



THE UNIVERSITY OF
NOTRE DAME
A U S T R A L I A

Statutes

Effective: 25 August 2023

Approved: Board of Directors

Effective Date: 25 August 2023

Review Date: August 2024

Fremantle

Broome

Sydney

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STATUTES OF THE UNIVERSITY OF NOTRE DAME AUSTRALIA

Background

The University of Notre Dame Australia was established as a statutory body corporate by *The University of Notre Dame Australia Act* which was enacted by the Parliament of Western Australia on the twenty-first day of December 1989 and proclaimed on the twenty-sixth day of January 1990.

The University of Notre Dame Australia was established under canon law as a public collegial juridical person by a proclamation of the Administrator of the Archdiocese of Perth dated the second day of July 1991.

The Objects of the University set out in section 5 of its Act of Parliament are:

- (a) *the provision of university education, within a context of Catholic faith and values; and*
- (b) *the provision of an excellent standard of –*
 - (i) *teaching, scholarship and research;*
 - (ii) *training for the professions; and*
 - (iii) *pastoral care for its students.*

Division 1 – Preamble

1 Reference

- 1.1 These Statutes will be referred to as “The Statutes of The University of Notre Dame Australia”.
- 1.2 Any reference in these Statutes to “the Act” is a reference to *The University of Notre Dame Australia Act 1989*.
- 1.3 Any reference in these Statutes to “the Canonical Proclamation” is a reference to the proclamation of the Administrator of the Archdiocese of Perth dated the second day of July 1991.

2 Authority

- 2.1 These Statutes are made under the authority of Section 20 of the Act.

3 Commencement of Statutes

- 3.1 These Statutes have effect from 7 October 2021.

4 Revocation of previous Statutes

- 4.1 All statutes of the University made prior to the commencement of these Statutes are revoked.
- 4.2 The validity of transactions, appointments and instruments made under statutes revoked by these Statutes is not affected by that revocation.

Division 2 – Trustees

Note: The Act includes provisions regarding the following matters relevant to this Division:

- (a) Trustees of the University (section 7)
- (b) Functions of Trustees (section 8)
- (c) Tenure of Trustees (section 10)
- (d) Chancellor (section 11)
- (e) Powers of Trustees (section 13)
- (f) Board of Governors (section 14)

5 Responsibilities of the Board of Trustees

5.1 Subject to the Act, the Canonical Proclamation and Statutes, the Trustees are responsible for:

- (i) protecting and preserving the Catholic Objects and nature of the University;
- (ii) electing a Chancellor and Deputy Chancellor of the University from among their number;
- (iii) appointing the Trustees of the University;
- (iv) nominating to the Board of Directors a person to be appointed as Vice Chancellor and determining the terms and conditions of the appointment;
- (v) appointing members of the Board of Directors;
- (vi) appointing members of the Board of Governors;
- (vii) approving the sale or disposal of major assets of the University; and
- (viii) making rules relevant to the University.

5.2 The Trustees will commission external audits to measure the extent of the University's fidelity to its mission as a Catholic university, consistent with the principles of *Ex Corde Ecclesiae*, or a successor Apostolic Constitution. The Trustees:

- (i) will complete the first audit no later than 1 January 2013 and undertake subsequent audits at least every ten years after that date.
- (ii) will obtain the consent of each of the Bishops of Perth, Broome and Sydney concerning the membership of the audit team and the terms of reference proposed by the Trustees for the audit of the campus in their respective dioceses.
- (iii) will provide the Bishops of Perth, Broome and Sydney with a copy of the audit report and request their comments on the report.
- (iv) acknowledge that any decisions on matters raised in the report following any audit are matters entirely for the Trustees.

5.3 Any changes or amendments to Statute 5 or to any other Statute that deals with the powers or responsibilities vested in the Trustees by the Act or the Statutes will not take effect unless it is approved by a resolution of the Trustees.

Division 3 – Board of Directors and Board of Governors

Note: The Act includes provisions regarding the following matters relevant to this Division:

- (a) Board of Directors (section 15A)
- (b) Functions of the Board of Directors (section 15B)
- (c) Duties of directors and removal for breach (section 15C)
- (d) Delegation (section 16)
- (e) Board of Governors (section 14)
- (f) Function of Board of Governors (section 15)

6 The Board of Directors

6.1 The Board of Directors is the governing body of the University, and, except where the Act otherwise provides and subject to the role of the Trustees as specified in Statute 5, exercises all the powers of the University and has entire control and management of the affairs and concerns of the University.

6.2 The Board of Directors consists of not more than 14 persons consisting of:

- (i) the Chancellor (ex officio);
- (ii) the Vice Chancellor (ex officio); and
- (iii) up to 12 other members who are:
 - members of the Board of Governors; and
 - appointed by the Trustees to be members of the Board of Directors on the nomination of a committee comprising the Chancellor, the Deputy Chancellor and the Vice Chancellor.

7 Functions and duties of the Board of Directors

7.1 Without limiting Statute 6, the Board of Directors:

- (i) preserves and fosters the essential character of the University as a Catholic university;
- (ii) appoints the Vice Chancellor of the University upon the nomination of the Trustees, and monitors the performance of the Vice Chancellor as the chief executive officer of the University;
- (iii) approves the mission and strategic planning of the University;
- (iv) approves the annual budget and business plan of the University;
- (v) oversees and reviews the management and performance of the University;
- (vi) approves and modifies the operation of Statutes, by-laws and regulations of the University and establishes policy and procedural principles relating to the operations of the Board of Directors and its committees which are consistent with legal requirements and community expectations;
- (vii) approves and monitors policies and systems of control, accountability, governance, planning and organisation of the University including controlled entities (if any);
- (viii) oversees and monitors and approves policy relating to the assessment and management of risk across the University, including health and safety and commercial undertakings;
- (ix) approves significant commercial activities of the University; and
- (x) delegates its powers in accordance with the Act.

- 7.2 In exercising their powers and performing their functions, the Board of Directors, collectively and individually will comply with those duties and responsibilities placed on to them under Section 15C of the Act and any other duties which may be imposed on them under any other law.

