
**TEMPLATE FOR CONSTITUTION OF A UNIVERSITY
RESEARCH CENTRE OR INSTITUTE**

March 2009

PREAMBLE

Insert a rationale for the centre including a brief description of aims. State which Faculty or Faculties are involved, which fields or broader areas are to be studied and give a very brief indication of initial problems or projects to be tackled. State the home Faculty whose Dean will be responsible for the Centre. In some instances it may be more appropriate to use the term Institute rather than Centre.

In the case of Institutes, there may be Research Centres which are affiliated with the Institute (Affiliated Centres). These would normally be named in the constitution. Nothing in this constitution, save clause 3.3, would affect the constitutions or governance of Affiliated Centres. Research of Affiliated Centres, although it is planned, managed, funded and reported through the individual Centres, may be counted additionally as research of the Institute where it is consistent with the fields or broader areas of the Institute. It would be expected that the benefits for Affiliated Centres would be the stimulation of researchers from different disciplines working on similar problems, as well as access to broader areas of research and associated funding, particularly external funding that requires larger groups of researchers.

Membership allows for involvement in strategic planning of research in the fields or broad areas of research of the Centre, support from the Centre's activities, collaboration with like-minded researchers and being part of the University's strategic plans in research.

1 INTERPRETATION

"Academic Board" means the Academic Board of the University.

"Advisory Committee" means the governing body of the Centre referred to in clause 4 of this Constitution.

"Centre" means

"Dean" means the Dean of the Faculty

"Deputy Vice-Chancellor (Research)" means the Deputy Vice-Chancellor (Research) of the University.

"Director" means the person appointed pursuant to clause 5 of this Constitution.

"Executive Committee" means the committee referred to in clause 5 of this Constitution

"Faculty" means the Faculty of

"Members" means the foundation members nominated in this Constitution and any individuals subsequently admitted to membership by the Dean or Academic Board.

"University" means La Trobe University.

"Affiliated Centre" means a research centre or program with significant focus on the fields or broad areas of research, which is accepted for membership of the Institute by the Deputy Vice-Chancellor (Research) after consultation with the Dean and Advisory Board

"Vice-Chancellor" means the Vice-Chancellor of the University.

2 STATEMENT OF AIMS

2.1 The aims of the Centre are:

- (1) [insert details, including some modeled on those listed below]

- (2)
- (3) To significantly expand the opportunities for research in the field;
- (4) To provide opportunities for researchers from the Faculty x, Faculty y and Faculty z to join together in research in
- (5) To promote the research activities of members of staff of the University in the field;
- (6) To promote the training of postgraduates in research in the field;
- (7) To provide research and development for industries;
- (8) To do all such things as are incidental or conducive to the attainment of the above aims.

3 STRUCTURE OF THE CENTRE

- 3.1 The structure of the Centre will be as set out in this Constitution.
- 3.2 If the Constitution is for an Institute with Affiliated Centres, the Institute will consist of affiliated Centres and individual members of staff.
- 3.3 If the Constitution is for an Institute with Affiliated Centres, the Director of the Institute or nominee will be a member of the Advisory Board of any Affiliated Centre

4 ADVISORY COMMITTEE

- 4.1 The Advisory Committee will be strictly bound to conduct itself according to the provisions of this Constitution always subject to the existing legislation, policies and procedures of the University.
- 4.2 Without limiting clause 4.1, the Advisory Committee will assist the Director, Dean and Deputy Vice-Chancellor (Research) by:
 - (1) advising on policy and strategy to meet the aims of the centre;
 - (2) participating in the appointment and advising on the administration of the Director;
 - (3) advising, and assisting in reporting, on the management of Centre resources
 - (4) identifying potential new sources of funding for the Centre;
 - (5) receiving and endorsing the annual report of the Centre and submitting it to the Academic Board through the Dean and Deputy Vice-Chancellor (Research).
- 4.3 Subject to clause 4.1 the Advisory Committee will conduct its own proceedings and may hold meetings at two or more venues using any technology that allows all members of the Advisory Committee at the meeting an opportunity to participate therein.
- 4.4 Membership of the Advisory Committee will be as follows.
 - (1) There will be up to members including the Director, the Deputy Vice-Chancellor (Research) and the Dean, or their nominees, up toother members of staff or students of the University and

..... people who are not members of staff. The non-members of staff will be appointed by the Deputy Vice-Chancellor (Research) on the recommendation of the Director and Dean. At least one of the members will be elected by the Student Members and staff on fixed term appointments.

- (2) The Chairperson will be appointed by the Deputy Vice-Chancellor (Research) on advice from the Advisory Committee.
- 4.5 The Advisory Committee must submit an annual report to the Academic Board via the Dean and Deputy Vice-Chancellor (Research) on the operations of the Centre for the previous calendar year. The annual report must be submitted each year by the date given in the Procedure for Annual Operational Report – Research Centre and will include a financial statement of funds received and expended.
- 4.6 Unless otherwise provided in this Constitution the term of membership for each Committee Member will be two years provided that a Committee Member's term may be extended.
- 4.7 The Advisory Committee will be accountable to and report to the Academic Board through the Dean and Deputy Vice-Chancellor (Research).
- 4.8 The Deputy Vice-Chancellor (Research) shall have the power to terminate the appointment of a member of the Advisory Committee where the Deputy Vice-Chancellor (Research) considers it necessary and in the interests of the Centre.

