



STATUTES
FOR THE
GOVERNMENT OF
ELIZABETH COLLEGE
GUERNSEY

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Reprinted October 2009

Le 11 Janvier, 1853, devant Pierre-Stafford Carey, Ecuyer, Baillif; présents Hilary-Ollivier Carré, Thomas Le Retilley, Thomas-Fiott de Havilland, Edgar MacCulloch, William-Pierre Métivier, Jean-Thomas De Sausmarez, James-Saumarez Dobrée et Jean Le Mottée, Ecuyers, Jurés.

Monsieur Le Bailiff ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en son Conseil, en date du 28e Décembre, 1852, ratifiant le corps de Statuts pour le Collège Elizabeth, et ordonnant qu'ils seront désormais en force pour le gouvernement du dit Collège – LA COUR, après en avoir eu lecture, ouies les conclusions du Procureur de la Reine, a ordonné que le dit Ordre sera enregistré, duquel la teneur suit:

AT THE COURT AT WINDSOR,
The 28th day of December, 1852.

PRESENT:
THE QUEEN'S MOST EXCELLENT MAJESTY.
HIS ROYAL HIGHNESS PRINCE ALBERT.

LORD CHANCELLOR.
Lord President.
Duke of Newcastle.
Lord Chamberlain.
Marquis of Lansdowne.
Earl of Aberdeen.
LORD JOHN RUSSELL.

Viscount PALMERSTON.
Mr HERBERT.
Sir JAMES GRAHAM, Bart.
Mr Chancellor of the Exchequer.
Sir CHARLES WOOD, Bart.
Sir WILLIAM MOLESWORTH, Bt.

WHEREAS there was this day read at the Board a Report of the Right Honourable the Lords of the Committee of Council, for the affairs of Guernsey and Jersey, dated the 17th instant, in the words following, viz.

YOUR MAJESTY having been pleased by your Order in Council of the 27th November last, to refer unto this Committee the humble Petition of the States of the island of Guernsey, setting forth – That by an Instrument under seal, bearing date the 27th day of September, in the year 1563, certain Commissioners appointed by Her Majesty Queen Elizabeth, founded a School in the island of Guernsey, under the name of “Queen Elizabeth’s School.” That in the said Instrument were contained certain Statutes concerning the Master and the Scholars, and concerning their Studies and Exercises. That the said School has since become generally known by the name of Elizabeth College. That the said School or College having long been found inefficient, His late Majesty King George the Fourth was graciously pleased, on the Petition of the States of the said island, to issue an Order in Council bearing date the 30th day of September, in the year 1825, by which the organization of the said College was entirely remodelled. That certain provisions set forth in the said Order in Council were thereby substituted in lieu of the Statutes and Regulations before existing for the said College. That in October, 1847, your Majesty was graciously pleased to appoint the Right Honourable Dr. Lushington to be Special Visitor of the said College, as well for the purpose of inquiring into and settling certain matters then in dispute, as also for the purpose of considering and submitting for your Majesty’s approbation such a revision of the Statutes of the said College as might appear to be necessary and proper. That afterwards, to wit, on the 2nd day of February, 1848, the said Special Visitor made his Report, containing among other things certain suggestions, which, modified and altered as might be thought fit, were proposed by him to serve as the basis of an Order in Council for the future government of the College. That copy of such part of the said Report as contained the said suggestions was, on the 5th day of

July, 1849, transmitted by His Excellency the Lieutenant-Governor to the Royal Court for the purpose of being laid before the States of the said island. That the said suggestions contained in the Report of the Special Visitor have been, on several occasions, under the consideration of the said States. That on the 3rd day of March, 1852, the said States adopted certain heads of Statutes, founded on the said suggestions, with such modification and alteration as appeared to them to be desirable. That the draft of a body of Statutes, hereunto annexed, framed in conformity with the said heads of Statutes, having been submitted to the said Special Visitor, the same was by him approved. And humbly praying that your Majesty would be most graciously pleased to ratify and confirm the said body of Statutes, and to order that the same shall henceforth be in force for the regulation of Elizabeth College. The Lords of the Committee, in obedience to your Majesty’s said Order of reference, this day took the said Petition and Statutes relating to Elizabeth College into consideration, and agree humbly to report as their opinion to your Majesty that it may be advisable for your Majesty to ratify and confirm the said Statutes, and to order and direct that the same shall henceforth be in force for the regulation of Elizabeth College.