8 Delegation by the Board of Directors

- 8.1 The Board of Directors may delegate their powers or duties to any committee or officer of the University in accordance with Section 16 of the Act.

9 Meetings of the Board of Directors

- 9.1 Meetings of the Board of Directors are conducted in accordance with Standing Orders approved and amended by a resolution carried by no less than two-thirds of the members of the Board of Directors.

9.2 The University Secretary acts as Secretary at meetings of the Board of Directors.

10 Board of Governors

- 10.1 There is to be a Board of Governors of the University consisting of:

- (i) the Trustees; and
- (ii) at least 18 other persons as may from time to time be appointed by the Trustees.

- 10.2 The function of the Board of Governors is to provide advice and support to the Board of Directors.

Division 4 – Statutes, By-Laws and Regulations

Note: The Act includes provisions regarding the following matters relevant to this Division:

- (a) Statutes, by-laws and regulations (Section 20)
- (b) General provisions as to rules, etc. (section 21).

11 Statutes

11.1 The Board of Directors makes Statutes by a resolution carried by no less than two-thirds of the members of the Board of Directors.

11.2 Statutes made by the Board of Directors must be:

- (i) entered in a register of instruments maintained by the University Secretary; and
- (ii) published on the University's website.

11.3 Statutes made by the Board of Directors apply to and are binding on all officers, staff members and students of the University.

12 By-laws and regulations

12.1 The Board of Directors may make by-laws or regulations by a resolution carried by a majority of its members.

12.2 By-laws or regulations made by the Board of Directors must be:

- (i) entered in a register of instruments maintained by the University Secretary; and
- (ii) published on the University's website.

12.3 A by-law or regulation that conflicts with a Statute of the University is of no effect.

12.4 Where a regulation applies to the whole University it is referred to as a General Regulation.

12.5 By-laws and regulations made by the Board apply to and are binding on all officers, staff members and students of the University.

13 Certain matters to be dealt with only by Statute

13.1 Any provision that:

- (i) concerns the office, duties or powers of the Vice Chancellor;
- (ii) concerns the office, duties or powers of any of the principal officers of the University set out in these Statutes;
- (iii) concerns the custody or use of the common seal of the University; or
- (iv) concerns the principal governance structure of the University
- (v) must be made by Statute and not by regulation or by-law.

14 Delegated power to make by-laws and regulations

- 14.1 The Board of Directors may disallow any by-law or regulation made under delegated or sub delegated authority by a resolution carried by a majority of its members.
- 14.2 Subject to Section 16 of the Act and to these Statutes the Board of Directors hereby delegates the power to make by-laws and regulations to the Vice Chancellor.

Division 5 – Principal Officers of the University

Note: The Act includes provisions regarding the following matters relevant to this Division:

- (a) Vice Chancellor (Section 17)
- (b) General provisions as to rules, etc. (section 21).

15 Principal Officers

15.1 The principal officers of the University from time to time are:

- (i) the Vice Chancellor;
- (ii) the Deputy Vice Chancellors;
- (iii) the University Secretary;
- (iv) the Chief Financial Officer;
- (v) the Chief Operating Officer;
- (vi) the Pro Vice Chancellors, and
- (vii) such other officers as are appointed principal officers of the University in accordance with the terms of these Statutes.

15.2 The principal officers have a special responsibility to promote and protect the Catholic identity and mission of the University.

16 Office of the Vice Chancellor

16.1 The Vice Chancellor is chief executive officer and academic principal of the University.

17 Appointment of the Vice Chancellor

17.1 The Vice Chancellor is appointed by the Board of Directors upon the nomination of the Trustees and holds office at the pleasure of the Trustees upon such terms and conditions as the Trustees from time to time determine.

18 Removal of the Vice Chancellor from Office

18.1 The Vice Chancellor may be removed from office for good cause and on the grounds that such action is required for the welfare of the University. Such removal requires a resolution carried by a two-thirds majority of all Trustees of the University following consultation with the Board of Directors.

19 Powers of the Vice Chancellor

19.1 The Vice Chancellor has such powers and duties as may be:

- (i) necessary, incidental or convenient to enable him or her to carry out the responsibilities of Vice Chancellor;

- (ii) conferred on him or her by the Act, any rule, by-law, statute or regulation of the University; or
- (iii) delegated to or conferred on him or her by a resolution of the Board of Directors.

20 Duties of the Vice Chancellor

20.1 Subject to the Act and any rules, Statutes, by-laws and regulations of the University the Vice Chancellor is responsible for:

- (i) preserving and fostering the essential character of the University as a Catholic University;
- (ii) managing the academic, administrative, financial and other affairs of the University;
- (iii) leadership, management and development of the University; and
- (iv) representing the University before the public.

20.2 Without limiting the generality of the powers and duties conferred by Statute 20.1 and subject to the guidelines set by the Board of Directors, the Vice Chancellor has the delegated authority to:

- (i) appoint, promote and dismiss staff, determine their remuneration, conditions of service, powers and duties, and determine University policies on these matters;
- (ii) exercise general supervision over the activities and welfare of members of the staff and students of the University and over the academic affairs of the University;
- (iii) determine and establish the Management and Academic Structure of the University and make such amendments as are from time to time required to ensure that the affairs of the University are managed effectively and responsibly;
- (iv) approve, on behalf of the Board of Directors, the awarding of degrees, diplomas and awards to enrolled students who have attained standards approved by Boards of Examiners;
- (v) formulate the University budget for submission to the Board of Directors for approval;
- (vi) manage the human, financial and physical resources of the University;
- (vii) determine University policy, including but not limited to policy on:
 - (a) use of site and facilities of the University;
 - (b) academic issues (including research) (on the advice and recommendation of the Academic Council).
- (viii) incur expenditure up to a limit set by the Board of Directors on items for which budgetary provision has been made;
- (ix) prepare the strategic plan of the University for consideration by the Board of Directors;
- (x) establish and maintain an efficient and effective management structure for the University;
- (xi) establish committees on such terms as he or she sees fit to advise on specific aspects relating to the management of the academic, administrative, financial and other affairs of the University;

- (xii) sign documents for and on behalf of the University in situations where the Common Seal is not required to be affixed;
- (xiii) ensure the implementation of the Statutes, By-laws, Regulations, Rules and policies of the University, and compliance with the responsibilities and obligations required by State and Commonwealth legislation; and
- (xiv) make any decision or take any action on behalf of the Board of Directors where the Vice Chancellor and Chancellor agree that the decision is urgent and requires immediate action and that it is not practicable to convene a special meeting of the Board of Directors, provided that where this power is exercised the use of the power will be reported to the Board of Directors as soon as possible, and endorsement of the action taken will be sought from the Board of Directors at its next meeting.

