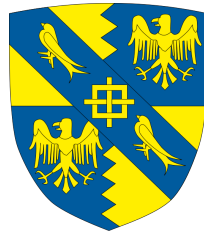


CONSTITUTION of the
MIDDLE COMBINATION ROOM
of the COLLEGE of
SAINT MARY MAGDALENE



Last updated in Lent 2015 by Raphaël Proust (MCR President 2014–2015)

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1 Name

The graduate members of Magdalene College, Cambridge, in statu pupillari shall continue collectively to constitute a society known as “The Middle Combination Room” (MCR).

2 Membership

- (a) Subject to sub-clause 2(b), those in following categories who are in statu pupillari and whose names are on the Chapel List shall automatically be members of the MCR: (i) graduate students; (ii) affiliated students; (iii) students, not being affiliated students, who hold a degree from another university and who are pursuing a undergraduate course in Cambridge. In addition, any undergraduate member of the College who is in statu pupillari, whose name is on the Chapel List and who was aged twenty-one or more when he or she matriculated may, by notice in writing to the President, elect to be a member of the MCR. No person may, however, be a member both of the MCR and of the Junior Common Room. Undergraduates in the fourth year of their course and above, research associates, Bye-Fellows, and others with a demonstrable connection with the College, at the discretion of the MCR Committee may become associate members. Associate members are not entitled to take any part in MCR elections, or hold office.
- (b) Any graduate or affiliated student member of the College may in any academical year by written notice declare that he or she does not wish to be a member of the MCR, and in that case such a person shall not be a member of the MCR for that academical year. Such written notice shall be served on the President of the MCR within one week of the commencement of the Michaelmas term.
- (c) Any member of the MCR who exercises the right not to be a member of the MCR shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of having done so, but this shall not entitle him or her to make use of any services or facilities which have been provided for by the MCR, including but not limited to, the right to take any part in MCR elections, or hold office.

3 Operation of the MCR

The MCR shall operate in a fair and democratic manner in accordance with the Education Act 1994.

4 Committee

The affairs of the MCR shall be managed by a Committee, which shall be composed of the President, the Secretary, the Treasurer and a number of additional members who shall be appointed by the collective decision of the Present, Secretary, and the Treasurer. The maximum number of additional members shall be calculated each year by dividing the total membership of the MCR at the last day of Lent term by twenty, the resulting figure being rounded up to the nearest whole number.

The President of the Committee shall be President of the MCR.

5 Functions

The Committee's functions shall be to assist the President in furthering the interests of the MCR members. In particular:

- (a) to be responsible for the running of the existing MCR facilities;
- (b) to provide, and to encourage the provision of, further amenities for MCR members, including and to encourage the provision of adequate living accommodation;
- (c) to provide a channel of communication between the MCR members and the Governing Body on matters of general interest;
- (d) to represent the MCR members in their relations with other organisations;
- (e) to supervise the distribution of funds, including any funds made available to the MCR by the Amalgamation Club;
- (f) to approve the annual budget and end of year statement of account produced for submission to the Governing Body, as specified in clause 9(b) and (h).

6 Elections

- (a) The President, the Secretary and the Treasurer shall be elected during the last fourteen days of every Full Lent Term, to take office at the start of the following Easter Term, and to hold office for twelve months. Subject to sub-clause (b).(i) of this clause an election shall first be held for the President. Not fewer than two, nor more than seven, days thereafter separate elections shall be held for the Secretary and the Treasurer. All three officers shall be elected by single transferable vote in a secret ballot, and a person may stand in more than one election.
- (b) The Governing Body shall issue guidance to the MCR as to the way in which elections are to be conducted. Subject thereto, the organisation of the elections is the responsibility of the Returning Officer, who shall be the retiring President, unless he or she is unavailable to act, in which case another member of the MCR shall be appointed by the Committee. The Returning Officer may not stand for election

to any office and may not nominate or second any candidate. He or she shall be responsible for ensuring that the election process is fair and democratic and is conducted in accordance with this Constitution. The Committee may invite the Tutor for Graduate Studies, or another Fellow of the College nominated by him or her, to act as an Independent Observer to ensure that the election is fairly and properly conducted in this way.