Her Majesty having taken the said Report into consideration, was pleased by and with the advice of Her Privy Council, to approve thereof; and Her Majesty doth hereby ratify and confirm the said Statutes (copy of which is set forth in the Schedule hereunto annexed) for the government of Elizabeth College, adopted by the States of the island on the 3rd of March, 1852, and approved by the Special Visitor of the said College; and doth order and direct that the same shall henceforth be in force for the regulation of the said Elizabeth College. Whereof the Lieutenant-Governor of the island of Guernsey, for the time being, the States, the Bailiff and Jurats of the Royal Court of the said island, and all other persons concerned, are to take notice and govern themselves accordingly.

(Signed) C. GREVILLE

SCHEDULE

TO WHICH REFERENCE IS MADE IN THE FOREGOING
ORDER.

 STATUTES

FOR THE

GOVERNMENT OF ELIZABETH COLLEGE,

 GUERNSEY.

 VISITOR.

1. The Bishop of Winchester, for the time being, shall be Permanent Visitor.
2. The Directors, the Principal, the Vice-Principal, the Under Masters and the Scholars, shall be subject to his visitation.
3. He shall visit when he thinks fit; he shall hear appeals as hereinafter provided, and his decisions, orders and decrees, shall be final and binding on all Members of the College subject to his visitation and their successors.
4. Provided that it shall be lawful for Her Majesty to appoint, at any time, a Special Visitor or Special Visitors.

DIRECTORS.

5. There shall be nine Directors.
6. Provided that the several Directors now in office, appointed either by the Lieutenant-Governor or by the States, shall continue for the term for which they were originally appointed.
Provided also that C. B. De Jersey, Esq., and all Directors after him appointed by the States shall be deemed to have been appointed for the term of six years.

7. The Dean of Guernsey shall be a Director by virtue of his office.
8. The Dean, in case of incapacity from ill health or otherwise, shall have power to delegate the Incumbent of any parish in Guernsey to act in his stead.
9. Such delegation shall expire on the sixth day of January next ensuing, and be capable of renewal.
10. Such delegation shall be void on the appointment of a new Dean.
11. Two out of the nine Directors shall be appointed by the Lieutenant-Governor for the time being; each of them to serve for six years from the date of his appointment.
12. Six out of the nine Directors shall be appointed by the States, one every year, each of them to serve for six years from the sixth of January of the year for which he is appointed.
13. Any person having served the office of Director shall not be qualified for re-appointment till after the expiration of twelve months from the time of his going out of office.
14. Any Director desiring to resign, or refusing, or becoming incapable to act in the office, or having absented himself from the Meetings of the Board of Directors for twelve months consecutively, shall be deemed to have vacated office.
15. When a vacancy occurs, it shall be notified to the Lieutenant-Governor or to the President of the States, as the case may be.
16. The first vacancy that occurs among the Directors appointed by the Lieutenant-Governor shall not be filled up.
17. Any new Director appointed by the States upon a casual vacancy, shall serve only for the unexpired term of his predecessor.

MEETINGS.

18. The Dean, when present at a Meeting of the Board of Directors, shall act as Chairman of such Meeting.
19. In the absence of the Dean, the Senior Director present shall take the chair.

20. When the votes are equally divided, the Chairman of the Meeting shall have a second or casting vote.
21. In order to constitute a Meeting of the Board, there must be five Directors present.
22. The Board of Directors shall, from time to time, appoint a Treasurer and Secretary out of their number and regulate their duties.
23. Meetings of the Board of Directors shall be convened by written summons sent to each Director.
24. The Minutes of proceedings at Meetings shall be entered in a book, and the Minutes of each Meeting shall be signed in the said book by the Chairman, at the next ensuing Meeting, after having been read over and approved as correct.
25. The Minute Book shall be deemed sufficient evidence that all Meetings, the Minutes of which are duly entered and signed in such book, were duly convened and held, and that the proceedings entered in the said book took place at that Meeting.
26. Any two Directors may, by means of a requisition, in writing, call upon the Secretary to convene a Meeting of the Board for any purpose relating to the College, provided that such requisition shall state the special purpose for which the Meeting is to be convened, and such special purpose shall be inserted in the summons sent to each Director.