21 Board of Directors may direct the Vice Chancellor

- 21.1 Subject to the Act and any rules, Statutes, by-laws and regulations of the University, the Board of Directors may by resolution direct the Vice Chancellor in the performance of his or her duties.

22 Delegation by the Vice Chancellor

- 22.1 The Vice Chancellor may delegate in writing, any of his or her powers, duties and responsibilities (except this power of delegation) to another person or committee of the University.

23 Vice Chancellor is a member of Committees

- 23.1 Except where it specifically states otherwise in these Statutes, the Vice Chancellor is ex officio a member of every Board, Committee, Centre or Council of the University.

24 Absence or disability of the Vice Chancellor

- 24.1 If for any reason the Vice Chancellor is to be absent or is unable to act for less than one month, the Vice Chancellor will appoint another senior member of the staff of the University to act as Vice Chancellor.
- 24.2 If for any reason the Vice Chancellor is to be absent or is unable to act for more than one month, the Board of Directors will, on the nomination of the Trustees, appoint a person to act as Vice Chancellor.

25 Deputy Vice Chancellors

The Deputy Vice Chancellors assist the Vice Chancellor in the management of the University and/or for the particular responsibilities and duties assigned and delegated to them by the Vice Chancellor from time to time.

26 Secretary of the University

- 26.1 The duties of the Secretary of the University are to:

- (i) act as secretary to the Trustees of the University;
- (ii) act as secretary to the Board of Directors;
- (iii) act as secretary to the Board of Governors;
- (iv) have custody of and affix as authorised by these Statutes the Common Seal of the University; and
- (v) discharge such other duties as may be determined by the Board of Trustees and the Board of

Directors.

27 Chief Financial Officer

- 27.1 The duties of the Chief Financial Officer are to manage all aspects of the University's finances including:
- (i) supervising and preparing the annual budget for the University to present, through the Deputy Vice Chancellor, Finance and the Vice Chancellor, to the Board of Directors for approval;
 - (ii) overseeing and managing the funding arrangements of the University with its financiers;
 - (iii) overseeing the preparation of all financial reports, including the annual report of the University, as required under the Act;
 - (iv) liaising with, where appropriate, the Deputy Vice Chancellors, Pro Vice Chancellors and Executive Deans in relation to financial management of each area of the University;
 - (v) liaising, where appropriate, with government departments and instrumentalities regarding the University's finances and allocations of public monies;
 - (vi) advising the Vice Chancellor and the Board of Directors, through the Deputy Vice Chancellor, Finance on the financial position of the University and actions which should be taken to advance its position; and
 - (vii) undertaking such other duties as the Vice Chancellor or the Board of Directors may determine.

28 Pro Vice Chancellors

- 28.1 The Pro Vice Chancellors assist the Vice Chancellor and Deputy Vice Chancellors and have responsibility and duties in those areas that are assigned to them by the Vice Chancellor.

29 Designation, Appointment and Removal of further Principal Officers

- 29.1 The Vice Chancellor may, with the confirmation of the Board of Directors, appoint such other officers as principal officers of the University.
- 29.2 A principal officer of the University may be removed from office by the Vice Chancellor, with the confirmation of the Board of Directors, on the grounds that such action is required for the welfare of the University.

30 Concurrent holding of Office

- 30.1 Any two or more principal offices of the University may be held at the same time by one person.

Division 6 – Campuses of the University

31 Campuses of the University

31.1 The University may conduct its activities (in whole or in part) at the following campuses:

- (i) a Campus in Fremantle, Western Australia that is known as the Fremantle Campus;
- (ii) a Campus in Broome, Western Australia that is known as the Broome Campus; and
- (iii) a Campus in Sydney, New South Wales that is known as the Sydney Campus.

32 The role of the Broome Campus

32.1 While supporting achievement of the University's Objects, the special mission of the Broome Campus is to advance Indigenous peoples and to promote reconciliation between the Indigenous and non-Indigenous peoples of Australia.

32.2 Staff on the Broome Campus with responsibility for academic programs and courses, including Vocational Education and Training programs, are members of the school with which such programs and courses are associated.

Division 7 – Committees

33 Sub-Committees of the Board of Directors

- 33.1 The Board of Directors may establish such Sub-Committees of the Board of Directors as it thinks fit.
- 33.2 A Sub-Committee of the Board of Directors is composed of such members as the Board of Directors think fit.
- 33.3 A Sub-Committee of the Board of Directors exercises such powers as may be delegated to it by the Board of Directors, but the Board of Directors reserves the right to override such exercise of power by a resolution carried by a majority of its members.
- 33.4 The Chair of each Sub-Committee must ensure that copies of agendas and minutes are promptly provided to the Board of Directors and that an annual report on the operation of the Sub-Committee is provided to the Chancellor (at a time and in such form as agreed with the Chancellor) to allow reporting to the Board of Directors.

34 Finance and Investment Committee

- 34.1 The Finance and Investment Committee is a Sub-Committee of the Board of Directors and reports directly to the Board of Directors.
- 34.2 The Finance and Investment Committee is chaired by a member of the Board of Directors appointed by resolution of the Board of Directors. The Chancellor is not eligible to Chair the Finance and Investment Committee.
- 34.3 The Finance and Investment Committee consists of at least four members and may include persons who are not directors, but there must be at least two members who are members of the Board of Directors.
- 34.4 The Finance and Investment Committee carries out the functions specified in a Charter approved by the Board of Directors and reviewed by the Board of Directors annually.