- (i) If all candidates for election as President give written notice to the Returning Officer that they do not wish, if unsuccessful in the ballot, to stand for election as Secretary or Treasurer, the Returning Officer shall have power to direct that the elections for President, Secretary and Treasurer are to take place on the same day. In such an event the Returning Officer shall give notice of the revised arrangements in the same manner as notice of the original arrangements was given by the President under sub-clause (e) of this clause.
- (c) The Returning Officer and all members of the Committee shall be totally impartial during the conduct of an election, from the nomination of candidates until the results have been declared. They may give impartial advice to candidates as to the nature of the work of the MCR and the nature of the various MCR posts, but they must not advise or seek in any way to influence any person against standing for any Committee post. Neither the Returning Officer nor any member of the Committee may advise or seek in any way to influence the outcome of an election by encouraging, discouraging, intimidating or threatening any person with a view to influencing the way that he or she may vote at an election.
- (d) All MCR members are entitled to vote at an election, and all such members are eligible for election, provided they can demonstrate that, to the best of their knowledge, they will be able to serve the full twelve month term of office, but no person may be elected to the same office more than twice.
- (e) Notification of the nomination and election procedures must be given by the President by the end of the fourth week of Full Lent Term. The election dates, which shall be before the last day of Full Lent Term, shall be determined by the President, who shall give notice of them to all members of the MCR.
- (f) Nominations must be submitted in writing to the Returning Officer. These must be proposed and seconded by members of the MCR, and must have the written consent of the nominee. A list of the nominations received must be displayed in the MCR until the election has been concluded. A candidate may display a maximum of one A4-sized poster on the MCR notice board.
- (g) In the case of each election, an open meeting shall be held, after the closing date for nominations and before the date of the election, at which candidates shall have the right to present their manifestos.
- (h) If any MCR member is alleged to have been guilty of any form of improper pressure designed to influence the outcome of an election, the matter may be brought to the attention of the Committee, the Returning Officer or the Independent Observer. If the Committee or the Returning Officer consider that there is evidence of the MCR member having behaved in this way the President may convene an Open Meeting of MCR members at which the matter will be discussed, and the

member concerned will be given the opportunity to answer the criticism and to be heard. It shall be for that meeting to decide whether the member concerned should be censured, or what other action should be taken.

- (i) Any member who is unable to vote online may do so by sending his or her vote in writing to reach the Returning Officer before the close of voting.
- (j) If an equal number of votes is cast for any candidate, the Returning Officer shall determine the matter by lot, and the candidate on whom the lot falls shall be deemed to have received an additional vote.
- (k) The results of each election must be displayed by the Returning Officer, with the numbers of votes cast, by noon of the following day, and shall remain displayed or seven days. He or she shall make a report to the Governing Body, in such form as they may direct, as to the conduct and results of the election.
- (l) It shall be the responsibility of the Returning Officer to retain a paper transcript of the election data in a secure place under lock and key for a period of seven days after the election.
- (m) If no nomination is received for the election of the President, the Secretary or the Treasurer, or if at any time a vacancy occurs in any of those offices, any member of the MCR may, if he or she consents, be elected to fill the vacancy at an Open Meeting to be held before the end of Full Term. This Open Meeting requires a quorum of one tenth of the MCR membership, and the election shall be by a simple vote.
- (n) Any candidate for election may appoint an observer, who shall be neither a candidate nor the Returning Officer, to attend both the poll and the count. The observer may not participate in the count.

7 Officers

- (a) The President is expected to act always with the best interests of the MCR and the College in mind. It is his duty to preside over all MCR Open Meetings and Committee Meetings. In the event of the President being absent from Cambridge, or unable for some other reason to act, any urgent matters requiring immediate attention shall be dealt with either by the Secretary or the Treasurer, acting as his or her deputy, as the President may direct and, in the absence of such a direction, by the Secretary. The officer so deputising shall preside over any meeting from which the President is absent, but only the President may represent the MCR at meetings of the Governing Body.
- (b) The Secretary shall take minutes for all meetings, including a record of all decisions taken and any resolutions passed. He or she shall also be responsible for organising all MCR end-of-term Banquets and the BA dinners held on each Friday in Full Term, including the drinks before and after them.
- (c) The Treasurer shall be responsible for the MCR accounts, maintaining the MCR bank accounts and preparing a budget and an end-of-year account, for approval by the Committee.

- (d) With the assistance of those listed above, the remaining members of the Committee shall between them undertake other responsibilities as may be distributed by the President.

8 Committee Meetings

- (a) Decisions of the Committee should be reached by consensus, or failing this a simple vote.
- (b) If any Committee member is absent without good cause from three consecutive Committee meetings he or she shall be deemed to have resigned from the Committee.
- (c) The quorum at any meeting of the Committee shall be one quarter of the members of the Committee rounded up to the nearest whole number.

