

**LA TROBE UNIVERSITY**

**EXPLANATORY MEMORANDUM FOR THE FACULTIES STATUTE 2009**

Council is invited to make the attached **Faculties Statute 2009** (the “new Statute”).

The main purposes of the new Statute are—

- To establish each Faculty prescribed in the Schedule to the Statute (see section 3) and to continue in existence the existing Faculties (see the transitional arrangements set out in section 12);
- To set out the functions of the Faculties (see section 4);
- To provide for the structure of each Faculty, including its Faculty Board, Dean and Deputy Dean (section 5);
- To provide for the membership of each Faculty (section 6);
- To provide for the reporting requirements of each Faculty (section 7);
- To give each Dean and Deputy Dean a power of delegation (section 8);
- To provide for the functions powers and duties, and procedure, of each Faculty Board (sections 9 and 10); and
- To give each Faculty Board a power of delegation (section 11).

As noted above in relation to section 3 of the new Statute, section 12 details the transitional arrangements under the new Statute. In essence, these transitional arrangements ensure that—

- Each of the existing Faculties continues in existence as if created under the new Statute;
- Members of Faculties, including co-opted members, continue to be members of their respective Faculties;
- Faculty Boards of existing Faculties continue in existence as if they had been created as Faculty Boards under the new Statute.

Section 13 of the new Statute enables the Council to make regulations under the new Statute. It is intended that Council will make the necessary regulations once the new Statute has been approved by Council and the Minister. The new regulations will deal with such matters as the constitution of the Faculty Boards of the various Faculties, and the election of members of Faculty Boards.

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**LA TROBE UNIVERSITY**  
**FACULTIES STATUTE 2009**

The Council of La Trobe University makes this Statute under section 30 of the *La Trobe University Act 1964*.

**PART 1—PRELIMINARY**

**1. Name and commencement**

- (1) This Statute is the **Faculties Statute 2009**.
- (2) This Statute comes into full force and effect on 1 July 2009.

**2. Interpretation**

In this Statute—

*academic division* of a Faculty means the first or highest level of academic division of the Faculty;

**Example:**

The Faculty of Law and Management is divided into numerous Schools, such as the School of Law and the School of Business. The Faculty of Health Sciences is divided into numerous Divisions, such as the Division of Allied Health and the Division of Health Studies, each of which includes several “Schools”. The Schools of the Faculty of Law and Management are *academic divisions* for the purposes of this Statute, but the “Schools” of the Faculty of Health Sciences are not. Instead, the Divisions of the Faculty of Health Sciences are *academic divisions* for the purposes of this Statute.

*existing Faculty* means a Faculty to which section 12(1) applies;

*Faculty* means a faculty of the University specified in the Schedule.

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## **PART 2—THE FACULTIES**

### **3. Establishment of the Faculties**

The Faculties are established.

### **4. Functions of the Faculties**

Each Faculty shall, under the direction and superintendence of its Dean—

- (a) carry out teaching and conduct examinations in the subjects and courses offered within the Faculty; and
- (b) carry out research and related activities in each field of learning with which the Faculty is concerned.

### **5. Structure of the Faculties**

- (1) Each Faculty shall have—
  - (a) a Faculty Board constituted in accordance with the regulations;
  - (b) a Dean appointed by the Council; and
  - (c) a Deputy Dean elected in accordance with the regulations.
- (2) A Dean appointed by the Council under sub-section (1)(b)—
  - (a) has the title and rank of professor; and
  - (b) is the Chair of the Faculty Board.
- (3) A Deputy Dean is responsible to the Dean and, in addition to any powers given or duties imposed under another Statute or any regulations, has the powers and duties conferred by resolution of Council or as determined by the relevant Faculty Board, if any.
- (4) Each Faculty shall be divided into such academic divisions or sub-divisions, or administrative divisions, as determined by the Vice-Chancellor, or any person or body authorised by the Vice-Chancellor, on the recommendation of the Faculty Board of the relevant Faculty.

### **6. Membership of a Faculty**

Each Faculty shall have the following members—

- (a) the following persons, who shall be members *ex officio*—
  - (i) the Chancellor;

- (ii) the Vice-Chancellor;
- (iii) the Dean of the Faculty;
- (iv) the Deputy Dean of the Faculty;
- (b) any member of the academic staff of the Faculty approved by the Academic Board for inclusion in the membership of the Faculty;
- (c) any person co-opted by the Faculty Board of the Faculty from a prescribed class of persons.

