

ED401

EDITH COWAN UNIVERSITY ACT 1984

It is hereby notified that the Governor in Executive Council, acting under the provisions of section 27 of the *Edith Cowan University Act 1984*, has approved *Edith Cowan University Amending Statute No. 3 of 2023* as set out in the attached schedule.

Hon. Dr TONY BUTI, MLA, Minister for Education.
V. MOLAN, Clerk of the Executive Council.

EDITH COWAN UNIVERSITY ACT 1984

Edith Cowan University
Amending Statute No 1 of 2023

The University Statutes are hereby amended as follows—

1. This Amending Statute comes into operation on the day it is published in the *Government Gazette*.
2. Statute No 7 is repealed.
3. Statute No 7 as set out in the attached Schedule is enacted.

The Common Seal of Edith Cowan University was affixed by resolution of the Council in the presence of—

PROFESSOR STEVE CHAPMAN, Vice-Chancellor.
JOANNE QUINN, Authorised Sealing Officer.

Dated this 1st day of August 2023.

EDITH COWAN UNIVERSITY ACT 1984

University Statute No. 7—Election of Chancellor and Deputy Chancellor

PART 1—PRELIMINARY

This Statute is made by the Council of the University under the powers conferred on it by section 26 of the *Edith Cowan University Act 1984*.

1.1 Short title

This is *University Statute No. 7—Election of Chancellor and Deputy Chancellor*.

1.2 Commencement

This Statute takes effect on the day after it is published in the *Government Gazette*.

1.3 Purpose

The purpose of this Statute is to provide for the election of the Chancellor and Deputy Chancellor by Council members.

1.4 Terms used

- (1) In this Statute, unless the contrary intention appears—

Act means the *Edith Cowan University Act 1984*;

Chancellor means the Chancellor of the University;

Deputy Chancellor means the Deputy Chancellor of the University;

member means Council member; and

previous Statute 7 means *University Statute No. 7—Election of Chancellor and Pro Chancellor*, published in the *Government Gazette* on 22 November 1984.

- (2) Unless otherwise defined in subsection (1), a term used in this Statute has the meaning given in the Act or in *University Statute No. 1—Interpretation*.

PART 2—NOMINATIONS FOR CHANCELLOR

2.1 Terms used

- (1) In this Part—

eligible person means a person who is eligible under the Act to be elected as, and to be, the Chancellor; and

nomination means nomination from a Council member for an eligible person to be elected to be the Chancellor.

2.2 Call for nominations

- (1) The Vice-Chancellor must call for nominations—
 - (a) between 3 and 6 months before the expiry of the Chancellor's term of office; or
 - (b) at any time in accordance with a resolution of the Council.
- (2) Unless subsection (1) applies, the Vice-Chancellor must call for nominations within 21 days of the office of Chancellor becoming vacant.
- (3) The call for nominations must specify—
 - (a) how and to whom nominations are to be made (in accordance with section 2.3); and
 - (b) the closing date for nominations.
- (4) The closing date for nominations is to be at least 14 days before the Council meeting at which the election for Chancellor is to take place.
- (5) The Council may, at any time, request the Vice-Chancellor to issue a fresh call for nominations and, if so—
 - (a) the Vice-Chancellor is to comply with that request; and
 - (b) subsections (3) and (4) apply to the fresh call for nominations.

2.3 Nominations

- (1) A Council member may nominate an eligible person as a candidate to be elected to be the Chancellor.
- (2) A nomination must—
 - (a) be in writing;
 - (b) include evidence that the eligible person has consented to being a candidate; and
 - (c) be given to the Vice-Chancellor before the closing date for nominations.

PART 3—NOMINATIONS FOR DEPUTY CHANCELLOR

3.1 Terms used

- (1) In this Part—

eligible member means a Council member who is eligible under the Act to be elected as, and to be, the Deputy Chancellor; and

nomination means nomination from a Council member for an eligible member to be elected to be the Deputy Chancellor.

3.2 Call for nominations

- (1) The Chancellor must call for nominations—
 - (a) between 3 and 6 months before the expiry of the Deputy Chancellor's term of office; or
 - (b) at any time in accordance with a resolution of the Council.
- (2) Unless subsection (1) applies, the Chancellor must call for nominations within 21 days of the office of Deputy Chancellor becoming vacant.
- (3) The call for nominations must specify—
 - (a) how and to whom nominations are to be made (in accordance with section 3.3); and
 - (b) the closing date for nominations.
- (4) The closing date for nominations is to be at least 14 days before the Council meeting at which the election for Chancellor is to take place.
- (5) The Council may, at any time, request the Chancellor to issue a fresh call for nominations and, if so—
 - (a) the Chancellor is to comply with that request; and
 - (b) subsections (3) and (4) apply to the fresh call for nominations.

