Schedule 5 – Premises.

##### b) President's Office

Such books as are normally kept in the President's Office may be obtained on application to the Librarian-in-Charge.

#### 2) *Borrowing*

##### (a) *General*

(i) A member may register with the Library to borrow books and other library materials. College, permanent home and email (where applicable) contact details must be given and kept up-to-date.

(ii) A member who borrows any library material shall be responsible for its safe return.

##### (b) *Borrowing from the Library*

##### (i) In Full Term

1. A member may have in his possession at any one time up to 8 books and 5 audiovisual items on loan from the Library.

2. Each book may be borrowed for 2 weeks. After that time it may be renewed, as long as no other member has reserved it. Up to 2 consecutive renewals may be done remotely; for a further renewal the book must be brought into the Library. Each audiovisual item may be borrowed for 3 days. It may not be renewed.

3. If an item has been reserved by another member it cannot be renewed and must be returned to the Library.

##### (ii) In Vacation

A member may, from the last Monday of Full Term, borrow up to 10 books for the Vacation. These will be due for return on the first Tuesday of the following Full Term. The loan period for an audiovisual item is always 3 days, whether in term or vacation time.

#### (c) *Return of loaned items*

##### (i) Notification

A courtesy notice will be sent to the borrower immediately before an item is due for return. If the item is not returned, overdue notices will be sent on the 1st, 7th, 14th and 16th days after the due date for a book or the 1<sup>st</sup>, 5<sup>th</sup> and 10<sup>th</sup> days after the due date for an audiovisual items. The final notice warns the borrower that if the item is not returned they will be invoiced for it.

##### (ii) Overdue items

A member returning or renewing an item after the Library closes on the date the item is due will be fined 20p per day overdue for a book or £1 per day for an audiovisual or reference item, up to a limit of £10 per item (subject to periodic review by the Library Committee).

#### (d) *Failure to Return Library Materials or to Pay Library Fines*

(i) If a member sent notice to return an item has not complied and has accumulated a fine of £10 (see 2(c)(ii)) on it, the Librarian-in-Charge will contact the member by post and email (where applicable) requesting the items return and informing of the fine to be paid. A 2-week deadline will be set for compliance.

(ii) If an item is not returned or the fine remains unpaid by the deadline set, the Librarian-in-Charge will contact the member again by post and email (where applicable) requesting payment of both the fine and the replacement cost of the item. A 2-week deadline will be set for compliance.

(iii) The names of all members who are retaining overdue items or who have not paid library fines once the second deadline has been passed shall be brought before the Library Committee by the Librarian-in-Charge. The Librarian shall:

- (1) forbid such members to borrow from the Library until they have paid their fines and returned the items which they have outstanding.
- (2) shall notify them by post and email that they have done so.
- (3) shall order their names to be posted on the Library notice board.
- (4) shall read the list to the house at the next Public Business Meeting and recommend to Standing Committee that their membership be suspended until the fine is paid.

*(e) Dies Non*

Where any period is specified in the Rules or Library regulations for the retention or return of library materials, days on which the Society's rooms are closed shall not be counted.

*(f) Sub-lending*

No member may lend to another person, whether or not a member of the Society, an item obtained from the library

*(g) Marking and Mutilation of Library Materials*

- (i) For marking or mutilation of library materials the Librarian may:
  - (1) inflict a fine in proportion to the damage done or equivalent to the cost of replacing the item, and in addition
  - (2) with the permission of the Library Committee, deprive the member responsible of his borrowing rights in the library for a period not exceeding one term.
- (ii) If such conduct be repeated the member may, with the approval of the Library Committee, be excluded permanently from access to the library.

3) Confined Library Materials

*(a) General*

- (i) The Librarian-in-Charge may confine any item to the old or the new library or to any other room of the Society.
- (ii) The Library Committee shall consider representations that items should be confined or freed.

*(b) Borrowing*

A member may consult a confined item in the room(s) to which it has been confined.

*(c) Fines*

A member removing a confined book shall, at the discretion of the Librarian-in-Charge, incur a fine of up to £10 (subject to periodic review by the Library Committee) and shall, with the approval of the Library Committee, be suspended from the library until the fine is paid.

4) Newspapers, Periodicals and Reference Books

- (a)* The Librarian shall be responsible for the purchase of all newspapers, periodicals and reference books taken by the Society.
- (b)* The Librarian shall present their list at the first Public Business Meeting of term.
- (c)* A member of the Society may challenge the Librarian's choice of newspapers etc. by writing to the Library Committee.
- (d)* No member shall take a newspaper or periodical from the library, except to take a newspaper into the garden in June, with the permission of the Librarian-in-Charge.

5) Lost Items

At the beginning of each term, the Librarian-in-Charge shall cause to be prepared a list of library materials lost during the preceding term. Purchase of replacements will be considered by the Library Committee.

## 6) *Suggestion Books*

The Librarian shall provide a suggestion book to be kept in the library, in which members may propose books or other library materials for purchase or make a suggestion for the consideration of the Library Committee. Every entry shall be signed by the writer in person. An electronic suggestion form will also be available on the Society's web pages.

## 7) *Miscellaneous*

(a) No food, drinks or stereo equipment shall be taken into the libraries.

(b) Disorderly behaviour in the library shall be governed by Standing Order G1.

## **Forms of House**

(1) All remarks not to speakers should be addressed to the Chair.

(2) No Member should refer to another Member by their name, but as "The Honourable Member" or "The Honourable Member from — College"; or, in the case of Officers or ex-Officers, as "The Honourable —".

(3) If the President interrupts proceedings with their bell, all members, except the one speaking at the despatch box should resume their seats.

(4) There are two legitimate forms of interruption - points of order and points of information.

Points of order must refer to the order of the debate, and should be introduced to draw the President's attention to an abuse of the Forms of the House (e.g. interjections from the gallery, or slanderous remarks from the speaker which the Member wishes to be withdrawn, etc.) Such points take automatic precedence in the proceedings.

Points of information must be literally points of information, and not just expressions of opinion. A Member wishing to raise such a point should rise in their seat, and wait until the speaker at the despatch box gives way. If the speaker does not wish to give way, the Member must resume their seat. Theoretically no two members of the Society may be on their feet at once. Shouted interruptions are not allowed, although cries of "order" are permitted to draw the speaker's attention to a Member wishing to raise a point of information, whom they may not have seen. The speaker is never under any obligation to give way to interruptions.

(These points are introduced with the phrase "On a point of order" or "On a point of information" respectively.)

(5) Booing or hissing a speaker is both a grave and a pointless discourtesy, and an abuse of the Forms of the house.

(6) Speakers on the paper will be told in advance the time allocated to them, and should observe this with the aid of warning from the Secretary.

(7) Members should always appreciate that visiting speakers are entitled to a quiet hearing, but in the interests of debate guest speakers are always open to challenge on points of information. Members are reminded that speakers who come down are usually very busy people who come as a favour to the Society and are hence entitled to the courtesy which one would normally extend to a guest in one's home.

(8) Members are reminded that they should not bring food or drink into, nor should they communicate with mobile phones or smoke in, the Chamber at any time.

(9) Interpretation of the Forms of the House rests with the Chair while they act as Chair.

## **Disciplinary Committee**

The following Senior Disciplinary Committee Short List (as per Rule 71) was passed without objection as a Private Business Motion at a Public Business Meeting in Michaelmas Term 2015, proposed by the President on the behalf of the Standing Committee:

Sapana Agrawal, Ex-President, St Edmund Hall  
Richard Coates, Ex-CCC, Exeter  
Alicia Collinson, Ex-Librarian, Ex-RO, St Hugh's  
Robert Dougans, Ex-RO, Ex-CCC, Oriel  
James Dray, Ex-President, Mansfield  
Jonathan Edwards, Ex-RO, Balliol  
Andrew Grey, Ex-CCC, Ex-RO, St Peter's  
Amy Harland, Ex-President, Trinity  
Daniel Johnson, Ex-CCC, Ex-RO, Corpus Christi  
Joanne Joyce, Ex-Standing, Ex-RO, St Hilda's  
Christos Karaolis, Ex-Secretary, Trinity  
Charlotte Keenan, Ex-President, Trinity  
Neil Mahapatra, Ex-President, Pembroke  
William Marshall, Ex-CCC, Ex-RO, Hertford  
Joanna Lee Morrison, Ex-RO, Christ Church  
Peter Orlov, Ex-RO, New  
Laura Poots, Ex-President, St John's  
Lauren Pringle, Ex-President, Wadham  
Tobi Rufus, Ex-Treasurer-elect, Hertford  
Ashvir Sangha, Ex-President, Queen's  
Benjamin Seifert, Ex-President, St Peter's  
Katherine Sidders, Ex-RO, Trinity  
Isabelle Westbury, Ex-President, Hertford  
Laura Winwood, Ex-President, Hertford  
Alexander Young, Ex-RO, Oriel

## SCHEDULES

### SCHEDULE OF STAFF RESPONSIBILITIES

- (a) All staff must dress smartly and appropriately for their particular employment, in particular:
- (1) Bar staff should wear Union-branded polo shirts;
  - (2) With the exception of door-staff on 'keg-changing' duty, door staff should normally wear their own white shirt, black trousers and black shoes, with Union-branded tie and Union body-warmer/jacket as required. Staff responsible for changing kegs should wear Union-branded polo shirts, with Union body-warmer/jacket as required;
  - (3) Waitress staff should wear white blouses and black shirt/trousers.
- (b) It is expected that members, guests and visitors are addressed politely and with courtesy at all times.

### SCHEDULE OF UNACCEPTABLE CONTRACTORS

The following contractors have been found to be unsuitable for the Society's requirements, in accordance with Standing Order A6:

*Ardington House*  
*001 Cars, Oxford.*  
*Clinkards Caterers.*  
*Stepping Out*  
*Imran Abrams*

### SCHEDULE OF NON-CREDITWORTHY ORGANISATIONS

In accordance with Standing Order A6, any organisation which appears in this schedule shall not be permitted to obtain goods or services from the Oxford Union:

### SCHEDULE OF THOSE NOT ALLOWED CHEQUE FACILITIES

In accordance with Standing Order A14, the following persons and organisations shall not be permitted to remit the Society by cheque:

Nicholas Caunter, ex-House Manager;  
Dr Andrew Charles Spencer Peacock, Coll. S. Johannis Baptiste, ex-Standing Committee, ex-CCC  
Ashley Paver, Coll S. Hugonis, ex-Returning Officer  
Reverend David Johnson, Selwyn College, ex-Standing Committee

### SCHEDULE OF ROOM CHARGES

In accordance with Standing Order E4 (h) the following shall be the charges for room hire (all charges are for a half day hire):

	<u>Members</u>
Television Room	£50
Morris Room	£60
Gladstone Room	£80
Macmillan Room	£100
Snooker Room	£100
Chamber	£500
Lawn	£250
Entire Buildings	£1000

## **SCHEDULE OF UNACCEPTABLE ROOM HIRERS**

In Accordance with Standing Order E4 (b) the following Clubs, Societies and Persons shall not be eligible to hire the Society's rooms:

Oxford University Ski and Snowboard Club

The Oxford University Conservative Association *for the purposes of hustings and in-camera meetings only*

## **SCHEDULE OF SUGGESTED TRIBUNAL PROCEDURE**

1. In accordance with Standing Order D8(j), the Returning Officer shall publish suggested guidelines on the procedures for election tribunal hearings. Such guidelines shall in no way be binding on tribunals.
  - a. The parties (starting with the complainant) introduce themselves. In each case, any representative introduces their clients.
  - b. The Panel introduce themselves to the parties, and satisfy themselves that they are eligible to sit, and have no actual or apparent conflict of interest. Further, they assure themselves that they are meeting in time and subject to any other provisions in the Rules.
  - c. The Panel examine the Allegations count by count. Where there are any Allegations that were brought in time but in some other manner not according to the form or containing in an obvious form all of the content contemplated in the Rules. Where these Allegations have, since initially being brought, been corrected on form or substance, or where the Tribunal can so correct them, it should do so where relevant, and then consider the Allegations as corrected. The Tribunal may not use its powers of investigation to correct said Allegations.
2. Where the Complaint cannot be so corrected, the Complaint must be dismissed as having no case to answer, and the Tribunal should proceed to consider a case of Electoral Malpractice against the Complainant for bringing a frivolous or unfounded and malicious complaint, using its full investigative powers.
3. Where the Complaint has been withdrawn under the power afforded to Complainants within the 72 hour deadline, the Tribunal shall follow the direction of the Returning Officer on how best to proceed.
4. Where the Allegations have been well-made out (by the initial Allegation, through the help of the Returning Officer since the initial Allegation was submitted, or through the help of the Tribunal), the Returning Officer should read out the Allegation (s). The Returning Officer should take each count of electoral malpractice and read it out.
5. The Chair of the Tribunal asks if the Defendants wish to enter a plea to any or all of the allegations. They do not have to do so if they do not wish to; if they do not do so the Tribunal considers the allegations as if they had entered not guilty pleas.

*Where pleas of guilty to all charges by each defendant are made*

6. The Complainant will outline the facts of the offence.
7. The Defendant may agree the facts. If they do not, the Tribunal proceeds to hold a trial on those facts to determine the basis for sentencing. This will proceed as if (as below) the Defendants had entered no guilty pleas.
8. The Defendant may make a plea in mitigation to argue for what they consider to be the appropriate sentence. The sentence itself is a matter for the Tribunal and thus the Complainant does not have the right to address the Tribunal on this point, unless the Tribunal subsequently pass a sentence which was not open to them under the rules.



*Where not guilty pleas have been made*

9. The Complainant calls his witnesses. For each witness:
  - a. The Complainant examines the witness in chief
  - b. The Defendant cross-examines the witness
  - c. The Complainant may re-examine the witness
  - d. The Tribunal may ask the witness questions
  - e. If the Tribunal have asked questions which go into new matters then both Complainant and Defendant shall have a right of re-examination
10. When the Complainant has called all of his witnesses, they formally close their case (this is often a good point for an adjournment).
11. Before the Defendant opens their case, it may make a submission of 'No Case to Answer'. The Tribunal should then rule on this submission - this may involve their retiring for consideration. The Tribunal should give their ruling. If the submission is accepted on all or some of the counts, the Tribunal must enter formal not guilty verdicts on those charges at that time. If so, the Tribunal should consider whether any of the allegations that were ruled as No Case to Answer were either frivolous, or unfounded and brought out of malice. The Tribunal shall then continue - to consider any remaining charges.
12. The Defendant opens their case, calling their witnesses using a similar process to paragraph 9 above.
13. The Defendant formally closes their case.
14. The Complainant may make a closing speech.
15. The Defendant may make a closing speech.
16. The Tribunal retires to consider its verdict.
17. The Tribunal announces its verdict.
18. In the case of a Not Guilty verdict, the Tribunal shall consider whether the allegations were either frivolous, or unfounded and brought out of malice. If so, anyone accused of making such allegations shall become a Defendant, and a case shall ensue on those grounds (the Defendant may wish to call an adjournment to prepare their case).
19. In the case of a Guilty verdict, the Tribunal shall consider whether the allegations are frivolous. If they find they are, the Tribunal shall pass no penalty on the Defendant on that count, and shall consider a case against the Complainant for making a frivolous complaint.
20. If a verdict of guilty has been made on any count, the Defendant may make a plea in mitigation on those charges.
21. The Tribunal retires to consider its sentence.
22. The sentence is announced.
23. The Tribunal recommends any recommendations or rulings arising from its actions, including whether the President-Elect should succeed to Office immediately.

## **SCHEDULE OF REASONABLE COSTS**

As per Standing Order A16(a)(ii)(1), the following is a list of costs deemed reasonably by Standing Committee.

### **(a) Accommodation**

Members incurring accommodation costs, while on Society business, shall be reimbursed at the current, average rate of British Youth Hostels (c. £20 in 2002.) This does not in any way override the provisions of Standing Order A15(c)

### **(b) Food**

(i) In the event of a Member being on society business, as per Standing Order A15 (d), a reasonable contribution towards the total cost of food shall be considered to be no more than £5 *per diem*.

(ii) In the event of a member reciprocating with entertainment for free accommodation, the reasonable cost of a meal, as per Standing Order A15 (c), shall be considered to be no more than £15.

(iii) In the event of a member reciprocating with entertainment for hospitality extended by US universities on the American Tour, the reasonable cost of a meal for each of the US representatives shall be considered to be no more than £20. The reasonable cost of a meal for the Society's own representatives shall be considered to be no more than £20.

## **SCHEDULE OF RECOMMENDATIONS TO THE HOUSE MANAGER ON THE IMPLEMENTATION OF STANDING ORDER G(1)(I)**

Standing Order G(1)(I) states as follows:

The House Manager shall have the power in the bar to refuse entry or eject any person from the bar on a temporary or permanent basis for: disruptive behaviour, vomiting, excessive levels of intoxication, or for possessing any illegal substance. This shall not affect the rights of a member to use other parts of the Society's premises (subject to any disciplinary proceedings under normal disciplinary channels). Such a member shall have the right to appeal to a Senior Disciplinary Committee.

In choosing to ban any person from the Society's bar (including Members) it is recommended that the House Manager should adopt the following procedure:

- 1) If the Member is in the bar at the time that the House Manager chooses to issue such a ban the Member should be asked to show their Membership Card and a note should be taken of the Membership Number. If they do not have their card (or are not a member) then their full name should be taken. The individual should then:
  - be informed of their ban immediately (including the duration or if it is temporary);
  - informed that they have a right, if a Member, to appeal the decision to an SDC; and
  - be directed to leave the bar.
- 2) Regardless of whether the House Manager is able to communicate the ban verbally, a letter should be sent to the last recorded address of the banned individual setting out:
  - The fact that they are banned from the bar;
  - The reason for the imposition of the ban (in as much detail as possible);
  - The duration of the ban if it is temporary or the fact that it is permanent;
  - The fact that, if they are a Member they are still able to use other rooms and facilities of the Society;
  - The fact that they may be subject to other disciplinary proceedings at the discretion of the President;
  - The fact that they have the right to challenge the ban before an SDC if they so choose.
- 3) If an address cannot be located for the banned individual the letter should be kept behind the bar, to be handed to them as and when they attempt to enter.

## **SCHEDULE OF USE OF THE TELEVISION IN THE MEMBERS' BAR**

(1) In accordance with Standing Order E19, the Television in the Members' Bar shall only be used to show the following programmes:

- (i) BBC News at 1 o'clock;
- (ii) BBC News at 6 o'clock;
- (iii) Major Sporting Fixtures;
- (iv) Major Public Broadcasts.

(v) Any programmes being displayed in conjunction with a promotion in the Members' Bar

(2) Such programmes shall be shown at the request of any member and at the discretion of the bar staff on duty.

(3) Whether a sporting fixture or public broadcast is "major" shall be at the discretion of the bar staff on duty.

(4) The Television shall not be switched on except to show programmes in accordance with this Schedule.

## **POLICY FOR THE PROTECTION OF CHILDREN AND VULNERABLE ADULTS**

### *Objective*

To provide a safe environment for children and vulnerable adults within Oxford Union Society (OUS) premises. For these purposes, a child is a person under 18, and a vulnerable adult is a person who is receiving any form of health care whose ability to protect him or herself from neglect abuse or violence is significantly impaired on account of disability, illness or otherwise.

### *Premises*

OUS will take all reasonable steps to ensure that its premises are safe for children and vulnerable adults whose presence can be reasonably expected.

### *Safeguarding Vulnerable Groups Act 2006*

OUS will discharge its obligations under the Safeguarding Vulnerable Groups Act 2006.

### *Duty of Care*

OUS will discharge its duty of care to ensure that it will not permit any activity which puts any child or vulnerable adult at risk of abuse, understanding that abuse can be physical, sexual, emotional, or neglect. In the furtherance of this duty it will take proper care that

- (a) OUS members and members of staff who come into contact with children or vulnerable adults do not do so in circumstances in which there is risk of abuse.
- (b) any allegations or evidence of harm to a child or vulnerable adult will be taken seriously and investigated by the appropriate authority.

### *Open Days, School Visits and Schools Debating Competition*

The fact that OUS is not providing supervision for children will be stated at the time of agreeing any visit by a school and in the OUS documentation. It will be made clear that visiting children must be under the supervision of their teachers or other responsible adult provided by the school.

### *Under-age students*

In rare cases where a student will be under 18 when becoming a member of OUS, OUS will ensure that the student is made aware of the contact details of an adult (normally the Bursar or the President) to be contacted in the event of any incident of abuse or allegation of abuse.