35 Audit and Risk Committee

- 35.1 The Audit and Risk Committee is a Sub-Committee of the Board of Directors and reports directly to the Board of Directors.
- 35.2 The Audit and Risk Committee is chaired by a member of the Board of Directors appointed by resolution of the Board of Directors. The Chancellor is not eligible to chair the Audit and Risk Committee.
- 35.3 The Vice Chancellor is not an ex officio member of the Audit and Risk Committee.
- 35.4 The Audit and Risk Committee consists of at least four members and may include persons who are not directors, but there must be at least two members who are members of the Board of Directors.
- 35.5 The Audit and Risk Committee carries out the functions specified in a Charter approved by the Board of Directors and reviewed by the Board of Directors annually.

36 Remuneration and People and Culture Committee

- 36.1 The Remuneration and People and Culture Committee is a Sub-Committee of the Board of Directors and reports directly to the Board of Directors.
- 36.2 The Remuneration and People and Culture Committee is chaired by a member of the Board of Directors

appointed by resolution of the Board of Directors.

- 36.3 The Remuneration and People and Culture Committee consists of at least four members and may include persons who are not directors, but there must be at least two members who are members of the Board of Directors.
- 36.4 The Remuneration and People and Culture Committee carries out the functions specified in a Charter approved by the Board of Directors and reviewed by the Board of Directors annually.

37 Engagement Advisory Committee

- 37.1 The Engagement Advisory Committee is a Sub-Committee of the Board of Directors and reports directly to the Board of Directors.
- 37.2 The Engagement Advisory Committee is chaired by a member of the Board of Directors appointed by resolution of the Board of Directors.
- 37.3 The Engagement Advisory Committee consists of at least four members and may include persons who are not directors, but there must be at least two members who are members of the Board of Directors.
- 37.4 The Engagement Advisory Committee carries out the functions specified in a Charter approved by the Board of Directors and reviewed by the Board of Directors annually.

38 Standing Committees of the University

- 38.1 The Board of Directors may establish such Standing Committees of the University as it thinks fit, on recommendation of the Vice Chancellor.
- 38.2 A Standing Committee of the University reports to the Board of Directors through the Vice Chancellor unless otherwise provided in these Statutes or in the resolution constituting the Standing Committee.
- 38.3 A Standing Committee of the University is composed of such members as the Vice Chancellor thinks fit.
- 38.4 A Standing Committee of the University exercises such powers as may be delegated to it by the Board of Directors or the Vice Chancellor.
- 38.5 Each Standing Committee shall have a formal Charter that is approved as prescribed by these Statutes. The Charter shall prescribe the Committee purpose, authority, composition, duties and responsibilities and conduct of business.
- 38.6 The Chair of each Standing Committee must ensure that copies of agendas and minutes are promptly provided to the Vice Chancellor and that an annual report on the operation of the Standing Committee is provided to the Vice Chancellor (at a time and in such form as agreed with the Vice Chancellor) for reporting to the Board of Directors, or in the case of the Core Curriculum Committee, to the Board of Trustees.

39 Core Curriculum Committee

- 39.1 The University has a Core Curriculum Committee responsible for overseeing the core curriculum of the University. The Core Curriculum Committee is a Standing Committee of the University and will report and be accountable to the Trustees through the Vice Chancellor.
- 39.2 The Core Curriculum Committee is chaired by a senior academic staff member appointed by the Vice Chancellor.

39.3 The Core Curriculum Committee consists of the of the National Head of School and the Deputy Head of School of Philosophy and Theology and such other persons nominated by the Vice Chancellor.

39.4 The Core Curriculum Committee is responsible for matters including (but not limited to):

- (i) articulating and promoting to staff and students the purpose and value of the core curriculum courses in relation to the University's Objects;
- (ii) reviewing the structure, content and quality of the courses comprising the Core Curriculum, including consideration of their consistency with the Catholic nature of the University and student attitudes to them and making recommendations to Academic Council for new courses or course amendments;
- (iii) recommending to the Trustees, through the Vice Chancellor, the suite of courses which, from time to time, form the components of the Core Curriculum at both undergraduate and postgraduate level in accordance with the discipline areas identified by the Trustees as being necessary to protect and preserve the Catholic Objects and nature of the University;
- (iv) providing advice to the Vice Chancellor on matters concerning mode(s) of delivery and resource requirements of the core curriculum courses; and
- (v) providing an annual report to the Trustees on achievement of the Committee's responsibilities.

40 Academic Council

40.1 The University has an Academic Council which is the primary Academic Committee of the University. The Academic Council is a Standing Committee of the University and reports and is accountable to the Board of Directors through the Vice Chancellor.

40.2 Academic Council meetings are chaired by a senior academic staff member appointed by the Board of Directors on recommendation of the Vice Chancellor.

40.3 The Academic Council consists of:

- (i) Vice Chancellor;
- (ii) Chair of the Academic Council, who must be employed at a Professorial level (Level E);
- (iii) Deputy Vice Chancellors;
- (iv) Pro Vice Chancellor, Research;
- (v) Pro Vice Chancellor, Student Experience;
- (vi) Executive Deans of faculties;
- (vii) Directors of Research Institutes;
- (viii) Academic Registrar;
- (ix) University Librarian;
- (x) Director and CEO, Vocational Education and Training;

- (xi) National Director, Pathways;
- (xii) National Director, Indigenous Strategy and Planning;
- (xiii) National Director, Regulatory Compliance, Governance and Policy;
- (xiv) two academic staff members at levels A-D from each Faculty, elected by academic staff members within the Faculty;
- (xv) two Professorial academic staff members at level E from each Faculty, elected by the Professoriate within the Faculty ;
- (xvi) one representative from the Learning and Teaching Office, appointed by the Deputy Vice Chancellor, Learning and Teaching;
- (xvii) one nominated undergraduate student and one nominated postgraduate student representative;
- (xviii) an external Professor or Associate Professor who holds (or has recently held) the position of Chair of an Academic Board or Academic Senate, nominated by the Chair, Academic Council and appointed by the Vice Chancellor;
- (xix) such other staff members of the University as may be appointed by the Vice Chancellor.