**7. Annual report of a Faculty**

- (1) The Dean of a Faculty must prepare the annual report for the Faculty and submit it to the Faculty Board of the Faculty for consideration.
- (2) The Faculty Board may require that the annual report be discussed at an ordinary meeting of the Faculty before the annual report is presented to the Academic Board.

**8. Delegation**

- (1) A Dean of a Faculty may, in writing, delegate any of his or her powers, functions or duties to any member of the Faculty or any committee or other body of the Faculty, other than this power of delegation.
  - (2) A Deputy Dean of a Faculty may, in writing, delegate any of his or her powers, functions or duties to any member of the Faculty or any committee or other body of the Faculty, other than this power of delegation.
  - (3) A delegation by a Dean or Deputy Dean under this section of a power, duty or function is revocable and does not prevent the exercise of the power, duty or function by the Dean or the Deputy Dean (as the case requires).
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### **PART 3—FACULTY BOARDS**

#### **9. Functions, powers and duties of a Faculty Board**

- (1) Each Faculty Board has, within the Faculty to which it belongs, overall authority to make decisions relating to—
  - (a) the selection of students; and
  - (b) the academic progress of students.
- (2) A Faculty Board shall, as required, provide advice on matters within its competence to the Dean of the Faculty to which it belongs.
- (3) In particular, a Faculty Board shall, through the Dean of the Faculty to which it belongs, consider and report to any of the following persons or bodies on any matter referred to it by the person or body—
  - (a) the Vice-Chancellor;
  - (b) the Academic Board;
  - (c) the Deputy Vice-Chancellor (Academic);
  - (d) the head of an academic division of the Faculty to which the Faculty Board belongs.
- (4) A member of a Faculty may, by written notice, bring a matter before the Faculty Board of that Faculty. The Faculty Board shall consider a matter brought before it under this sub-section and, as appropriate, advise the Dean of the Faculty.

#### **10. Procedure of a Faculty Board**

A Faculty Board may regulate its own procedure.

#### **11. Delegation**

- (1) A Faculty Board may, by written instrument, delegate any of its powers (other than this power of delegation), duties or functions under this or any other Statute or any regulations to any person or body of persons.
- (2) A delegation by a Faculty Board under this section of a power, duty or function is revocable and does not prevent the exercise of the power, duty or function by the Faculty Board.

## PART 4—GENERAL

### 12. Transitional provisions

- (1) A Faculty that was established under section 1 of the Old Statute and in existence immediately before the commencement continues in existence, with the same academic or administrative divisions that it had immediately prior to the commencement, as if it had been established under this Statute.
- (2) A person who, immediately before the commencement, was a member of an existing Faculty because of an authorisation of the Academic Board under section 3(1)(b) of the Old Statute is taken, on and from the commencement, to be a member of that Faculty under section 6(1)(b).
- (3) A person who, immediately before the commencement, was co-opted as a member of an existing Faculty under section 3(1)(c) of the Old Statute is taken, on and from the commencement, to be a member of that Faculty under section 6(1)(c).
- (4) A Faculty Board that was established under the Old Statute and in existence immediately before the commencement continues in existence as if it had been established under this Statute.
- (5) In this section—

*commencement* means the coming into full force and effect of this Statute;

*Old Statute* means Statute 11 – The Faculties as in force immediately before the commencement.

### 13. Regulations

- (1) The Council may make regulations—
  - (a) for or with respect to or providing for any matter or thing for the purposes of this Statute; and
  - (b) amending or revoking any regulations made under this Statute.
- (2) The Council must ensure that regulations made under this Statute are promulgated by having the regulations displayed on an official notice board of the University for a period of at least 14 days.
- (3) For the purposes of determining when regulations made under this Statute come into full force and effect within the meaning of section 30(4) of the Act, the regulations are taken to have been promulgated in accordance with sub-section (2) at the start of the first

day on which they are displayed on an official notice board of the University.

**14. Revocation of earlier University legislation**

The following Statute and regulations are **revoked**—

- (a) Statute 11 – The Faculties;
- (b) Regulation 11.1 – Faculty Boards;
- (c) Regulation 11.2 – The Deputy Deans of the Faculties;
- (d) Regulation 11.4 – The Schools, Special Status Departments and Heads of Schools.

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**SCHEDULE**

**Faculties of the University**

Faculty of Education  
Faculty of Health Sciences  
Faculty of Humanities and Social Sciences  
Faculty of Law and Management  
Faculty of Science, Technology and Engineering

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Approved by the Council—

Approved by the Minister—