



GOVERNOR ELIGIBILITY:

PERSONS WHO ARE INELIGIBLE TO BE MEMBERS

- (1) No one under the age of 18 years may be a member, except as a student member.
- (2) The Clerk may not be a member.
- (3) A person who is a member of staff of the institution may not be, or continue as, a member, except as a staff member or in the capacity of Principal.
- (4) Paragraph (3) does not apply to a student who is employed by the Corporation in connection with the student's role as an officer of a students' union.
- (5) A person shall be disqualified from holding, or from continuing to hold, office as a member, if that person is disqualified from acting as a charity trustee under the Charities Act 2011:
 - a) unspent conviction for specified terrorism, money laundering or bribery offences;
 - b) unspent conviction for contravening a Charity Commission Order or Direction;
 - c) unspent conviction for misconduct in public office, perjury or perverting the course of justice;
 - d) unspent conviction for attempting, aiding or abetting any of the above offences;
 - e) disobeying a Charity Commission Order;
 - f) being on the sex offenders register;
 - g) unspent sanction for contempt of Court; or
 - h) being a designated persons under specific anti-terrorist legislation.
 - i) unspent conviction for an offence involving dishonesty or deception
 - j) being a person who has been removed from a relevancy office; Director disqualification and insolvency
- (6) Where a person is disqualified by reason of having been adjudged bankrupt or by reason of being the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order or a bankruptcy restrictions undertaking, that disqualification shall cease:
 - a) on that person's discharge from bankruptcy, unless the bankruptcy order has before then been annulled; or
 - b) if the bankruptcy order is annulled, at the date of that annulment; or
 - c) if the bankruptcy restrictions order is rescinded as a result of an application under section 375 of the Insolvency Act 1986, on the date so ordered by the court; or
 - d) if the interim bankruptcy restrictions order is discharged by the court, on the date of that discharge; or
 - e) if the bankruptcy restrictions undertaking is annulled, at the date of that annulment.
- (7) Where a person is disqualified by reason of having made a composition or arrangement with creditors, including an individual voluntary arrangement, and then pays the debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of three years from the date on which the terms of the deed of composition, arrangement or individual voluntary arrangement are fulfilled.
- (8) Subject to paragraph (9), a person shall be disqualified from holding, or from continuing to hold, office as a member if:
 - a) within the previous five years that person has been convicted, whether in the United Kingdom or elsewhere, of any offence and has received a sentence of imprisonment, whether suspended or not, for a period of three months or more, without the option of a fine; or
 - b) within the previous twenty years that person has been convicted as set out in subparagraph (a) and has received a sentence of imprisonment, whether suspended or not, for a period of more than two and a half years; or
 - c) that person has at any time been convicted as set out in sub-paragraph (a) and has received a sentence of imprisonment, whether suspended or not, of more than five years.

- (9) For the purpose of this regulation there shall be disregarded any conviction by or before a court outside the United Kingdom for an offence in respect of conduct which, if it had taken place in the United Kingdom, would not have constituted an offence under the law then in force anywhere in the United Kingdom
- (10) Upon a member of the Corporation becoming disqualified from continuing to hold office under paragraphs (5) or (8), the member shall immediately give notice of that fact to the Clerk

Termination of membership

- (1) A member may resign from office at any time by giving notice in writing to the Clerk.
- (2) Upon a member becoming disqualified from being a charity trustee under the Charities Act 2011 (as amended from time to time) they shall cease to be a member with immediate effect and shall notify the Clerk as soon as they become aware of such disqualification.
- (3) If at any time the Corporation is satisfied that any member:
 - (a) is unfit or unable to discharge the functions of a member; or
 - (b) has been absent from meetings of the Corporation for a period longer than six consecutive months without the permission of the Corporation,
 - (c) has prima facie brought the College and/or the Corporation into disrepute or whether the Corporation no longer considers it to be in the best interest of the Corporation for the individual to continue in office as per the colleges procedure for the removal of a Governor from office for reasons other than statutory disqualification.the Corporation may by notice in writing to that member remove the member from office and the office shall then be vacant.
- (4) Any person who is a member of the Corporation by virtue of being a member of the staff at the institution, including the Principal, shall cease to hold office upon ceasing to be a member of the staff and the office shall then be vacant.
- (5) A student member shall cease to hold office:
 - (a) at the end of the student's final academic year, or at such other time in the year after ceasing to be a student as the Corporation may decide; or
 - (b) if expelled from the institution,and the office shall then be vacant.

I confirm that I am eligible to serve as a governor on Huddersfield New College Corporation.

Name	
Signature	
Date	