40.4 Subject to the approval of the Chair, other officers and staff of the University may attend a meeting of the Academic Council.

40.5 **(Number of meetings)** At least four regular meetings of the Academic Council will be held in each University year.

40.6 **(Quorum)** A quorum for any meeting of the Academic Council will be greater in number than one half of the members in office at the time of the meeting and shall not include invited members.

40.7 **(Participation by telephone/audio visual)** Members of the Academic Council may participate in meetings by the use of audio or audio visual facilities and are deemed to be present for the count of the quorum.

40.8 **(Record of meeting)** The Academic Council will keep a record of its resolutions, recommendations and action items.

40.9 Subject to Statute 40.10, the Academic Council has the determinative power to:

- (i) approve the academic content and standard of courses and programs (both new and existing);
- (ii) approve the assessment in courses and programs (both new and existing);
- (iii) approve the criteria for graduation from degrees (both new and existing),
- (iv) appoint such committees as it thinks fit and, by resolution, delegate any of its powers, authorities, duties, and functions to any such committee or to any officer of the University; providing that no delegation will prevent the exercise or discharge by the Academic Council of any of its powers, authorities, duties or functions;

and will report on its decisions through the Vice Chancellor to the Board of Directors.

- 40.10 The Academic Council has the power and responsibility to advise the Board of Directors, through the Vice Chancellor, on all academic matters in accordance with duties and responsibilities contained in its approved Charter.
- 40.11 Any advice or recommendation of the Academic Council to the Vice Chancellor is subject to the approval of the Vice Chancellor who, in his or her discretion, may approve or reject (in whole or in part), amend, or refer back to Academic Council for further consideration. The Vice Chancellor may also, in his or her discretion, refer any recommendation or advice received from the Academic Council to the Board of Directors for their consideration.
- 40.12 Academic Council Sub-Committees
- (i) The Academic Council has authority for establishing and disestablishing sub-committees (as required) of the Academic Council. The Academic Council may refer any matter to a committee or sub-committee.
 - (ii) Each sub-committee must have a Charter which is approved by Academic Council and which prescribes the chairperson, membership and functions of that sub-committee. The Academic Board may review and update the Charter of its sub-committees as it considers appropriate.
 - (iii) Where a member of Academic Council is elected in that capacity as a member of a sub-committee of the Academic Council, then the member's term of office as a member of the committee is subject to their term of office as a member of the Academic Council.
 - (iv) Academic Council sub-committee meetings will be called and conducted in accordance with any standing orders of the Academic Council, unless otherwise prescribed in the sub-committee's Charter or other committee governance document approved by the Academic Council.
 - (v) The Chair of the Academic Council or their nominee is an ex-officio member of all Academic Council sub-committees.
 - (vi) Each sub-committee must report on its activities to the Academic Council.
 - (vii) Each sub-committee will keep a record of its resolutions, recommendations and action items.
 - (viii) The Academic Council or the chairperson of the Academic Council may establish working parties as they consider necessary to assist or advise the Academic Council or the chairperson in the performance of their functions.

Standing Committees Reporting to the Vice Chancellor

41 Senior Management Group

- 41.1 The Senior Management Group is a Standing Committee of the University which will be responsible to the Vice Chancellor.
- 41.2 The Senior Management Group is chaired by the Vice Chancellor. The Senior Management Group will comprise the Principal Officers of the University and such other senior staff members as may be appointed by the Vice Chancellor.
- 41.3 Subject to the direction of the Vice Chancellor, the role of the Senior Management Group is to:
- (i) advise on the strategic positioning of the University and matters for which the Vice Chancellor exercises responsibility;
 - (ii) monitor and oversee effective management systems and processes of the University aligned to the

University's Objects and strategic priorities;

- (iii) monitor and review performance across the University to improve outcomes and ensure the responsible and effective management of University resources;
- (iv) interrogate proposals and data prior to submission to the Board of Directors or its sub-committees;
- (v) advise the Vice Chancellor on the strategic alignment, relevance, long-term sustainability and viability of proposed new programs and of proposed major changes to existing programs, including the strategic impact of discontinuing an existing program; and
- (vi) advise the Vice Chancellor on all matters referred to it by the Vice Chancellor including (but not limited to) matters of national import, strategy and consideration of advice from the various academic and management committees of the University.

41.4 The Senior Management Group may recommend establishment of such sub-committees as it thinks fit to the Vice Chancellor and, subject to approval of the Vice Chancellor, delegate any of its duties and functions to any such sub-committee.

42 Ethics Committee

42.1 The Ethics Committee is a Standing Committee of the University and is accountable to the Vice Chancellor.

42.2 The Ethics Committee is chaired by a senior academic staff member appointed by the Vice Chancellor.

42.3 Members of the Ethics Committee are appointed by the Vice Chancellor on the recommendation of the Pro Vice Chancellor, Research, and as required by relevant statutory authorities.

42.4 The Ethics Committee is responsible for matters including (but not limited to):

- (i) developing principles, guidelines, policies and procedures for recommendation to the Vice Chancellor relating to research ethics and research involving the participation of humans and/or the involvement of animals, taking account of statutory and legislative requirements, the *National Statement on Ethical Conduct in Human Research 2007*, *The Code of Ethical Standards for Catholic Health and Aged Care Services in Australia*, and *The Australian Code of Practice for the care and use of animals for scientific purposes* (as may be amended or replaced from time to time) and the requirements specified by national and regional authorities with responsibility for the definition of ethical standards for research and teaching on matters pertaining to Aboriginal people;
- (ii) developing principles, policies and guidelines for the Faculties, Schools, Centres and Research Institutes to apply to teaching and undergraduate research activities that involve surveys and related collections of information from human subjects; and
- (iii) reviewing and determining research-related matters referred to it from any committee where the matter raises a potential conflict with the University's Objects.