DUTIES AND POWERS.

27. The Board of Directors shall have the general superintendence and management of the affairs of the College, and shall receive all dues, rents and revenues, coming to the College.
28. The Directors shall not be personally responsible (Gallicé, “responsables en leur propre et privé nom,”) for the debts, contracts, engagements or liabilities of the College.
- 28A.(1) For the avoidance of doubt, the Board of Directors shall be a body corporate (hereinafter called “the Board”) with a common seal and shall have all such powers as if it were a limited liability company deriving the same under Article VI of the Law entitled “Loi relative aux Sociétés Anonymes ou à Responsabilité

- Limitée” and registered on the twenty-first day of March, nineteen hundred and eight.
- (2) The application of the seal of the Board shall be authenticated by two Directors thereunto authorised by the Board.
 - (3) Any document purporting to be an instrument made or issued by the Board and to be sealed as aforesaid shall be received in evidence and be deemed to be such an instrument without further proof unless the contrary is shown.
 - (4) The Board shall, as soon as may be after the coming into force of this amendment, establish and shall thereafter maintain in this Island an office at which all instruments for service upon the Board may be served and to and at which notices to be given to the Board may be sent and delivered.
 - (5) Notice of this situation of the office established by the Board in accordance with the provisions of the last preceding subsection and of any change thereof shall be given by the Board in writing to Her Majesty’s Greffier within the seven days next following the establishment of the office or of the change of the situation thereof, as the case may be.
29. Notwithstanding the provisions of paragraph 28A.(1) hereof, the Board shall not alienate or charge any real property held by them before the twenty-eighth day of July, nineteen hundred and seventy-six, except in pursuance of a Resolution of the States authorising them so to do.
 30. The Board of Directors shall settle the conditions upon which Scholars are to be admitted.
 31. The Board of Directors shall determine from time to time the fees being charged in respect of each fee paying scholar.
 32. The Board of Directors shall regulate the salaries of the Principal, Vice-Principal and Under Masters, and the remuneration of the Teachers, whether by salary or otherwise.
 33. The produce of the fees charged in pursuance of Article 31 of these Statutes shall be applied in such manner as the Board

may from time to time direct in or towards settlement of expenditure incurred or to be incurred in connection with the College.

34. The repairs of the College Buildings shall be a primary charge upon the income arising from the endowment fund, and (until the same comes into operation) upon the annual payments made by the States.
35. The Board of Directors shall render to the States, every year, an account of the receipts and expenditure of the College.
36. The Board of Directors shall appoint Clerk, Porter and other servants of the College.
37. The Board of Directors shall have power, from time to time, after consulting with the Principal, to make, revoke and alter, bye-laws and regulations for the government of the College, so as such bye-laws and regulations be not repugnant to the Law of the Island, or the Statutes of the College confirmed by Order in Council.
38. Drafts of all proposed bye-laws and regulations shall be communicated to the Principal.
39. All proposed bye-laws, and regulations or alterations thereof, shall be transmitted to the Visitor, and, on his signifying his approval, shall be valid.
40. In any case not provided for by the present Order, the Board of Directors shall have power, if any immediate decision appear to them necessary, to decide therein provisionally, in such manner as may be deemed best for the welfare of the College; but such case shall be referred by the Board, together with their decision, to the Visitor, with as little delay as possible, for his confirmation or disallowance of such decision, provided that, if time permit, a statement of every case shall, in the first instance, be submitted to the Visitor, in order that the Board may obtain his advice or decision therein.

PRINCIPAL.