9 Finance

- (a) The Governing Body shall give directions to the MCR as to how its financial affairs are to be conducted, and the requirements of this clause are subject to any such directions, which may be given.
- (b) The MCR shall, in April of each year, agree a budget for the coming year and shall submit it to the Governing Body for approval.
- (c) The President and Treasurer of the MCR shall put forward the Committee's claims for financial support at the meetings of the Finance Committee of the Amalgamation Club. Such claims may not exceed the sums proposed by the MCR in the budget put forward by it under sub-clause (b) of this clause.
- (d) There will be two types of expenditure:
 - (i) sums needed for established expenditure and the ordinary running of the affairs of the MCR, and
 - (ii) exceptional expenditure for the MCR, which will be decided by the Committee after consulting with MCR members in an Open Meeting.
- (e) No liability may be incurred on behalf of the MCR without authority. Authority for expenditure in excess of a specified amount (the Committee's figure) can only be given by the Committee. The Committee's figure shall be determined annually, by the Committee. Authority for smaller amounts may be given by the President or Treasurer, with each informing the other of such. Expenditure which is both frequent and regular need be authorised only once in a given period.
- (f) Any transaction involving the MCR bank account must be authorised by two of the following: the President, the Secretary, the Treasurer.
- (g) Any MCR member shall be entitled on request to see the MCR end-of-year account and the current state of the MCR accounts.

- (h) The accounts of the MCR shall be audited as soon as practicable after the end of the financial year. The financial year shall run from the beginning of the period of office of one President, until the commencement of the next.

10 Contracts

No written contract may be entered into by or on behalf of the MCR without the written authority of the Committee.

11 Conduct

In any public or private statement a member of the MCR must take all reasonable steps to ensure that his or her personal views are not mistaken for an expression of the views of the MCR members in general, except where the statement has been approved in advance by the Committee or a resolution has been passed after a referendum under clause 16.

12 MCR Meetings

- (a) The President shall convene and chair an Open Meeting of the MCR members whenever he or she considers that one is required. If the President receives a petition signed by not fewer than fifteen members, giving their reasons for requesting him or her to do so, he or she shall call an extraordinary Open Meeting of the MCR members for a date within a week of the receipt of the petition.
- (b) A motion must be submitted to the Secretary not later than seventy-two hours before the meeting. Every motion must be signed by the persons intending to propose and second it. The Committee must publish a full agenda not less than forty-eight hours before a meeting. The order of the motions shall be determined by the chairman of the meeting.
- (c) Non-members of the MCR may attend and speak at a meeting by invitation of the Committee, but may not participate in any voting.
- (d) If an amendment is moved to a motion it may be accepted by the proposer of the motion, in which case it shall form part of the substantive motion to be voted upon. If the proposer does not accept it, a vote shall be taken to decide whether it is to form part of the substantive motion itself, or must be voted on separately.
- (e) If the proposer and seconder of a motion are absent from the meeting, or if a motion is withdrawn at a meeting, the motion may still be discussed if it is re-proposed at the meeting.
- (f) All motions proposed, seconded and submitted in accordance with this Constitution must, if not withdrawn, be discussed at the next Open Meeting. If, in the

opinion of the chairman, the Open Meeting would in consequence of this continue for an unreasonable time he or she may, with the approval of the meeting, carry any outstanding motion over to the next Open Meeting, which he or she must summon to be held within seven days. Any motions so carried over shall take priority over new motions.

- (g) After discussion at an Open Meeting, a motion must be voted on in a referendum, as specified in clause 16(a).
- (h) A motion which either has been discussed at an Open Meeting, or which in the opinion of the Committee is in substance identical to such a motion, may not without the approval of the Committee be proposed within the same Term.
- (i) At any meeting any person who makes a remark which in the opinion of the Chair is discriminatory against any person or body, or whose language or behaviour is offensive in any way, will be asked by the Chair to withdraw the remark, or to cease his or her objectionable language or behaviour. If such a person refuses to withdraw the remark, or to cease from using the language or behaving in the way complained of, the Chair will formally ask him or her to retract the remark or to desist from the objectionable behaviour. If he or she refuses to do so and the meeting so decides on a vote, he or she will be expelled from the meeting. In such a case the President will call an Open Meeting of the MCR members, to be held within seven days, and will invite them to decide on the appropriate action to be taken.

13 Complaints Procedure

All graduate members of the College in statu pupillari or groups of such members who are dissatisfied in their dealings with the MCR, or who claim to be unfairly disadvantaged by reason of having exercised the right not to be a member of the MCR, may prefer a complaint to the President of the MCR or, in the case of a complaint about election procedures, to the Tutor for Graduate Students, who shall take such action in connection with a complaint as he or she thinks fit. An appeal shall lie from the President of the MCR or the Tutor for Graduate Students to the Master, who may not delegate his or her responsibility for hearing the appeal. The Master may, if he or she thinks fit, before deciding an appeal, invite the Governing Body to appoint an independent person to investigate and report on any complaint. The decision of the Master shall be final. If a complaint is upheld, the Governing Body shall have power to provide such effective remedy, if any, as they consider appropriate.