### *Confidentiality*

The Oxford Union will respect the privacy of any child or vulnerable adult, and the confidentiality of information supplied, in so far as this is consistent with its obligation to discharge its duty of care and with statutory obligations.

### *Officer with responsibility for Child and Vulnerable Adult Protection Matters*

The President has responsibility for child and vulnerable adult protection matters and should be contacted in any case of abuse or allegations of abuse. The President is responsible for referring any matters of concern to the OUS disciplinary procedure and if appropriate to the Police or Social Services. Each incoming incumbent will be informed of this responsibility and undergo appropriate safeguarding training. In the event that an allegation of abuse is made concerning the President, the Bursar will hold designated officer responsibilities under this Policy. The President is responsible for this Policy's implementation, and ongoing monitoring of its effectiveness.

*Actions when there are concerns over a child or vulnerable person's welfare, or suspicions of abuse*

If you are worried about a child or vulnerable person, speak to the Union's Designated Safeguarding Officer (the President), or if they are the subject of the complaint, the Bursar. Do not investigate the matter. The Designated Safeguarding Officer will decide whether to take action.

If no action is required, keep information confidential, and an eye on the child/vulnerable person. If concerned again, discuss with Designated Safeguarding Officer.

If action is required, Police or Social Services may wish to interview you. Share all the information you have with police/social services, and the Designated Safeguarding Officer, but do not discuss with others.

*Reporting a concern (for Designated Safeguarding Officer)*

Multi-Agency Safeguarding Hub (MASH)

Telephone: 0845 0507666

Email: [mash-childrens@oxfordshire.gcsx.gov.uk](mailto:mash-childrens@oxfordshire.gcsx.gov.uk)

Policy effective date: 6 June 2016

## **SCHEDULE OF FORMAL POLICY DECISIONS**

As per Rule 73(f), the following are policy decisions which have been decided by a Poll or in Private Business at a Public Business Meeting and have not been overridden or become otherwise void or irrelevant.

### **A: THE JUKEBOX DEBATE**

“This House resolves to prohibit the use of the jukebox in the Bar”; passed at the Special Private Business Meeting on 6<sup>th</sup> April 1998, subsequently taken under Rule 47(e) to the Public Business Meeting held on the 12<sup>th</sup> April 1998 and passed in Private Business at that meeting.

### **B: THE POLLS OF 12<sup>TH</sup> JUNE 1998**

Two motions were passed at the above debate, the full text of which are given here for the purposes of Rule 73.

**Motion 1:** “This House finds the practice of candidates publicly harassing members to vote in Union elections both offensive and detrimental to the quality of candidates elected; therefore this House amends the Rules to ban the canvassing of votes in Public places.”

Accordingly Rules 33(a)(ii) and 33(a)(iii) were amended.

**Motion 2:** “This House believes

- (1) The Oxford Union is a Members’ Society to be run for the benefit of all Members.
- (2) Members have a right to know how their money is spent and what decisions their elected representatives make; decisions must not be made behind closed doors.
- (3) The Union has nothing to fear from openness, accountability and transparency.

Therefore this House amends the Rules to make the Union more accountable, open and responsive.”

Accordingly Rules 14(a), 23(g), 27(a), 27(c), 40(d), 45(h), 60(a) were amended and Rules 18(c), 18(d), 18(e), 21(c), 23(i), 23(j), 33(a)(ii)(9), 34(f) 35(k), 35(l), 37(d), 60(b), 62(e), 67(i), 68(e), and 73(h) were inserted. Standing Orders A1, A2, A3 and B2 were amended.

### **C: SUPPLEMENTAL DECLARATIONS OF TRUST**

“This House approves the supplemental trust to the Oxford Union Society Trust Deed, as attached,” passed as a Private Business in a Public Business Meeting on 4<sup>th</sup> March 1999 (see the Supplemental Redecclaration of Trust for the schedule to the motion).

### **D: TRUST DEED REDECLARATION CHANGES**

“This House amends the Rules to reflect the recent changes to the Oxford Union Society Trust Deed – namely removing the Senior Officers and Trustees as members of the Standing Committee,” passed as a Private Business Motion in the Public Business Meeting on 11<sup>th</sup> March 1999.

Accordingly Rule 24(a), 34(c) 62(a), 71(c) and Standing Order B7(b) were altered.

### **E: RULES CHANGE OF 12 FEBRUARY 2015**

Rules changes were passed to allow campaigning of candidates for the first time since 1998. Rules 33(a)-(d), 34(d), 35, 54(c) and 67(e)(vii) were altered and the changes were implemented for the Hilary Term 2015 election onwards.

### **F: GENDER-NEUTRAL RULES**

“This House would make the Rules gender neutral,” passed as a Private Business Motion in the Public Business Meeting on 30<sup>th</sup> April 2015.

## SCHEDULE OF FORMAL INTERPRETATIONS OF THE RULES AND STANDING ORDERS

This is the schedule of interpretations of the Rules and Standing Orders issued by the Returning Officer and other bodies correct as of 8<sup>th</sup> December 2010.

### A. Interpretations of the Returning Officer

The following interpretations of the Rules and Standing Orders have been issued by Returning Officers in furtherance of Rule 32(g) and in accordance with Rule 67(e)(i)(6). They shall act as binding authoritative precedents to the extent set out in the Rules.

#### 1: Regarding Qualifying Speeches

In the absence of adequate record of a debate, any speeches claimed in that debate must be allowed. In the event of it being discovered that a candidate has deliberately misled the Returning Officer into validating their nomination when they have not in fact made the appropriate number of qualifying speeches, action should be taken under Rule 33... as being a deliberate breach of the Rules regarding the conduct of the election.

*Roger Mortimore, University College, Michaelmas 1991.*

#### 2: UNUSED

#### 3: Regarding Rule 32(a)(iii), Deputy Returning Officer Selection

The power of the Standing Committee under Rule 32(a)(iii) to amend the list of Deputy Returning Officers whose appointment is to be ratified may be exercised only in accordance with the criteria of experience and capability laid down for the composition of the original list.

*Marcus Mollan, Corpus Christi College, 2 March 1997.*

#### 4: Regarding Emergency Debates and Election Qualification

For the purposes of eligibility for nominations for the Society's elections, the following is the validity of speeches made in emergency debates: All speeches made in emergency debates before Hilary Term 1990 shall count. For any emergency debate in any term including and since Hilary Term 1990, no more than one speech may be counted from this debate. Speeches may count from any number of emergency debates. A speech will not be counted under this Rule if a speech is counted under Rule 34(c)(viii)(1) from the Public Business immediately following the emergency debate in which the speech was made.

*Marcus Mollan, Corpus Christi College, 2 March 1997.*

#### 5: Regarding Rule 32(a)(i), Deputy Returning Officer Selection

In Rule 32(a)(i), the criterion of experience is to be interpreted as referring first to experience in the administration of the Society's Elections (and where applicable, ought to follow the order of seniority of Deputy Returning Officers of the Society as defined in Standing Order D12 and then to experience in the administration of other Elections and to other general experience of the governance of the Society.

The criterion of capability represents the view of the President, Returning Officer and Chair of Consultative Committee in the first instance, and that of the Standing Committee, concerning the competence of the applicants to assist in the administration of the Society's Elections in that Term. This is to be based initially on the criterion of experience and then on any other known factors that may affect any applicant's general ability to perform their duties were they appointed. This may include the definite absence of an applicant from Oxford during the period of the Election but not mere possibility that this may occur. It may not involve the taking of a view on the basis of the potential level of expenditure governed by Rule 34(e) and Standing Order D14 concerning the Election of that Term, nor of the future allocation of duties by the new Returning Officer between their Deputies.

*Ashley Paver, Collegium Sancti Hugonis, 24 February 1998.*

#### 6: Regarding Rule 34(b), Nomination for an Office and the Standing Committee

There is no requirement under Rule 34(b) for a Member wishing to nominate for an Office and the Standing Committee to submit both their nominations at the same time. However, this shall not be taken as releasing such a Member from their obligation to submit all the relevant monies, photographs and documentation relating to each single nomination at the time of that nomination.

*Matthew Gullick, Wadham, 27 February 1998.*

#### 7: UNUSED

#### 8: UNUSED

## **9: Regarding Rule 34(b)(viii), Verification of Qualifying Speeches**

The means by which the Returning Officer shall determine that a speech has been made, when deciding the eligibility with regard to the provisions of Rule 34(b)(viii) of a candidate to stand for election, shall ordinarily be the presence of that candidate's name in the list of speakers in the approved Minutes of a Meeting, or the presence of an official audio or video recording of the speech.

If in the rational opinion of the Returning Officer, there is serious and sufficient doubt as to whether both of these means of verification reflect the entirety of the proceedings as regards the making of a claimed speech (notwithstanding any ratification or approval of such means of verification), or one of these means of verification is unavailable to the Returning Officer and in their rational opinion there is serious and sufficient doubt as to whether the remaining means of verification reflects the entirety of the proceedings as regards the making of a claimed speech (notwithstanding any ratification or approval of such means of verification), they may allow, for the purposes of eligibility under Rule 38(b)(viii) only, a speech claimed by a candidate.

*James Griffith, Coll. Sancti Petri le Bailey, 7 June 1998.*

## **10: Regarding Rule 38(a), Resignation of Office**

When a letter of resignation signed by an Officer is given to the President, the resignation of that Officer from Office is valid and cannot be withdrawn (Rule 38(a)).

*Ashley Paver, Coll. Sancti Hugonis, 31 October 1998.*

## **11: UNUSED**

## **12: Regarding Deputy Returning Officer Selection**

If there are more applicants than are permitted under the Rules to serve as DROs, the President, Returning Officer and Chair of Consultative Committee are obliged to present to Standing Committee a list of the 12 applicants they consider most experienced and capable, for Standing Committee to ratify. The Committee may amend the proposed list, before ratifying it, if it considers the criteria of experience and capability to have been misapplied in drawing up the list, and may then prefer Members who applied but were not included on the proposed list over some of those who were on the proposed list...Standing Committee is obliged to appoint the 12 most experienced and capable members of those who applied validly, unless it considers fewer than 12 of them to be suitable under Rule 32(a)(iii). Suitability in this Rule is to be construed to mean capability to perform any of the duties of a DRO. That is, provided that a Member is capable of fulfilling any one such duty, they are not to be considered an unsuitable applicant under this Rule. Only if an applicant is totally incapable of fulfilling any duty at all, may Standing Committee consider their application not suitable. Absence from Oxford during part of the election period may be considered in assessing competence, but only complete absence during that period could render an applicant unsuitable, since the Returning Officer is entitled to allocate duties between their Deputies in accordance with their respective availability. Therefore, only if there are fewer than 12 valid applicants who are at all capable, may Standing Committee decline to appoint some of those who applied and suggest further names *ad numerum supplendum*.

*Ashley Paver, Coll. Sancti Hugonis 26 January 1999.*

## **13: Regarding Ordinary Private Business Meeting Reports**

It shall be electoral malpractice under Rule 33(a)(i)(8), (11) and (16) to interfere with, deface, or remove an Ordinary Private Business Meeting report that is posted on the notice board, without the express permission of the Returning Officer.

*Sheridan Westlake, Brasenose College and St Cross College, 19 February 1999.*

## **14: Regarding Rule 32(b)**

Rule 32(b) ("The Conclave") does not preclude or prohibit the admission of observers into the meeting of Deputy Returning Officers to elect the Returning Officer. Correspondingly, observers shall be allowed. Notwithstanding, in line with other elections in the Society, the election of the Returning Officer shall be by secret ballot.

*Sheridan Westlake, Brasenose College and St Cross College, 18 April 1999.*

## **15: Regarding Use of the Phrase "Vice President"**

No candidate in the Society's elections may use the term "Vice-President" when actually referring to the Office of Librarian in any manifesto, manifesto booklet entry, hustings speech, or any other publicity connected with the election; nor may it be used in reports issued for Private Business Meetings.

*John Everett, Coll. Divi Ioannis Baptistae, 25 October 1999.*

#### **16: Regarding Rule 35(a), Candidates' Names**

With respect to Rule 35(a), the candidate must include at least their surname and one of their first names in the name supplied. The Returning Officer may refuse to accept any name given by a candidate which they believe may confuse other members, whether or not this is deliberate.

*John Everett, Coll. Divi Ioannis Baptistae, 25 October 1999.*

#### **17: Regarding Standing Order D6, Counting Regulations**

With regard to Standing Order D6 ("Counting Regulations"), the value of ballot papers will at all times be expressed to three decimal places.

*John Everett, Coll. Divi Ioannis Baptistae, 25 October 1999.*

#### **18: Regarding Election Publicity**

Rule 54(c)(ii) clearly prevents discussion of the Election by Members in the Press unless approved by the President and Returning Officer. However, Rule 32(e)(i) states that "the Returning Officer shall conduct the Elections of Officers and Committees of the Society as provided in Rules 33-38 and Chapter D of the Standing Orders". Rule 34(d) further states that "the Returning Officer shall be responsible for adequate publicity for the Poll in accordance with the Standing Orders", and this is further clarified in Standing Order D4. Nothing in Rule 54(c)(ii) can therefore be construed as requiring the President to approve publicity for the Poll in the form of manifesto booklets, posters, newspaper advertisements, and other appropriate publicity material.

*Robert Dougans, Oriel College and Brookes, 20 November 1999.*

#### **19: Regarding Rule 33(d)(v), Appellate Board Composition**

For the purposes of Rule 33(d)(v) (Composition of the Appellate Board), "members of any convocation" shall include those with MAs, MA status, or who are entitled to supplicate for an MA.

*Daniel Johnson, Corpus Christi, 7 December 2000.*

#### **20: Regarding Rule 35(b)(viii), E-mailing of Manifestos**

Rule 35(b)(viii) shall not include the use of the Society's network provision when it is accessed using a computer that is not the property of the Society. Similarly, the use of a Union e-mail address shall not constitute use of the Society's computers, unless the mail is altered or printed using a computer belonging to the Society.

*Daniel Johnson, Corpus Christi College, 19 November 2001.*

#### **21: UNUSED**

#### **22: Regarding Rule 35(b)(xiii), Use of Inappropriate Language in a Manifesto**

Rule 35(b)(xiii) implicitly prohibits the use of any swear word or slang of a sexual or scatological nature. This prohibition extends to and encompasses the documentation of actual events within manifestos. A candidate wishing to document an event which entails the use of such language – and only in the report of an event when such language was used in or on an official publication – may use an "\*" in place of every letter, saving the first and the last.

*Alexandra da Costa, St Hilda's, 22 February 2002.*

#### **23: Regarding Conclave Attendance**

Conclave must occur during the hours when the Society's buildings are usually open. Should the buildings be closed during those hours for social reasons, observers shall be admitted to the buildings, provided they alert the Returning Officer and Secretary to their desire to attend and providing they leave after Conclave business is concluded, and not attempt to use said Conclave as mean of entry to a social event.

*Alexandra da Costa, St Hilda's, 4 May 2002.*

#### **24: Regarding Rule 36, Withdrawal from the Election for Chair of Consultative Committee**

A candidate for the post of Chair of Consultative Committee may withdraw their nomination at any stage prior to the commencement of the Consultative Committee ballot. This shall not be taken to release any other candidate from their traditional obligation to hush, but shall not require any ballot if only one candidate remains.

*Matthew Taylor, St Benet's Hall, 2 December 2002.*

#### **25: Regarding Rule 35(b)(iv), Nomination Folder**

The Nomination folder is available to members for the purposes of confirming that a nomination is valid, and for no other purpose. On no account shall any member be permitted to extract personal information from that file, including, but not limited to, telephone numbers and addresses.

*Matthew Taylor, St Benet's Hall 2 December 2002.*



## 26: Regarding Publishing to the Websites

Where the Rules state that any individual must publish material to the Society's website, they shall be taken to have discharged their responsibilities when they pass to the Webmaster either electronic or hard copy of the material with a request that it be placed on the Society's website.

*Matthew Taylor, St Benet's Hall, 7 December 2002.*

## 27: Regarding Rule 6(b)(i), Notification of Fines

For the purposes of Rule 6(b)(i), "written notice" shall constitute any notice delivered to the member in question in accordance with Rule 67(j)(ii) which brings the fact of the fine to the attention of the member.<sup>213</sup>

*Peter Orlov, New College, 28 January 2003.*

## 28: Regarding Rule 36(d)(i) and Rule 11(a), Eligibility to Stand as Chair of the Consultative Committee

Rule 11(a) states that "only Life Members may be candidates in the Society's elections." However, Rule 36(d)(i) states that "Any member, who has attended four of the last eight meetings of the Consultative Committee may stand for election to the post of Chair of Consultative Committee...", and Rule 26(a) states that, "The [Consultative] Committee shall consist of all members of the Society". Hence: all members, including temporary and long-term members, are members of the Consultative Committee, and all members of the Consultative Committee are eligible (subject to the requirements of Rule 36(d)(i)) to stand for the post of Chair of Consultative Committee. Rule 11(a) refers to the Society's main elections, i.e.. non-Life Members are ineligible to stand for any Office, or to serve on Standing or Secretary's Committee. However, nothing in Rule 11(a) can be used to prevent a non-Life Member from nominating for Chair of Consultative Committee.

*Alexander Young, Oriel College, 16 March 2004.*

## 29: Regarding Rule 34(c)(viii), Speeches that may not Count as Electoral Qualification Speeches

Neither speeches on Private Business matters made at Public Business Meetings, nor points of order nor points of information, nor speeches made debating any procedural motion brought, during an informal debate, emergency debate or Public Business Meeting, may count towards electoral qualification under Rule 34(c)(viii).

*Alexander Young, Oriel College, 16 March 2004.*

## 30: Regarding Rule 33(a)(i)(21)

1. Rule 34(c)(viii) requires that any member wishing to be a candidate in the society's elections has made, by the time of nomination, **two** speeches in the case of nomination the Secretary's Committee, or **four** speeches in the case of nomination for the Standing Committee or an Officership. Hence, the theoretical maximum number of speeches that a member could be expected to make in any one term, in order to nominate themselves in the Society's elections, is four.

2. Under the requirements of 34(c)(viii)(3), the final window of opportunity for any member to make sufficient speeches to nominate themselves for election, is therefore EITHER the last four Public Business Meetings prior to Close of Nominations, OR the last four Emergency Debates prior to Close of Nominations, OR the last four Informal Debates prior to Close of Nominations, OR a combination of the above.

3. With specific regard to Rule 33(a)(i)(21), the phrase "hindering the candidature of a Member" may be taken to refer:

(1) EITHER to preventing any Member, by any means prohibited under 33(a)(i)(21), from *becoming* a candidate;

(2) OR to hindering any Member, by any means prohibited under 33(a)(i)(21), from promoting their candidature (within the parameters permitted by these Rules) once it is declared.

4. Hence: obstructing fair and proper debate in the House by any means specified within 33(a)(i)(21), and as such obstructing opportunities to make speeches for the purposes of 34(c)(viii), is Electoral Malpractice if such obstruction occurs within any of:

EITHER the last four Emergency Debates before Close of Nominations, OR the last four Public Business Meetings prior to the Close of Nominations, OR the last four Informal Debates prior to the Close of Nominations.

Any change to the number of speeches required shall not affect the principle of this interpretation: if the Rules are changed to require 5 speeches, for example, then 33(a)(i)(21) shall apply to the last five sequences of opportunities to speak before Close of Nominations, and so on.

5. Under Rule 33(a)(i)(21), what constitutes "misuse or abuse" of the rules or forms of the house or of procedural motions, or other behaviour described therein such as biases, shall be at the interpretation of the rational opinion of

<sup>213</sup> The provisions of 67(j)(ii) have been replaced by 67(j)(i)-(iii).

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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the Returning Officer whether they be in the Chair or not, as per Rule 67(e)(i)(6) and Rule 32(e), specifically Rule 32(e)(i), pursuant to their duty to “attempt to ensure that no breach of Rule 33 occurs”.

6. Behaviour constituting “misuse or abuse” shall be decided on a case-by-case basis, but the following principles and definitions shall be universally applied.