41. The Principal shall be a Graduate of a University of the British Isles and be a Member of the Church of England.

42. The Board of Directors shall receive applications and the testimonials of Candidates.
43. The Board of Directors shall recommend a Candidate to the Lieutenant-Governor.
44. The Lieutenant-Governor shall appoint the Candidate recommended, by an instrument under his hand and seal.
45. If the Lieutenant-Governor declares the Candidate recommended to be unfit, the Board of Directors shall recommend a second Candidate to be appointed by the Lieutenant-Governor.
46. If the Lieutenant-Governor declares the second Candidate to be unfit, he shall report it to the Secretary of State for the Home Department, and the appointment to such vacancy shall devolve on the Crown.
47. The Principal shall be removable by the Visitor, upon appeal to him, or by two-thirds of the Board of Directors, with the consent of the Visitor.
48. The Principal shall not hold any Church preferment in the island of Guernsey.

VICE-PRINCIPAL.

49. When the office of Vice-Principal becomes vacant, the Principal shall recommend to the Board of Directors any person he may think fit to fill the said office.
50. The person so recommended shall be Vice-Principal, unless two-thirds of the Directors present at a Meeting summoned for the purpose dissent.
51. If two-thirds of the Directors present dissent, the Principal shall recommend a second Candidate.
52. If two-thirds again dissent, the Vice-Principal shall be appointed by the Visitor.
53. Any person named Vice-Principal, under any of the provisions above mentioned, shall be appointed by an instrument in writing, signed by the Secretary of the Board of Directors.
54. The Vice-Principal, during the absence or sickness of the Principal, shall superintend the College, so far as regards the discipline of the Schools and the conduct of the education.

55. The Vice-Principal shall be removable by the Visitor, upon appeal to him, or by two-thirds of the Directors present, at a Meeting specially convened on the application of the Principal.

UNDER MASTERS.

56. The Directors, after consulting the Principal, shall fix the number of Under Masters, and settle the Scheme of Education.
57. The Principal shall engage such persons to be Under Masters as he may think fit.
58. Every such engagement shall be in writing, signed by the Principal and the person engaged.
59. A copy of every such engagement shall be sent by the Principal to the Board of Directors, within one week of its signature.
60. Whenever the Principal desires that any Under Master should be removed, he shall give notice to the Board of Directors that he desires such removal, and, if required by the Board, shall state his reasons in writing.
61. If the Board does not object within one calendar month after the receipt of the notice of the Principal, the Principal may remove.
62. If the Board objects, the whole matter shall be referred to the Visitor for his decision.

SCHEME OF EDUCATION.

63. A scheme of Education shall be proposed by the Principal.
64. The scheme of Education shall include Religious and Moral Instruction, in conformity with the principles and doctrines of the United Church of England and Ireland; the Greek, Latin, English, French, and German Languages; Mathematics, Commercial Tuition, and such other branches of knowledge as it may be found practicable and advantageous to introduce for the purpose of providing an efficient Classical and Commercial Education.
65. Such scheme shall distinguish between what branches shall be indispensable, and what optional with the Parents or Friends of Pupils.

66. Such scheme shall be considered by the Directors, and, if approved, shall be the constituted system of the College.
67. If it be disapproved, it shall be submitted to the Visitor, whose decision shall be final.
68. The same form shall be observed upon any change in such scheme being proposed by the Principal.
69. The Board of Directors may suggest changes in such scheme, which may be adopted, provided the Principal consent thereto.
70. If the Board of Directors and the Principal disagree upon the expediency of any such changes, they shall be submitted to the Visitor, whose decision shall be final.
71. The Principal, in like manner, shall propose a supplementary scheme containing heads of instruction not before enumerated.
72. Extra charges may be made upon the Pupils receiving such supplementary instruction for the remuneration of the Teachers.
73. Such Teachers shall not be deemed Under Masters.
74. The daily business of the College shall commence with Prayer selected from the Book of Common Prayer of the United Church of England and Ireland, and the Principal shall be responsible for the performance of this duty.
75. The attendance of Scholars, and of such of the Under Masters as shall be Members of the United Church of England and Ireland, shall be required at Prayers.

SCHOLARS.

76. In case of expulsion of a Scholar, such Scholar shall have a right of appeal to the Board of Directors.
77. The Principal, during the first week of July of each year, shall transmit to the Board of Directors a written report of the general state of the College, the number of Scholars and the course of Education pursued during the past year; such report shall be forwarded by the Board of Directors to the Lieutenant-Governor, and to the Bailiff, President of the States, with such suggestions as they shall think fit.