42.5 The Ethics Committee may establish such sub-committees as it deems necessary to conduct its activities and may delegate such powers to the sub-committees as it considers appropriate.

42.6 Each sub-committee of the Ethics Committee must have a Charter which is approved by the Ethics Committee and which prescribes the chairperson, membership and functions of that sub-committee. The Ethics Committee may review and update the Charter of each of its sub-committees as it considers appropriate.

42.7 Where a member of the Ethics Committee is elected in that capacity as a member of a sub-committee of the Ethics Committee, then the member's term of office as a member of the committee is subject to their term of office as a member of the Ethics Committee.

42.8 Each sub-committee must report on its activities to the Ethics Committee.

42.9 Each sub-committee will keep a record of its resolutions, recommendations and action items.

43 Student Board

43.1 The University will have a Student Board. The Student Board is a Standing Committee of the University and reports to and is accountable to the Vice Chancellor.

43.2 The Student Board is chaired by the Vice Chancellor or a senior officer nominated by the Vice Chancellor.

43.3 The Student Board consists of:

- (i) The Vice Chancellor (or nominee) as Chair;
- (ii) The elected Presidents of each campus based Student Association;
- (iii) Two elected student representatives from the executive of each campus-based Student Association, as recommended by the Pro Vice Chancellor, Student Experience and approved by the Vice Chancellor;
- (iv) Two other students appointed by the Vice Chancellor, one of whom is studying a Postgraduate program;
- (v) One student who is studying a Higher Degree by Research program, as recommended by the Pro Vice Chancellor, Academic Development and approved by the Vice Chancellor;
- (vi) One international student who is in Australia on a visa, as recommended by the Pro Vice Chancellor, Academic Development and approved by the Vice Chancellor;
- (vii) One student who is studying a Vocational Education and Training course, as recommended by the Pro Vice Chancellor, Academic Development and approved by the Vice Chancellor; and
- (viii) A representative of Indigenous students as nominated by the Pro Vice Chancellor, Student Experience following consultation with the National Director, Indigenous Education, and approved by the Vice Chancellor; and
- (ix) One academic staff member from each Faculty as nominated by the relevant Executive Dean.

43.4 Each student accepting a position as Student Board Member will enter into an agreement with the University (Student Board Member Agreement) setting out responsibilities, conduct and recognition in respect of the appointment.

43.5 Elected student representatives are members of the Student Board for a period of 12 months or, in the event that the appointment ends before the end of a calendar year, for the remainder of the calendar year, provided that:

- (i) he or she maintain his or her status as a student in "Good Standing" (as defined in the University

Regulations) with the University;

- (ii) he or she remains an office holder of the Student Association throughout that time period; and
- (iii) he or she fulfils all obligations under the Student Board Member Agreement and any other conditions contained therein.

43.6 The appointment of non - elected student representatives to the Student Board will be for a period of 12 months, commencing on 1 January and ending on 31 December, provided that:

- (i) he or she maintain his or her status as a student in “Good Standing” (as defined in the General Regulations) with the University; and
- (ii) he or she fulfils all obligations under the Student Board Member Agreement and any other conditions contained therein.

43.7 **(Number of meetings)** At least three regular meetings of the Student Board will be held in each calendar year.

43.8 **(Participation by telephone/audio visual)** Members of the Student Board may participate in meetings by the use of audio or audio visual facilities.

43.9 **(Record of meeting)** The Student Board will keep a record of its resolutions, recommendations and action items.

43.10 The duties of Student Board Members are to:

- (i) represent the interests of all students and provide a student perspective in decisions concerning or affecting all students of the University;
- (ii) recommend measures to enhance and improve the quality of student life in the University in a manner consistent with the ethos of a Catholic university;
- (iii) encourage and promote relationships and communication between the campuses of the University, the organs of the University, its students and Student Associations;
- (iv) represent the University at events, functions and occasions;
- (v) prepare and provide input into student material; and documentation in consultation with relevant University Offices.

43.11 The Student Board will, on a national University-wide basis:

- (i) provide a forum for consultation and participation by students in the University’s decision making processes;
- (ii) monitor and appraise all aspects of student life across the University;
- (iii) consider measures to enhance and improve the quality of student life in the University in a manner consistent with the ethos of a Catholic university;
- (iv) encourage and facilitate relationships and communication between the campuses of the University,

the campus based Student Associations, the organs of the University and its students;

- (v) monitor and ensure that students have an opportunity to participate in processes to democratically elect student representatives by conducting valid and transparent polls;
- (vi) monitor and ensure that there are adequate and reasonable support resources and infrastructure for elected student representatives to carry out their functions on behalf of enrolled students; and
- (vii) where necessary, provide comment on priorities for use of student fee expenditure and revenue.

43.12 The Student Board has authority for establishing and disestablishing sub-committees of the Student Board, as required, and may refer any matter to a committee or sub-committee.

43.13 Each sub-committee must have a Charter which is approved by the Student Board and which prescribes the chairperson, membership and functions of that sub-committee. The Board may review and update the Charter of its sub-committees as it considers appropriate.

44 Advisory Boards

44.1 The University will have Faculty and/or School Advisory Boards to advise on educational, professional, and community matters including (but not limited to) public policy or other developments in relevant discipline areas and work integrated learning opportunities for students.

44.2 The Vice Chancellor will appoint members of an Advisory Board on the advice of the Executive Dean of the Faculty.

45 Other Committees

45.1 The Board of Directors and the Vice Chancellor may establish other committees for such purposes, with such membership and on such terms as considered appropriate.

Division 8 – Student Associations

- 46** The University may recognise a committee of students who associate for purposes that include furthering and promoting the Objects and mission of the University, facilitating and encouraging student engagement and the student experience at the University and promoting the wellbeing and interests of students.
- 47** In this Statute, a “Student Association” means an association of students operating under a constitution that has been approved by the Vice Chancellor and which contains a provision under which the Vice Chancellor has power to approve or disapprove any proposed amendments that may be determined by the Vice Chancellor (in his or her absolute discretion) to be inconsistent with the Objects of the University.