3.3 Nominations

- (1) A Council member may nominate an eligible member as a candidate to be elected to be the Deputy Chancellor.
- (2) A nomination must—
 - (a) be in writing;
 - (b) include evidence that the eligible member has consented to being a candidate; and
 - (c) be given to the Chancellor before the closing date for nominations.

PART 4—ELECTIONS

4.1 Elections—general provisions

Section 12 of the Act applies to an election of the Chancellor and an election of the Deputy Chancellor.

4.2 Voting

- (1) Voting at an election under this Statute is to be by secret ballot of Council members.
- (2) Votes are to be counted using the optional preferential system in accordance, as far as practicable, with the procedures in the Schedule to *University Statute No. 28—Election of Council Members*.

PART 5—MISCELLANEOUS

5.1 Rules

The Council may make rules, not inconsistent with the Act or any Statute—

- (a) to regulate, or provide for the regulation of, the election of the Chancellor and Deputy Chancellor; or
- (b) to carry out or give effect to this Statute.

5.2 Repealed

Previous Statute 7 is repealed.

EDITH COWAN UNIVERSITY ACT 1984

Edith Cowan University

Amending Statute No 2 of 2023

The University Statutes are hereby amended as follows—

- 1. This Amending Statute comes into operation on the day it is published in the *Government Gazette*.
- 2. Statute No 6 is repealed.
- 3. Statute No 6 as set out in the attached Schedule is enacted.

The Common Seal of Edith Cowan University was affixed by resolution of the Council in the presence of—

PROFESSOR STEVE CHAPMAN, Vice-Chancellor.
JOANNE QUINN, Authorised Sealing Officer.

Dated this 1st day of August 2023.

EDITH COWAN UNIVERSITY ACT 1984

University Statute No. 6—Vice-Chancellor

1. Terms used

(1) In this Statute—

"Act" means the *Edith Cowan University Act 1984*;

"by-laws" means by-laws made by the Council under the Act;

"Chancellor" means the Chancellor of the University elected under section 12(1)(a) of the Act;

"Council" means the Council of the University as established by section 8 of the Act;

"chief executive officer" means the chief executive officer of the University who holds office under section 30 of the Act;

"Council committee" means a committee established by the Council;

"rules" means rules referred to in section 26(7) of the Act;

"University committee" means a committee of the University, other than a Council committee, or a committee established pursuant to the Act, Statutes, by-laws, or rules of the University.

(2) Unless otherwise defined in subsection (1), a term used in this Statute has the meaning given in the Act or in *University Statute No. 1 Interpretation*.

2. Titles of Vice-Chancellor and President

The chief executive officer has the additional titles of Vice-Chancellor of the University and President of the University.

3. Functions of the Vice-Chancellor

Subject to the Act and matters reserved to the Council by resolution of the Council, and in addition to other powers and duties that may be prescribed by Statute under section 30 of the Act or delegated to the Vice-Chancellor by the Council under section 15 of the Act, the functions of the Vice-Chancellor are to—

- (a) provide strategic leadership and manage the academic, administrative, financial and other affairs of the University;
- (b) promote the interests and further the development of the University, and represent the University;
- (c) ensure that advice and information is given to the Council to enable the Council to make informed decisions in carrying out its functions;
- (d) liaise with the Chancellor on the affairs of the University and the performance of its functions;

- (e) implement policies and decisions of the Council;
- (f) report to the Council from time to time on the affairs of the University;
- (g) administer University Statutes, by-laws and rules and approve University policies and University procedures, other than policies and procedures reserved for approval by the Council;
- (h) exercise supervision over the activities and welfare of the enrolled students of the University;
- (i) administer the recruitment, appointment, management and supervision of the University's officers and employees; and
- (j) perform any other function conferred by the Act, Statutes, by-laws and rules of the University or any other written law as a function to be performed by the Vice-Chancellor.

4. Membership of committees

- (1) The Vice-Chancellor is to be an ex officio member of all Council committees except when specifically excluded by the Act or by resolution of the Council.
- (2) The Vice-Chancellor may—
 - (a) attend as a member or preside at any meeting of a University committee; or
 - (b) appoint a person to represent the Vice-Chancellor on any such University committee.

5. Rules

The Council may make rules, not inconsistent with this Statute, regulating or providing for the regulation of any matter referred to in this Statute or for carrying out or giving effect to this Statute.