

LA TROBE UNIVERSITY

CONTRACT SIGNING REGULATIONS 2016

The Council of La Trobe University makes these Regulations under Part 5 of the **La Trobe University Act 2009**.

1. Name

These Regulations are the **Contract Signing Regulations 2016**.

2. Interpretation

In these Regulations—

- (a) a reference to a contract includes an agreement, deed or other legally-binding document to which the University is, or is to be, a party;
- (b) a reference to entering into a contract includes signing or otherwise executing that contract; and
- (c) a reference to the Vice-Chancellor means any person occupying or acting in the role of Vice-Chancellor.

3. Power of the Vice-Chancellor to enter into contracts for and on behalf of the University

- (1) Subject to subsections (2) and (3) and section 4, the Vice-Chancellor may enter into contracts for and on behalf of the University.
- (2) If the total monetary expenditure to be made by the University under a proposed contract exceeds or is likely to exceed \$5,000,000, the Vice-Chancellor may not enter into that contract until the Council has approved the expenditure to be made by the University under the contract, the business case for the contract or the implementation of the business case for the contract.
- (3) The power of the Vice-Chancellor under these Regulations to enter into a contract for and on behalf of the University is subject at all times to all relevant legal, budgetary, financial, policy and procedural requirements as in force or effect from time to time within the University and which apply to the contract.

4. Executing a contract under common seal

- (1) This section 4 applies if a legislative provision or other rule of law

requires the University to execute a particular kind of contract under common seal.

- (2) If this section 4 applies, then, despite anything to the contrary elsewhere in these Regulations, the contract must be executed under common seal in accordance with the requirements of subsections (3) and (4) and, for that purpose, each person from time to time occupying or acting in any of the following positions may affix the common seal in accordance with the requirements of those subsections—
 - (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) each Deputy Vice-Chancellor, however styled;
 - (d) each Vice-President, however styled;
 - (e) the Chief Financial and Operations Officer.
- (3) When affixing the common seal to a contract under subsection (2), the person affixing the common seal must sign and date the contract and affix the common seal using the following form of words or a form of words substantially to the same effect as the following—

“The Common Seal of La Trobe University was affixed by the authority of [insert position title of person affixing common seal] in the presence of [insert position title of other person countersigning as witness]”.
- (4) The affixing of the common seal and the signature of the person who affixed the common seal must be countersigned by one of the other persons referred to in subsection (2) as a witness to the affixing.
- (5) A person must advise the Council at its next meeting of any contract to which the person has affixed the common seal since the previous meeting of the Council.



Approved by the Council on 12 September 2016. Amended by the Contract Signing (Amendment) Regulations 2019 approved by the Council on 16 December 2019.