14 Procedure for a Vote of No Confidence

If it is wished to pass a vote of No Confidence in the President, the Secretary or the Treasurer:

- (a) The Tutor for Graduate Students must receive a petition from MCR members constituting one fifth of the MCR or 30 in number, whichever is the greater, giving reasons. On receipt of such a petition, the officer in question will be suspended, and the Committee will elect a person to act in his or her place pending the outcome of the referendum under sub-clause (c) of this clause.
- (b) An Open Meeting must be held within one week of receipt of the petition to discuss the issue and allow the officer in question to answer the accusations levelled against him or her. This shall be chaired by the Tutor for Graduate Students or a Fellow of the College appointed by him or her.
- (c) A referendum must be held within one week of the Open Meeting. This shall be administered by the Tutor for Graduate Students or a resident member of college appointed by him or her. If the proposed vote of No Confidence is then passed by a majority of the votes of not fewer than one half of the MCR membership, the officer in question shall be removed from his or her position. Any member of the MCR other than the person against whom the vote of No Confidence has been passed may, if he or she consents, be elected at an Open Meeting to fill the vacancy, as in clause 6(k) above.

15 Joint Meetings with the Junior Combination Room

MCR members shall be entitled to vote with the members of the Junior Combination Room (JCR), to the extent and in the manner permitted by the latter's Constitution:

- (a) to decide a matter which affects both them and members of the JCR, and
- (b) to decide whether they wish jointly to affiliate to, or disaffiliate from any external organisation.

16 Referenda

The Committee shall hold a referendum, at which all MCR members shall be entitled to vote by secret ballot, in the following circumstances:

- (a) within one week of an Open Meeting at which a motion is discussed as in clause 12(g),
- (b) when a requisition is made in accordance with clause 17(c),
- (c) to amend the Constitution in accordance with clause 18, or
- (d) whenever the Committee consider that the importance of a matter to be decided justifies this.

17 Affiliation to External Organisations

- (a) If at any time the MCR decides to affiliate to an external organisation, the Committee shall publish notice of the decision stating:
 - (i) the name of the organisation, and
 - (ii) details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation. Copies of any such notice shall be made available to the Bursar for the information of the Governing Body and to all graduate members of the College in statu pupillari.
- (b) Where the MCR is affiliated to any external organisations, the Committee shall publish an annual report containing:
 - (i) a list of the external organisations to which the MCR is currently affiliated, and
 - (ii) details of subscriptions or similar fees paid, or donations made, to such organisations in the past year. Copies of all such reports shall be made available to the Bursar for the information of the Governing Body and to all graduate members of the College in statu pupillari.
- (c) Where the MCR is affiliated to any external organisations:
 - (i) the Committee shall annually submit the current list of affiliations for approval by members of the MCR;
 - (ii) if not fewer than five per cent of the members of the MCR make a requisition at any time requiring the question of continued affiliation to any particular organisation to be decided upon, the Committee shall arrange for the matter to be decided by a referendum in accordance with clause 16. No such requisition may be made sooner than one year after the last requisition (if any) to have been made.

18 Amendment of the Constitution

If an amendment to the Constitution is proposed (a) by the Committee, or (b) in a notice signed by not fewer than fifteen MCR members, it shall be submitted to a referendum of MCR members. If the proposed amendment is then passed by a majority of the votes of not fewer than 30% of the membership of the MCR, it shall come into force after confirmation by the Governing Body.

19 Approval and Review of the Constitution

- (a) No amendment to this Constitution shall take effect until it has been approved by the Governing Body.

- (b) This Constitution shall be reviewed by the Governing Body at intervals of not more than five years.

20 Interpretation

In this Constitution, unless the contrary be provided:

- (a) “The College” means the College of Saint Mary Magdalene in the University of Cambridge.
- (b) “The President” means the President of Magdalene College MCR;
- (c) a person “in statu pupillari” means a matriculated member of the College who is actively pursuing a course of study leading to a degree, diploma or certificate conferred by the University of Cambridge;
- (d) a “simple vote” means a simple majority vote, of those voting. In the case of an equality of votes, the President, or chairman in the case of a meeting, shall have a second, and casting vote.

This Constitution was approved at a meeting of the Governing Body held on 14 November 2002. Amendments to clauses 4 and 6 (included above) were approved at a meeting of the Governing Body held on 15 July 2004. It was reviewed and re-approved in accordance with clause 19(b) at the meeting of the Governing Body held on 26 June 2008, and at the meeting of the Governing Body held on 20 February 2014. Amendments to clauses 2(a), 2(c), 4, 6(i), 6(l), 7(a), 7(b), 8(c), and 18 (included above) were approved at a meeting of the Governing Body held on 12 March 2015.