- (1) 33(a)(i)(21) clearly implies a distinction between “misuse” and “abuse”.
- (1) 33(a)(i)(21) clearly implies that the only procedural motion whose legitimacy is beyond question, is 46(e); therefore it is also implied that the employment of all other procedural motions may be regarded with suspicion.
- (2) “Misuse” should therefore be taken to mean employing a procedure in a technically *correct* sense, but for an ulterior purpose. For example, any Member may move “that the question be now put,” but if there are reasonable grounds for suspecting that their action is electorally motivated, in that termination of the debate would deny a Member or Members the chance to qualify, this constitutes “misuse”.
- (3) “Abuse” should be taken to mean employing a procedure in a technically *incorrect* sense. For example, attempting to bring forward an adjournment motion under 41(d), ten minutes after a previous adjournment motion brought under 41(d), would be an abuse because 41(d) requires half-hourly intervals.
- (4) Grounds for ‘reasonable suspicion’ about procedure brought before the house, (particularly in after-debates) may include, but is not limited to: an unusually high number of Members in the chamber, or Members being ushered into the chamber / marshalled by agitators; facetious or unconvincing reasons being given by the Member moving a procedural motion for the reason of its moving.
- (5) The purpose of this interpretation is to check what has sadly become an increasingly common practice, of a faction or factions ‘packing’ the chamber with their supporters and using their majority to railroad through suspensions or terminations of debates, with the purpose of preventing Members making sufficient speeches to nominate themselves for election.

7. Per 67(e)(i), any ruling of the Returning Officer, on a case by case basis, of what constitutes breaches of 33(a)(i)(21) “shall be binding in the instant case” and act as “authoritative precedents for Members, or Bodies, with powers of interpretation of junior or of equal status”.

8. If a ruling of the Returning Officer in this regard alters the outcome of the Society’s Main Elections it may be challenged by 33(b)(ix)(2).

*Alexander Young, Oriel, 19 May 2005.*

### **31: Regarding Rule 35(b)(viii)**

Rule 35(b)(vii) states “Candidates may then re-register objections to manifesto claims they still believe to be misleading by 5pm...”

1. This clearly implies a distinction from Rule 35(b)(vi), which declares “any Member” shall be able to object to manifestos in the first instance. The second round of objections specified by Rule 35(b)(vii) shall not be available to “any Member”, but only to “Candidates”. In order to verify that objections submitted under this clause are submitted by Candidates, no objection made under this rule shall be valid if it is anonymously submitted.

2. Rule 35(b)(vii) states that objections may be made to claims that are “misleading” and omits to mention objections to claims that are “false”. The Returning Officer has a short period of time in which to produce the manifesto booklet, and whilst they have ensured “to the best of their ability that all claims made in manifestos are true” [Rule 35(b)(xix)(4)], this is not a failsafe. It may be reasonably supposed, given that Rule 33(a)(i)(20) allows complaints against deliberate falsehoods to be submitted to Election Tribunals, that the manifestos amended per Rule 35(b)(vi) may still contain false statements. Therefore, objections that such manifestos contain false statements, as well as misleading statements, may be submitted according to the fifth sentence of Rule 35(b)(vii).

*Alexander Young, Oriel College, 7 June 2005.*

### **32: Regarding Rule 33(d)(iii)**

Where the Election Tribunal has failed to report in full to the Returning Officer within one hundred and eighty eight hours of the Close of Poll as required under Rule 33(c)(ix), the period in which leave to appeal may be requested from the Senior Officers under Rule 33(d)(iii) shall begin at one hundred and eighty eight hours after the Close of Poll in the Society’s main elections for that term, and shall end forty eight hours after the eventual publication of such a report.

*Andrew Grey, Collegium Sancti Petri le Bailey, 18 June 2005.*

### **33: Regarding Rule 32(a)(iii), Appointment of Deputy Returning Officers *Ad Numerum Supplendum***

Rule 32(a)(iii) states that Standing Committee may amend the shortlist of Deputy Returning Officers in accordance with the criteria laid out in Rule 32(a)(i), if in doing so, they decide to remove any applicant from the shortlist, then they shall look in the first instance to any original applicant who did not make it onto the first shortlist due to their having had insufficient experience in the original pool of applicants. These applicants shall be considered in their order of precedence, subject to the criteria laid out in Standing Order D12. Only if an applicant is objected to by a vote of Standing Committee shall the next most junior applicant be considered.

Standing Committee is only obliged to replace any applicant if the number on the shortlist should fall below eight, although they may replace as many applicants as they should wish, subject to the number on the final shortlist not exceeding twelve. As such, the reference to appointments of Deputy Returning Officers as numerum supplendum shall only apply when the original pool of applicants has been entirely exhausted and there are still fewer than twelve suitable applicants.

*Joanna Lee Morrison, Christ Church, 31 January 2006.*

### **34: Regarding Rule 32, Appointment of Deputy Returning Officers**

In the event of the number of Deputy Returning Officers falling below eight at any time other than during the original meeting of Standing Committee in which they are appointed, as laid out in Rule 32(a)(i), then the Returning Officer shall look in the first instance to any original applicants who were not appointed, in their order of precedence, as laid out in Standing Order D12. Only after all these applicants have been given first refusal shall any other members be considered. Original applicants who were removed from the shortlist by the Standing Committee, or who were removed from the shortlist after the in camera meeting of the President, Returning Officer and Chair of the Consultative Committee, shall not be eligible for appointment under this Rule. No member shall be appointed as a Deputy Returning Officer in this way unless all original applicants not otherwise exempted have refused to serve.

*Joanna Lee Morrison, Christ Church, 31 January 2006.*

### **35: Regarding Rule 32(k), Returning Officer's Assistants**

A Returning Officer's Assistant has a term of office equivalent to that of a Deputy Returning Officer, as laid out in Rule 32, extending from their appointment by the Returning Officer, until the appointment of new Deputy Returning Officers as per Rule 32(a)(i), unless the ROA should be objected to according to the provisions of Rule 32(k).

*Jo Joyce, St Hilda's College, 24 February 2006.*

### **36: Regarding Rule 33(a)(i)(11) and Rule 23(h)**

The first sentence of Rule 23(h) is a "Rule... regarding the conduct of the election". As such, any failure to fulfil the requirements of this first sentence on the part of any candidate in the Society's main elections will be a breach of a rule regarding the conduct of the election and could, therefore, constitute electoral malpractice under Rule 33(a)(i)(11).

*Jo Joyce, St Hilda's College, 25 February 2006.*

### **37: Regarding Rule 71(h), Changes in Senior Disciplinary Committee composition**

The clause of Rule 71(h) referring to situations in which the Returning Officer is "unable to find sufficient members of the Shortlist who are willing and able to serve" shall also be considered to apply to those situations in which the Returning Officer is informed by members of a validly-constituted Senior Disciplinary Committee that they are no longer able to serve. So long as all members of the committee as originally constituted approve the measure, the places of those no longer able to serve shall be taken by persons on the new shortlist. The committee shall in all respects – save its membership – be considered the same as that originally summoned in accordance with Rule 71(e)(i).

*Francis Murphy, Trinity College, 19 June 2006.*

### **38: UNUSED**

### **39: Regarding Rule 32(a)(v)**

The Rule requires the President pass on objections to Deputy Returning Officers within 96 hours of the notification of their ratification by standing committee, and then allows Deputy Returning Officers to respond to the objections within 144 hours of said notification. The primary principle involved is thus that each stage is given 48 hours, and this is especially important in the case of responses to objections. Thus, in the event of the President failing to meet the initial deadline, Deputy Returning Officers should be given 48 hours from the time of receipt of objections to present their response, in order that they are not penalised by the President's error.

*Adam Marsh, Trinity College, 29 January 2007.*

#### **40: Regarding Rule 32(a)(vi)(1)**

The Rule requires that the scrutiny committee consider objections and rebuttals made against and by Deputy Returning Officers. Thus, the only material eligible for discussion shall be the objections, as they are provided to the Deputy Returning Officer in question, and the rebuttals made to these objections. The introduction of any new material which has not been provided as an objection, within time limits, and then passed on to a Deputy Returning Officer to allow right of reply, should thus be considered a breach of Rule 71(a)(i)(2).

*Adam Marsh, Trinity College, 29 January 2007.*

#### **41: UNUSED**

#### **42: Regarding Rule 32(a)(v)(1), Rebuttal of Corporate Objections to Deputy Returning Officers**

If an objection is made under 32(a)(v)(1), then a record of the substance of that objection shall be sent to the individual objected against, by the President, as per 32(a)(v)(5), so that the individual might have a right of reply.

*Daniel Johnson, Corpus Christi College, 29 April 2008*

#### **43: Regarding Rule 33(b)(ii), Admissibility of Complaints of Electoral Malpractice**

For the purposes of Rule 33(b)(ii) the submission of a complaint by email to ro@oxford-union.org shall constitute “bringing an allegation before the Returning Officer”.

*Oliver Linch, Coll. Lincolnense, 30 November 2008*

#### **44: UNUSED**

#### **45: Regarding Rule 71(c), Composition of Category B**

An ex-Returning Officer who is also serving as Returning Officer shall not be eligible to sit on an Intermediate Disciplinary Committee as an ex-Returning Officer.

*Niall Gallagher, Coll. Vigornense, 13 May 2009*

#### **46: Regarding Rule 35(b)(xii), Usage of the word ‘Independent’**

Rule 35(b)(xii) shall not be taken as preventing any candidate from describing themselves as ‘independent’ on their manifesto. Such a description shall only be struck if it is in breach of Rule 35(b)(xiii) taken in conjunction with Rule 35(b)(xiv).<sup>214</sup>

*Ronald Collinson, Balliol College, 1 June 2009*

#### **47: Regarding Rule 47(h), Scope of Requirement**

The requirement under Rule 47(h) to seek the ‘prior written consent’ of a Senior Officer or the Standing Committee before a motion with ‘financial implications’ may be ‘put’ shall not prevent any member from giving notice of any proposed motion, nor shall it prevent any motion being discussed in the House; it shall only prevent the House from voting upon such a motion until the Chair has been made aware that written consent has been attained.

*Ronald Collinson, Balliol College, 1 June 2009 (counter-signed Corey Dixon, Oriel, President)*

#### **48: Regarding Rule 47(h), Definition of ‘Written Consent’**

For the purposes of Rule 47(h), the appearance in the Public Minutes of any Motion of Standing Committee that expresses approval of the Private Business Motion, or will otherwise lead to its being put, shall amount to the ‘written consent’ of Standing Committee.

*Ronald Collinson, Balliol College, 1 June 2009 (counter-signed Corey Dixon, Oriel, President)*

#### **49: Regarding Rule 67(b)(iv), Scope of ‘Not More Than Fourteen Days’**

The words ‘postponed to such a Public Business Meeting... not more than fourteen days after the day specified in the original notice’ in Rule 67(b)(iv) shall not be taken as preventing discussion of the motion at Public Business Meetings taking place outside this period, provided:

1. That the motion is in fact introduced at the Public Business Meeting specified in the notice to the colleges, halls and the press;
2. That the Meeting so advertised does fall within the prescribed time-limit; and
3. That all other requirements of this rule are met.

*Ronald Collinson, Balliol College, 1 June 2009 (counter-signed Corey Dixon, Oriel, President)*

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<sup>214</sup> Rule 35(b)(xii) is now unused, but Rule 35(b)(xiii)-(xiv) are still in force.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

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#### **50: Regarding Rule 38(a)(i), Resignation of the Returning Officer and their Deputies**

There being no mechanism in the Rules for the resignation of the Returning Officer or their Deputies, for the purposes of Rule 38(a)(i) the following procedure shall act as the authoritative precedent:

“A Deputy Returning Officer may resign by writing to the Returning Officer; the Returning Officer may resign by writing to the President. Additionally, the Returning Officer may state in their letter of resignation that they do not wish to become a Deputy Returning Officer on their resignation, in which case the relevant section of Rule 32(d)(i) shall not apply.”

*Andrew Mason, Coll. Magnae Aulæ Universitatis, 26 October 2009*

#### **51: Regarding Rule 32(k), Appointment of Returning Officer’s Assistants**

For the sake of clarity, the relevant section of Rule 32(k) shall be read in accordance with the following:

“The Returning Officer must post on the notice board the names of any Members they have appointed as Returning Officer’s Assistants immediately after they are appointed, with 4:00pm on the day of the Poll being the last deadline for appointing Members as such.”

*Andrew Mason, Coll. Magnae Aulæ Universitatis, 27 November 2009*

#### **52: Regarding Rules 33(a)(i)(23) and 35(i)(v), Announcing the Results of the Poll**

For the purpose of Rule 33(a)(i)(23), ‘the Count’ shall be deemed to have concluded once the Returning Officer has announced the results of the Poll in the Bar, as per Rule 35(i)(v). Consequently, Rule 33(a)(i)(23) prevents any individual (including the Returning Officer) from disclosing any or all of the results of the Poll before the end of the aforementioned announcement, unless they be otherwise permitted by the Rules or Standing Orders.

*Andrew Mason, Coll. Magnae Aulæ Universitatis, 5 February 2010*

#### **53: Regarding Rule 71(a)(vi), Allegations Against Officeholders**

Any allegation made against any officeholder listed under Rule 71(a)(vi) must be declared invalid by the Returning Officer if it fails to detail its own compatibility with this Rule in full.

*Anne Ross, Coll. Magnae Aulæ Universitatis, 14 February 2010*

#### **54: Regarding Rule 35 , The Striking of Phrases.**

With reference to 35 (b) (v) (4), interpretations of whether part of a candidate’s submitted manifesto qualify as experience or capability (under 35 (b) (v) (1)) shall be at the absolute discretion of the sitting Returning Officer. If the Returning Officer is not so convinced, they shall offer such amendments as they deem appropriate, and if still no resolution can be found, it is their duty to strike the offending clause or clauses, phrase or phrases. If such a striking causes the candidate to fall below the required balance of capability and experience to other contents (affectionately known as ‘waffle’), then the Returning officer shall be obliged to strike further parts of the candidate’s manifesto until they reach such a point that they are satisfied of both the truth and balance of its composition.

*David Blagbrough, Collegium de Somerville, 5 June*

#### **55: Regarding Rule 32(a)(vii)(1), Seniority of Deputy Returning Officers**

Any term in which a DRO resigns before the Scrutiny Committee meets shall not be counted under Rule 32(a)(vii)(1).

*Katherine Sidders, Trinity College, 15<sup>th</sup> May 2011*

#### **56: Regarding Rules 71(d)(iv)(1) and 71(d)(ii), Referral of an IDC to SDC**

The process described in Rule 71(d)(iv)(1) by which an Intermediate Disciplinary Committee can be referred to a Senior Disciplinary Committee applies only when the process described in Rule 71(d)(ii), specifically the referral of the complaint by the mutual agreement of the complainant and defendant, has not taken place. Referral by mutual agreement under Rule 71(d)(ii) may happen without the need to convene an IDC panel.

*Katherine Sidders, Trinity College, 18 May 2011*

## **57: Regarding Rule 71(i)(iii)(2), Potentially defamatory claims**

(a) A “claim” can be made verbally or in writing. It bears the meaning “an assertion of something as a fact”. A statement of opinion is not a claim, although a statement that someone else holds an opinion is, as that is a matter of fact.

(b) The phrase “potentially defamatory” refers to claims that, if false, a reasonable person would consider to wrongfully damage the reputation of someone.

(c) The phrase “before the end of the disciplinary process” means “while there is still any opportunity for any member to appeal the result of the disciplinary process”. It is included to clarify that the right of rebuttal applies not only once the disciplinary process is ended but also before then, and to clarify that the right of rebuttal applies to claims made within the disciplinary process. It shall not be read to restrict the right of rebuttal in any way.

(d) The term “rebutting” refers to any activity that responds directly to a potentially defamatory claim. Note that this requires the response to address only the truth of what is claimed to be fact. The response may not refer to the motivations behind the claim or anything else other than the factual truth of the claim. A response that goes beyond addressing the factual truth of a claim is not a “rebuttal” and so is not protected under this Rule.

*Jonathan Edwards, Balliol College, 7 June 2011*

## **58: UNUSED**

## **59: Regarding Rule 71(d)(i), Intermediate Disciplinary Committee**

It is possible for such an agreement to be effective only if it is reached before the Intermediate Disciplinary Committee has actually begun the hearing. The precise moment that a hearing begins for the purpose of this Rule shall be when the panel determine that the Disciplinary Committee has been validly constituted, which may be no earlier than the time that the Returning Officer has decided under 71(d)(iii) that the Committee shall meet.

*Jonathan Edwards, Balliol College, 22 June 2011*

## **60: Regarding Rule 71(m), Vacation Disciplinaries**

Where either the Senior Officers or the Returning Officer have consented to a request under Rule 71(m) to delay the relevant disciplinary proceedings until term-time such consent may not be withdrawn unless with the consent of the member(s) subject to the material complaint. For the purposes of Rule 71(m) the member(s), “who is subject to a complaint”, shall be taken to mean the member(s) against whom the *material complaint has been brought*.

*David Blagbrough, Collegium de Somerville, 30 June 2011 (as Acting Returning Officer)*

## **61: Regarding Rule 5, Membership Cards**

In line with the provisions of Rules 5(b)(ii) and (iii) as well as Interpretation 17 of the Senior Disciplinary Committee, membership cards confiscated by members of staff, the Returning Officer, or members of Standing Committee for a perceived violation of the provisions of Rule 71(i) must be returned to the relevant member within five working days *unless* formal disciplinary procedures have been initiated. Should formal disciplinary procedures have been initiated, said membership card may be held until the conclusion of disciplinary proceedings, including the process of appeals.

*Yotam Levy, St Cross College, 11 March 2012*

## **62: UNUSED**

## **63. UNUSED**

## **64: UNUSED**

## **65. Regarding Rule 33 (b)(viii)(1), Making the Report at the End of an Election**

Where the rule says that the Returning Officer and Deputy Returning Officers “shall report likewise” after the end of the election, the rule means that those officers attract the designated penalties for failing to register in the same way as candidates. Therefore, if a Tribunal be called, an RO or a DRO shall be liable to the penalties should they not report; if no Tribunal be called, an RO or a DRO shall not be liable to the penalties should he not report.

*David Bagg, Balliol College, 5 May 2013*

## **66. Regarding Rule 35 (b)(i), Concatenation of Words in Manifestos**

For the purposes of reckoning the number of words in a manifesto in accordance with this rule, where spaces between discernibly distinct words have been omitted, either by accident or by intention, the words thus concatenated shall be reckoned as if they had not been concatenated. The number of words shall also be reckoned in this manner where words have been concatenated by a symbol, such as a hyphen, except where such a concatenation occurs in common usage.

*David Bagg, Balliol College, 5 May 2013*

## **67: UNUSED**

#### **68: Regarding Rule 35(b), Manifesto Claims**

Regarding manifesto claims, all claims made about external organisations using regulated, or commonly understood, terminology must be held to the same standard of proof as those made about claims of actions within the Society.

*Jack Moore, Brasenose College, 1 June 2013*

#### **69: Regarding Standing Order D2(c), Candidate's Meetings**

In accordance with the Rioumine interpretation (B20) failure to attend three fifths of one of the two candidate's meetings shall be deemed to be an absence and thus shall incur a fine of £10.

*Jack Moore, Brasenose College, 9 June 2013*

#### **70: Regarding Rule 36(d)(iii), The Election of the Chair of the Consultative Committee**

The meeting of Consultative Committee in which the vote referred to in this rule is held shall not count as one of the qualifying four of the last eight meetings. Thus, the last of the qualifying eight meetings shall be the one prior to the meeting in which the vote is held.

*Jack Moore, Brasenose College, 9 June 2013*

#### **71: Regarding the requirement of the rules to contact by University email those members who no longer have access to a University email account relating to a loophole arising from rule 71(d)(iii)**

If a requirement exists in the rules to contact a member by their University email address, but that due to no longer being enrolled at the University that member no longer has a University email address, the official responsible for contacting them shall make all efforts to contact them by other written electronic means, as detailed below.

This is to resolve the loophole that can arise under rule 71(d)(iii) in which the Returning Officer is required to contact the members of lists "A" and "B" of the IDC list using their University email accounts. It is evident that because the IDC list is only redrawn in 1<sup>st</sup> week the necessity for calling an IDC may arise when some of those members of lists "A" and "B" may still, for the purposes of the IDC list be deemed to be enrolled at the University, but may not still actually be enrolled at the University and therefore no longer have a University email address.

In such a case the Returning Officer shall, as is the case with lists "C" and "D" contact them "as appropriate" which is hereby defined as by some form of electronic written communication, in the first instance using any email address from that member's entry in the membership database which is not a University one, and if such an email address is not on the record some written electronic communication which would reasonably be expected to be read in the period of 2 days required under rule 71(d)(iii). If the Returning Officer has exhausted all reasonable avenues of enquiry into electronic communication addresses and other forms of communication including phone, social networking sites then they may leave any person they do not have contact details for from the IDC requisition. However it should be evident that this would be an unusual occurrence.