Division 9 – Faculties and Schools

48 Faculties

- 48.1 A Faculty of the University is established by resolution of the Board of Directors and is a confederation of Schools and Research Institutes across the Broome, Fremantle and Sydney campuses of the University.
- 48.2 The primary role of a Faculty is to bring together related Schools and staff from across the University campuses, and present a collective point of view for the discipline area(s) covered by the Faculty.
- 48.3 The Faculties of the University are the:
- (i) Faculty of Arts, Sciences, Business and Law;
 - (ii) Faculty of Education and Philosophy and Theology; and
 - (iii) Faculty of Medicine, Nursing and Midwifery and Health Sciences.
- 48.4 The functions and responsibilities of a Faculty include (but are not limited to):
- (i) Developing, implementing and supervising the teaching, examining and assessment for the Programs, Courses and other awards of the Faculty;
 - (ii) Ensuring high standards of student experience, support and engagement;
 - (iii) Making recommendations to the Academic Council on regulations, program and course development and changes;
 - (iv) authorising examination and assessment results and the determination of student progress;
 - (v) encouraging scholarship and research;
 - (vi) establishing and maintaining industry linkages to support learning and teaching and research;
 - (vii) meeting enrolment targets;
 - (viii) leading workload and teaching allocations; and
 - (ix) assuring quality in the delivery of programs and services that support achievement of the University's Objects and strategic goals.

49 The Schools

- 49.1 A School of the University is a centre for teaching, scholarship, research, curriculum development, course planning, professional and research training and pastoral care of students as established by statute of the Board of Directors.
- 49.2 It is the responsibility of each School of the University to deliver all approved degrees, certificates and diplomas of that School.
- 49.3 The Schools of the University are as follows:
- (i) School of Arts and Sciences;
 - (ii) School of Business and Law;

- (iii) School of Education,
- (iv) School of Philosophy and Theology;
- (v) School of Nursing and Midwifery;
- (vi) School of Health Sciences;
- (vii) School of Medicine.

50 Executive Deans

50.1 Each Faculty of the University will be headed by an Executive Dean, who is the senior academic and executive officer of that Faculty.

50.2 The Executive Dean is responsible for the following:

- (i) ensuring that the Faculty supports and fulfils the Objects of the University;
- (ii) providing leadership to the Schools within the Faculty;
- (iii) maintaining balanced Faculty budgets;
- (iv) achieving enrolment targets; and
- (v) submitting reports to the Vice Chancellor on activities of the Faculty in such manner as is prescribed by the Vice Chancellor or the Deputy Vice Chancellor, Learning and Teaching or Pro Vice Chancellor, Research from time to time.

51 Appointment of Executive Deans

51.1 Each Executive Dean of a Faculty is appointed by the Vice Chancellor.

52 Removal of Executive Deans

52.1 An Executive Dean of the University may be removed from office by the Vice Chancellor, with the confirmation of the Board of Directors.

53 Delegation

53.1 An Executive Dean may delegate in writing any of the duties and responsibilities of office to other officers for a specified period, subject to approval by the Vice Chancellor.

54 National Heads of School

54.1 The Vice Chancellor may appoint a National Head of School to act as the senior academic and executive officer of the School.

55 Faculty Board

55.1 Each Faculty shall have a Faculty Board. The role of the Faculty Board is to:

- (i) Provide advice to the Executive Dean and Academic Council on issues relating to the Faculty's plans, academic risks and academic standards;
- (ii) Monitor, scrutinise and make recommendations on the performance and sustainability of the

Faculty's profile of academic programs and courses;

- (iii) Make recommendations on:
 - (a) New programs and courses to be delivered;
 - (b) matters related to teaching, scholarship and research matters;
 - (c) any matters relating to the content, teaching and examination of any of its programs and courses;
- (iv) provide advice on any matter referred to it for consideration.

55.2 Faculty Boards shall have a formal Charter that prescribes the authority, composition, duties and responsibilities and conduct of business for the Faculty Boards.

56 Boards of Examiners - Schools

- 56.1 There will be a Board of Examiners for each School.
- 56.2 The Board of Examiners for each School will meet at the conclusion of each academic semester and, where necessary, at the conclusion of winter and summer terms.
- 56.3 The Executive Dean (or delegate) chairs the meetings of the Board of Examiners for the Schools.
- 56.4 The Executive Dean (or delegate) may call an extraordinary Board of Examiners meeting for any School where he or she deems that such a meeting is required.
- 56.5 The Board of Examiners for each School will be the National Head of School, Program Coordinators of the School and other academic staff who have delivered courses to students of that School in the preceding semester or term. The quorum is not less than fifty per cent (50%) of the full time academic staff of the School.
- 56.6 The Academic Registrar or delegate will be Secretary to each Board of Examiners.
- 56.7 The Boards of Examiners will:
 - (i) review the marks and grades submitted to it by the National Head of the School and confirm the final mark and grade to be awarded;
 - (ii) assign students' academic standing;
 - (iii) withhold the results of a student in whole or part pending the outcome of any disciplinary proceedings or for failure to pay any fees or other monies owing to the University;
 - (iv) recommend to the Vice Chancellor, through Academic Council, the awarding of degrees, diplomas and awards; and
 - (v) recommend to the Vice Chancellor the awarding of prizes and other forms of recognition for exemplary academic performance.

57 Board of Examiners - Additional

- 57.1 In addition to the Board of Examiners for each School, there will be a Board of Examiners for:
 - (i) Research;

- (ii) Graduands;
- (iii) Study Abroad Students; and
- (iv) Pathway program student.

57.2 Each Board of Examiners will (as appropriate) review marks and grades for students, confirm the final marks and grades to be awarded, assign academic standing, withhold student results in whole or part pending the outcome of any disciplinary proceedings or for failure to pay any fees or other monies owing to the University or make appropriate recommendations for award of prizes and other recognition to the Vice Chancellor.

57.3 The Board of Examiners for Research will be chaired by the Pro Vice Chancellor, Research (or delegate) and will comprise of other academic staff members of the University involved with Higher Degree by Research Students, as determined by the Chair.