5 DIRECTOR AND EXECUTIVE COMMITTEE

- 5.1 The management of the Centre will be assisted by an Executive Committee comprising of at least the Director and a senior support staff member. The membership of the Executive Committee will be determined by the Dean on advice from the Director. The Executive Committee will normally include at least one representative from staff with fixed term appointments and Student Members.
- 5.2 The Director will be the Chair of the Executive Committee and will be accountable to the Dean and the Deputy Vice-Chancellor (Research). The Dean will be the supervisor of the Director unless otherwise indicated at appointment.
- 5.3 The Director will be appointed by the Deputy Vice-Chancellor (Research) on advice from the Dean and the Advisory Committee.
- 5.4 The Director, advised by the Executive Committee will be responsible to the Dean for the overall financial and academic administration of the Centre and for the day to day activities of the Centre in accordance with the legislation, policies and procedures of the University and the academic and research objectives of the University. The Director will be responsible to the Deputy Vice-Chancellor (Research) via the Dean for planning, reporting and the fulfilment of the objectives and plans of the Centre.
- 5.5 Without limiting clause 5.5, the Executive Committee will assist the Director in:
 - (1) managing the day to day functioning and administration of the Centre;
 - (2) administering the funds available to the Centre;
 - (3) preparing the annual report of the Centre and other relevant reports.
- 5.7 The Director may delegate any power, function or authority pertaining to the operation of the Centre to an appropriately qualified person or committee but may not delegate his/her power of delegation.

6 FINANCING

- 6.1 Finance for the Centre will derive either from funds available to the Faculty or University or from outside sources such as private, corporate or philanthropic bodies and government bodies or agencies as well as donations.
- 6.2 The financial management of the Centre will be governed and controlled by the legislation, policies and procedures of the University.
- 6.3 Any variation of financial procedures will be subject to and conditional upon the approval of the Vice-Chancellor.

7 MEMBERSHIP

7.1 Ordinary Members

Teaching-and-research and research-only members of staff of Affiliated Centres will be members. Members of staff of the University who are engaged in research in areas related to the aims of the Centre may apply in writing to the Executive Committee to become Ordinary Members. The Dean will decide on the application on advice from the Executive Committee.

7.2 Student Members

Post-graduate students supervised by Members of the Centre of any category will be Student Members of the Centre.

7.3 Honorary Members

The Dean on advice of the Executive Committee may from time to time invite such persons as it considers would assist the Centre to further its objectives to be honorary members.

8 OBLIGATIONS OF THE MEMBERS OF THE CENTRE

- 8.1 Every member (whether ordinary, student or honorary) of the Centre upon being admitted to membership of the Centre agrees to use his/her best endeavours:
- (1) To comply with the terms of this Constitution;
 - (2) To comply with the University's legislation, policies and procedures;
 - (3) To arrange, promote, co-ordinate and co-operate in programmes for research in the Centre;
 - (4) To engage in joint research programmes carried out by members of the Centre;
 - (5) To apply for, tender for funding for research in the Centre in Australia and overseas.
- 8.2 A member may be expelled or suspended by the Dean, on advice of the Executive Committee if, in its opinion the member has engaged in conduct which is prejudicial to the activities of the Centre or is in breach of this Constitution.

9 QUORUM

9.1 The quorum for a meeting of the Advisory Committee will be three members at least two of whom will be Ordinary Members.

9.2 The quorum for a special meeting or an Annual General Meeting will consist of 30% of the membership of which at least 50% must be Ordinary Members.

10 MEETINGS

10.1 The Advisory Committee will meet at least twice in each calendar year.

10.2 There will be an Annual General Meeting of all members to discuss the Annual Report prior to its submission to the Academic Board through the Dean.

10.3 A Special Meeting of the Advisory Committee will be held within 14 days of receipt by the Dean of a written request setting out the reasons and signed by at least 50% of the members.

11 INTELLECTUAL PROPERTY

11.1 Any intellectual property in material developed by the Centre will be owned by the University or as otherwise agreed to by the University in writing provided that nothing in this clause will affect the rights of staff or the University under the University's legislation, policies or procedures relating to intellectual property.

11.2 Any assets acquired under the auspices of the Centre will vest in the University.

12 CATEGORIES OF MEMBERSHIP

12.1 The Academic Board, on advice from the Executive Committee, the Dean and the Deputy Vice-Chancellor (Research), may create different categories of membership and conditions of membership of the Centre and Academic Board by resolution appoint members to the Centre.

12.2 A member may be appointed by the Executive Committee to act as a representative of the Centre to obtain research projects or funds for the Centre or for any other purpose specified by the Executive Committee.

13 CHANGES TO CONSTITUTION

13.1 Any change to this Constitution must be recommended by the Executive Committee to the Dean and Deputy Vice-Chancellor (Research) for approval before submission to the Academic Board through the Research and Graduate Studies Committee of the University.

13.2 A change to this Constitution will have effect only when the written approval of the Academic Board has been obtained.

14 APPOINTMENT OF STAFF, CONSULTANTS

14.1 Any person appointed to work for the Centre will be either staff employed by the University or persons employed as consultants consistent with University policy.

14.2 Any person appointed to work for the Centre will follow normal University procedures

according to the basis of their engagement as set out in clause 14.1.

15 CONTRACTS

- 15.1 Members of the Centre have no authority to enter into contracts which purport to bind the University unless the members have complied with all relevant legislation, policies and procedures of the University.

16 ETHICS APPROVALS

- 16.1 A Member of the Centre conducting research must obtain approval from the La Trobe University Human Ethics Committee and/or Animal Ethics Committee and/or Genetic Manipulation Supervisory Committee as may be required by the University's legislation, policies and procedures.