This specific example does not preclude this interpretation from being applied to any and all such occasions when similar situations should arise under the rules.

*Jack Moore, Brasenose College, 26 September 2013*

#### **72: Regarding Rule 71(c)(ii)(1), "C" and "D" Lists of the Intermediate Disciplinary Committee**

The requirement for the Returning Officer to contact the "C" and "D" lists of the Intermediate Disciplinary Committee list shall only arise if there are fewer than three people from lists "A" and "B" willing to serve after the two day response period set out under rule 71 (d) (iii).

This interpretation has arisen to clarify that it would not be necessary for the Returning Officer to contact the "C" and "D" lists if the panel did not reach full capacity from the "A" and "B" lists during the allotted two day response period. The "C" and "D" lists are merely intended to supplement the "A" and "B" lists should fewer than the minimum number required for a panel to be validly constituted volunteer to serve and to prevent the subsequent automatic escalation to a Senior Disciplinary Committee except in extraordinary circumstances.

*Jack Moore, Brasenose College, 7 October 2013*

#### **73: UNUSED**

#### **74: UNUSED**

#### **75: Regarding Rule 35(c)(viii), Qualifying Speeches**

Henceforth, for the purposes of rule 34 (c) (viii), a 'speech' in an Emergency Debate or Public Business Meeting shall only be deemed adequate for eligibility purposes if it addresses the Motion at hand. Since proposing or opposing the motion is evident by virtue of the speech being on either side of the House, this shall require some argumentation and reasoning.

The Secretary of any Emergency Debate or Public Business Meeting shall be responsible for the minutes of said meeting to be adequately recorded.

*Martine Wauben, Pembroke College, 14 November 2013*

#### **76: Regarding Withdrawal of Allegations of Electoral Malpractice**

In order to give the Returning Officer the opportunity to judge whether the allegation is frivolous or malicious, all evidence detailed in the Written Allegation must be presented to the Returning Officer at the time of withdrawal or before. Their decision shall not be taken to influence an Election Tribunal Panel if that were to be convened, although any additional evidence the RO may have compiled in their investigations will be considered.

*Martine Wauben, Pembroke College, 3 February 2014*

#### **77: Regarding Rule 32(a), Scrutiny of Further DRO Appointments**

All applicants for DRO, at the point of their appointment, must be subjected to the same scrutiny process, regardless of whether or not they were on the initial DRO Shortlist passed in Second Week. Therefore, any further appointments made shall be subject to the scrutiny process described under Rule 32(a)(v) and 32(a)(vi), with the time limits counting from the Standing Committee meeting at which they were appointed, re-convening the Scrutiny Panel.

*Martine Wauben, Pembroke College, 3 February 2014*

#### **78: Regarding Rule 33(b)(iii), 'Conditional Tribunals'**

'Conditional tribunals' are Written Allegations of Electoral Malpractice under Rule 33(b)(iii) accompanied by the clause that they are only to be opened if some other condition is satisfied. Since the facts of Electoral Malpractice are not conditional upon other factors, that clause is meaningless. Conditional tribunals shall be treated as ordinary Written Allegations of Electoral Malpractice: the conditional clause shall be ignored.

*Martine Wauben, Pembroke College, 3 February 2014*

#### **79: UNUSED**

#### **80. Regarding 33(a)(i)(8), Defacing the Photographs and Manifestos of Sitting Officers**

Following a series of defacement of Officers' photographs and manifestos displayed on the noticeboard throughout term. I hereby clarify that this is an offence under rule 33 (a) i) 8), due to it being electoral material posted by the Returning Officer, regardless of if this Officer is re-running in subsequent elections.

*Joshua Atkinson, St Benet's Hall, 1 March 2014*

#### **81: UNUSED**

#### **82. Regarding Photographs of Electoral Candidates**

The photograph provided by the candidates to the Returning Officer shall, on top of the rules stated in 25(e), not contain any kind of extra accessory apart from the clothing of the candidates. Accessories would include but not limit to champagne bottles and smoking pipes. It is also in accordance to other parts of Rule 33 that the photograph shall not suggest any form of alliance between candidates, but such limits shall be bound to Rule 33. It is up to the digression of the Returning Officer to judge whether an item constitutes as an accessory, and the same standard shall be applied to all candidates of the same election.

*Wharton Chan, Pembroke College, 29 October 2014*

#### **83: UNUSED**

#### **84: UNUSED**

#### **85. UNUSED**

#### **86. UNUSED**

#### **87. UNUSED<sup>215</sup>**

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<sup>215</sup> See A109.



## **88. Regarding Rules 38(j)(i) and Rule 13(b), Refusal of Succession to a Vacant Office**

The right to refuse succession provided in Rule 38(j)(i) applies to succession under Rule 13(b)(ii), Rule 13(b)(iii) and Rule 13(b)(iv), where an Office is found vacant at the beginning of a term, as well as to cases where a vacancy arises within the term. In such cases, the person who at the beginning of the term is exercising the powers of the President should send the email required under Rule 38(j)(ii)(1) within twenty-four hours of gaining these powers (unless this person is unaware that the Office in question is vacant, in which case he or she must send the email within twenty-four hours of becoming aware). No successions shall take place to the vacant Office until the period of twenty-four hours following the person holding the powers of President sending the email required by Rule 38(j)(ii)(1) has elapsed.

*Michael D Flagg, Coll. Sancti Hugonis, 14 March 2015*

## **89. Regarding Rule 32(e)(ii), Maintenance of the Rules**

Under Rule 32(e)(ii), the RO is responsible for updating the Rules, including Standing Orders. In order to perform this duty, the RO must be furnished with a written copy of the exact wording of the proposed amendment, as accepted within Interpretation C29 and formatted as under Rule 67(b)(iii). The posting of notice of a change under Rule 67(b)(viii) shall be deemed to satisfy this requirement, as it must necessarily contain the exact wording of any amendments proposed.

*Michael D Flagg, Coll. Sancti Hugonis, 1 May 2015*

## **90: Regarding Rule 32(k), Removal of Returning Officer's Assistants**

The resignation and removal of a Returning Officer's Assistant shall be treated in a manner equivalent to those of a Deputy Returning Officer, as detailed thus:

(a) In the same way that a Deputy Returning Officer may be removed from their position by the same process in which they were appointed, that is through convening a meeting of the Scrutiny Committee, a Returning Officer's Assistant may be removed by the Returning Officer with a notice to that effect upon the notice board and written notification to that member.

(b) As a Deputy Returning Officer may resign in writing to the Returning Officer, a Returning Officer's Assistant may also resign from their position

*Michael D Flagg, Coll. Sancti Hugonis, 11 May 2015*

## **91: UNUSED**

## **92: Regarding Rule 33(a)(i)(2), “Immediate Purpose” and the Press**

Rule 33 does not, and is not intended to, preclude the press from reporting on the Society's elections. The “immediate purpose” of a news report is to report news. It is manifestly not to “[solicit] votes for or against a candidate” (I note here the distinction between “news” and “comment”). Accordingly, the publication of unscrutinised, factual claims by the press does not *itself* constitute a violation of Rule 33.

*Robert Boissonneault, Coll. Keblense, 25 June 2015*

## **93: Regarding Rule 32(h), Eligibility of CCCs and CDSCs to Serve On Election Tribunals**

“Former members of the Standing Committee” are eligible to serve on Election Tribunals. This category is not limited to Ex-Officers and Ex-Elected Members; it must also include Ex-Chairs of the Consultative Committee and Ex-Chairs of the Debate Selection Committee,<sup>216</sup> as per Rule 24(a)(i).

*Robert Boissonneault, Coll. Keblense, 25 June 2015*

## **94: UNUSED**

## **95: Regarding Rule 71(c)(i)(2), Seniority for the Purpose Of Compiling the IDC List**

When compiling an IDC list, the Returning Officer must first look at the whole number of Terms that each person has been a member of the Union for, making use of the definition provided in Rule 67(e)(vii), that is:

*Term's Standing: Period of Membership calculated in Terms including that in which the Member was admitted to Membership.”*

That is to say if two people have both joined in the same Term, this Term is counted equally for both of them and they have the exact same seniority under the first part of Rule 71(c)(i)(2) even if they joined on different days. Standing Orders D11 and D12 must subsequently be employed to distinguish between the two people.

*Stanislas Lalanne, Collegium Mertonense, 19 October 2015*

<sup>216</sup> Where those Ex-CDSCs served after the CDSC was added as a non-voting member of Standing Committee, which occurred by change to Rule 24 (approximately 12<sup>th</sup> June 2014).

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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#### **96: Regarding Rule 32(b), the 'Conclave'**

To ensure that the ballot for electing a new Returning Officer under Rule 32(b) remains a secret ballot, should the outgoing Returning Officer decide to allow proxy votes and should they receive at least one such vote via email, that Returning Officer must make sure that they delete the relevant email(s) from the official Returning Officer email account before handing it over to their successor; this is to ensure that their successor will not know who has voted for them and who has not.

*Stanislas Lalanne, Collegium Mertonense, 28 October 2015*

#### **97: Regarding Rule 32(d)(iii)**

If DROs fail to elect a new successor within four days following events laid out in either 32(d)(i) or 32(d)(ii), the Senior Librarian, or, failing that, the Senior Treasurer, must appoint a Returning Officer from among the list of people who would otherwise be eligible to be elected as Returning Officer under Rule 32(b), i.e. all the new DROs who are not the CCC and have attended at least one previous Count, excluding the outgoing Returning Officer. This requirement can be waived should there be either no eligible DROs or if all eligible DROs have explicitly refused to accept such an appointment.

*Stanislas Lalanne, Collegium Mertonense, 28 October 2015*

#### **98: Regarding Rule 35(b), 'Inviting' a Speaker**

In the interests of accounting for the actual workings of the society, a candidate shall be deemed to have invited a speaker if, regardless of whose name the invitation was issued in, the candidate in question was responsible for devising and writing the majority of the substantive content of the invitation.

*Peter Corden, Collegium Orielense, 22 November 2015*

#### **99: Regarding Rule 35(b)(xxi), 'Confirmed'**

In the interests of accounting for the actual workings of the Society, a candidate shall be deemed to have confirmed a speaker if (in the rational opinion of the Returning Officer) the actions of the candidate in question were the primary cause of the speaker confirming that they would visit the Society.

*Peter Corden, Collegium Orielense, 22 November 2015*

#### **100: Regarding Rule 34(b)(i), Venue for the Close of Nominations**

If it is discovered that the Morris Room has already been booked between 1pm and 3pm on Friday of Sixth Week and is as such unavailable for the Returning Officer's use, the Returning Officer shall make a suitable alternative arrangement to receive nominations elsewhere on the Society's premises. This shall include, but not be limited to, the Macmillan Room, the Gladstone Room, or the TV Room. If such a situation should occur the Returning Officer shall endeavour to inform those wishing to submit a nomination of the anticipated change in venue by including it in the nomination pack, or failing that by a notice outside the Morris Room on Friday of Sixth Week.

*Ceri Smith, Collegium Sanctae Annae, 6 February 2016*

#### **101: Regarding Rule 67(e)(i)(5) and Rule 67(e)(iii), Interpretive Power of Disciplinary Committees**

Rule 67(e) gives interpretive power to Disciplinary Committees. It is implicit in this Rule that a Senior Disciplinary Committee shall have superior interpretive power to an Intermediate Disciplinary Committee. As such, an SDC may overrule an interpretation made by an IDC, within the course of its duty, while an IDC may not overrule any interpretation made by an SDC.

*Ceri Smith, Collegium Sanctae Annae, 13 February 2016*

#### **102: Regarding Rule 67(e)(iii), Bodies of Equal Interpretive Power**

Interpretations shall act as authoritative precedents for Members, or bodies, with powers of interpretation of equal status, except when the power in question is that of the President or the Returning Officer, which shall follow the mechanism prescribed in 67(e)(iii)(3) and (4).

*Ceri Smith, Collegium Sanctae Annae, 13 February 2016*

### **103: Regarding Rule 33(a)(ii)(2), Time When Claims Are Considered 'Verified'**

A claim made in a manifesto shall not be considered verified under Rule 35(b)(xvii) until either:

- (a) the latest of the following has occurred:
  - (i) the interview process required in Rule 35(b)(xvii) has concluded;
  - (ii) the objection deadline specified for the relevant manifesto (that is: the short manifesto deadline or the long manifesto deadline) in Rule 35(b)(vii) has passed;
  - (iii) the candidate has been notified by the Returning Officer either that no objections have been made to that manifesto within the specified time limits, or that those objections have been dismissed;
- OR

- (b) the claim is an amended claim having resulted from that process, and the candidate has been notified by the Returning Officer that they are satisfied that it is in accordance with the Rules.

*Ceri Smith, Collegium Sanctae Annae, 28 February 2016*

### **104: Regarding Rule 33(a)(ii)(2), Statements of Intent and Statements of Opinion**

A statement of intent shall not be deemed a statement of opinion under Rule 33(a)(ii)(2), and is therefore a factual claim.

*Ceri Smith, Collegium Sanctae Annae, 28 February 2016*

### **105: Regarding Rule 38(b)(vii), Seniority After Succession to an Elected Committee**

When the most junior member of the Standing or Secretary's Committee is succeeded as per this rule, the successor shall assume the most junior position on that Committee regardless of the amount of first preferences originally received in the previous election for that Committee.

*Ceri Smith, Collegium Sanctae Annae, 21 March 2016*

### **106: Regarding Rule 38(f), Seniority After Resignation of an Officer-designate or Member-designate**

Rule 38(f) states that the resignation of an Officer-designate or a Member-designate of the Standing or Secretary's Committee shall be deemed to have taken place immediately after their succession 'for the purposes of this Rule only'. Such a member therefore never succeeded to the relevant position for any other purpose (having resigned before their succession), and thereby derives no seniority from the rank of that position in Standing Order D11.

*Will Barnes, Hertford College, 6 May 2016*

### **107: Regarding Rule 71(b)(i)(1), Frivolous Complaints of Misconduct**

As the report of the Senior Disciplinary Committee of 10th April 2010 indicates, a defendant may request the dismissal of a complaint by the Senior Officers and Returning Officer even if the complaint is one that would ordinarily be subject to the Intermediate Disciplinary Procedure or the Senior Disciplinary Procedure under Rule 71(d)(i). The power to dismiss complaints as frivolous is not limited to those complaints that are subject to the Junior Disciplinary Committee.

*Will Barnes, Hertford College, 7 May 2016*

### **108: Regarding Rule 71(a), Invalid Complaints of Misconduct**

As the report of the Senior Disciplinary Committee of 10th April 2010 indicates, where the Returning Officer rules that a complaint has been invalidly brought (that is, the complaint is not brought in accordance with the procedural requirements of the Rules, including the requirement set out by Interpretation A53), they may unilaterally dismiss the complaint.

*Will Barnes, Hertford College, 7 May 2016*

### **109: Regarding Rule 34(c)(viii)(1), Qualifying Speeches and Public Business**

When considering the restriction upon qualifying speeches laid out in Rule 34(c)(viii)(1), the Returning Officer shall bear in mind that an After Debate is a continuation of that week's Public Business after a division has been called (see, for example, Rule 22(a)(i)(1)). A second speech (whether in the Main Debate or the After Debate) may not be counted from any Public Business Meeting in which another speech has been counted for that candidate (whether in the Main Debate or the After Debate).

*Will Barnes, Hertford College, 23 May 2016*

*(adapting A87, issued by Michael Flagg, St Hugh's College, 21 February 2015)*

#### **110: Regarding Rule 32(a)(vi)(5), Special Adjournment Motions and DRO Scrutiny**

Interpretation B4 restates the principle set out in Rule 45 (h) that decisions made by certain committees can be appealed to the House through a Special Adjournment Motion. However, in the case of the Deputy Returning Officer Scrutiny Committee, such an appeal is not allowed. This is clear from the wording of Rule 32(a)(vi)(5), which explicitly states that the decision of the Scrutiny Committee shall be final, thus closing off any opportunities for appeal. It should be noted that the 'Scrutiny Committee' is not an actual Committee of the Society (Rule 23(a)), instead serving as a pseudo-disciplinary panel (as further evidence of this fact, note that it meets in camera by default), and that Rule 32(a)(vi) clearly implies that the suitability of Deputy Returning Officers should be determined by the 'Scrutiny Committee' alone.

*Will Barnes, Hertford College, 23 May 2016 (re-issuing, with amendments)*

*(originally issued ultra vires as B21 by Erik Hammar, CCC, Christ Church, 28 October 2013)*

#### **111: Regarding Rule 33(a)(i), False or Misleading Evidence at Scrutiny**

Deliberately submitting false or misleading evidence to scrutiny, or deliberately making false or misleading statements to the scrutiny panel in support of a manifesto claim (whether the claim itself is true and non-misleading, or not), constitutes electoral malpractice. Such conduct violates Rule 33(a)(i)(1) (since it involves making a statement that is known to be untrue or misleading, and – by virtue of seeking to affect the eventual set of 'scrutinised claims' – is intended to influence the course of the Election) and Rule 33(a)(i)(16) (since it hinders the Returning Officer in the discharge of their duties in Rule 32(e)(i), being more specifically elaborated in Rule 35(b)), and is also against the spirit of Rule 35 and in particular Rule 35(b)(xiii).

*Will Barnes, Hertford College, 4th June 2016*

#### **112: Regarding Rule 35(b), 'Brought' and 'Raised' Claims**

A candidate may not claim to have 'brought' or 'raised' funds through organising, arranging or facilitating a debate or speaker event if the resultant income derived solely from the Union's usual advertising revenue on videos of the event or its normal media distribution contracts, from the fees paid by non-members to attend the event, or from sponsorship for that event which other individuals arranged independently of the candidate's organisation of the event itself.

*Will Barnes, Hertford College, 5th June 2016*

## **B: Interpretations of the President or Chair**

The following interpretations of the Rules and Standing Orders have been issued by Presidents, or those with the same powers, in accordance with Rule 67(e)(i)(10). They shall act as binding authoritative precedents to the extent set out in the Rules.

### **1: UNUSED<sup>217</sup>**

### **2: Regarding Rule 6(d)(i), Provisional Payment of Fines**

When the rule states “provisional payment shall only be required if the total sum of fines incurred by that member be less than £100”, the £100 refers to the initial fine or fines and not any subsequently escalated fine.

*Charlotte Keenan, President, Trinity College, 25 February 2002*

### **3: Regarding Rule 43(e)(ii)(2), Procedural Motion**

This procedural motion is to be used with exclusive reference to Rule 41(d). It does not allow for adjournment of Private Business meetings unless they break the time limits specified under Rule 41(d). This procedural motion cannot be used to adjourn Public Business, an Informal Debate or any other meeting of the Society not specified under Rule 41(d).

*Georgina Costa, President, Christ Church, 12 June 2004.*

### **4: Regarding Rule 45(h), Special Adjournment Motions**

Where the Rule 45(h) states “Any decision made by any Committee except under Rules 4, 7, 32, 62 and 67(b), where alternative methods of appeal are applicable or under Rules 32(h) or 52, may be reversed by the House by means of a Special Adjournment Motion”, it shall be taken to mean that:

Any decision made by any Committee except those in situations where alternative methods of appeal are applicable under Rules 4, 7, 32, 62 and 66(b) and except in Rules 32(h) or 52, may be reversed by means of a Special Adjournment Motion.

That is, there is no appeal via Special Adjournment Motion in any case under Rules 32(h) or 52; and there is appeal via Special Adjournment Motion under Rules 4, 7, 32, 62 and 67(b) unless an alternative method of appeal is outlined in the rule. Obviously, a Special Adjournment Motion is a valid method of appeal in all other Committee decisions.

*Richard Tydeman, President, Christ Church, 2 May 2005.*

### **5: Regarding Standing Order B6(c)(ii), Standing Committee Agenda**

Where the clause reads “No matter not specified... shall be discussed if two members of the Committee, being present at the time, object”, it shall be taken to mean that members of the Committee may object at the time that the matter is raised but not during or after the discussion nor once a motion has been passed on it. Committee members not present at the time the matter is raised may not object with retrospective effect.

*Richard Tydeman, President, Christ Church, 9 May 2005.*

### **6: UNUSED**

### **7: Regarding Rule 30(c)(i)(3), The House Manager**

If, for whatever reason, there is no staff member with the formal title “House Manager”, the President shall designate a Member, or member of staff (including temporary staff) the “House Manager for the purposes of Rule 30(c)(i)(3)”. The designated person shall have the powers, duties, responsibilities and capacity of the House Manager for the purposes of this Rule.