57.4 The Board of Examiners for Graduands will be chaired by the Deputy Vice Chancellor, Learning and Teaching (or delegate) and will comprise of other academic staff of the University involved with graduating students, as determined by the Chair.

57.5 The Board of Examiners for Study Abroad students will be chaired by the Deputy Vice Chancellor, Partnerships and International (or delegate) and will comprise of other academic staff members of the University involved with Study Abroad students, as determined by the Chair.

57.6 The Board of Examiners for the Pathway program students will be chaired by the Deputy Vice Chancellor, Partnerships and International (or delegate) and will comprise of other academic staff members of the University involved with Pathway students, as determined by the Chair.

58 Advisory Boards

58.1 There will be Faculty and/or School Advisory Boards to advise on educational, professional, and community matters such as public policy or other developments in relevant discipline areas and work integrated learning opportunities for students.

58.2 The Vice Chancellor will appoint members of an Advisory Board on the advice of the Executive Dean of the Faculty.

Division 10 – Regulations

59 Regulations

59.1 The Vice Chancellor may make Regulations.

59.2 Academic Council must advise the Vice Chancellor at least once per calendar year on the suitability and accuracy of the regulations which relate to programs or research degrees.

59.3 Academic Council must advise the Vice Chancellor at least once per calendar year on the suitability and accuracy of the General Regulations of the University.

59.4 Any regulation made under Statute 59 that is inconsistent with a:

- (i) rule, regulation, statement or policy made by the Trustees and/or Directors in accordance with their powers;
- (ii) statute of the University;
- (iii) by-law of the University;
- (iv) regulation made by the Vice Chancellor acting under delegated authority of the Board of Directors;

has no effect.

Division 11 – Core Curriculum

60 Core Curriculum

60.1 University programs, with the exception of Higher Degrees by Research, will comprise one or more Core Curriculum courses embracing disciplines of:

- (i) Theology; and/or
- (ii) Ethics and/or
- (iii) Philosophy; and/or
- (iv) such other disciplines as the Trustees require.

61 Changes to Core Curriculum

61.1 Subject to the authority of the Trustees under Statute 60.1, and consistent with Statute 40 in relation to the operation of Academic Council, any major amendments to the curriculum content or standards of Core Curriculum courses shall be approved by Academic Council upon recommendation of the Core Curriculum Committee.

Division 12 – Research Institutes and Centres

62 Research Institutes

- 62.1 A Research Institute of the University is established by the Board of Directors on recommendation from the Vice Chancellor.
- 62.2 A Research Institute is embedded in a Faculty most relevant to the areas of research focus of the Institute, although can operate across faculties to support cross-disciplinary research endeavours.
- 62.3 The purpose of a Research Institute is, among other things, to promote a broad area of research within the University and to provide collaborative and resource sharing opportunities for researchers.
- 62.4 Each Research Institute will be managed by its own Director, a position appointed by the Pro Vice Chancellor, Research, and reporting through the Executive Dean of the relevant faculty to the Pro Vice Chancellor, Research. The Director is separately accountable and responsible to the Pro Vice Chancellor, Research on all matters delegated to that officer through Statute, policies, practices and procedures.
- 62.5 Each Research Institute will be periodically reviewed for performance and strategic alignment.

63 Research Centres

- 63.1 A Research Centre is established by the Vice Chancellor on recommendation from the Senior Management Group and Academic Council.
- 63.2 The organisational location and reporting authority of a Research Centre will be established by the Vice Chancellor.
- 63.3 A Research Centre is a smaller, focussed area of research that may evolve into a Research Institute over time. They may include, but are not limited to:
- (i) location within a School and reporting to the National Head of School;
 - (ii) location within a Research Institute and reporting to the director of that Institute.
- 63.4 A Research Centre will be periodically reviewed for performance and strategic alignment with the University.

Division 13 – Seals of the University

64 Common Seal of the University

64.1 The Secretary of the University has custody of the Common Seal of the University.

65 Use of the Common Seal

65.1 The Common Seal of the University will be affixed to:

- (i) documents or classes of document which the Board of Directors has authorised to be sealed with the Common Seal; or
- (ii) a document that the Board of Directors has specially authorised to be sealed with the Common Seal.

65.2 Where the Chancellor or the Vice Chancellor believes that a document requires sealing under the Common Seal and:

- (i) the matter to which the document relates is purely formal; or
- (ii) that matter to which the document relates is one of special urgency

the Chancellor or the Vice Chancellor may authorise the use of the Common Seal on that document.

66 Execution without the Common Seal

66.1 The University may execute documents without using a common seal if the document is signed by:

- (i) two directors of the University; or
- (ii) a director and the University Secretary.

67 Reporting execution of documents to the Board of Directors

67.1 Where the Common Seal is affixed to a document under this Statute or where two directors of the University or a director and the University Secretary have signed a document, the execution will be reported to the Board of Directors at the next Board meeting.

68 Testamur Seal of the University

68.1 The Academic Registrar of the University has custody of the Testamur Seal of the University.

68.2 The Testamur Seal will be affixed to all testamurs of degrees, diplomas or other qualifications granted by the University.

68.3 The Academic Registrar (or delegate approved by the Vice Chancellor for a campus which is not the Academic Registrar's ordinary place of business) affixes the Testamur Seal to all award parchments.

Most recent amendments:

Date of approval	Approved by	Amendment
6 October 2021	Board of Directors	Various, including to reflect changes to organisational structure and governance committees, and inclusion of reference to relevant sections of the Act.
15 April 2021	Board of Directors	Statute 34 (Academic Council) updated only.
21 January 2022	University Secretary	Minor editorial changes.

14 June 2022	Board of Directors	Statute 49.3
1 July 2022	Board of Directors	Minor changes to reflect revised organisational structure.
25 August 2023	Board of Directors	Removal of the word “Physiotherapy” from the school and faculty title (48.3(iii) and 49.3(vi))

Note: Full amendment history recorded within University Secretary’s Office.