

LA TROBE UNIVERSITY

INTERPRETATION 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 **Interpretation Statute 2009**.
- (2) This Statute comes into full force and effect on 1 July 2009.

2. Definitions

In any Statute or regulations, unless the contrary intention appears—

academic day means a day during a semester;

academic misconduct has the meaning given in the **Academic Integrity Statute 2015**;

academic staff means the staff of the University whose terms of appointment describe them as such and who are engaged by the University in teaching or research, or teaching and research, positions;

Act means the **La Trobe University Act 2009**;

Albury Wodonga Campus means the campus designated as the Albury Wodonga Campus by the Council;

assessment has the meaning given in the **Academic Integrity Statute 2015**;

Bendigo Campus means the campus located in Bendigo and designated as such by the Council;

Board of Graduate Research means the body constituted under that name by the Academic Board;

Bundoora Campus means the campus located in Bundoora and designated as such by the Council;

business day means a day upon which the University is open for business;

campus means a campus of the University;

College means a College of the University specified by the Council under section 21 of the Act;

course means a course of study leading to the award of a degree, diploma or other award;

formal examination has the meaning given in the **Academic Integrity Statute 2015**;

general misconduct has the same meaning as in the **General Misconduct Statute 2009**;

general staff means the staff of the University whose terms of appointment describe them as such or who are engaged by the University as higher education officers or workers;

metropolitan campus means a campus located in the greater Melbourne metropolitan area and includes the Bundoora campus;

official notice board means a notice board determined by the Council to be an official notice board of the University, and can include a notice board in electronic form;

prescribed means prescribed in regulations;

Principal Dates Calendar means the publication by that name issued by the Council annually;

Pro Vice-Chancellor means the Pro Vice-Chancellor, however styled, of a College;

regional campus means a campus located outside the greater Melbourne metropolitan area;

semester means a teaching period in any year specified by the Academic Board as a semester;

senior member of the academic staff means a member of the academic staff of the University who is employed by the University at the prescribed level or higher;

senior member of the general staff means a member of the general staff of the University who is employed by the University at the prescribed level or higher;

School means a school of a College;

student means an enrolled student;

subject means a component of a course for which a total examination grade is awarded and which may consist of several units of work value which are individually examined;

University Appeals Committee means the University Appeals Committee established under the **University Appeals Committee Statute 2009**.

2A. Definition applicable to Statutes only

In any Statute, unless the contrary intention appears, *regulations* means regulations made under that Statute.

3. Construction of regulations

In any regulations made under a Statute, expressions used in the regulations shall, subject to the Act and unless the contrary intention appears, have the same respective meanings as they have in the Statute as amended and in force from time to time.

4. Effect of revocation or amendment

- (1) Unless the contrary intention appears, the revocation or amendment of a Statute or regulation does not affect—
 - (a) any right, privilege or liability acquired, accrued or incurred under the revoked or amended Statute or regulation; or
 - (b) any penalty incurred in respect of a contravention of the revoked or amended Statute or regulation; or
 - (c) any investigation, inquiry, legal proceedings or remedy in respect of any right, privilege, obligation, liability or penalty.
- (2) An investigation, inquiry, legal proceeding or remedy referred to in subsection (1) may be instituted, continued or enforced, and a penalty referred to in that subsection may be imposed, as if the revocation or amendment of the relevant Statute or regulation had not taken place.
- (3) Where a Statute or regulations, or a provision of the Statute or regulations, being a Statute or regulations that directly amended another Statute or other regulations (whether by the insertion of words in the other Statute or regulations or by the substitution of other words for words in that Statute or those regulations) is revoked or otherwise ceases to have any force or effect, the revocation or ceasing to have effect shall not, unless the contrary intention appears, affect in any way

the direct amendments made in the other Statute or regulations or the operation or effect of those amendments.

- (4) Subsection (3) applies to a direct amendment made to a provision of a Statute or set of regulations by another provision of that Statute or those regulations in the same manner as it applies to a direct amendment made to a Statute or set of regulations by another Statute or set of regulations.

5. Service of written notices

- (1) Where a Statute or regulation authorises or requires a written notice to be served on a person by the University (whether the expression “serve” or the expression “give”, “send” or “deliver” or any other expression is used), the written notice may, in addition to any other available means, be served on the person by post or e-mail.
- (2) Where written notice is served on a person by post, the service shall be deemed—
 - (a) to be effected by properly addressing, prepaying and posting the notice as a letter to the person at the last mailing address notified by the person; and
 - (b) to have been effected at the time at which the letter was posted in accordance with paragraph (a).
- (3) Where written notice is served on a person by e-mail, the service shall be deemed—
 - (a) to be effected by sending the e-mail to the person’s University e-mail account; and
 - (b) to have been effected at the time at which the e-mail was sent in accordance with paragraph (a).

6. Regulations

- (1) The Council may make regulations—
 - (a) for or with respect to or providing for any other matter or thing required to be regulated 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 32(2)(a) 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.

7. Revocation of earlier University legislation

Statute 1 – Interpretation is **revoked**.

LEGISLATIVE HISTORY

This Statute was approved by the Council on 2 March 2009 and by the Minister on 13 August 2009. It was amended by the **Faculties Statute 2010** on 16 June 2010 (LS Ref 09/01974), by the **University Legislation (General Amendments) Statute 2012** on 17 May 2013 (LS Ref 11/02891), by the **Future Ready (Amendments) Statute 2015** on 8 April 2015 (LS Ref Leg/11040) and by the **Council (Elections) Statute 2016** on 28 July 2016 (LS Ref Leg/13684).