*James Dray, President, Mansfield College, 2 November 2009*

### **8: Regarding Standing Order A12**

Whenever IVs occur outside of term time, members may claim travel expenses to and from their place of abode, provided that such place of abode is in the United Kingdom and is registered as their place of abode with the Union.

*James Dray, President, Mansfield College, 3 December 2009*

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<sup>217</sup> Deemed to be ultra vires by Ruling of the President dated 26<sup>th</sup> June 2015, since it was issued by a CCC chairing Consultative Committee rather than a Public Business Meeting.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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## **9: Regarding Standing Order B14(4)(b)**

Standing Order B13(4)(b) only applies in the case that there are more applicants than places at a given competition, and it applies both to judging and speaking. In a situation where a speaker or judge is selected before they have attended six IVs purely because there were insufficient applicants this will still count towards their limit of six competitions. As such a speaker or judge may attend more than 6 competitions, but only if there are insufficient applicants in the IV that they are applying for once they have already attended six IVs.

*James Dray, President, Mansfield College, 3 December 2009*

## **10: Regarding Rule 29(c)**

The requirement that the Charitable Endowments Committee be summoned once every quarter shall necessitate one such meeting to be called and thereafter to meet by the sitting President each term, and an additional meeting to be called by the Sitting President during the long vacation.

*Oliver Linch, Ex-CCC, Ex-RO, Lincoln College, 25 February 2010 (chairing Public Business)*

## **11: UNUSED**

## **12: Regarding Rule 26 (c)**

There is no requirement that a College Secretary represents a College of which they are a Member. The word ‘their’ in Rule 26(c)(ii) refers to the College which the Member represents, not the College to which they belong.

*Ronald Collinson, Ex-Standing, Ex-CCC, Ex-RO, Balliol College, 4 March 2010 (chairing Public Business)*

## **13: Regarding Rule 46(e), Counting Out**

The Chair, Secretary and Tellers shall not count towards the number of Members present.

*James Langman, President, University College, 8 March 2011*

## **14: Regarding Standing Order B2, Committee Proceedings**

All non confidential documents presented to any committee must be included in the minutes of that meeting in order for the minutes to be deemed in good order and the Secretary of that committee to have fulfilled their duty.

*James Langman, President, University College, 8 March 2011*

## **15: Regarding Standing Order B10(a), Limitations of the Vacation Standing Committee**

The prohibition on altering or waiving any of the Standing Orders includes a prohibition on creating new Standing Orders as well.

*James Langman, President, University College, 8 March 2011*

## **16: Regarding Rule 68(b), Enactment, Repeal and Amendment of Standing Orders**

“Present and voting” explicitly refers to only those expressing preference by voting either in favour or opposition of the motion. Members wishing to abstain do not count towards those voting.

*James Langman, President, University College, 8 March 2011*

## **17: Regarding Rule 23(a), Committees of the Society**

Rule 23(a) provides an **exhaustive list** of all “Committees of the Society”. Any other body which may exist under the Rules and Standing Orders, for whatever purpose and whether named a committee or not, which is not listed in Rule 23(a) or has not been appointed under Rule 30, cannot be considered to be a Committee of the Society and is not subject to the provisions of Rule 23 or Rule 67(i). This interpretation is supported by Rule 23(i).

*Isabelle Westbury, President, Hertford College, 9 July 2011*

## **18. UNUSED**

## **19: Regarding Rule 8, Re-Election of Members**

Candidates for re-election under Rule 8 shall be required to fulfill the criteria under Rule 3, including the payment of the membership fee.

*Isabel Ernst, President, St Catherine’s College, Trinity 2012*

## **20: Regarding Rule 23(c)(ii), Attendance at Meetings**

The obligation to attend a meeting is not exhausted by presence at a small fraction of a meeting. Accordingly, a person shall be considered ‘absent’ from and ‘to have missed’ a meeting unless they have been present for at least three-fifths of the total duration of the meeting.

*Maria Rioumine, President, Christ Church, Hilary 2012*

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

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**21: UNUSED<sup>218</sup>**

**22: Regarding Rule 23(c)(ii)(1)**

Rule 23(c)(ii)(1) states: “any member of any Committee, with the exception of the Consultative Committee (save as under (4) below), not being a Trustee, ex-Officer, Senior Officer or Senior Member of the Library Committee shall be fined £10 for absence without good reason from an Ordinary Meeting of that Committee”. It is not, however, clear whose duty it is to issue these fines. In future those with the power to issue these fines will be the President, Chair and Returning Officer.

*Benjamin Sullivan, President, Christ Church, 7 April 2014*

**23. Regarding Rule 23(g)(iii), “Disciplinary Matters”**

Rule 23(g)(iii) permits committees (with the exception of the Consultative Committee) to exclude observers while directly discussing “disciplinary matters concerning staff.” The purpose of this provision is, in part, to allow committees, and especially the Standing Committee, to protect members of staff from “public shaming” for which the Society could be held liable. “Disciplinary matters” shall therefore be read to include *potential* disciplinary matters. As a result, committees may exclude observers while discussing serious errors or potentially serious errors on the part of members of staff.

*Olivia Merrett, President, St John's College, 5 June 2015*

*(counter-signed Robert Boissonneault, Returning Officer, Coll. Keblense)*

**24: Regarding Rule 3(a)(i), Spousal Eligibility**

“Spouse” in Rule 3(a)(i) refers to the spouse of a Life Member of the Society, and not to any matriculated member of the University of Oxford.

*Charles Vaughan, President, St John's College, 21 June 2015*

**25: Regarding Rule 67(e)(i), “Business Meeting”**

The term “Business Meeting” refers exclusively to Public Business Meetings and Private Business Meetings. Meetings of committees do not qualify as Business Meetings.

*Charles Vaughan, President, St John's College, 25 June 2015*

**26: Regarding Rule 67(e)(i)(11), Rule 46 and the After Debate**

In line with the principle restated in Interpretation A109 that the After Debate is 'Public Business':

(a) the Chair of the After Debate is able to make Interpretations as the Chair at a Business Meeting (under Rule 67(e)(i)(11)), and;

(b) the After Debate is governed by the regulations of Rule 46, including the prohibition on speaking a second time (whether the initial speech was in the main debate or in the After Debate itself).

*Michael Li, Treasurer-Elect and Ex-CCC, Magdalen College, 9 June 2016 (chairing Public Business)*

*(counter-signed Will Barnes, Returning Officer and Ex-CCC, Hertford College)*

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<sup>218</sup> See the footnote to Interpretation B1. Reissued as A110.

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

Will Barnes, Hertford College, Ex-CCC, Returning Officer

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**C\*: Interpretations of Intermediate Disciplinary Committees**

The following interpretations of the Rules and Standing Orders have been issued by Intermediate Disciplinary Committees in accordance with Rule 67(e)(i)(5). They shall act as binding authoritative precedents to the extent set out in the Rules.<sup>219</sup>

**UNUSED.**

**C: Interpretations of Senior Disciplinary Committees**

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<sup>219</sup> See Interpretation A101

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The following interpretations of the Rules and Standing Orders have been issued by Senior Disciplinary Committees in accordance with Rule 67(e)(i)(5). They shall act as binding authoritative precedents to the extent set out in the Rules.

#### **1: Regarding Offences on the Society's Premises**

Specifically with regards to Rule 71(a)(i), but also generally in relation to Society's Rules, where a Rule specifies that the acts of an offence must take place on the Society's premises, and that acts (such as causing offence or intimidation under Rule 71(a)(i)(1) is caused through the use of electronic communication such as e-mail) then the acts of the offence occurs not at the place of sending but at the place of receipt, therefore, if, for example, an e-mail designed to intimidate an Officer is sent to their official Union e-mail address, it constitutes on receipt the occurrence of that action on the Society's premises. Furthermore, with regards to the general application of this Rule campaigning via e-mail (regardless of whether this is covered by a specific Rule) would constitute the offence of "campaigning in a public place" by virtue of the same principle if sent from a "private place" to an official college e-mail address under Rule 33(a)(ii)(3).

*Senior Disciplinary Committee, 17 June 2001.*

#### **2: Regarding Offences Against Staff**

Offences, which would fall under Rule 71 if committed against a member, shall be considered an offence when committed against a member of staff. This is because they are directed at an agent of the President and as such are an offence against the President.

*Senior Disciplinary Committee 17 June 2001.*

#### **3: Regarding Evidence Submitted under Rule 71**

Unfortunately, there is no prescribed form for complaints under Rule 71, and no requirement for somebody complaining under Rule 71 to specify all of the evidence backing up the complaint. We accept that, during the course of the procedures of the more informal Standing Committee hearing, new points can be adduced by the prosecution, however, when before a Special Disciplinary Committee, no evidence not previously adduced in the complaint or in the Standing Committee hearing may be adduced by the prosecution in the course of that hearing.

*Senior Disciplinary Committee 17 June 2001.*

#### **4: Regarding Rule 71(a)(i)(2), Positions of Trust**

The second sentence: "For any individual holding a position of trust within the Society... within the main body of the Rules and Standing Orders (excluding Rule 62(a))" can be considered as a stand-alone form of misconduct in its own right and is not dependant on the concept of "abuse" of office in the first sentence.

*Senior Disciplinary Committee, 21 October 2001.*

#### **5: Regarding Rule 71(k)**

Rule 71(k) states that a complaint shall not be considered if it is not brought within the relevant time limit. Accordingly, before a disciplinary complaint brought under Rule 71 can be heard on the merits, the body hearing it must be satisfied that the complaint has been brought in time. If the complaint has not been brought in time then there is no jurisdiction under Rule 71 and the disciplinary body may not go on to hear and determine the substantive complaint.

*Senior Disciplinary Committee, 18 March 2006*

#### **6: Regarding Rule 71(k)**

The time at which an alleged abuse of office is 'discovered' is the time at which sufficient facts giving rise to the allegation of abuse of office are accessible to Members of the Society exercising the rights of a Member under the Rules.

*Senior Disciplinary Committee, 18 March 2006*

#### **7: Regarding Rule 71(k)**

The disciplinary process commences at the moment when the complaint is submitted to the Returning Officer or a Senior Officer (as the case may be) under Rule 71(a)(i).

*Senior Disciplinary Committee, 18 March 2006*

#### **8: Regarding Rule 71(m)**

Rule 71(m) should be interpreted as reading that any days in the vacation "shall count as *dies non*" rather than the literal wording of "shall not count as *dies non*".

*Senior Disciplinary Committee, 9 October 2006*

## **9: Regarding Rule 71(e)(viii), Initial Declarations and SDC Reports**

A Disciplinary Committee shall publish its initial declaration within 72 hours of the close of proceedings. A more detailed report may subsequently be posted on the notice board, after the 72 hour period; the deadline for Notice of Appeal or Leave for Appeal shall commence when the final report is posted on the notice board.

*Senior Disciplinary Committee, 9 October 2006*

## **10: Regarding Rule 71(a)(i)(9)**

Introducing, during disciplinary proceedings and with the intention that the necessity of making a formal complaint under Rule 71 may therefore be avoided, matters of no or questionable relevance to the substantive complaint(s) being considered, amounts to misusing Rule 71 to procure objectives more properly attained by other means, and so to misconduct under Rule 71(a)(i)(9).

*Senior Disciplinary Committee, 27 November 2006*

## **11: Regarding Subpoena (1)**

Where a party to disciplinary proceedings requests that a Senior Disciplinary Committee exercise its powers to require the attendance of a Member, that request must include (i) the name(s) of the witness(es) to be subpoenaed; (ii) postal address details for each witness; and (iii) such other contact details for the witness(es) as are known to that party.

*Senior Disciplinary Committee, 27 November 2006*

## **12. Regarding Subpoena (2)**

A Member may be required to appear before a Senior Disciplinary Committee by the service upon them of a notice requiring their attendance ("a Subpoena").

A Subpoena must specify the time, date, and place at which the Committee will sit, and must be served on the member not less than 72 hours prior to the time specified in the notice.

A Subpoena may be served upon a Member:

- (i) in person; or
- (ii) by post to their last known address (including, where relevant, a college lodge); or
- (iii) by e-mail or fax transmission, provided that where a notice is served by email or fax transmission a further copy must be sent by post.

Service of a Subpoena shall be deemed to have occurred:

- (a) immediately, where a notice is served upon a member in person; or
- (b) twenty four hours after posting, where a notice is sent by first class post or deposited in the relevant college lodge; or
- (c) immediately upon completion of successful transmission by e-mail or fax, where a notice is sent by e-mail or fax transmission, transmission is successful and no failure notice is subsequently received, and a copy of the Subpoena is sent by first class post or deposited in the relevant college lodge at the time of transmission.

Subpoenas are issued by (or on behalf of a Senior Disciplinary Committee) and they can only be withdrawn by that Committee; notwithstanding the fact that a Subpoena was issued in response to a request from a party to the disciplinary proceedings, it is not open to that party to "withdraw" it.

A Member is liable to be fined by a Senior Disciplinary Committee for non-attendance where -

- (I) they have been served with a Subpoena (as set out above); and
- (II) they have failed to attend the hearing as required; and
- (III) they have provided no reason for their absence or their reason is not one of the reasons set out in Standing Order B4 (a) and the Committee does not accept that it is otherwise a valid reason for non-attendance; or
- (IV) the Committee has directed them to provide written evidence in lieu of their attendance, and they have failed to either provide such evidence or to provide it in the form directed.

*Senior Disciplinary Committee, 27 November 2006*

## **13: Regarding Rule 71(b)(ii)(2)**

The reference in Rule 71(b)(ii)(2) to "...one term..." is to a period of eight sequential weeks each of which falls during Full Term. Accordingly, where a member is sentenced during a given week in a Term to serve a suspension of one Term, their suspension shall expire during the corresponding week in the succeeding Term.

*Senior Disciplinary Committee, 9 November 2006*

## **14: Regarding Rule 60**

Where a disciplinary complaint under Rule 71 substantively involves a “...staff dispute or matter of contention...” as set out in Rule 60, Rule 60 shall not prevent a Disciplinary Committee from hearing evidence or considering submissions in connection with such dispute or matter.

*Senior Disciplinary Committee, 27 November 2006*

#### **15: Regarding Rule 71(a)(i)**

Behaviour classified as misconduct under Rule 71(a)(i) is misconduct notwithstanding the fact that it may be directed at non-Members or members of the Society’s staff.

*Senior Disciplinary Committee, 27 November 2006*

#### **16: Regarding the definition of “frivolous”**

What approach should this Committee take in determining whether the Complaint is frivolous? Having considered the matter closely we are of the view that the correct question is whether no reasonable member of the Society would have considered the conduct which is the subject matter of the Complaint, on the basis of the facts as alleged in the Complaint, to be sufficiently serious to bring a Complaint under rule 71.

*Senior Disciplinary Committee, 27 June 2006*

#### **17: Regarding Membership Cards**

Membership cards confiscated under Rule 71(j) must be returned within 5 working days. [...] If it is found in future that Membership cards are being retained by members of staff without proper disciplinary processes being observed, we would consider that, once the President has been notified, failure to return or replace that card would be an abuse of office by the President under Rule 71(a)(i)(2).

*Senior Disciplinary Committee, 1 December, 2007*

#### **18: Regarding Presidential Accountability**

We direct that a failure on the part of the President to reply to communication addressed to them by mail to the Society’s address or to their official email address may constitute dereliction of duty under Rule 71(a)(i)(12).

*Senior Disciplinary Committee, 1<sup>st</sup> December, 2007*

#### **19: UNUSED**

#### **20: Regarding the Waiving of Standing Orders**

The Standing Orders are applied equally to all members of the Society, as provided for in Rule 68(a), unless the content of a specific Standing Order explicitly provides otherwise. It is therefore clear that they can only be applied unequally if that inequality of application is explicitly permitted by the Rules.

Rule 68(d) provides a means by which any provision of a Standing Order may be waived by the Standing Committee for “named persons” under “any condition[s] it think fit” (the words “during stated times” being exemplary of one of the conditions which it might think fit).

There is no other power to apply the Standing Orders to a different extent in respect of one Member or a subset of Members, and it therefore follows that no Member or Officer of the Society has the power to waive or partially to apply the Standing Orders without explicit authority from the Standing Committee given in accordance with the requirements of Rule 68(d). That power can only be granted in explicit terms, and must be specific to the individual circumstances, Members or times to or during which the waiver is to apply.

*Senior Disciplinary Committee, 13 November, 2008*

#### **21: Regarding Standing Order E4**

The Rules and Standing Orders of the Society envisage two classes of room hire: “commercial” and “non-commercial”. They are defined as follows.

(1) Any hiring in which the contract is formed between the hirer and the Society without the formation of the contract being solicited on behalf of the hirer by a Member of the Society shall be considered to be a commercial hiring. An Officer of the Society or an Elected Member of Standing Committee acting purely in the discharge of their office shall not, for the purpose of this clause, be considered to have solicited the formation of the contract.

(2) Where a Member facilitates the hiring on behalf of a third party or an organisation (“the hiring organisation”) it shall be regarded as a commercial hiring if any of the following conditions is met in respect of the meeting, party or gathering to be held as a result of the hiring:

(a) A fee is charged for admission, whether or not that fee is paid or charged at the point of entry, whether or not that fee is paid in monies or in kind, and whether that fee is paid to the hirer or to another;

(b) Admission would be open to the public, or to all Members of the Society who would otherwise be entitled to enter the room hired at the time of the hiring had it not been so hired;

- (c) Admission is substantially to be determined either
  - (i) By membership of the hiring organisation, or
  - (ii) By the issue of invitations to attend by a member of the hiring organisation unless it can be demonstrated that attendance is to be restricted to the *close personal friends* of the Member of the Society facilitating the hiring, and that they are attending as such.

(3) In all other cases the hiring shall be considered to be “non-commercial” unless to do so would be perverse, which shall be determined by a resolution of the Standing Committee.

*Senior Disciplinary Committee, 13 November, 2008*

## **22: Regarding the validity of Disciplinary Committees**

A Disciplinary Committee summoned otherwise in accordance with Rule 71, but for problems with the timing of its summons, is validly summoned, and it is the complaint with regard to which it is summoned that has been invalidly brought.

*Senior Disciplinary Committee, 10<sup>th</sup> April 2010*

## **23: Regarding interpretation by Disciplinary Committees**

Where a Committee is divided on the interpretation of a rule they should strive to form a unanimous interpretation of that rule. Where however this is not possible, a majority of the Committee is sufficient.

*Senior Disciplinary Committee, 10<sup>th</sup> April 2010*

## **24: Regarding Rule 71(a)(i)(5)**

The dissemination whether orally or otherwise and by whatever means of information that is confidential to a Senior Disciplinary Committee and which that Committee has deemed to be confidential is action that is liable to bring the Society into disrepute.

*Senior Disciplinary Committee, June 2010*

## **25. Regarding Staff of the Society (Rules 14, 59 and 60)**

(a) The employment of staff, their conduct and any grievances they may have are matters for the Standing Committee to deal with;

(b) Members of the Society with a complaint to make about any member of staff should make that complaint to the President or to the Bursar where the complaint relates to a member of staff who is supervised by the Bursar under Rule 59;

(c) The President is responsible, where any such complaint cannot be resolved informally, for bringing the complaint to the attention of the Standing Committee which will consider the matter *in camera*. The President should consult with both the Bursar and one or other of the Senior Officers before referring any such complaint to ensure that all proper avenues for dealing with the matter informally have been pursued;

(d) The President is elected to be the executive head of the Society subject to the Rules. Only the President, the elected Officers and Senior Officers (in the course of their duties) and the Standing Committee acting as a body rather than as individuals may give directions to the staff. Others may do so but only when specifically authorised to act as agents of the President. Other members of the Society, whatever position they hold or may have held, have no power to direct the staff.

*Senior Disciplinary Committee, June 2010*

## **26. Regarding the presentation of complaints**

In future the following should be done as a minimum in the presentation of any complaint that is likely to reach a Senior Disciplinary Committee:

(a) Where the complaint is not “urgent” a full file of evidence to be relied upon should be prepared by or on behalf of the complainant before the making of complaint. This should be provided at the time that the complaint is made;

(b) Where the complaint is “urgent” it should be provided in as much detail as possible;

(c) The complaint itself should contain sufficient detail so that the Committee can determine which issues are likely to be relevant and to enable the Defendant(s) to understand the case being made against them;

(d) In either event not less than 7 clear days before the date set for the hearing the Defendant(s) and the Committee must have a full file of all the evidence to be relied upon. This must include full witness statements from any person whose evidence is to be relied upon and any documents exhibited by that witness;

(e) The panel once summoned will issue directions in relation to the following:

(i) The date by which a notice should be served by the Defendant(s) setting out which of the witness statements provided by the Complainant are not accepted and therefore which witnesses are required to give evidence “live”.

