

LA TROBE UNIVERSITY

EXPLANATORY MEMORANDUM FOR THE FEES STATUTE 2009

Council is invited to make the attached **Fees Statute 2009** (the new Statute).

The new Statute is intended to replace Statute 23 – Fees and Charges and Regulation 23.1 – Fees.

The new Statute provides the Council with the power to prescribe and impose fees for services provided by the University, including fees for—

- enrolment;
- examinations;
- conferrals;
- the provision of lectures and tutorials;
- the use of University facilities; and
- other matters for which the provision of fees is considered by Council to be necessary or expedient.

As with almost all powers of the Council, this power can be delegated (see section 24(1) of the *La Trobe University Act 1964*).

The new Statute provides that a fee imposed under the new Statute is to be due and payable no later than the time specified by Council for the fee, or 28 days after being imposed, whichever happens first.

The new Statute also provides that while a fee payable by a student remains unpaid, the student cannot, without the permission of the Vice-Chancellor or Deputy Vice-Chancellor, enrol or re-enrol, receive results, graduate or receive a certificate or transcript of academic record.

Finally, the new Statute provides that a fee imposed under the new Statute is a civil debt which can be pursued through the courts.

LA TROBE UNIVERSITY

FEES STATUTE 2009

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

1. Name and commencement

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

2. Council may prescribe fees

The Council may by resolution prescribe and impose fees for services provided by the University including fees for any of the following—

- (a) enrolment;
- (b) examinations;
- (c) the conferral of degrees and the granting of diplomas and other awards;
- (d) the provision of lectures and classes;
- (e) the use of University facilities;
- (f) such other matters as the Council considers necessary or expedient.

3. Collection of fees

- (1) Fees imposed under this Statute shall be due and payable no later than—
 - (a) the time specified by Council in respect of that fee; or
 - (b) 28 days after the day on which the fee is imposed—whichever occurs first.
- (2) While an overdue fee payable by a student remains unpaid, the student may not, without the written consent of the Vice-Chancellor or the Deputy Vice-Chancellor—
 - (a) enrol or re-enrol in any course, subject or unit;

- (b) receive the results of any assessments;
 - (c) graduate or be given any academic award;
 - (d) receive a certificate or transcript of academic record.
- (3) A fee imposed under this Statute is a civil debt recoverable summarily by the University in any court of competent jurisdiction.

4. Transitional

- (1) Despite the coming into full force and effect of this Statute, the Old Statute continues to apply to a fee or charge imposed under the Old Statute which, immediately before the commencement day, remained unpaid.

- (2) In this section—

commencement day means the day on which this Statute comes into full force and effect;

Old Statute means Statute 23 – Fees and Charges, and any regulations made under that Statute, as in force immediately before the commencement day.

5. Revocation of earlier University legislation

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

- (a) Statute 23 – Fees and Charges;
- (b) Regulation 23.1 – Fees.



Approved by the Council—

Approved by the Minister—