(ii) The date by which any skeleton argument on issues relating to “legal” issues must be provided by either side.

(iii) The date by which a document must be served by the Defendant(s) setting out which factual aspects of the complaint are agreed (if any).

In our view the Complainant will have to show good reason for evidence that has not been served as set out above to be admitted, but this will be a matter for individual committees to determine on the facts.

*Senior Disciplinary Committee, June 2010*

## **27. UNUSED**

### **28. Regarding Rule 67(e)(i), Overturning Interpretations**

A body with superior interpretative power under Rule 67(e)(i) may overturn a more junior interpretation, which it encounters in the course of its proceedings, in cases where it unanimously considers the junior interpretation to be either incorrect or inconsistent with the good management of the Society's affairs or the principles of natural justice.

*Senior Disciplinary Committee, 16 March 2015*

### **29. Regarding 67(j)(i), Written Notification**

All members of a Society Committee (with the exception of Consultative Committee) shall be deemed to have given their consent to receive notifications in relation to the business of the Committee by email unless they have specifically written to the Chairman of the Committee stating otherwise. The email address to be used will be either (i) the recipient's official Society email address (if he has one); (ii) the recipient's current university email address (if he has one); or, failing that, the most recent email address given to the Society on either a Membership form or an Election Nomination form. Any sender receiving a "bounce back" message, including an "out of office" message, shall revert to written communication until a new email address has been provided or the intended recipient has confirmed receipt.

Members who wish to notify a Member of any Committee (except the Consultative Committee) or the Returning Officer under the Rules of items of Society business may rely upon their deemed consent under the same conditions above.

*Senior Disciplinary Committee, 16 March 2015*

### **30. Regarding Rule 67(j), Notification of Absences**

In order to fulfil its purpose, a notification must be made for the intention of notifying the Chairman of the relevant committee of an absence. Reference to the absence in other documents is insufficient. A single document or email may contain more than one notification (e.g. to more than one addressee or for more than one purpose), but the audience and purpose of each must be explicitly set out.

*Senior Disciplinary Committee, 16 March 2015*

### **31. Regarding Rule 23(c)(ii), Deemed Resignations**

A deemed resignation under Rule 23(c)(ii) is effective as of the last time when the Committee Member could have appealed against the third absence being considered "without good reason". Given the deadlines currently set out in Rule 45(h), this is 10 days after the Committee meeting 168 hours after the third absence in question: namely 17 days after the third absence without good reason.

*Senior Disciplinary Committee, 16 March 2015*

### **32. Regarding Rule 23, Validity of Meetings**

If a regular meeting of the Society is generally believed by those present to be properly called, and its validity is unchallenged at the time, then it is a valid meeting for the purposes of Rule 23. By the same logic if a Chairman of one of the Society's Committees is generally believed by those present at the meeting of that Committee to be the Chairman and that person's eligibility to act as Chairman is not challenged then they are to be considered Chairman for the purpose of determining the validity of any meeting or meetings they have convened.

*Senior Disciplinary Committee, 16 March 2015*

### **33. Regarding Rule 28(b) and Standing Order B13, Secretary of Debate Selection Committee**

Rule 28(b) defines who shall be the "Secretary to the Debate Selection Committee". Any references in the Standing Orders to this office being held by a member of DSC rather than a nonvoting delegate to the DSC are due to a drafting error, and should be read as such according to the well-established principles in Rule 67(a).

*Senior Disciplinary Committee, 5 March 2016*

## **D: Interpretations of Disciplinary Appeals Committees**

The following interpretations of the Rules and Standing Orders have been issued by Disciplinary Appeals Committee in accordance with Rule 67(e)(i)(3). They shall act as binding authoritative precedents to the extent set out in the Rules.

### **1: Regarding Rule 71, Expulsion**

The Committee interprets Rule 71, as per Rule 67(e), to infer:

In the event of an appeal to the Disciplinary Appeals Committee against expulsion being ruled unjustified, the date of expulsion for the purpose of Rule 7(e) shall be taken to be immediately after the Report of the Committee on that matter being posted on the Society's notice board.

*Disciplinary Appeals Committee, 21 October 2001*

### **2: Regarding Correction of Errors in the Rules**

The Committee rules that minor spelling mistakes may be corrected by the Returning Officer without recourse to the House provided there is no ambiguity or change of meaning. UK not US spelling should be maintained throughout. For the reassurance of members, the Returning Officer must publish a list of minor errors they have corrected on the Society's noticeboard and place a copy of that list in the Public Minute Book.

*Disciplinary Appeals Committee, 21 October 2001*

### **3: Regarding Rule 67(b)(iv), Notice in Newspapers**

Ordinary notice under Rule 66(b)(iv) should be inserted in one or more of the following: *The Times*, the *Daily Telegraph*, the *Guardian* or the *Independent*. Where a proposed motion might cause the House to divide on party political lines, notices should be placed in newspapers which reflect that spread of opinion. Placing a notice in the *Guardian* without a balancing notice in the *Daily Telegraph* might, lay the Standing Committee open to allegations of manipulation. It should be noticed that the interpretation we have adopted refers to newspapers in the United Kingdom: care should therefore be taken to ensure that notice also appears in the Scottish, Welsh and Ulster editions of the applicable newspaper(s).

*Disciplinary Appeals Committee, 26 May 2002*

### **4: Regarding Rule 67(b)(iv), Notice in Newspapers**

A "Newspaper circulating in the Oxford area" must refer to a local paper, not being primarily a student newspaper. Obvious examples are the *Oxford Mail* and *Oxford Times*.

*Disciplinary Appeals Committee 26 May 2002*

### **5: Regarding Rule 67(e), Disciplinary Appeals Committee, Powers of Interpretation**

A Disciplinary Appeals Committee is an appellate body; it can decide only matters which arise from the Senior Disciplinary Committee's adjudication. The SDC is confined to rules interpretations, which touch on its function: Rule 67(e)(i)(5). Since we can consider only matters which an SDC has addressed (or should have addressed) we are subject to the same restrictions on rule interpretation as it is.

*Disciplinary Appeals Committee, 26 May 2002*

### **6: Bringing Complaints under Rule 71**

Bringing complaints under Rule 71, or otherwise misusing Rule 71 to procure objectives more properly attained by other means, will amount to misconduct under Rule 71(a)(i)(9).

*Disciplinary Appeals Committee 26 May 2002*

### **7: Correcting Errors in the Rules**

We recognise that anomalies occur with the Rules from time to time. By far the best approach to such errors is self-restraint: in other words, where there is an obvious typing error which leads to absurdity, members should have the discipline to take no point on it until it can be corrected in Private Business. In such circumstances, taking the point will amount to misconduct. If the point does arise we believe it to be open to any institution with powers of interpretation under Rule 67(e) to 'correct' the error though the process of construction. We stress, however, that these remarks are confined to situations where there is an obvious error on the face of a rule, and no real doubt as to what was actually intended. Interpretation under Rule 67(e) is not to be used as a means of informal rulemaking.

*Disciplinary Appeals Committee, 26 May 2002*

## **8: Obligations Upon DAC Panel Members Regarding Potential Bias**

It is an obligation on any DAC panel member to keep under active consideration the possibility that a question of bias or the potential risk of perceived bias (Interpretation F10) may arise and to act in a timely fashion if such a question arises so as not to delay the proceedings of the DAC.

*Disciplinary Appeals Committee, 17 June 2012*

## **9: Obligations Upon DAC Panel Members Regarding Inability to Carry Out Work Needed**

If any DAC panel member finds that they are unable to carry out the work needed to consider the appeal in a timely fashion then they shall forthwith resign and allow another panel member to be appointed in their place so as to avoid delay to the proceedings.

*Disciplinary Appeals Committee, 17 June 2012*

## **10: Regarding Rule 71(d)(i)(1), Consideration of Misconduct by Standing Committee**

By reason of the provisions of Rule 71(d)(i)(1), no complaint of misconduct which would fall within Rule 71(a)(i) and is made or proposed to be made against a member of Standing Committee shall be considered by or voted upon by Standing Committee but shall instead be put to an Intermediate Disciplinary Committee or a Senior Disciplinary Committee according to Rule 71.

*Disciplinary Appeals Committee, 17 June 2012*

## **11: Regarding Rule 71(a)(i), Mandated Complaints and Group Complaints**

Complaints of misconduct under Rule 71(a)(i) may only be brought by individual members against individual members. No Committee may mandate any individual member to make a complaint of misconduct on behalf of a Committee. This interpretation does not prevent the President or any other member from agreeing to speak on behalf of a group of named individual members who are all collectively making the same complaint of misconduct against another individual, but such agreement shall not be made an obligation by a vote of a Committee.

*Disciplinary Appeals Committee, 17 June 2012*

## **E: Interpretations of Election Tribunals**

The following interpretations of the Rules and Standing Orders have been issued by Election Tribunals in accordance with Rule 67(e)(i)(4). They shall act as binding authoritative precedents to the extent set out in the Rules.

### **1: Regarding Rule 33(c)(i), Tribunal Panel Composition**

The phrase “the Tribunal shall consist of any members chosen with the Standing Committee’s approval” does not derogate from the necessity of there being three Members to constitute any Election Tribunal, but rather merely requires the Returning Officer to have recourse to Standing Committee to approve other Members to serve should fewer than three of the Members originally approved be able to serve when a Tribunal is summoned. The Standing Committee may approve as many names as it sees fit in the circumstances, but the Returning Officer may only constitute a tribunal of neither more nor less than three Members, all of whom have been approved to serve by Standing Committee in that Term.

*Election Tribunal, Hilary Term 2000*

### **2: Regarding Rule 33(a)(i)(2)**

The sending of an email to multiple recipients, whether via a mailing list or otherwise, is “systematic” conduct for the purposes of Rule 33(a)(i)(2).

*Election Tribunal, Michaelmas Term 2002*

### **3: Regarding Rule 33(a)(i)(13), Tampered Evidence**

Documentary evidence from which words have been deleted or words added or which has been otherwise altered, yet nevertheless purported to be or was presented as an original document with no such deletions, additions or alterations, constituted false evidence, and that knowingly to submit such evidence constitutes malpractice as defined by Rule 33(a)(i)(13), whether or not the individual submitting the evidence was responsible for alteration.

*Election Tribunal, Hilary Term 2002*

### **4: Withdrawal of Electoral Malpractice Allegations**

Any member submitting a written allegation of electoral malpractice to the Returning Officer may withdraw in writing such an allegation within a period of up to 72 hours after the Close of Poll. The Returning Officer shall have the power to disallow such a withdrawal in the event that they are satisfied that the allegation was made frivolously or maliciously or in the event that they are satisfied that the withdrawal of the allegation has been made under duress. If the Returning Officer disallows the withdrawal then the allegation and any evidence provided in support of the allegation shall be considered by the Election Tribunal together with the results of such investigations as the Returning Officer shall have made. If as a result of the withdrawal of an allegation there remain no live allegations of electoral malpractice then the Returning Officer shall no longer be bound by Rule 33(b)(v) and may cancel any arrangements made for the holding of an Election Tribunal.

*Election Tribunal, Hilary Term 2003*

### **5: Admission of Observers to Election Tribunal Proceedings**

The Rules do not preclude or prohibit the admission of observers to election tribunal proceedings. The general provisions relating to allowing observers to attend Committee meetings of the Society (Rule 23(g)) do not apply to tribunals, although it is perhaps worth noting that those provisions do not apply to “disciplinary matters” so the Rules do contemplate that in certain disciplinary issues at least even a Committee which would normally have to allow observers to attend could prevent them from so attending. Accordingly it is for each tribunal to decide whether or not, and if so, on what basis, observers should be allowed to attend any part of or all of the proceedings of a tribunal. The deliberations of the tribunal panel shall be private.

*Election Tribunal, Hilary Term 2005*

### **6: Discussion of the Validity of Election Tribunals**

The convening of a tribunal by itself creates a rebuttable presumption that the tribunal is constituted lawfully in accordance with the Rules. The Rules provide that this presumption can be rebutted either during the course of the tribunal or via the appeal procedures as provided for by Rule 33. If by the close of the appeal period, or the appeal procedure if an appeal is called, the presumption of legality has not been successfully challenged then the tribunal and its decisions (to the extent it has not been overturned by an appeal) must stand as and remain valid under the Rules, which provide no other method for the presumption of legality to be subsequently challenged. Accordingly, no other person or body may, after the appeal process has finished, challenge the legality of the tribunal or the decisions it made in respect of any specific complaint heard by it.

*Election Tribunal, Hilary Term 2005*



## **7. Concerning Rule 27(a)(iv)(1), Rule 32(h) and Rule 67(e)(v)**

A person in his eighteenth term as a member of the Society shall be considered to be a member of eighteen terms' standing. Such a person is therefore eligible to sit on an Election Tribunal or SDC.

*Election Tribunal, Trinity Term 2005*

## **8. Concerning the Status of Complaints of Electoral Malpractice**

For the purposes of Rule 7(b)(iii) (suspended members), the right to complain of electoral malpractice is not a "privilege" which suspended members are prevented from exercising by virtue of that Rule.

*Election Tribunal, Michaelmas Term 2008*

## **9. Concerning the Rights and Duties of Suspended Members**

Rule 7(b)(iii) (suspended members) states that a suspended member is "bound" by the "Rule concerning electoral offences". This means that a suspended member has both the responsibilities and the rights created by those Rules, including the right to complain of electoral malpractice

*Election Tribunal, Michaelmas Term 2008*

## **10. Concerning the Time in which the Returning Officer Holds the Powers of the President**

The Presidential powers and duties delegated to a Returning Officer pursuant to Rule 13(b)(ii) are clearly expressed and intended to be used by the Returning Officer for the smooth running of the Society only, pending the handover of such powers to the democratically elected President-Elect. The Returning Officer to whom powers and duties are delegated shall not style themselves as a replacement (in any sense) to the President, nor use such powers and duties without the maximum consultation with the incoming Junior Officers that circumstances permit.

*Election Tribunal, Michaelmas Term 2009*

## **11. Concerning Rule 33(c)(ii) and Standing Order D8(c)**

In the case of a member who is already a defendant in election tribunal proceedings, the second sentence of standing Order D8(c) means as follows: *'If, during the investigation, the Tribunal should have reason to suppose that a Member has committed an electoral offence, who is not already a defendant in respect of that offence, they shall inform that Member immediately, and that Member shall have the rights of a defendant in respect of that offence thereafter.'* This is in accordance with the Tribunal's "complete power to investigate all the Allegations and circumstances dependent upon those Allegations" under Rule 33(c)(ii). The word "Allegations" in Rule 33(c)(ii) refers to written allegations submitted to the Returning Officer under Rule 33(b).

*Election Tribunal, Hilary Term 2011*

## **12. Regarding Rule 33(d)(xiii), Admissibility of Electronic Messages**

The Rule requires the written consent of at least one party to an electronic message in order for it to be considered as evidence by either a Tribunal or an Appellate Board. On the matter of who is a qualified party, entitled to provide consent:

- i) Whether a message involves two parties or twenty, the consent of any one sender or recipient is sufficient;
- ii) In the case of a historical message chain which is subsequently forwarded by one of the earlier parties to it, the new recipient of that message becomes party to a new bilateral message, for the use of which they are capable of providing consent;
- iii) Part ii) of this Interpretation applies with the same force to attached screenshots of other messages as it does to messages whose relevant material is contained within the message body.

On the matter of the durability of 'written consent', we say that it is irrevocable. The effect of the Rule cannot be to create a special category of evidence over which originators may exercise ongoing control. Nor should originators be placed at risk of undue pressure to exercise that control from those cast in an adverse light by messages submitted in evidence. Proof of written consent from a qualified party, in advance of a panel's convening, is therefore sufficient for a message to be considered as evidence.

*Election Tribunal, Trinity Term 2014*

### **13: Regarding Rule 33(d)(xiii), Admissibility of Information from Private Electronic Sources**

The Rule requires the written consent of the owner of the device from which information has been obtained in order for it to be considered as evidence by either a Tribunal or an Appellate Board. It is not simply the proximate device from which information has been obtained that counts for the purpose of this Rule; where a separate originating device is identifiable in principle, written consent is required from the owner of that device as well. The exception to this requirement is where obtaining such consent would, in a panel's view, provide them with little additional assurance that the information was not obtained through theft or other illegal or nefarious means. Anonymously sourced evidence is unlikely to provide them with sufficient assurance, and is anyway generally to be discouraged.

The requirement for originator consent may not be evaded by the expedient of attaching information to messages and exchanging them in order to come within the scope of Interpretation E7. The Rule's treatments of 'messages' and 'information' are separate and distinct; 'written consent', however, should be considered irrevocable on an identical basis for both.

*Election Tribunal, Trinity Term 2014*

### **14: Regarding the scope of the Election Tribunal's duty to rule on the validity of the Society's Rules**

Rule 67(e)(i)(4) gives the Tribunal the power to make rulings and interpretations '*for the purposes of its duty only*'. The Tribunal has the duty to hear and adjudicate upon complaints which are brought before it under the Society's rules. One such complaint is of innocent interference under Rule 34(b)(ix)(2), namely that the result of the election is objected to on the grounds that '*the Returning Officer has in good faith (through negligence or otherwise) misinterpreted the Rules concerning [the] conduct of the Election in such a way as to affect its outcome, or otherwise affected it through negligence*'.

Upon such an allegation being brought the Tribunal '*shall investigate the circumstances of the election as if the objection were an allegation of Electoral Malpractice [...]*' (Rule 34(b)(ix)(2)). The Tribunal further has '*the complete power to investigate all the Allegations and circumstances dependent upon those Allegations only*' (Rule 34(c)(ii)). Where the allegation of Innocent Interference is premised on the suggestion that the Returning Officer has failed to conduct the election in accordance with the Society's Rules, or where a complaint of electoral malpractice is brought, then it is within the scope of the Tribunal's duty as defined under Rule 67(e)(i)(4) to rule on whether the version of the rules relied upon by the complainant in fact forms part of the Society's Rules or not.

For the purposes of that duty, it is necessary for the Tribunal to decide whether the particular set of Rules relied upon by the complainant was validly passed in accordance with the Society's Rules, if that validity is in dispute between the parties. The Tribunal is entitled, for the purposes of its duty to make that decision, to interpret such other of the Society's Rules as may be necessary. Rule 67(e)(i)(4) should be interpreted accordingly.

*Election Tribunal, Michaelmas Term 2014*

### **15: Regarding Rule 67(b)(i)**

The meaning of Rule 67(b)(i) is that no rules change may be effected except by way of a Private Business Motion which is brought before and approved by a relevant business meeting of the Society in accordance with the Society's rules. Depending on matters such as Rule 73 and the calling of a poll under Rule 47(f)(i), the approval of such a motion may not of itself be sufficient to effect the rules change (see, e.g., Rule 67(b)(iii)(1)), but it is a necessary prerequisite. All of the Society's rules which apply to private business motions and business meetings are accordingly engaged by Rule 67(b)(i). The reference in Rule 67(b)(i) to Rule 47(a) is one of emphasis; the fact that only Rule 47(a) is mentioned does not exclude the operation of the remainder of Rule 47, nor does it exclude any other of the relevant rules governing private business motions and business meetings.

*Election Tribunal, Michaelmas Term 2014*

### **16: Regarding Rules 47(f) and 73**

Nothing in any of Rules 47(f) or 73 (including all sub-clauses thereof) permits a poll to be held in circumstances other than those specified in Rule 47(f)(i). Any poll held which does not comply with the requirements of Rule 47(f)(i) (and such other requirements as may exist under the Society's rules) is a nullity and is ineffective to change the Society's rules.

*Election Tribunal, Michaelmas Term 2014*

**17: On the bringing of complaints of electoral malpractice pursuant to Rule 33(b)(ii) by multiple complainants**

Rule 33(b)(ii) clearly envisages that complaints of electoral malpractice shall be brought by single Members acting alone and this is to be recommended in most cases. However, the Rules do not specifically preclude multiple complainants from signing a single allegation. It is a matter for the Election Tribunal hearing the complaint to determine the most appropriate manner of hearing a claim brought in joint names.

Where multiple complainants do wish to sign to a single claim they will be required to stand and fall together and if one party is found to have brought a frivolous and/or malicious claim then such a finding should, absent some demonstrated mala fides or fraud as between one complainant and the others, be taken to extend to their co-complainants.

*Election Tribunal, Trinity Term 2015*

**18: On the meaning of ‘endorsed, supported or opposed’ in Rule 33(a)(i)(3)**

An act, including statements and publications in any medium or form, shall be viewed as amounting to a representation of endorsement of a candidate where, in the view of a reasonable person, it would amount to a declaration of public approval of their candidature.

An act, including statements and publications in any medium or form, shall be viewed as amounting to a representation of support for a candidate where, in the view of a reasonable person, it would demonstrate an active interest in and (to some extent) campaigning for the electoral success of a candidate.

An act, including statements and publications in any medium or form, shall be viewed as amounting to a representation of opposition to a candidate where, in the view of a reasonable person, it would demonstrate a clear expression of sentiment against their electoral success.

*Election Tribunal, Trinity Term 2015*

## **F: Interpretations of Appellate Boards**

### **1: Unreasonable Appeals**

A person who has a right of appeal can still be found guilty by an appellate body of bringing an unreasonable appeal as set out in Rule 33(d)(vii)(5).

*Appellate Board, Trinity Term 2005*

### **2: Interpretations of Rule 33**

The purpose of the Society's elections is not to enable some abstract exercise in statutory construction, rather it is to enable the membership as a whole to determine who they want to run their Society. Rule 33 has been written to ensure this takes place in a fair and just way. The paragraph above gives guidance to Returning Officers, Election Tribunals and Appellate Bodies in the construction and effect of the Rules. When any of these bodies is interpreting the Rules they must have Rule 33(a)(iii)(1) in mind. Any interpretation of the Rules that contradicts the above guidance is wrong and subject to reversal by a superior body under Rule 67(e). In terms of Rule 33 the Appellate Board is empowered by that Rule to issue interpretations of Rule 33 (as arose in the course our duties in this appeal) which are "authoritative precedents for Members or bodies, with powers of interpretation which are junior or of equal status to the Member or body in question. For the sake of clarity we interpret "authoritative precedent" in the context of this rule to mean binding on all bodies of junior status to ourselves.

*Appellate Board, Trinity Term 2005*

### **3: Regarding Standing Order D8(a)**

We are of the view that Standing Order D8(a)(h) could properly be seen as directory not mandatory. Where all parties are aware of, or ought to be aware of, this Standing Order the fact that the Tribunal has not formally read it to them is not a reason to quash the decision of that Tribunal unless some real prejudice that goes directly to the fairness of the proceedings can be shown. We note also that even if we had found the breach of this Standing Order to have the significance which the Appellant sought to attach to it, we would not have been obliged to quash the findings of the Tribunal. In our view the use of the word "power" in Rule 33(d)(vii)(4) provides us with a discretion as to whether the Tribunal should be quashed or allowed to stand. We cannot imagine any Appellate Body quashing the Tribunal in the circumstances of this case on the basis of this one ground of appeal.

*Appellate Board, Trinity Term 2005*

### **4: Regarding Election Tribunal Procedure**

The "Schedule of Suggested Procedure" appended to the Rules is not binding. We see no difficulty with the Tribunal panel asking questions of a witness before either of the parties, provided that the parties are given an opportunity to adduce any further relevant material that they wish following this questioning. The Schedule was written (largely by a member of this Board) with the purpose of providing a guide to procedure. It is best practice, but does not have the status of a binding rule.

*Appellate Board, Trinity Term 2005*

### **5: Proceedings of a Committee**

Previous Disciplinary Committees have indicated that the proceedings of a committee are generally a matter for that Committee and its Chair. There are set procedures for challenging a decision of the Chair. Such decisions could include a decision to hold a meeting when proper notice had not been given to members of the committee. We endorse the view of those Disciplinary Committees that the conduct of meetings of the Society, whether public or private, are principally a matter for the Chair and the members of that committee. Only in rare occasions would it be appropriate to review those decisions in a Disciplinary Committee or Election Tribunal.

*Appellate Board, Trinity Term 2005*

### **6: Discussion of the Validity of Election Tribunals**

Once a tribunal has reached a decision, the only way to challenge the eligibility of a member of the panel or the composition of the panel is to appeal. If no appeal is made (or the point is not taken on appeal), the decision of that tribunal stands even if it subsequently comes to light that one or members of the panel were not qualified under the Rules to sit. Decisions of tribunals (for example a conviction for electoral malpractice) remain valid unless successfully appealed, whatever issues may subsequently come to light.

*Appellate Board, Trinity Term 2005*

### **7: Regarding Interpretations of the Rules**

Rules of the Oxford Union Society, Trinity/Michaelmas Term 2016.

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We take the view that the Returning Officer and Election Tribunals are bound to bear in mind that the purposes of the Rules is to allow the members of the Society to choose the leadership and management of the Society according to the criteria set out in the Rules. The Society is in essence a democracy where each term the membership as a whole has an opportunity to determine the direction that they wish the Society to take.

It is not the function of the Returning Officer or Election Tribunals when considering breaches of the Rules to interpret those Rules in such a way as manifestly subverts the objective that those Rules seek to promote.

*Appellate Board, Trinity Term 2005*

### **8: Regarding Complaints of Innocent Interference**

The purpose in our view of the “innocent interference” rule was to ensure that mistakes in the conduct of the election did not prejudice the free choice of members of the Society as to who they chose to vote for. Examples would include the failure to name a candidate on the ballot paper, a failure to include a candidate in the manifesto booklet or a failure to allow a class of members to vote in the election in the mistaken belief that they were not allowed to vote (or vice versa). This rule was not intended to be a lesser version of malpractice with a lower standard of proof.

*Appellate Board, Trinity Term 2005*

### **9: Burdens of Proof**

For a tribunal to be satisfied that a candidate who claims to have nominated within the prescribed time has not done so in circumstances where the Returning Officer has accepted the nomination, it must be satisfied beyond reasonable doubt that the candidate deliberately misled the Returning Officer and has deliberately misled the Tribunal in evidence. A Returning Officer when deciding not to allow a candidate to appear on a ballot paper must be satisfied beyond reasonable doubt that the nomination was not made within the time period allowed in circumstances where the candidate asserts that it was so made.

*Appellate Board, Trinity Term 2005*

### **10: Allegations of Bias**

The framework for considering bias was set out in the Report of the *Mackerras v Keenan, Walsh v Mackerras* Disciplinary Appeal Committee. We are not, as a superior body, bound by that Report. However having considered its contents we consider them to be an authoritative interpretation of the rules in relation to bias. As such we adopt them as our own formal interpretation of one of the principles of natural justice which applies in the course of Tribunal proceedings, the breach of which gives rise to an appeal under Rule 33(d)(i)(3).

Any objection to the Tribunal panel must in our view be made to that panel. The exception to this is clearly when the facts relating to that bias were not known to the complaining party at the time of the tribunal. What cannot happen is that a party waits to see if their case succeeds, and only when it does not does that party take the point on appeal.

*Appellate Board, Trinity Term 2005*

### **11: Failure to Report by the Deadline**

When circumstances conspire to make a report late, some discretion should be used by interested parties in deciding whether it is really in anyone’s interests to appeal solely on this point. We cannot foresee many circumstances where such an appeal (on its own) would not be deemed unreasonable, unless real prejudice or substantial inconvenience to the management of the Society had been caused.

*Appellate Board, Trinity Term 2005*

### **12: The Status to be used in connection with Elections**

Where a candidate is entitled to have their position in the Table of Seniority indicated on the ballot paper under Rule 35(a) or in a manifesto under Rule 35(b) or on the Election Publicity under Standing Order D4, the position which shall be shown is the most senior position they held at the time of opening of nominations.

*Appellate Board, Michaelmas Term 2009*

### **13: Regarding the Assistance of the Returning Officer in the Correction of Complaints**

Where a Returning Officer receives a Complaint that is not entirely made out under the requirements of Rule 33(b) (vi), they are required by reason of natural justice and administrative efficiency to help the Complainant wherever possible to properly make out the complaint in any and all respects, both in advance of the close of the deadline for Complaints, and also where possible after the close of the deadline. This duty extends not just to the form of the complaint but also to the substance (e.g. description of facts, list of evidence). The Returning Officer is also under a corresponding duty to inform the Respondent of the complete content of any Allegations made against them. Where an incomplete Allegation is brought, with the effect that the Respondent is unable to understand the substance of the Allegation, the Returning Officer's duty to help the Complainant improve their Allegation also extends to help the Respondent understand the Allegation, including through furnishing any materials the substance of which would have been included in a properly made out Allegation. Any and all improvements made to the form or substance of an Allegation between the making of the Allegation and the Tribunal, should be brought to the attention of the Respondent by the Returning Officer in a timely manner.

*Appellate Board, Trinity Term, 2011*

### **14: Regarding the Returning Officer's Power to Consider Allegations of Electoral Malpractice Invalid**

Any Election Tribunal's consideration of whether it is "validly composed" must be followed by consideration of whether the allegation or allegations it has been summoned to hear have been validly submitted. The Returning Officer shall be obligated to draw this to the attention of any member who submits an allegation of electoral malpractice. The Returning Officer shall also be obliged to bring any concerns they have about an allegation's validity, including any concerns that have been submitted to them in writing, to the attention of the Election Tribunal. The Election Tribunal must consider these representations, and invite similar representations from all parties, before it adjudges itself to be validly composed. If an Election Tribunal concludes that an allegation has not been validly submitted, it shall not hear the allegation that has been brought. Its only power shall be to determine whether a charge of bringing a frivolous or malicious allegation against the complainant is warranted. Any decision that an allegation has been invalidly submitted may be appealed to an Appellate Board as a failure by the Election Tribunal to follow correct procedure. The Appellate Board has the power to rule on the Allegation's validity and substance.

*Appellate Board, Trinity Term, 2011*

### **15: Regarding the Submission of Incomplete Complaints**

Where the initial complaint was not entirely made out on submission to the Returning Officer, a Tribunal should, prior to hearing the case in its entirety, first ask itself whether the Complainant has remedied the aspects of the Allegation that had not previously been fully made out, both in form and in substance. Where the Tribunal can correct the defects in form, they should do so. The Tribunal should not proceed to use their investigative powers on any Allegation without first satisfying themselves that the Allegation is complete in form and in substance. Where the Allegation is not capable of being corrected in form and / or substance, the Tribunal should render an immediate verdict of No Case To Answer, and thereafter immediately use their investigative powers to consider a charge under their own name against the Complainant for making a Frivolous or Unfounded and Malicious Complaint per 33(a)(i)(12). Neither this, nor any other interpretation made by any other body constituted under these Rules, should be read to remove the requirement that Allegations should be brought within 49 hours of Close of Poll. Attempts to side-step this requirement are strongly deprecated.

*Appellate Board, Trinity Term, 2011*

### **16: Regarding the Consideration of Further Charges not included in the Original Complaint**

A Tribunal may bring further charges against an existing Respondent, as they could against a non-Respondent, provided the same notice requirements as specified in Standing Order D8(c) are met. A Tribunal may not bring charges or further charges against any Member except as emerges from their investigations (once begun), and connected with the original Allegation as brought.

*Appellate Board, Trinity Term, 2011*

### **17: Regarding the Use of the Term 'Conspiracy'**

A charge of conspiracy under Rule 33(a)(i)(24) must be capable of describing which electoral malpractice the conspiracy is assembled to secure.

*Appellate Board, Trinity Term, 2011*

### **18: Regarding the Necessity of Scrutiny Committee Prior to Conclave**

Meetings of conclave to elect a Returning Officer may not be carried out without a prior meeting of the Selection Committee for every conclave held that term. Any meeting of a conclave to elect a Returning Officer without a unique and prior Selection Committee is a nullity.

*Appellate Board, Trinity Term, 2011*

## **Oxford Union Society Trust Deed**

*1st July 1847*

“This deed made the first day of July in the year of our Lord one thousand eight hundred and forty seven

BETWEEN The several persons whose names and seals are hereto subscribed and affixed (other than the several persons next hereinafter named and described) of the one part and The Reverend Philip Bliss Doctor in Civil Law Principal of Saint Mary Hall in the University of Oxford, James Adey Ogle Esquire Doctor in Medicine Aldrichien and Clinical Professor of Medicine in the same University, Manuel John Johnson Esquire of the said University Master of Arts and Radcliffe Observer in the same University and Henry Wentworth Acland Esquire Doctor in Medicine and Lees Anatomical Lecturer at Christ Church in the said University of the other

WHEREAS a Literary institution was formed in Oxford many years since and still continues under the name or style of “the Oxford Union Society” having for its object the promotion of Debates and the maintenance of a Library and Reading Room of which Society the said several persons parties hereto of the first and second parts are now respectively Members

AND WHEREAS the affairs and business of the said Society have hitherto been carried on and conducted under and subject to diverse Rules and Regulations made and resolved on at various Meetings of the Members of the said Society and under the direction of a Committee of Management and by the aid of certain Officers respectively appointed or elected from amongst the Members from time to time pursuant to such Rules

AND WHEREAS the aforesaid Rules and Regulations have been printed or published for the information of all the Members for the time being of such society and a printed copy of such rules and regulations is kept by the Secretary of the said Society for production at all Meetings and the inspection of all Members applying for that purpose

AND WHEREAS the Members of the said Society for the time being by means of Subscriptions or Contributions amongst themselves from time to time and the surplus of receipts above the ordinary costs and expenses of carrying out the object and purposes of the said society have accumulated a Fund in sterling money to the amount of Five hundred and eighty seven pounds or thereabouts which sum has been deposited and now remains in the hands of Messrs Robinson, Parsons & Co Bankers in Oxford to an account there with “the Oxford Union Society” and the Members collectively of the said society are also possessed of a large and valuable Library of Books and diverse Maps, Printed and Manuscripts and certain Furniture and Other Chattels and Effects now remaining on being in Rooms rented and occupied by the society in the dwelling house of Mr Joseph Vincent in the High Street in Oxford

WHEREAS at the Special General Meeting of the Members of the said society held on the 12th day of June now last (in the notice for calling which Meeting the special object and purposes thereof were expressed) it was resolved to the effect following namely

- “that it is expedient to appoint four of the Members of the said Society as Trustees thereof in whom (subject as after mentioned) should be vested not only all the present property, state and effects of and belonging to the said Society but also all other the property and effects of every description both real and personal which might thereafter be purchased or acquired by the said Society and that such Trustees (subject as after mentioned) should be authorised by the order and direction of the said Committee of Management to invest the surplus monies of savings of the said Society from time to time in or upon such securities as the said Committee should think fit with power by the right order or direction to vary such investments. Also to make purchases or mortgages to execute deeds and enter into other contracts on behalf of the said Society to collect and receive all interest, dividends, rents and other monies arising from or in relation to the estate and effects which from time to time might become vested in them or belong to the said Society and to give receipts and discharges for the same and for all monies which should come to their hands in character of such Trustees. ”

- “that the said Philip Bliss, James Adey Ogle, Manuel John Johnson and Henry Wentworth Acland should be appointed the first Trustees of the said Society each of whom as also every Trustee to be appointed in his stead as hereinafter is mentioned should continue in office until he should die or become unwilling or unable to act or cease to have his usual place of residence in Oxford or be removed from office by virtue and in exercise of any power in that behalf given by the Rules for the time being of the said Society or by the vote of a Special General Meeting of the Society duly convened for that purpose according to the then existing Rules and Regulations”

- “that when and so often as by the means aforesaid there should be less than 3 acting Trustees the vacancies in the number of Trustees should be supplied by the appointment of so many additional persons (then being Members of the said Society) as would make up the number of four Trustees and as the Committee of Management for the time being (subject to the approbation of any General Meeting of the Members of the said Society) should think fit and that all such assurances should be made and executed as should be necessary or deemed expedient for vesting the trust estates and property in the then acting Trustees and such newly appointed Trustees and that the expenses attending the appointment of such new Trustees and all other expenses (if any) of the Trustees for the time being relating to the trust premises should be defrayed with or out of the funds of the said Society”

- “That all the Trust Estate and effects invested in the said Trustees of Trustee for the time being or under the control of the said Committee of Management should be a fund to indemnify at all times the said Trustees or Trustee and their respective representatives from all loss which might be incurred by them or him by reason of any responsibility or liability arising out of their or his office of trustee or by reason of any matter or thing connected therewith” and at the aforesaid Special General Meeting of the said Society so convened as aforesaid it was further resolved

- “that the trustees for the time being of the said Society should on their appointment to office become and continue members of the said Committee of Management jointly and together with the members constituting such committee under the then existing Rules and Regulations of the said Society and That the trustees for the time being in the execution of the trusts reposed in them in all matters relating thereto should be subject to the Orders, Directions and Control of the majority in number of the members present and voting at any meeting of the said Committee of Management and in all cases should be subject to all Rules and Regulations which should have been made and established at any General Meeting of the said Society duly convened according to the Rules thereof for the time being and whether such Rules and Regulations should or should not have been made before or after the appointment of the said Trustees so nevertheless that the particular Rule or Regulation in question (if any) be not at variance with or repugnant to any of the resolutions herein aforementioned but in such last mentioned event the resolution to prevail and be held to set aside the rule in question”

AND WHEREAS the said four persons parties hereto of the second part have consented to take upon themselves respectively the office of Trustees upon the terms and conditions aforesaid and it has been agreed that the several persons parties hereto of the first part should enter into the declaration and covenant hereinafter contained and also assign and make over to the said Philip Bliss, James Adey Ogle, Manuel John Johnson and Henry Wentworth Acland the funds, property and effects of the said Society upon the trusts and subject to the powers, provisions, declarations and agreements hereinafter expressed and contained concerning the same

NOR THESE PRESENTS WITNESS that each of them the said several persons parties hereto of the first part BOTH hereby approve of and confirm the several resolutions hereinbefore mentioned and specified as resolutions made at the said General Special Meeting of the said Society on the 12th day of June last and every of them and doth hereby or himself his heirs executors and administrators and so far as relates to his own acts only covenant and agree with the said several other persons parties hereto of the second part, the executors, administrators and assigns That the said several persons parties hereto of the first part will so long as they faithfully conform to and abide by the hereinbefore resisted resolutions and the several Rules and Regulations hereinbefore refer to or such of them respectively as for the time being shall be existing and all other the Rules and Regulations which shall be made and established for the management and conduct of the said Society and the affairs and business of the same until such Rules and Regulations respectively shall be altered or set aside at or by some General Meeting of members of the said Society duly convened



AND THESE PRESENTS ALSO WITNESS That the said several persons parties hereto of the first part in consideration of the premises and according to their respective estates, rights and interests as members of the aforesaid Society and so far as they respectively can or may either in equity or at law DO and each and every of them BOTH hereby assign and act over unto the said Philip Bliss, James Adey Ogle, Manuel John Johnson and Henry Wentworth Acland there executors, administrators assigns ALL the said some of £587 or thereabouts so now deposited and remaining with the said Messrs Robinson, Parsons and Co. Bankers in Oxford as aforesaid with full power and authority to ask, demand or receive the same sum and all books, maps, prints and manuscripts, furniture, goods, chattels and effects of every description of the said Society which now are or at any time during the continuance or existence of the same Society shall be in, upon or about the Rooms of the Dwelling House of the said Joseph Vincent in the High Street in Oxford or in or about any other rooms, buildings or place which now is or may thereafter be used or occupied for the purposes of the said Society and all the estate right and interest of the same several persons or assignors respectively in and to the said hereby assigned premises

TO HOLD the said several hereby assigned premises to the said Philip Bliss, James Adey Ogle, Manuel John Johnson and Henry Wentworth Acland their executors, administrators and assigns upon the trusts and for the intents and purposes and under and subject to the powers conditions and agreements following that is to say as to and concerning the said sum of £587 upon trust with all convenient speed after the same sum shall be paid to them to lay out and invest the same sum in or upon such government or real or other security or securities as the said Committee of Management of the said Society or the majority in number of the members for the time being of such Committee being present at any meeting of the said Committee to be held pursuant to the Rules of such Society shall order or direct AND UPON FURTHER TRUST to stand possessed of the said Trust monies so to be paid out and invested as aforesaid and the funds and securities in or upon which the same shall for the time being be invested and the interest, dividends and annual produce thereof as and when the same shall from time to time become payable and be received under and subject to such powers and to dispose of pay or apply the same to such person or persons and in such manner and at such time or times and for such purposes as the said Committee of Management for the time being or the majority in number of the Members for the time being of such Committee present at any meeting of the said Committee to be held pursuant to the then existing Rules and Regulations of the said society shall deem expedient AND by their Order in Writing made at such meeting require

PROVIDED ALWAYS that the purposes for which such trust monies shall be so paid and applied shall not be inconsistently with or repugnant to the original objects for which the said Society established or with the Rules and Regulations for the time being of the said Society AND as to all and singular other the property Effects and premises hereby assigned or expressed and intended so to be Upon trust from time to time during the continuance of the said Society to permit and suffer the same to be used occupied and enjoyed by the Members for the time being of the said Society in such or like manner or the goods Chattels Effects of like nature of and belonging to the said Society have heretofore been used and enjoyed by the Members of the same Society yet so nevertheless that such use and enjoyment thereof shall at all times be subject to the control and direction of the said Committee of Management for the time being and the existing Rules and Regulations of the said Society for the time being relating to the same premises respectively

PROVIDED ALWAYS that in case the said Society shall be broken up or put an end to Then all and singular the goods chattels property effects monies and premises for the time being subject to the trusts of these presents shall become and be subject to the order direction and disposition of a General Meeting of the Members of the said Society for the time being and shall be disposed of so and in such manner as any such General Meeting shall by a resolution passed by the major part in number of the persons present thereat order and direct AND in default of any such order or direction or so far as any such shall not extend then such goods chattels property effects monies premises shall be subject to the order and disposition of the said Committee of Management for the time being and go and be applied or disposed of in such manner as the said Committee for the time being or the major part of number of Members of such Committee shall by writing under their respective hands order and direct and it is hereby mutually and reciprocally declared and agreed between and by the several persons parties to these presents That the several hereinbefore recited resolutions made and entered into at the said Special General Meeting of the said Society on the said 12th day of June last relating to the appointment of Trustees of the Society and for providing therein for the appointment of new Trustees from time to time and for their indemnity and for empowering such Trustees to give receipts and discharges for the trust monies to be received by them shall confer and be held taken and considered as

conferring upon the said Philip Bliss, James Adey Ogle, Manuel John Johnson and Henry Wentworth Ackland and other the Trustees or Trustee for the time being of the said Society and of these presents the same powers authorities rights and remedies at law and in such equity and such provisions would could or might have conferred on them respectively in the same respectively were or had been herein repeated and set forth as or in the same way of separate and distinct clauses or provisions instead of being incorporated in these presents by reference

PROVIDED ALWAYS And it is hereby declared that the Trustees or Trustee for the time being acting in the execution of the trusts of these presents and each and every of them and the heirs executors and administrators of them and each and every of them shall be charged respectively only for such monies as they shall respectively actually receive by virtue of the trusts hereby in them reposed notwithstanding his or their or any of their giving or signing any receipt or receipts for the sake of conformity AND that anyone or more of them shall not be answerable for the acts receipts neglects or defaults of the other or others of them but each and every of them only for his and their own acts receipts neglects or defaults respectively AND that they and each and every of the shall not be answerable or accountable or banker or other person with whom or in whose hands any part of the money or other property for the time being (subject to the trusts of these presents) shall or may be left or deposited in the execution of the trusts of these presents nor for the deficiency or insufficiency of any Security in or upon which the monies subject to the trusts of these presents or any part thereof may be invested nor for any misfortune loss or damage which may by any means happen in the execution of the aforesaid trusts or in relation thereto except the same shall happen by or through their own wilful default

PROVIDED ALSO And it is hereby further agreed and declared that the Trustees or Trustee for the time being acting in execution of the Trusts of these presents shall not be obliged to see or enquire whether any person purporting to act in any Office in the said Society has been duly appointed or elected to or duly or regularly holds the Office in which he purports to act or whether any General Meeting of the Members of the said Society or any meeting of the Committee of Management for the time being was duly held or convened or that such Trustees or Trustee as aforesaid shall not be at any time accountable or liable by reason or on account of any irregularity in any such meeting appointment or election as aforesaid And that any person or persons for the time being acting or purporting to act in discharge of the duties in any office in the said Society shall for the purposes of these presents and so far as relates to the liability of such Trustees or Trustee as aforesaid be held to have been duly and regularly appointed or elected to and duly and regularly to hold such office

PROVIDED ALWAYS and its hereby further agreed and declared that the acknowledgement in writing of the person for the time being acting as the Treasurer or President of the said Society shall be an effectual discharge to the Trustees or Trustee for the time being acting in the execution of the Trusts of these presents and the heirs executors and administrators of them and each of them for any monies by him or them paid or applied pursuant to any such order or orders of the Committee of Management for the time being as hereinbefore in that behalf mentioned or for so much of such monies as in such acknowledgement shall be expressed to have been so paid or applied as aforesaid

IN WITNESS whereof the said parties to these present have hereunto set their hands and seals the day and year first before written:

Philip Bliss, James Adey Ogle, M.J. Johnson, Henry W. Acland

Names of persons executing this deed as parties thereto of the first part:

George Raymond Portel, Christ Church, President

William Henry Hillman, Librarian

Frederick Meyrick, Trinity, Treasurer

Henry Temple, Brasenose

Edward H. Knatchhile

Robert G. Cecil, Secretary

George William Latham, Brasenose

Ralph Augustus Bruton, Christ Church

Wiltshire Stanton Austin, Exeter

George David Bogh, Exeter

John D.K. Ralph, Rus. College

P. Cowley Bowles, Exeter

R. Edmund Walters, Wadham

Edward Sridger Lomer, Oriel

Frederick Lygon, Christ Church

Frederic Richard Johnstone, Exeter

Charles Henry Pearson, Exeter

John Fitzgerald, University College”

## **OUS Supplemental Declaration of Trust**

*Supplemental Declaration to the OUS Trust Deed*  
*4th March 1999*

“THIS SUPPLEMENTAL DECLARATION OF TRUST is made the 4th day of March, 1999 by

WHEREAS:-

A. By a Declaration of Trust dated the 1st day of July 1847 and made by the Reverend Bliss DCL and others (hereinafter called the “1847 Deed”) various property was conveyed to the trustees named therein to be held by them and their successors subject to the trusts therein declared for the benefit of a members club called the Oxford Union Society (hereinafter called “the Society”)

B. By diverse appointments the parties to this document have been appointed and are the present trustees under the 1847 Deed (hereinafter called as such “the Trustees”) and hold the property book and other assets of the Society in trust for the Society

C. Under the 1847 Deed the Trustees are obliged to follow the instructions of the Committee of Management of the Society (now constituted as and known as the Standing Committee (and as such hereinafter called the same)

D. The Society in general meetings as required by the 1847 Deed and the Standing Committee pursuant to its powers under the rules of the Society have directed the Trustees to declare these trusts to the effect that this document should replace the 1847 Deed as a re-declaration of the trusts applicable to the property of the Society

NOW THIS DEED WITNESSETH:-

1. In pursuance of the direction of Standing Committee and of the Society in general meeting the Trustees hereby declare that they hold the property books and other assets of the Society and subject to the rules and Constitution of the Society from time to time

2. For the avoidance of doubt it is hereby declared that the Trustees as trustees shall not be members of Standing Committee

3. The Trustees shall act upon the instruction of Standing Committee and in following such instruction shall occur no personal liability for their lawful acts to the end that the Society shall indemnify the Trustees from all liability following such instruction

4. Pursuant to the foregoing the Society shall effect suitable insurance cover for the protection of the Trustees

5. All property books and other assets requiring to be vested in Trust shall pursuant to this Deed be vested in the Trustees of the Society from time to time

6. Provided always that in the event the Society shall be dissolved the Trustees shall hold all the property books and other assets of the Society in trust to apply the same as directed by a general meeting of the Society”

## **Oxford Literary Debating Union Trust - Trust Deed**

*21st July 1975*

"THIS DEED is made the twenty first day of July one thousand nine hundred and seventy five BETWEEN JEREMY FREDERICK LEVER (hereinafter called 'The Founder' of the one part and THE RT. HON. MAURICE HAROLD MACMILLAN F.R.S. THE RT. HPN. THE LORD HAILSHAM OF ST. MARYLEBONE C.H. F.R.S. P.C. THE RT. HON. ROY HARRIS JENKINS M.P. ROBIN DAY AND THE RT. HON. THE LORD REDCLIFFE-MAUD G.C.B. C.B.E. (hereinafter called 'The Charitable Trustees' which expression shall where the context so admits include either the trustee or trustees for the time being hereof) of the other part

WHEREAS

(A) The Founder being desirous of constituting a charitable trust for the advancement of education amongst the members of the University of Oxford by the provision of debates and the maintenance of a Library and Reading room has paid to the Charitable Trustees the sum of one hundred pounds to be held by them upon the trusts and with and subject to the powers and provisions hereinafter declared and contained

(B) Further funds and property may from time to time be paid or transferred to the Charitable Trustees from the trusts thereof

NOW THIS DEED WITNESSETH and IT IS HEREBY DECLARED as follows:-

1.

The Trust hereby constituted shall be known as "Oxford Literary and Debating Union Charitable Trust" (hereinafter called 'the Charity')

2.

In this Deed the following expressions shall have the meanings hereinafter assigned to them:-

- (1) 'the Trust Fund' means the said sum of one hundred Pounds and the investments and property from time to time representing the same and all other property or moneys for the time being held on the trusts of this Deed
- (2) 'the Union' means the Oxford Union Society
- (3) 'the Union Building' means such part or parts (up to the whole) of the buildings and lands at present occupied by the Union and situate at St. Michael's Street Oxford as may be conveyed or otherwise transferred to the Charitable Trustees upon the trusts of this Deed

3.

(1) The Trust Fund shall be held upon trust that the income thereof shall be paid or applied for or towards the advancement of education amongst the members of the University of Oxford by the provision of debates and in the maintenance of a library and reading-room and in particular but without prejudice to the generality of the foregoing by the provision of debates at and the maintenance of a library and reading-room in the Union buildings.

(2) The Charitable Trustees may if they shall think fit pay or apply any part or parts or the whole of the capital of the Trust Fund in any manner in which they are authorised to pay or apply the income thereof

4.

Without prejudice to the generality of any other power vested in them the Charitable Trustees shall have the following powers and in furtherance of the objects set out in Clause 3 hereof:-

(A) Power to engage on such terms as to salary wages pensions and otherwise as may be proper and to dismiss staff provided that such staff shall not include a Charitable Trustee

(B) Power to make vary and revoke such regulations as they think fit concerning the admission of members of the University to debates and to the said library and reading-room and to the organisation and maintenance of the same respectively and the making of reasonable charges for the provision of the said debates and the facilities of the said library and reading-room and generally for the management of the Charity

(C) Power to delegate all or any of the powers and duties of the Trustees in relation to the organisation of debates and the provision and administration of the said library and reading-room in particular power to delegate their said powers and duties to the Union PROVIDED ALWAYS that the Charitable Trustees shall not delegate their said powers and duties to the Union as foresaid unless

the Union shall first have satisfied the Charitable Trustees that attendance at the said debates and the use and enjoyment of the said library and reading-room shall be open to all members of the University and PROVIDED FURTHER that it shall be a term of such delegation that the Union shall so often as the Charitable Trustees may require and in any event not less often than once in each year furnish the Charitable Trustees with a written report setting out the manner in which the Union has exercised such said delegated powers and performed such said delegated duties during the period since such delegation or since the last such report (as the case may be).

**5.**

Without prejudice to the generality of any other powers vested in them the Charitable Trustees shall have the following powers in relation to the Union Building

- (A) Power to permit the same or some part or parts thereof to be occupied for any of the charitable educational purposes of the Charity for such period and on such terms as to rent (if any) as the Charitable Trustees shall think fit
- (B) Power to repair decorate alter extend furnish or equip the same or any part or parts thereof as the Charitable Trustees shall think fit
- (C) Power in relation to any part or parts thereof not for the time being required for the purposes of the Charity (with such contents as are by law required) to sell exchange lease or licence the use of the same for such price value rent of sum (as the case may be) as the Charitable Trustees shall deem to be the best reasonably obtainable in the open market

**6.**

The Charitable Trustees shall have power

- (A) to retain any investment or property from time to time comprised in the Trust Fund in its existing state so long as the Charitable Trustees think fit with power at any time or times at their direction to sell the same or any part thereof
- (B) to invest or lay out the net proceeds of any such sale or any other capital moneys comprised in the Trust Fund at their discretion in or upon any of the investments or property hereby authorised with power at the like discretion to vary or transpose any such investments or property for or into others of any nature hereby authorised
- (C) to accumulate any income not immediately required for the purposes of the Charity by investing the same and resulting income thereof in such manner as the Charitable Trustees think fit and so that any such accumulations may at any time be applied as if the same were income of the Trust Fund arising in the then current year

**7.**

The Charitable Trustees may from time to time for the purpose of carrying into effect the trusts declared by this Deed:-

- (A) Purchase take on lease accept by gift devise or bequest sell exchange lease or otherwise acquire dispose of or deal with interests in property of any kind whatsoever and wheresoever situate in such manner as the Charitable Trustees shall in their discretion think fit
- (B) Accept and hold gifts devises and bequests of money and property upon special trusts for charitable purposes within the limits of the purposes of the Charity as hereinbefore expressed
- (C) Borrow money on the security of the whole or any part of the Trust Fund and pay and apply the money on raised in any manner in which money forming part of the capital of the Trust Fund may be paid or applied

**8.**

The Charitable Trustees shall have the power

- (A) to advertise or otherwise appeal for contributions of money or other property for the purpose of the Charity in such manner as they think fit and to engage any person firm or corporation to organise and such appeal on such terms as to remuneration and otherwise as the Charitable Trustees consider proper
- (B) To engage any person or persons not being a Charitable Trustee to act as Secretary Treasurer or other officer of the Charity and to engage such other staff as the circumstances may require them in the administration of the Charity and to contract to pay to the Secretary Treasurer and other officer and staff such (if any) salary wages emoluments and pensions as the Charitable Trustees shall consider proper

**9.**

- (1) Any money available for investment may be invested or laid out in the purchase of or at interest upon the security of such stocks funds shares securities or other investments or property of

whatsoever nature and wheresoever situate as the Charitable Trustees think fit whether or not the same may be authorised by law for the investment of trust money

(2) Money may be left un-invested on deposit at a Bank on such terms in such amount and for such period as the Charitable Trustees may think fit

(3) The Charitable Trustees may permit any investments to be held by any trust corporation or bank nominee company as nominee for the Charitable Trustees and may also permit any securities transferable by delivery to be held on the account of the Charitable Trustees by any Bank and the Charitable Trustees may make such arrangements as they think fit for the collection of the income of such investments or securities

**10.**

All costs and expenses incurred by the Charitable Trustees in the exercise of the trusts power and provisions herein declared and contained may be paid out of the income or the capital of the Trust Fund as the Charitable Trustees think fit

**11.**

(1) The Charitable Trustees may from time to time by writing under their hands authorise any two or more of their number or any one or more of their number and the Secretary or other officer of the Charity to sign or endorse on their behalf any cheques bills negotiable instruments receipts or contracts and every such authority shall continue in force until some one or more of the Charitable Trustees shall by writing under their hands revoke the same and communicate such revocation to the person or persons holding the authority and every purchaser or other person dealing with the Charitable Trustees or any of them shall be entitled to assume such authority shall still be in force until such time as he or she shall have received express notice of the revocation thereof

(2) The Charitable Trustees may from time to time authorise the whole or any part of the Trust Fund to be held by or vested in any two or more of their number

**12.**

(1) The Charitable Trustees shall hold as many meetings as they think fit in each year

(2) The Charitable Trustees may elect a Chairman of their meetings and determine the period for which he is to hold office but if no Chairman is elected or if at any meeting the Chairman is not present within five minutes for the time appointed for the holding of the same the Charitable Trustees present may choose one of their number to be the Chairman of the meeting

(3) Any resolution duly passed at a meeting of the Charitable Trustees to exercise any power or discretion hereby or by law vested in them shall be binding on all the Charitable Trustees including those who voted against such resolution or were not present at such meeting and the last-mentioned Charitable Trustees shall (if and so far as required) concur with the others of the Charitable Trustees in the exercise of the power or discretion so resolved upon

(4) The Charitable Trustees shall have power to make vary and revoke regulations governing the time place and method of calling and conducting the meetings of the Charitable Trustees and determining the quorum necessary for the transaction of business

(5) Unless and until otherwise determined by Charitable Trustees:-

(a) Two Charitable Trustees shall form a quorum and a meeting of Charitable Trustees at which a quorum is present shall be competent to exercise a majority all or any of the powers and discretions vested in the Charitable Trustees

(b) Any one of the Charitable Trustees may at any time convene a meeting of the Charitable Trustees

(c) Questions arising at any meeting shall be decided by a majority of votes and in case of an equality of votes the Chairman shall have a second or casting vote

(d) Notice of every meeting shall be delivered or sent by post to each of the Charitable Trustees (other than a Trustee for the time being not in the United Kingdom) so that the same is delivered seven clear days before the date of the meeting

(e) Every notice of a meeting shall state the place day and hour of the meeting and the business to be transacted thereat

**13. The Charitable Trustees shall:**

(A) Cause proper Minutes to be kept and entered in a book (hereafter called 'the Minute Book') provided for the purpose of all their resolutions and proceedings and any such Minutes of any such meeting of the Charitable Trustees purporting to be signed by the Chairman of such meeting or by the Chairman of the next succeeding meeting shall be conclusive evidence of the matters stated in such Minutes

- (B) Cause full and punctual accounts to be kept of the Trust Fund and all income arising therefrom and all dealings therewith and all payment made thereout and at least one in each year causes to be prepared a statement of account and balance sheet for the preceding year
- (C) Cause the said statement of accounts and balance sheet to be audited each year by a professional auditor appointed by the Charitable Trustees

**14.**

- (1) A new Trustee of the Charity may be appointed by a resolution of the Charitable Trustees recorded in the Minute Book and signed by the new Trustee and such record shall be conclusive evidence of his appointment
- (2) The Charitable Trustees shall be not less than three nor more than eight persons and in the event of their number falling below five such additional Trustee or Trustees shall forthwith be appointed as shall be necessary to make their number up to five but so that the Charitable Trustees may from time to time exercise all or any of the trusts powers and provisions herein declared and contained notwithstanding any vacancy or vacancies in their number
- (3) Any of the Charitable Trustees who is absent from all meeting of the Charitable Trustees during a continuous period of twenty four months or who is adjudicated a bankrupt or who is incapacitated from acting shall thereupon cease to be a Trustee and if the continuing Charitable Trustees or any two of them shall sign a statement to the effect that a trustee has ceased to be a trustee by virtue of the provisions of this sub-clause and such statement be recorded in the Minute Book such record shall be conclusive evidence of his ceasing to be a trustee
- (4) A Charitable Trustee may retire by writing under his hand and such retirement shall be recorded in the Minute Book and such record shall be conclusive evidence of his retirement

**15.**

- (1) There shall be repaid to the Charitable Trustees their travelling expenses and other disbursements necessarily incurred by them in connection with the administration of the trusts hereof
- (2) Any of the Charitable Trustees being a Solicitor or Chartered Accountant or Stockbroker or other person engaged in any profession or business shall be entitled to charge and be paid all proper professional and other charges for business transacted time spent and acts done by him or his firm in connection with the trusts hereof including acts which a trustee not being in any profession or business could have done personally
- (3) Save as hereinbefore expressly provided the Trust Fund and the income thereof shall be applicable solely towards the objects of the Charity

**16.**

In the professed execution of the trusts and powers hereof no Charitable Trustee hereof shall be liable for a breach of trust arising from a mistake or omission made by him in good faith or for any other loss to or misapplication of the Trust Fund except in the case of his own conscious wrongdoing Provided Always that no trust or power shall be exercised in such manner that the capital or income of the Trust Fund or any part thereof shall be held paid or applied otherwise than for purposes which are exclusively charitable according to the law of England and Wales

**17.**

Any statement in writing signed by the Charitable Trustees or any two of them to the effect that any contract deed act thing or transaction signed executed done or entered into by the Charitable Trustees is signed executed done or entered into in accordance with and is authorised the trusts powers and provisions herein declared and contained shall in favour of any purchaser or other person dealing with the Charitable Trustees be conclusive evidence of the fact



IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first before written

*Signed Sealed and Delivered by*

Jeremy Frederick Leaver  
The Rt Hon Maurice Harold Macmillan  
The Rt Hon The Lord Hailsham of St Marylebone  
The Rt Hon Roy Harris Jenkins  
Robin Day  
The Rt Hon The Lord Redcliffe-Maud

*in the presence of*

Terence Wilkinson  
Rosemary Annette  
M. Heyward  
Haydon Phillips  
Sara Richards  
Elizabeth Bowles"

ENDS